

115TH CONGRESS  
2D SESSION

# H. R. 5515

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## AN ACT

To authorize appropriations for fiscal year 2019 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.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Defense Au-  
3 thorization Act for Fiscal Year 2019”.

4 **SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF**  
5 **CONTENTS.**

6 (a) DIVISIONS.—This Act is organized into seven di-  
7 visions as follows:

8 (1) Division A—Department of Defense Au-  
9 thorizations.

10 (2) Division B—Military Construction Author-  
11 izations.

12 (3) Division C—Department of Energy Na-  
13 tional Security Authorizations and Other Authoriza-  
14 tions.

15 (4) Division D—Coast Guard Authorization Act  
16 of 2017.

17 (5) Division E—National Strategic and Critical  
18 Minerals Production.

19 (6) Division F—Fees for Medical Services Pro-  
20 vided by National Park Service Personnel.

21 (7) Division G—Funding Tables.

22 (b) TABLE OF CONTENTS.—The table of contents for  
23 this Act is as follows:

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

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## Subtitle B—Army Programs

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Sec. 112. Limitation on availability of funds for M27 Infantry Automatic Rifle program.

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Sec. 123. Full ship shock trial for Ford class aircraft carrier.

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Sec. 125. Multiyear procurement authority for standard missile-6.

Sec. 126. Multiyear procurement authority for E-2D aircraft.

Sec. 127. Multiyear procurement authority for F/A-18E/F aircraft and EA-18G aircraft.

Sec. 128. Modifications to F/A-18 aircraft to mitigate physiological episodes.

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Sec. 130. Limitation on procurement of economic order quantities for Virginia class submarine program.

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Sec. 143. Retirement date for VC-25A aircraft.

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- Sec. 212. Extension of directed energy prototype authority.
- Sec. 213. Prohibition on availability of funds for the Weather Common Component program.
- Sec. 214. Limitation pending certification on the Joint Surveillance Target Attack Radar System recapitalization program.
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- Sec. 216. Limitation on availability of funds pending report on Agile Software Development and Software Operations.
- Sec. 217. Limitation on availability of funds for certain high energy laser advanced technology.
- Sec. 218. Plan for elimination or transfer of the Strategic Capabilities Office of the Department of Defense.
- Sec. 219. National Security Science And Technology Strategy.
- Sec. 220. Modification of CVN-73 to support fielding of MQ-25 unmanned aerial vehicle.
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- Sec. 7701. Department of Energy national security programs.

1 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

2 In this Act, the term “congressional defense commit-  
3 tees” has the meaning given that term in section  
4 101(a)(16) of title 10, United States Code.

5 **DIVISION A—DEPARTMENT OF**  
6 **DEFENSE AUTHORIZATIONS**  
7 **TITLE I—PROCUREMENT**  
8 **Subtitle A—Authorization Of**  
9 **Appropriations**

10 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

11 Funds are hereby authorized to be appropriated for  
12 fiscal year 2019 for procurement for the Army, the Navy  
13 and the Marine Corps, the Air Force, and Defense-wide  
14 activities, as specified in the funding table in section 7101.

15 **Subtitle B—Army Programs**

16 **SEC. 111. NATIONAL GUARD AND RESERVE COMPONENT**  
17 **EQUIPMENT REPORT.**

18 (a) IN GENERAL.—Section 10541(b) of title 10,  
19 United States Code, is amended by adding at the end the  
20 following new paragraph:

21 “(10) A joint assessment by the Chief of Staff  
22 of the Army and the Chief of the National Guard  
23 Bureau on the efforts of the Army to achieve parity  
24 among the active component, the Army Reserve, and  
25 the Army National Guard with respect to equipment  
26 and capabilities. Each assessment shall include a

1 comparison of the inventory of high priority items of  
2 equipment available to each component of the Army  
3 described in preceding sentence, including—

4 “(A) AH–64 Attack Helicopters;

5 “(B) UH–60 Black Hawk Utility Heli-  
6 copters;

7 “(C) Abrams Main Battle Tanks;

8 “(D) Bradley Infantry Fighting Vehicles;

9 “(E) Stryker Combat Vehicles; and

10 “(F) any other items of equipment identi-  
11 fied as high priority by the Chief of Staff of the  
12 Army or the Chief of the National Guard Bu-  
13 reau.”.

14 (b) EFFECTIVE DATE.—The amendment made by  
15 subsection (a) shall apply with respect to reports required  
16 to be submitted under section 10541 of title 10, United  
17 States Code, after the date of the enactment of this Act.

18 **SEC. 112. LIMITATION ON AVAILABILITY OF FUNDS FOR**

19 **M27 INFANTRY AUTOMATIC RIFLE PROGRAM.**

20 (a) LIMITATION.—Of the funds authorized to be ap-  
21 propriated by this Act or otherwise made available for fis-  
22 cal year 2019 for the M27 Infantry Automatic Rifle pro-  
23 gram of the Marine Corps, not more than 80 percent may  
24 be obligated or expended until the date on which the Com-  
25 mandant of the Marine Corps submits to the Committees

1 on Armed Services of the Senate and the House of Rep-  
2 resentatives the assessment described in subsection (b).

3 (b) ASSESSMENT.—The assessment described in this  
4 subsection is a written summary of the views of the Ma-  
5 rine Corps with respect to the Small Arms Ammunition  
6 Configuration Study of the Army, including—

7 (1) an explanation of how the study informs the  
8 future small arms modernization requirements of the  
9 Marine Corps; and

10 (2) near-term and long-term modernization  
11 strategies for the small arms weapon systems of the  
12 Marine Corps, including associated funding and  
13 schedule profiles.

## 14 **Subtitle C—Navy Programs**

### 15 **SEC. 121. INCREASE IN NUMBER OF OPERATIONAL AIR-** 16 **CRAFT CARRIERS OF THE NAVY.**

17 (a) FINDINGS.—Congress finds the following:

18 (1) The aircraft carrier can fulfill the Navy’s  
19 core missions of forward presence, sea control, en-  
20 suring safe sea lanes, and power projection as well  
21 as providing flexibility and versatility to execute a  
22 wide range of additional missions.

23 (2) Forward airpower is integral to the security  
24 and joint forces operations of the United States.  
25 Carriers play a central role in delivering forward air-

1 power from sovereign territory of the United States  
2 in both permissive and nonpermissive environments.

3 (3) Aircraft carriers provide our Nation the  
4 ability to rapidly and decisively respond to national  
5 threats, as well as conducting worldwide, on-station  
6 diplomacy and providing deterrence against threats  
7 to the United States allies, partners, and friends.

8 (4) Since the end of the cold war, aircraft car-  
9 rier deployments have increased while the aircraft  
10 carrier force structure has declined.

11 (5) Considering the increased array of complex  
12 threats across the globe, the Navy aircraft carrier is  
13 operating at maximum capacity, increasing deploy-  
14 ment lengths and decreasing maintenance periods in  
15 order to meet operational requirements.

16 (6) To meet global peacetime and wartime re-  
17 quirements, the Navy has indicated a requirement to  
18 maintain two aircraft carriers deployed overseas and  
19 have three additional aircraft carriers capable of de-  
20 ploying within 90 days. However, the Navy has indi-  
21 cated that the existing aircraft carrier force struc-  
22 ture cannot support these military requirements.

23 (7) Despite the requirement to maintain an air-  
24 craft carrier strike group in both the United States  
25 Central Command and the United States Pacific

1 Command, the Navy has been unable to generate  
2 sufficient capacity to support combatant com-  
3 manders and has developed significant carrier gaps  
4 in these critical areas.

5 (8) Because of the continuing use of a dimin-  
6 ished aircraft carrier force structure, extensive main-  
7 tenance availabilities result which typically exceed  
8 program costs and increase time in shipyards. These  
9 expansive maintenance availabilities exacerbate exist-  
10 ing carrier gaps.

11 (9) Developing an alternative design to the  
12 Ford-class aircraft carrier is not cost beneficial. A  
13 smaller design is projected to incur significant de-  
14 sign and engineering cost while significantly reduc-  
15 ing magazine size, carrier air wing size, sortie rate,  
16 and on-station effectiveness, among other vital fac-  
17 tors, as compared to the Ford-class. Furthermore, a  
18 new design will delay the introduction of future air-  
19 craft carriers, exacerbating existing carrier gaps and  
20 threatening the national security of the United  
21 States.

22 (10) The 2016 Navy Force Structure Assess-  
23 ment states “A minimum of 12 aircraft carriers are  
24 required to meet the increased warfighting response

1 requirements of the Defense Planning Guidance De-  
2 feat/Deny force sizing direction.”.

3 (b) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that—

5 (1) the United States should expedite delivery  
6 of 12 aircraft carriers; and

7 (2) an aircraft carrier should be authorized  
8 every three years.

9 (c) INCREASE IN NUMBER OF OPERATIONAL AIR-  
10 CRAFT CARRIERS OF THE NAVY.—

11 (1) INCREASE.—Section 5062(b) of title 10,  
12 United States Code, is amended by striking “11  
13 operational aircraft carriers” and inserting “12  
14 operational aircraft carriers”.

15 (2) EFFECTIVE DATE.—The amendment made  
16 by paragraph (1) shall take effect on September 30,  
17 2022.

18 **SEC. 122. PROCUREMENT AUTHORITY FOR FORD CLASS**

19 **AIRCRAFT CARRIER PROGRAM.**

20 (a) CONTRACT AUTHORITY.—

21 (1) PROCUREMENT AUTHORIZED.—The Sec-  
22 retary of the Navy may enter into one or more con-  
23 tracts, beginning with the fiscal year 2019 program  
24 year, for the procurement of one Ford class aircraft  
25 carrier to be designated CVN–81.

1           (2) PROCUREMENT IN CONJUNCTION WITH  
2           CVN-80.—The aircraft carrier authorized to be pro-  
3           cured under subsection (a) may be procured as an  
4           addition to the contract covering the Ford class air-  
5           craft carrier designated CVN-80 that is authorized  
6           to be constructed under section 121 of the John  
7           Warner National Defense Authorization Act for Fis-  
8           cal Year 2007 (Public Law 109-364; 120 Stat.  
9           2104).

10          (b) USE OF INCREMENTAL FUNDING.—With respect  
11         to a contract entered into under subsection (a), the Sec-  
12         retary of the Navy may use incremental funding to make  
13         payments under the contract.

14          (c) LIABILITY.—A contract entered into under sub-  
15         section (a) shall provide that the total liability to the Gov-  
16         ernment for termination of the contract entered into shall  
17         be limited to the total amount of funding obligated at the  
18         time of termination.

19          (d) CONDITION FOR OUT-YEAR CONTRACT PAY-  
20         MENTS.—A contract entered into under subsection (a)  
21         shall provide that any obligation of the United States to  
22         make a payment under the contract for a fiscal year is  
23         subject to the availability of appropriations for that pur-  
24         pose for such fiscal year.



1 **SEC. 123. FULL SHIP SHOCK TRIAL FOR FORD CLASS AIR-**  
2 **CRAFT CARRIER.**

3 The Secretary of the Navy shall ensure that full ship  
4 shock trials results are incorporated into the construction  
5 of the Ford class aircraft carrier designated CVN–81.

6 **SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR AM-**  
7 **PHIBIOUS VESSELS.**

8 (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—  
9 Subject to section 2306b of title 10, United States Code,  
10 the Secretary of the Navy may enter into one or more  
11 multiyear contracts for the procurement of not more than  
12 five amphibious vessels.

13 (b) **LIMITATION.**—The Secretary of the Navy may  
14 not modify a contract entered into under subsection (a)  
15 if the modification would increase the target price of an  
16 amphibious vessel by more than 10 percent above the tar-  
17 get price specified in the original contract awarded for the  
18 amphibious vessel under subsection (a).

19 (c) **AUTHORITY FOR ADVANCE PROCUREMENT.**—The  
20 Secretary of the Navy may enter into one or more con-  
21 tracts for advance procurement associated with the am-  
22 phibious vessels for which authorization to enter into a  
23 multiyear procurement contract is provided under sub-  
24 section (a) and for equipment or subsystems associated  
25 with the amphibious vessels, including procurement of—

26 (1) long lead time material; or

1           (2) material or equipment in economic order  
2 quantities when cost savings are achievable.

3           (d) **CONDITION FOR OUT-YEAR CONTRACT PAY-**  
4 **MENTS.**—A contract entered into under subsection (a)  
5 shall provide that any obligation of the United States to  
6 make a payment under the contract for a fiscal year after  
7 fiscal year 2019 is subject to the availability of appropria-  
8 tions or funds for that purpose for such later fiscal year.

9           (e) **LIMITATION ON TERMINATION LIABILITY.**—A  
10 contract for the construction of amphibious vessels entered  
11 into under subsection (a) shall include a clause that limits  
12 the liability of the United States to the contractor for any  
13 termination of the contract. The maximum liability of the  
14 United States under the clause shall be the amount appro-  
15 priated for the amphibious vessels covered by the contract  
16 regardless of the amount obligated under the contract.

17           (f) **AMPHIBIOUS VESSEL DEFINED.**—The term “am-  
18 phibious vessel” means a San Antonio class amphibious  
19 transport dock ship with a Flight II configuration.

20 **SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR**  
21 **STANDARD MISSILE-6.**

22           (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—  
23 Subject to section 2306b of title 10, United States Code,  
24 the Secretary of the Navy may enter into one or more  
25 multiyear contracts, beginning with the fiscal year 2019

1 program year, for the procurement of up to 625 standard  
2 missile–6 missiles at a rate of not more than 125 missiles  
3 per year during the covered period.

4 (b) CONDITION FOR OUT-YEAR CONTRACT PAY-  
5 MENTS.—A contract entered into under subsection (a)  
6 shall provide that any obligation of the United States to  
7 make a payment under the contract for a fiscal year after  
8 fiscal year 2019 is subject to the availability of appropria-  
9 tions or funds for that purpose for such later fiscal year.

10 (c) COVERED PERIOD DEFINED.—In this section, the  
11 term “covered period” means the 5-year period beginning  
12 with the fiscal year 2019 program year and ending with  
13 the fiscal year 2023 program year.

14 **SEC. 126. MULTIYEAR PROCUREMENT AUTHORITY FOR E-**  
15 **2D AIRCRAFT.**

16 (a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—  
17 Subject to section 2306b of title 10, United States Code,  
18 the Secretary of the Navy may enter into one or more  
19 multiyear contracts, beginning with the fiscal year 2019  
20 program year, for the procurement of up to 24 E–2D air-  
21 craft.

22 (b) CONDITION FOR OUT-YEAR CONTRACT PAY-  
23 MENTS.—A contract entered into under subsection (a)  
24 shall provide that any obligation of the United States to  
25 make a payment under the contract for a fiscal year after

1 fiscal year 2019 is subject to the availability of appropria-  
2 tions for that purpose for such later fiscal year.

3 **SEC. 127. MULTIYEAR PROCUREMENT AUTHORITY FOR F/A-**  
4 **18E/F AIRCRAFT AND EA-18G AIRCRAFT.**

5 (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—  
6 Subject to section 2306b of title 10, United States Code,  
7 the Secretary of the Navy may enter into one or more  
8 multiyear contracts, beginning with the fiscal year 2019  
9 program year, for the procurement of the following:

10 (1) F/A-18E/F aircraft.

11 (2) EA-18G aircraft.

12 (b) **CONDITION FOR OUT-YEAR CONTRACT PAY-**  
13 **MENTS.**—A contract entered into under subsection (a)  
14 shall provide that any obligation of the United States to  
15 make a payment under the contract for a fiscal year after  
16 fiscal year 2019 is subject to the availability of appropria-  
17 tions or funds for that purpose for such later fiscal year.

18 (c) **AUTHORITY FOR ADVANCE PROCUREMENT AND**  
19 **ECONOMIC ORDER QUANTITY.**—The Secretary of the  
20 Navy may enter into one or more contracts, beginning in  
21 fiscal year 2019, for advance procurement associated with  
22 the aircraft for which authorization to enter into a  
23 multiyear procurement contract is provided under sub-  
24 section (a), which may include one or more contracts for

1 the procurement of economic order quantities of material  
2 and equipment for such aircraft.

3 **SEC. 128. MODIFICATIONS TO F/A-18 AIRCRAFT TO MITI-**  
4 **GATE PHYSIOLOGICAL EPISODES.**

5 (a) MODIFICATIONS REQUIRED.—The Secretary of  
6 the Navy shall modify the F/A-18 aircraft to reduce the  
7 occurrence of, and mitigate the risk posed by, physiological  
8 episodes affecting crewmembers of the aircraft. The modi-  
9 fications shall include, at minimum—

10 (1) replacement of the F/A-18 cockpit altim-  
11 eter;

12 (2) upgrade of the F/A-18 onboard oxygen gen-  
13 eration system;

14 (3) redesign of the F/A-18 aircraft life support  
15 systems required to meet onboard oxygen generation  
16 system input specifications;

17 (4) installation of equipment associated with  
18 improved F/A-18 physiological monitoring and alert  
19 systems; and

20 (5) installation of an automatic ground collision  
21 avoidance system.

22 (b) REPORT REQUIRED.—Not later than February 1,  
23 2019, and annually thereafter through February 1, 2021,  
24 the Secretary of the Navy shall submit to the congres-  
25 sional defense committees a written update on the status

1 of all modifications to the F/A-18 aircraft carried out by  
2 the Secretary pursuant to subsection (a).

3 (c) WAIVER.—The Secretary of the Navy may waive  
4 the requirement to make a modification under subsection  
5 (a) if the Secretary certifies to the congressional defense  
6 committees that the specific modification is inadvisable  
7 and provides a detailed justification for excluding the  
8 modification from the Navy’s planned upgrades for the F/  
9 A-18 aircraft.

10 **SEC. 129. FRIGATE CLASS SHIP PROGRAM.**

11 (a) TECHNICAL DATA.—

12 (1) REQUIREMENT.—As part of the solicitation  
13 for proposals for the procurement of any frigate  
14 class ship, the Secretary of the Navy shall require  
15 that an offeror submit a proposal that provides for  
16 conveying technical data as part of the proposal for  
17 the frigate.

18 (2) RIGHTS OF THE UNITED STATES.—The  
19 Secretary of the Navy shall ensure that the Govern-  
20 ment’s rights in technical data for any frigate class  
21 ship are sufficient to allow the Government to—

22 (A) by not later than the date on which  
23 funds are obligated for the last covered frigate,  
24 use the technical data to conduct a full and  
25 open competition (pursuant to section 2304 of

1 title 10, United States Code) for any subse-  
2 quent procurement of a frigate class ship; and

3 (B) transition the frigate class ship combat  
4 systems to Government-furnished equipment to  
5 achieve open architecture and foster competi-  
6 tion to modernize future systems.

7 (b) DEFINITIONS.—In this section:

8 (1) The term “covered frigate” means each of  
9 the first 10 frigate class ships procured after Janu-  
10 ary 1, 2020.

11 (2) The term “technical data” means a com-  
12 pilation of detailed engineering plans and specifica-  
13 tions for the construction of a frigate class ship.

14 **SEC. 130. LIMITATION ON PROCUREMENT OF ECONOMIC**  
15 **ORDER QUANTITIES FOR VIRGINIA CLASS**  
16 **SUBMARINE PROGRAM.**

17 Section 124 of the National Defense Authorization  
18 Act for Fiscal Year 2018 (Public Law 115–91) is amend-  
19 ed—

20 (1) in subsection (c)(2), by striking “material”  
21 and inserting “subject to subsection (d), material”;

22 (2) by redesignating subsection (d) through (f)  
23 as subsections (e) through (g), respectively; and

24 (3) by inserting after subsection (c), the fol-  
25 lowing:

1           “(d) LIMITATION ON PROCUREMENT OF ECONOMIC  
2 ORDER QUANTITIES.—The Secretary of the Navy may not  
3 enter into contracts for economic order quantities under  
4 subsection (c)(2) until the date on which the Secretary  
5 certifies to the congressional defense committees that any  
6 funds made available for such contracts will be used to  
7 procure economic order quantities of material and equip-  
8 ment for not fewer than 12 Virginia class submarines.”.

9   **SEC. 131. LIMITATION ON USE OF FUNDS FOR DDG-51 DE-**  
10                                   **STROYERS.**

11           None of the funds authorized to be appropriated or  
12 otherwise made available by this Act for fiscal year 2019  
13 for Shipbuilding and Conversion, Navy, for DDG-51 class  
14 destroyers may be obligated or expended until the Sec-  
15 retary of the Navy submits to the congressional defense  
16 committees a report that includes—

17                   (1) a detailed description of the current  
18                   degaussing standards;

19                   (2) a plan for incorporating such standards into  
20                   the destroyer construction program; and

21                   (3) an assessment of the requirement to backfit  
22                   such standards in service destroyers.



1       **Subtitle D—Air Force Programs**

2       **SEC. 141. INVENTORY REQUIREMENT FOR AIR REFUELING**  
3                       **TANKER AIRCRAFT; LIMITATION ON RETIRE-**  
4                       **MENT OF KC-10A AIRCRAFT.**

5           (a) INVENTORY REQUIREMENT.—Section 8062 of  
6 title 10, United States Code, is amended by adding at the  
7 end the following new subsection:

8           “(j)(1) Except as provided in paragraph (2), effective  
9 October 1, 2019, the Secretary of the Air Force shall  
10 maintain a total primary assigned aircraft inventory of air  
11 refueling tanker aircraft of not less than 479 aircraft.

12           “(2) The Secretary of the Air Force may reduce the  
13 number of air refueling tanker aircraft in the primary as-  
14 signed aircraft inventory of the Air Force below 479 only  
15 if—

16                       “(A) the Secretary certifies to the congressional  
17 defense committees that such reduction is justified  
18 by the results of the mobility capability and require-  
19 ments study conducted under section 144(b) of the  
20 National Defense Authorization Act for Fiscal Year  
21 2018 (Public Law 115–91); and

22                       “(B) a period of 30 days has elapsed following  
23 the date on which the certification is made to the  
24 congressional defense committees under subpara-  
25 graph (A).

1 “(3) In this subsection:

2 “(A) The term ‘air refueling tanker aircraft’  
3 means an aircraft that has as its primary mission  
4 the refueling of other aircraft.

5 “(B) The term ‘primary assigned aircraft inven-  
6 tory’ means aircraft authorized to a flying unit for  
7 operations or training.”.

8 (b) LIMITATION ON RETIREMENT OF KC-10A.—

9 (1) IN GENERAL.—None of the funds author-  
10 ized to be appropriated by this Act or otherwise  
11 made available for any fiscal year for the Air Force  
12 may be obligated or expended to retire, or to prepare  
13 to retire, any KC-10A aircraft until the date that is  
14 30 days after the date on which the Secretary of the  
15 Air Force certifies to the congressional defense com-  
16 mittees that Secretary has met the minimum inven-  
17 tory requirement under section 8062(j) of title 10,  
18 United States Code, as added by subsection (a) of  
19 this section.

20 (2) EXCEPTION FOR CERTAIN AIRCRAFT.—The  
21 requirement of paragraph (1) does not apply to indi-  
22 vidual KC-10A aircraft that the Secretary of the Air  
23 Force determines, on a case-by-case basis, to be non-  
24 operational because of mishaps, other damage, or  
25 being uneconomical to repair.

1 **SEC. 142. LIMITATION ON USE OF FUNDS FOR KC-46A AIR-**  
2 **CRAFT PENDING SUBMITTAL OF CERTIFI-**  
3 **CATION.**

4 (a) CERTIFICATION REQUIRED.—The Secretary of  
5 the Air Force shall submit to the congressional defense  
6 committees certification that, as of the date of the certifi-  
7 cation—

8 (1) the supplemental type certification and the  
9 military type certification for the KC-46A aircraft  
10 have been approved; and

11 (2) the Air Force has accepted the delivery of  
12 the first KC-46A aircraft.

13 (b) LIMITATION ON USE OF FUNDS.—None of the  
14 funds authorized to be appropriated or otherwise made  
15 available by this Act for fiscal year 2019 for Aircraft Pro-  
16 curement, Air Force, may be obligated or expended for  
17 three KC-46A aircraft until the Secretary of the Air Force  
18 submits the certification required under subsection (a).

19 **SEC. 143. RETIREMENT DATE FOR VC-25A AIRCRAFT.**

20 (a) IN GENERAL.—For purposes of the application  
21 of section 2244a of title 10, United States Code, the re-  
22 tirement date of the covered aircraft is deemed to be not  
23 later than December 31, 2025.

24 (b) COVERED AIRCRAFT DEFINED.—In this section,  
25 the term “covered aircraft” means the two VC-25A air-

1 craft of the Air Force that are in service as of the date  
2 of the enactment of this Act.

3 **SEC. 144. CONTRACT FOR LOGISTICS SUPPORT FOR VC-25B**  
4 **AIRCRAFT.**

5 The Secretary of the Air Force shall—

6 (1) ensure that the total period of any contract  
7 awarded for logistics support for the VC-25B air-  
8 craft does not exceed five years, as required under  
9 part 17.204(e) of the Federal Acquisition Regula-  
10 tion, unless otherwise approved in accordance with  
11 established procedures; and

12 (2) comply with section 2304 of title 10, United  
13 States Code, regarding full and open competition  
14 through the use of competitive procedures for the  
15 award of any logistics support contract following the  
16 initial five-year contract period.

17 **SEC. 145. MULTIYEAR PROCUREMENT AUTHORITY FOR C-**  
18 **130J AIRCRAFT.**

19 (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—  
20 Subject to section 2306b of title 10, United States Code,  
21 the Secretary of the Air Force may enter into one or more  
22 multiyear contracts, beginning with the fiscal year 2019  
23 program year, for the procurement of up to 52 C-130J  
24 aircraft.

1 (b) CONDITION FOR OUT-YEAR CONTRACT PAY-  
2 MENTS.—A contract entered into under subsection (a)  
3 shall provide that any obligation of the United States to  
4 make a payment under the contract for a fiscal year after  
5 fiscal year 2019 is subject to the availability of appropria-  
6 tions for that purpose for such later fiscal year.

7 **SEC. 146. REMOVAL OF WAITING PERIOD FOR LIMITATION**  
8 **ON AVAILABILITY OF FUNDS FOR EC-130H**  
9 **COMPASS CALL RECAPITALIZATION PRO-**  
10 **GRAM.**

11 Section 135(a) of the National Defense Authorization  
12 Act for Fiscal Year 2018 (Public Law 115–91) is amended  
13 by striking “a period of 30 days has elapsed following”.

14 **SEC. 147. FINDINGS AND SENSE OF CONGRESS REGARDING**  
15 **KC-46 AERIAL REFUELING TANKERS.**

16 (a) FINDINGS.—Congress makes the following find-  
17 ings:

18 (1) Aerial refueling tankers provide an essential  
19 foundation for our nation’s ability to project power  
20 and deter adversaries, enabling the global reach of  
21 our joint force.

22 (2) 87 percent of the legacy aerial refueling  
23 fleet is comprised of KC-135 aircraft with an aver-  
24 age age of 56 years.

1           (3) The Commander of United States Trans-  
2           portation Command has identified the aerial refuel-  
3           ing fleet as the “most stressed of our air mobility  
4           forces” and stated that “delaying KC-46 production  
5           puts the Joint Force’s ability to effectively execute  
6           war plans at risk”.

7           (4) As directed by the National Defense Au-  
8           thorization Act for Fiscal Year 2018 (Public Law  
9           115-91), the Air Force is undertaking an updated  
10          mobility capability and requirements study that will  
11          reflect guidance articulated in the 2018 National  
12          Defense Strategy and reassess the current tanker re-  
13          quirement of 479 aircraft.

14          (5) The fixed-price contract for KC-46A calls  
15          for 179 aircraft to be delivered by 2028.

16          (6) The KC-46 is a multirole platform that will  
17          bring enhanced capabilities to both the aerial refuel-  
18          ing and strategic airlift missions. The aircraft pro-  
19          vides the ability to refuel joint and coalition aircraft  
20          by both boom and drogue systems in the same sor-  
21          tie; improved cargo, passenger and aeromedical evac-  
22          uation capabilities; and enhanced survivability with  
23          multiple layers of protection enabling it to operate  
24          safely in a broader range of threat environments  
25          than legacy tankers.

1           (7) The Government Accountability Office has  
2           stated: “The KC-46 program’s total acquisition cost  
3           estimate remained stable over the past year at  
4           \$44,400,000,000, which is about \$7,300,000,000  
5           less than the original estimate.”

6           (8) The Commander of Air Mobility Command  
7           has stated that the KC-46 “will bring tremendous  
8           capability to our joint warfighter”.

9           (9) The Assistant Secretary of the Air Force  
10          for Acquisition has stated: “Stability of require-  
11          ments and funding are the keys to KC-46 program  
12          success and will enable the Air Force to deliver this  
13          new tanker ready for employment on day one.”

14          (10) The Military Deputy to the Assistant Sec-  
15          retary of the Air Force for Acquisition has identified  
16          the KC-46 as the Air Force’s second highest combat  
17          aviation acquisition priority “for the role that it  
18          plays in being able to power project”.

19          (11) With the support of Congress, the Air  
20          Force has executed three low rate initial production  
21          contracts for a total of 34 aircraft. In fiscal year  
22          2018, Congress provided funding for a fourth pro-  
23          duction lot totaling 18 aircraft.

24          (12) A steady production rate of 1.3 aircraft  
25          per month has been maintained through independent

1 investment by industry in order to expedite deliveries  
2 to the Air Force upon completion of developmental  
3 testing and certification.

4 (b) SENSE OF CONGRESS.—It is the sense of Con-  
5 gress that—

6 (1) the Air Force and industry should dedicate  
7 the resources and manpower necessary to ensure the  
8 first KC-46 is delivered in fiscal year 2018;

9 (2) the Air Force should maximize efficiency in  
10 the test and certification process to ensure that—

11 (A) test points are not redundant;

12 (B) test plans are approved expeditiously;

13 (C) receiver aircraft are available to sup-  
14 port test flights; and

15 (D) Air Force inputs necessary for Federal  
16 Aviation Administration and military airworthi-  
17 ness certifications are expedited; and

18 (3) the Assistant Secretary of the Air Force for  
19 Acquisition and the Director of the Defense Con-  
20 tract Management Agency should develop and imple-  
21 ment a plan enabling the Air Force to accept and  
22 field KC-46 aircraft at a rate higher than three air-  
23 craft per month after the delivery of the first air-  
24 craft.



1 **SEC. 148. SENSE OF CONGRESS ON CONVERSION OF F-22**  
2 **AIRCRAFT.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) Accelerating the modernization upgrade of  
5 F-22A Block 20 training and test aircraft would  
6 significantly increase the total available inventory of  
7 combat-capable F-22A Block 35 fighter aircraft.

8 (2) Converting 34 F-22A Block 20 aircraft to  
9 a Block 35 configuration would drastically improve  
10 the readiness and health of the entire F-22A fleet  
11 and increase flexibility to manage availability of the  
12 combat-coded Block 35 fleet, which is accumulating  
13 more operational flight hours than initially antici-  
14 pated.

15 (3) Making the conversions described in para-  
16 graph (2) would be a cost-effective way to increase  
17 the F-22's combat-capable force by 27 percent.

18 (4) If the conversion effort is not included in  
19 future base budgets, it would be advisable for the  
20 Department of Defense to support the effort as an  
21 unfunded priority.

22 (b) SENSE OF CONGRESS.—It is the sense of Con-  
23 gress that the Secretary of the Air Force should accelerate  
24 modernization of the F-22 Block 20 training and test air-  
25 craft as quickly as possible.

1     **Subtitle E—Defense-wide, Joint,**  
2             **and Multiservice Matters**

3     **SEC. 151. BUY-TO-BUDGET ACQUISITION OF F-35 AIRCRAFT.**

4             Subject to section 2308 of title 10, United States  
5 Code, using funds authorized to be appropriated by this  
6 Act for the procurement of F-35 aircraft, the Secretary  
7 of Defense may procure a quantity of F-35 aircraft in  
8 excess of the quantity authorized by this Act if such addi-  
9 tional procurement does not require additional funds to  
10 be authorized to be appropriated because of production ef-  
11 ficiencies or other cost reductions.

12     **SEC. 152. CERTIFICATION ON INCLUSION OF TECHNOLOGY**  
13             **TO MINIMIZE PHYSIOLOGICAL EPISODES IN**  
14             **CERTAIN AIRCRAFT.**

15             (a) **CERTIFICATION REQUIRED.**—Not later than 15  
16 days before entering into a contract for the procurement  
17 of a covered aircraft, the Secretary concerned shall submit  
18 to the congressional defense committees a written state-  
19 ment certifying that the aircraft to be procured under the  
20 contract will include the most recent technological ad-  
21 vancements necessary to minimize the impact of physio-  
22 logical episodes on aircraft crewmembers.

23             (b) **WAIVER.**—The Secretary concerned may waive  
24 the requirement of subsection (a) if the Secretary—

1           (1) determines the waiver is required in the in-  
2           terest of national security; and

3           (2) not later than 15 days before entering into  
4           a contract for the procurement of a covered aircraft,  
5           notifies the congressional defense committees of the  
6           rationale for the waiver.

7           (c) **TERMINATION.**—The requirement to submit a  
8           certification under subsection (a) shall terminate on Sep-  
9           tember 30, 2021.

10          (d) **DEFINITIONS.**—In this section:

11           (1) The term “covered aircraft” means a fight-  
12           er aircraft, an attack aircraft, or a fixed wing train-  
13           er aircraft.

14           (2) The term “Secretary concerned” means—

15                   (A) the Secretary of the Navy, with respect  
16                   to covered aircraft of Navy; and

17                   (B) the Secretary of the Air Force, with  
18                   respect to covered aircraft of the Air Force.

19   **SEC. 153. ARMORED COMMERCIAL PASSENGER-CARRYING**  
20                   **VEHICLES.**

21           (a) **IMPLEMENTATION OF GAO RECOMMENDA-**  
22           **TIONS.**—In accordance with the recommendations of the  
23           Government Accountability Office in the report titled “Ar-  
24           mored Commercial Vehicles: DOD Has Procurement  
25           Guidance, but Army Could Take Actions to Enhance In-

1 inspections and Oversight” (GAO-17-513), not later than  
2 180 days after the date of the enactment of this Act, the  
3 Secretary of Army shall—

4           (1) ensure that in-progress inspections are con-  
5 ducted at the armoring vendor’s facility for each  
6 procurement of an armored commercial passenger-  
7 carrying vehicle until the date on which the Sec-  
8 retary of Defense approves and implements an up-  
9 dated armoring and inspection standard for such ve-  
10 hicles; and

11           (2) designate a central point of contact for col-  
12 lecting and reporting information on armored com-  
13 mercial passenger-carrying vehicles (such as infor-  
14 mation on contracts execution and vehicle inspec-  
15 tions).

16           (b) BRIEFING REQUIRED.—Not later than 180 days  
17 after the date of the enactment of this Act, the Secretary  
18 of Defense shall provide to the congressional defense com-  
19 mittees a briefing on the progress of the Secretary in im-  
20 plementing Department of Defense Instruction O-  
21 2000.16 Volume 1, dated November 2016, with respect  
22 to armored commercial passenger-carrying vehicles, in-  
23 cluding—

1 (1) whether criteria for the procurement of such  
2 vehicles have been established and distributed to the  
3 relevant components of the Department; and

4 (2) whether a process is in place for ensuring  
5 that the relevant components of the Department in-  
6 corporate those criteria into contracts for such vehi-  
7 cles.

8 **TITLE II—RESEARCH, DEVELOP-**  
9 **MENT, TEST, AND EVALUA-**  
10 **TION**

11 **Subtitle A—Authorization Of**  
12 **Appropriations**

13 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

14 Funds are hereby authorized to be appropriated for  
15 fiscal year 2019 for the use of the Department of Defense  
16 for research, development, test, and evaluation, as speci-  
17 fied in the funding table in section 7201.

18 **Subtitle B—Program Require-**  
19 **ments, Restrictions, and Limita-**  
20 **tions**

21 **SEC. 211. MODIFICATION OF AUTHORITY TO CARRY OUT**  
22 **CERTAIN PROTOTYPE PROJECTS.**

23 Section 2371b(f) of title 10, United States Code, is  
24 amended by adding at the end the following new para-  
25 graphs:

1       “(4) Contracts or transactions entered into pursuant  
2 to this subsection that are expected to cost the Depart-  
3 ment of Defense in excess of \$100,000,000 but not in ex-  
4 cess of \$500,000,000 (including all options) may be  
5 awarded only upon written determination by the senior  
6 procurement executive for the agency as designated for the  
7 purpose of section 1702(c) of title 41, or, by the senior  
8 procurement executive for the Defense Advanced Research  
9 Projects Agency that award of the contract or transaction  
10 is essential to meet critical national security interests.

11       “(5) Contracts and transactions entered into pursu-  
12 ant to this subsection that are expected to cost the Depart-  
13 ment of Defense in excess of \$500,000,000 (including all  
14 options) may be awarded only if—

15               “(A) the Under Secretary of Defense for Acqui-  
16 sition and Sustainment determines in writing that  
17 award of the contract or transaction is essential to  
18 meet critical national security objectives; and

19               “(B) the congressional defense committees are  
20 notified in writing not later than 30 days before  
21 award of the contract or transaction.”.

1 **SEC. 212. EXTENSION OF DIRECTED ENERGY PROTOTYPE**  
2 **AUTHORITY.**

3 Section 219(c)(4) of the National Defense Authoriza-  
4 tion Act for Fiscal Year 2017 (Public Law 114–328; 10  
5 U.S.C. 2431 note) is amended—

6 (1) in subparagraph (A), by striking “Except as  
7 provided in subparagraph (B)” and inserting “Ex-  
8 cept as provided in subparagraph (C)”;

9 (2) by redesignating subparagraph (B) as sub-  
10 paragraph (C);

11 (3) by inserting after subparagraph (A) the fol-  
12 lowing:

13 “(B) Except as provided in subparagraph (C)  
14 and subject to the availability of appropriations for  
15 such purpose, of the funds authorized to be appro-  
16 priated by the National Defense Authorization Act  
17 for Fiscal Year 2019 or otherwise made available for  
18 fiscal year 2019 for research, development, test, and  
19 evaluation, defense-wide, up to \$100,000,000 may be  
20 available to the Under Secretary to allocate to the  
21 military departments, the defense agencies, and the  
22 combatant commands to carry out the program es-  
23 tablished under paragraph (1).”; and

24 (4) in subparagraph (C), as so redesignated, by  
25 striking “made available under subparagraph (A)”

1 and inserting “made available under subparagraph  
2 (A) or subparagraph (B)”.

3 **SEC. 213. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
4 **THE WEATHER COMMON COMPONENT PRO-**  
5 **GRAM.**

6 (a) PROHIBITION.—None of the funds authorized to  
7 be appropriated by this Act or otherwise made available  
8 for fiscal year 2019 for research, development, test, and  
9 evaluation, Air Force, for weather service (PE 0305111F,  
10 Project 672738) for product development, test and evalua-  
11 tion, and management services associated with the Weath-  
12 er Common Component program may be obligated or ex-  
13 pended.

14 (b) REPORT REQUIRED.—

15 (1) IN GENERAL.—The Secretary of the Air  
16 force shall submit to the congressional defense com-  
17 mittees a report on technologies and capabilities  
18 that—

19 (A) provide real-time or near real-time me-  
20 teorological situational awareness data through  
21 the use of sensors installed on manned and un-  
22 manned aircraft; and

23 (B) were developed primarily using funds  
24 of the Department of Defense.



1           (2) ELEMENTS.—The report under paragraph  
2 (1) shall include—

3           (A) a description of all technologies and  
4 capabilities described in paragraph (1) that  
5 exist as of the date on which the report is sub-  
6 mitted;

7           (B) a description of any testing activities  
8 that have been completed for such technologies  
9 and capabilities, and the results of those testing  
10 activities;

11           (C) the total amount of funds used by the  
12 Department of Defense for the development of  
13 such technologies and capabilities;

14           (D) a list of capability gaps or shortfalls in  
15 any major commands of the Air Force relating  
16 to the gathering, processing, exploitation, and  
17 dissemination of real-time or near real-time me-  
18 teorological situational awareness data for un-  
19 manned systems;

20           (E) an explanation of how such gaps or  
21 shortfalls may be remedied to supplement the  
22 weather forecasting capabilities of the Air Force  
23 and to enhance the efficiency or effectiveness of  
24 combat air power; and

1 (F) a plan for fielding existing technologies  
2 and capabilities to mitigate such gaps or short-  
3 falls.

4 **SEC. 214. LIMITATION PENDING CERTIFICATION ON THE**  
5 **JOINT SURVEILLANCE TARGET ATTACK**  
6 **RADAR SYSTEM RECAPITALIZATION PRO-**  
7 **GRAM.**

8 (a) LIMITATION.—Until a period of 15 days has  
9 elapsed following the date on which the Secretary of the  
10 Air Force submits to the congressional defense committees  
11 the certification described in subsection (b)—

12 (1) of the total amount of funds authorized to  
13 be appropriated by this Act or otherwise made avail-  
14 able for the Air Force for fiscal year 2019 for the  
15 covered programs not more than 50 percent may be  
16 obligated or expended for the programs; and

17 (2) the Secretary of the Air Force may not di-  
18 vest more than one legacy E-8 Joint Surveillance  
19 Target Attack Radar System aircraft.

20 (b) CERTIFICATION.—The certification described in  
21 this subsection is a written statement of the Secretary of  
22 the Air Force certifying that—

23 (1) the Secretary has awarded one or more con-  
24 tracts under the Joint Surveillance Target Attack  
25 Radar System recapitalization program for—

- 1 (A) engineering, manufacturing, and devel-  
2 opment;  
3 (B) low-rate initial production;  
4 (C) production; and  
5 (D) initial contractor support; and

6 (2) the program is proceeding in accordance  
7 with the plans for the program set forth in the  
8 budget request of the President submitted to Con-  
9 gress under section 1105 of title 31, United States  
10 Code, for fiscal year 2018.

11 (c) GAO REPORT AND BRIEFING.—

12 (1) REPORT REQUIRED.—Not later than March  
13 1, 2020, the Comptroller General of the United  
14 States shall submit to the congressional defense  
15 committees a report on Increment 1, Increment 2,  
16 and Increment 3 of the 21st Century Advanced Bat-  
17 tle-Management System of Systems capability of the  
18 Air Force. The report shall include a review of—

19 (A) the technologies that compose the ca-  
20 pability and the level of maturation of such  
21 technologies;

22 (B) the resources budgeted for the capa-  
23 bility;

24 (C) the fielding plan for the capability;

1 (D) any risk assessments associated with  
2 the capability; and

3 (E) the overall acquisition strategy for the  
4 capability.

5 (2) INTERIM BRIEFING.—Not later than March  
6 1, 2019, the Comptroller General of the United  
7 States shall provide to the Committee on Armed  
8 Services of the House of Representatives a briefing  
9 on the topics to be covered by the report under para-  
10 graph (1), including any preliminary data and any  
11 issues or concerns of the Comptroller General relat-  
12 ing to the report.

13 (d) AIR FORCE REPORT.—Not later than February  
14 5, 2019, the Secretary of the Air Force shall submit to  
15 the congressional defense committees a report on the leg-  
16 acy fleet of E–8C Joint Surveillance Target Attack Radar  
17 System aircraft that includes—

18 (1) the modernization and sustainment strat-  
19 egy, and associated costs, for the airframe and mis-  
20 sion systems that will be used to maintain the legacy  
21 fleet of such aircraft until the Joint Surveillance  
22 Target Attack Radar System recapitalization pro-  
23 gram achieves initial operational capability; and

24 (2) a plan that describes how the Secretary  
25 will—

1 (A) continue to provide combatant com-  
2 manders with the current level of E-8C force  
3 support;

4 (B) accelerate the Joint Surveillance Tar-  
5 get Attack Radar System recapitalization pro-  
6 gram to significantly decrease the time needed  
7 to achieve initial operational capability without  
8 adversely affecting currently programmed E-8C  
9 manpower levels; and

10 (C) maintain acceptable levels of risk while  
11 carrying out the activities described in subpara-  
12 graphs (A) and (B).

13 (e) PROGRAM OFFICE PERSONNEL.—Using funds  
14 authorized to be appropriated by this Act or otherwise  
15 made available for the Air Force for fiscal year 2019 for  
16 the Joint Surveillance Target Attack Radar System re-  
17 capitalization program, the Secretary of the Air Force  
18 may obligate and expend funds necessary for civilian pay  
19 expenses required to manage, execute, and deliver the  
20 Joint Surveillance Target Attack Radar System recapital-  
21 ization weapon system capability.

22 (f) COVERED PROGRAM DEFINED.—In this section,  
23 the term “covered program” means any program com-  
24 prising Increment 1, Increment 2, or Increment 3, of the  
25 21st Century Advanced Battle-Management System of

1 Systems capability of the Air Force, except the term does  
2 not include any activities under the legacy E-8C program  
3 or the Joint Surveillance Target Attack Radar System re-  
4 capitalization program of the Air Force.

5 **SEC. 215. LIMITATION ON AVAILABILITY OF FUNDS FOR F-**  
6 **35 CONTINUOUS CAPABILITY DEVELOPMENT**  
7 **AND DELIVERY.**

8 (a) LIMITATION.—Except as provided in subsection  
9 (b), of the funds authorized to be appropriated by this Act  
10 or otherwise made available for fiscal year 2019 for the  
11 F-35 continuous capability development and delivery pro-  
12 gram, not more than 75 percent may be obligated or ex-  
13 pended until a period of 15 days has elapsed following the  
14 date on which the Secretary of Defense submits to the  
15 congressional defense committees a detailed cost estimate  
16 and baseline schedule for the program, which shall include  
17 any information required for a major defense acquisition  
18 program under section 2435 of title 10, United States  
19 Code.

20 (b) EXCEPTION.—The limitation in subsection (a)  
21 does not apply to any funds authorized to be appropriated  
22 or otherwise made available for the development of the F-  
23 35 dual capable aircraft capability.

1 **SEC. 216. LIMITATION ON AVAILABILITY OF FUNDS PEND-**  
2 **ING REPORT ON AGILE SOFTWARE DEVELOP-**  
3 **MENT AND SOFTWARE OPERATIONS.**

4 (a) **LIMITATION.**—Of the of funds described in sub-  
5 section (d), not more than 75 percent may be obligated  
6 or expended until a period of 30 days has elapsed following  
7 the date on which the Secretary of the Air Force submits  
8 the report required under subsection (b).

9 (b) **REPORT.**—Subject to subsection (c), the Sec-  
10 retary of the Air Force shall submit to the congressional  
11 defense committees a report that includes a description  
12 of each of the following:

13 (1) The specific cost-estimating tools and meth-  
14 odologies used to formulate Air Force budgets for  
15 software application development using Agile Soft-  
16 ware Development and Software Operations (re-  
17 ferred to in this section as “Agile DevOps”) in sup-  
18 port of modernization and upgrade activities for Air  
19 Operations Centers.

20 (2) The types of contracts used to execute Agile  
21 DevOps activities and the rationale for using each  
22 type of contract.

23 (3) How intellectual property ownership issues  
24 associated with software applications developed with  
25 Agile DevOps processes will be addressed to ensure  
26 future sustainment, maintenance, and upgrades to

1 software applications after the applications are field-  
2 ed.

3 (4) The Secretary's strategy for ensuring that  
4 software applications developed for Air Operations  
5 Centers are transportable and translatable among all  
6 the Centers to avoid any duplication of efforts.

7 (5) Any tools and software applications that  
8 have been developed for the Air Operations Centers  
9 and the costs and cost categories associated with de-  
10 veloping each such tool and software application.

11 (c) REVIEW.—Before submitting the report under  
12 subsection (b), the Secretary of the Air Force shall ensure  
13 that the report is reviewed and approved by the Director  
14 of Defense Pricing and the Defense Procurement and Ac-  
15 quisition Policy.

16 (d) FUNDS DESCRIBED.—The funds described in this  
17 subsection are the following:

18 (1) Funds authorized to be appropriated by this  
19 Act or otherwise made available for fiscal year 2019  
20 for research, development, test, and evaluation, Air  
21 Force, for Air and Space Operations Centers (PE  
22 0207410F, Project 674596).

23 (2) Funds authorized to be appropriated by this  
24 Act or otherwise made available for fiscal year 2019



1 for other procurement, Air Force, for Air and Space  
2 Operations Centers.

3 **SEC. 217. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
4 **CERTAIN HIGH ENERGY LASER ADVANCED**  
5 **TECHNOLOGY.**

6 (a) LIMITATION.—Of the funds authorized to be ap-  
7 propriated by this Act or otherwise made available for fis-  
8 cal year 2019 for the Department of Defense for High  
9 Energy Laser Advanced Technology (PE 0603924D8Z),  
10 not more than 50 percent may be obligated or expended  
11 until the date on which the Secretary of Defense submits  
12 to the congressional defense committees—

13 (1) a logical roadmap and detailed assessment  
14 of the high energy laser programs of the Depart-  
15 ment of Defense; and

16 (2) a justification for the \$33,533,000 of in-  
17 creased funding for high energy laser programs au-  
18 thorized in the National Defense Authorization Act  
19 for Fiscal Year 2018 (Public Law 115–91).

20 (b) RULE OF CONSTRUCTION.—The limitation in  
21 subsection (a) shall not be construed to apply to any other  
22 high energy laser program of the Department of Defense  
23 other than the program element specified in such sub-  
24 section.

1 **SEC. 218. PLAN FOR ELIMINATION OR TRANSFER OF THE**  
2 **STRATEGIC CAPABILITIES OFFICE OF THE**  
3 **DEPARTMENT OF DEFENSE.**

4 (a) **PLAN REQUIRED.**—Not later than March 1,  
5 2019, the Secretary of Defense, acting through the Under  
6 Secretary of Defense for Research and Engineering, shall  
7 submit to the congressional defense committees a plan—

8 (1) to eliminate the Strategic Capabilities Office  
9 of the Department of Defense by not later than Oc-  
10 tober 1, 2020; or

11 (2) to transfer the functions of the Strategic  
12 Capabilities Office to another organization or ele-  
13 ment of the Department by not later than October  
14 1, 2020.

15 (b) **ELEMENTS.**—The plan required under subsection  
16 (a) shall include the following:

17 (1) A timeline for the potential elimination or  
18 transfer of the activities, functions, programs, plans,  
19 and resources of the Strategic Capabilities Office.

20 (2) A strategy for mitigating risk to the pro-  
21 grams of the Strategic Capabilities Office while the  
22 elimination or transfer is carried out.

23 (3) A strategy for implementing the lessons  
24 learned and best practices of the Strategic Capabili-  
25 ties Office across the organizations and elements of

1 the Department of Defense to promote enterprise-  
2 wide innovation.

3 (c) FORM OF PLAN.—The plan required under sub-  
4 section (a) shall be submitted in unclassified form, but  
5 may include a classified annex.

6 **SEC. 219. NATIONAL SECURITY SCIENCE AND TECHNOLOGY**  
7 **STRATEGY.**

8 (a) STRATEGY.—Not later than February 4, 2019,  
9 the Secretary of Defense shall develop and implement a  
10 strategy (to be known as the “National Security Science  
11 and Technology Strategy”) to prioritize the science and  
12 technology efforts and investments of the Department of  
13 Defense.

14 (b) ELEMENTS.—The strategy under subsection (a)  
15 shall—

16 (1) include specific goals for the science and  
17 technology programs of the Department of Defense  
18 in which personnel and resources of the Department  
19 are invested;

20 (2) be aligned with the National Defense Strat-  
21 egy and Government-wide strategic science and tech-  
22 nology priorities, including the defense budget prior-  
23 ities of the Office of Science and Technology Policy  
24 of the President;

1           (3) align the acquisition priorities, programs,  
2           and timelines of the Department with the acquisition  
3           priorities, programs, and timelines of defense enter-  
4           prise laboratories and services;

5           (4) contain an assessment of high priority  
6           emerging technology programs of the Department,  
7           including programs relating to hypersonics, directed  
8           energy, synthetic biology, and artificial intelligence;

9           (5) identify high priority research and engineer-  
10          ing requirements and gaps;

11          (6) include recommendations for changes in au-  
12          thorities, regulations, policies, or any other relevant  
13          areas, that would support the achievement of the  
14          goals set forth in the strategy; and

15          (7) contain such other information as the Sec-  
16          retary of Defense determines to be appropriate.

17          (c) ANNUAL SUBMISSION.—

18           (1) IN GENERAL.—Not later than February 4,  
19           2019, and annually thereafter through December 31,  
20           2021, the Secretary of Defense shall submit to the  
21           congressional defense committees the most recent  
22           version of the strategy developed under subsection  
23           (a).

24           (2) FORM OF SUBMISSION.—Each strategy sub-  
25           mitted under paragraph (1) shall be submitted in

1 unclassified form, but may include a classified  
2 annex.

3 (d) BRIEFING.—Not later than 14 days after the date  
4 on which the initial strategy under subsection (a) is com-  
5 pleted, the Under Secretary of Defense for Research and  
6 Engineering shall provide to the Committees on Armed  
7 Services of the Senate and the House of Representatives  
8 a briefing on the implementation of the strategy.

9 **SEC. 220. MODIFICATION OF CVN-73 TO SUPPORT FIELDING**  
10 **OF MQ-25 UNMANNED AERIAL VEHICLE.**

11 The Secretary of the Navy shall ensure that the air-  
12 craft carrier designated CVN-73 is modified to support  
13 the fielding of the MQ-25 unmanned aerial vehicle before  
14 the date on which the refueling and complex overhaul of  
15 the aircraft carrier is completed.

16 **SEC. 220A. ESTABLISHMENT OF INNOVATORS DATABASE IN**  
17 **THE DEPARTMENT OF DEFENSE.**

18 (a) IN GENERAL.—Not later than one year after the  
19 date of the enactment of this Act, the Secretary of Defense  
20 shall establish an innovators database within the Depart-  
21 ment of Defense in accordance with this section.

22 (b) MAINTENANCE OF DATABASE.—The Under Sec-  
23 retary of Defense for Research and Engineering shall  
24 maintain the database and ensure that it is periodically  
25 updated.

1           (c) ELEMENTS OF DATABASE.— The database estab-  
2 lished under subsection (a) shall—

3           (1) be coordinated across the Department of  
4 Defense enterprise to focus on small business  
5 innovators that receive funds under the Small Busi-  
6 ness Innovation Research program or the Small  
7 Business Technology Transfer program; and

8           (2) include appropriate information about each  
9 participant, including a description of—

10           (A) the need or requirement applicable to  
11 the participant;

12           (B) the participant's technology with ap-  
13 propriate technical detail and appropriate pro-  
14 tections of proprietary information or data;

15           (C) any prior business of the participant  
16 with the Department; and

17           (D) whether the participant's technology  
18 was incorporated into a program of record.

19           (d) USE OF DATABASE.—After the database is estab-  
20 lished under subsection (a), the Secretary of Defense shall  
21 encourage program offices across the Department of De-  
22 fense to consult the database before initiating a Request  
23 for Information or a Request for Proposal to determine  
24 whether an organic technology exists or is being developed  
25 currently by a an entity supported by the Department

1 (which may include a company, academic consortium, or  
2 other entity).

3 **SEC. 220B. STRATEGIC PLAN FOR DEPARTMENT OF DE-**  
4 **FENSE TEST AND EVALUATION RESOURCES.**

5 Section 196(d) of title 10, United States Code, is  
6 amended—

7 (1) by amending paragraph (1) to read as fol-  
8 lows: “(1) Not less often than once every two fiscal  
9 years, the Under Secretary of Defense for Research  
10 and Engineering, in coordination with the Director  
11 of the Defense Intelligence Agency, the Secretaries  
12 of the military departments, and the heads of De-  
13 fense Agencies with test and evaluation responsibil-  
14 ities, shall complete a strategic plan reflecting the  
15 future needs of the Department of Defense with re-  
16 spect to test and evaluation facilities and resources.  
17 Each strategic plan shall cover the period of thirty  
18 fiscal years beginning with the fiscal year in which  
19 the plan is submitted under paragraph (3). The  
20 strategic plan shall be based on a comprehensive re-  
21 view of both funded and unfunded test and evalua-  
22 tion requirements of the Department, future threats  
23 to national security, and the adequacy of the test  
24 and evaluation facilities and resources of the Depart-

1 ment to meet those future requirements and  
2 threats.”; and

3 (2) in paragraph (2)(C), by striking “needed to  
4 meet such requirements” and inserting “needed to  
5 meet current and future requirements based on cur-  
6 rent and emerging threats, including, at minimum,  
7 missile defense, cyberspace operations, direct energy,  
8 and hypersonics,”.

9 **SEC. 220C. COLLABORATION BETWEEN DEFENSE LABORA-**  
10 **TORIES, INDUSTRY, AND ACADEMIA; OPEN**  
11 **CAMPUS PROGRAM.**

12 (a) **COLLABORATION.**—The Secretary of Defense  
13 may carry out activities to prioritize innovative collabora-  
14 tion between Department of Defense laboratories, indus-  
15 try, and academia.

16 (b) **OPEN CAMPUS PROGRAM.**—In carrying out sub-  
17 section (a), the Secretary of Defense, acting through the  
18 Commander of the Air Force Research Laboratory, may  
19 develop and implement an open campus program for the  
20 Laboratory which shall be modeled after the open campus  
21 program of the Army Research Laboratory.



1 **SEC. 220D. ENTREPRENEURIAL EDUCATION PROGRAM FOR**  
2 **PERSONNEL OF DEPARTMENT OF DEFENSE**  
3 **LABORATORIES.**

4 In order to promote a strong, lasting foundation for  
5 the national innovation ecosystem and increase the posi-  
6 tive economic and social impact of federally funded re-  
7 search, the Secretary of Defense may—

8 (1) carry out a program (commonly known as  
9 an “I-Corps program”) under which entrepreneur-  
10 ship and commercialization education, training, and  
11 mentoring is provided to personnel of Department of  
12 Defense laboratories; and

13 (2) determine eligibility requirements for the  
14 program.

15 **SEC. 220E. PROCESS FOR COORDINATION OF STUDIES AND**  
16 **ANALYSIS RESEARCH OF THE DEPARTMENT**  
17 **OF DEFENSE.**

18 The Secretary of Defense shall implement a Depart-  
19 ment of Defense-wide process under which the heads of  
20 the military departments and Defense Agencies respon-  
21 sible for managing requests for studies and analysis re-  
22 search are required to coordinate annual research requests  
23 and ongoing research efforts to minimize duplication and  
24 reduce costs.

1 **SEC. 220F. JET NOISE REDUCTION PROGRAM OF THE NAVY.**

2 (a) IN GENERAL.—The Secretary of the Navy, acting  
3 through the Director of the Office of Naval Research, may  
4 carry out a jet noise reduction program to study the phys-  
5 ics of, and reduce, jet noise produced by high-performance  
6 military aircraft.

7 (b) ELEMENTS.—In carrying out the program under  
8 subsection (a), the Secretary may—

9 (1) identify material and non-material solutions  
10 to reduce jet noise;

11 (2) develop and transition such solutions to the  
12 fleet;

13 (3) communicate relevant discoveries to the ci-  
14 vilian aviation community; and

15 (4) support the development of theoretical noise  
16 models, computational prediction tools, noise control  
17 strategies, diagnostic tools, and enhanced source lo-  
18 calization.

19 **SEC. 220G. PERMANENT EXTENSION AND CODIFICATION OF**  
20 **AUTHORITY TO CONDUCT TECHNOLOGY PRO-**  
21 **TECTION FEATURES ACTIVITIES DURING RE-**  
22 **SEARCH AND DEVELOPMENT OF DEFENSE**  
23 **SYSTEMS.**

24 (a) IN GENERAL.—Chapter 139 of title 10, United  
25 States Code, is amended by inserting before section 2358  
26 the following new section:

1 **“§ 2357. Technology protection features activities**

2       “(a) ACTIVITIES.—The Secretary of Defense may  
3 carry out activities to develop and incorporate technology  
4 protection features in a designated system during the re-  
5 search and development phase of such system.

6       “(b) COST-SHARING.—Any contract for the design or  
7 development of a system resulting from activities under  
8 subsection (a) for the purpose of enhancing or enabling  
9 the exportability of the system, either for the development  
10 of program protection strategies for the system or the de-  
11 sign and incorporation of exportability features into the  
12 system, shall include a cost-sharing provision that requires  
13 the contractor to bear half of the cost of such activities,  
14 or such other portion of such cost as the Secretary con-  
15 siders appropriate upon showing of good cause.

16       “(c) DEFINITIONS.—In this section:

17               “(1) The term ‘designated system’ means any  
18 system (including a major system, as defined in sec-  
19 tion 2302(5) of title 10, United States Code) that  
20 the Under Secretary of Defense for Acquisition and  
21 Sustainment designates for purposes of this section.

22               “(2) The term ‘technology protection features’  
23 means the technical modifications necessary to pro-  
24 tect critical program information, including anti-  
25 tamper technologies and other systems engineering

1 activities intended to prevent or delay exploitation of  
2 critical technologies in a designated system.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 at the beginning of chapter 139 of title 10, United States  
5 Code, is amended by inserting before the item relating to  
6 section 2358 the following new item:

“2357. Technology protection features activities.”.

7 (c) CONFORMING REPEAL.—Section 243 of the Ike  
8 Skelton National Defense Authorization Act for Fiscal  
9 Year 2011 (10 U.S.C. 2358 note) is repealed.

10 **SEC. 220H. STEM JOBS ACTION PLAN.**

11 (a) FINDINGS.—Congress finds the following:

12 (1) Jobs in science, technology, engineering,  
13 and math in addition to maintenance and manufac-  
14 turing (collectively referred to in this section as  
15 “STEM”) make up a significant portion of the  
16 workforce of the Department of Defense.

17 (2) These jobs exist within the organic indus-  
18 trial base, research, development, and engineering  
19 centers, life-cycle management commands, and logis-  
20 tics centers of the Department.

21 (3) Vital to the continued support of the mis-  
22 sion of all of the military services, the Department  
23 needs to maintain its STEM workforce.

24 (4) It is known that the demographics of per-  
25 sonnel of the Department indicate that many of the

1       STEM personnel of the Department will be eligible  
2       to retire in the next few years.

3               (5) Decisive action is needed to replace STEM  
4       personnel as they retire to ensure that the military  
5       does not further suffer a skill and knowledge gap  
6       and thus a serious readiness gap.

7       (b) ASSESSMENTS AND PLAN OF ACTION.—The Sec-  
8       retary of Defense, in conjunction with the Secretary of  
9       each military department, shall—

10              (1) perform an assessment of the STEM work-  
11       force for organizations within the Department of  
12       Defense, including the numbers and types of posi-  
13       tions and the expectations for losses due to retire-  
14       ments and voluntary departures;

15              (2) identify the types and quantities of STEM  
16       jobs needed to support future mission work;

17              (3) determine the shortfall between lost STEM  
18       personnel and future requirements;

19              (4) analyze and explain the appropriateness and  
20       impact of using reimbursable and working capital  
21       fund dollars for new STEM hires;

22              (5) identify a plan of action to address the  
23       STEM jobs gap, including hiring strategies and  
24       timelines for replacement of STEM employees; and

1 (6) deliver to Congress, not later than Decem-  
2 ber 31, 2019, a report specifying such plan of ac-  
3 tion.

## 4 **Subtitle C—Reports and Other** 5 **Matters**

### 6 **SEC. 221. REPORT ON SURVIVABILITY OF AIR DEFENSE AR-** 7 **TILLERY.**

8 (a) REPORT REQUIRED.—Not later than March 1,  
9 2019, the Secretary of the Army shall submit to the Com-  
10 mittees on Armed Services of the Senate and the House  
11 of Representatives a report on the efforts of the Army to  
12 improve the survivability of air defense artillery, with a  
13 particular focus on the efforts of the Army to improve pas-  
14 sive and active nonkinetic capabilities and training with  
15 respect to such artillery.

16 (b) ELEMENTS.—The report required under sub-  
17 section (a) shall include the following:

18 (1) An analysis of the utility of relevant passive  
19 and active non-kinetic integrated air and missile de-  
20 fense capabilities, including tactical mobility, new  
21 passive and active sensors, signature reduction, con-  
22 cealment, and deception systems, and electronic war-  
23 fare and high-powered radio frequency systems.

24 (2) An analysis of the utility of relevant active  
25 kinetic capabilities, such as a new, long-range

1 counter-maneuvering threat missile and additional  
2 indirect fire protection capability units to defend Pa-  
3 triot and Terminal High Altitude Area Defense bat-  
4 teries.

5 (c) FORM OF REPORT.—The report required under  
6 subsection (a) shall be submitted in unclassified form, but  
7 may contain a classified annex.

8 **SEC. 222. REPORT ON T-45 AIRCRAFT PHYSIOLOGICAL EPI-**  
9 **SODE MITIGATION ACTIONS.**

10 (a) REPORT REQUIRED.—Not later than March 1,  
11 2019, the Secretary of the Navy shall submit to the con-  
12 gressional defense committees a report on modifications  
13 made to T-45 aircraft and associated ground equipment  
14 to mitigate the risk of physiological episodes among T-  
15 45 aircraft crewmembers.

16 (b) ELEMENTS.—The report required under sub-  
17 section (a) shall include—

18 (1) a list of all modifications to the T-45 air-  
19 craft and associated ground equipment carried out  
20 during fiscal years 2017 through 2019 to mitigate  
21 the risk of physiological episodes among T-45 crew-  
22 members;

23 (2) the results achieved by such modifications  
24 as determined by relevant testing and operational  
25 activities;

1 (3) the cost of such modifications; and

2 (4) any plans of the Navy for future modifica-  
3 tions.

4 **SEC. 223. REPORT ON EFFORTS OF THE AIR FORCE TO**  
5 **MITIGATE PHYSIOLOGICAL EPISODES AF-**  
6 **FECTING AIRCRAFT CREWMEMBERS.**

7 (a) REPORT REQUIRED.—Not later than March 1,  
8 2019, the Secretary of the Air Force shall submit to the  
9 congressional defense committees a report on all efforts  
10 of the Air Force to reduce the occurrence of, and mitigate  
11 the risk posed by, physiological episodes affecting crew-  
12 members of covered aircraft.

13 (b) ELEMENTS.—The report required under sub-  
14 section (a) shall include—

15 (1) information on the rate of physiological epi-  
16 sodes affecting crewmembers of covered aircraft;

17 (2) a description of the specific actions carried  
18 out by the Air Force to address such episodes, in-  
19 cluding a description of any upgrades or other modi-  
20 fications made to covered aircraft to address such  
21 episodes;

22 (3) schedules and cost estimates for any up-  
23 grades or modifications identified under paragraph  
24 (3); and



1           (4) an explanation of any organizational or  
2 other changes to the Air Force carried out to ad-  
3 dress such physiological episodes.

4           (c) COVERED AIRCRAFT DEFINED.—In this section,  
5 the term “covered aircraft” means—

6           (1) F-35A aircraft of the Air Force;

7           (2) T-6A aircraft of the Air Force; and

8           (3) any other aircraft of the Air Force as deter-  
9 mined by the Secretary of the Air Force.

10 **SEC. 224. BRIEFING ON USE OF QUANTUM SCIENCES FOR**  
11 **MILITARY APPLICATIONS AND OTHER PUR-**  
12 **POSES.**

13           (a) BRIEFING REQUIRED.—Not later than 180 days  
14 after the date of the enactment of this Act, the Secretary  
15 of Defense shall provide to the congressional defense com-  
16 mittees a briefing on the strategy of the Secretary for  
17 using quantum sciences for military applications and other  
18 purposes.

19           (b) ELEMENTS.—The briefing under subsection (a)  
20 shall include—

21           (1) a description of the knowledge-base of the  
22 Department of Defense with respect to quantum  
23 sciences, plans to defend against quantum based at-  
24 tacks, and any plans of the Secretary of Defense to  
25 enhance such knowledge-base;

1           (2) a plan that describes how the Secretary in-  
2 tends to use quantum sciences for military applica-  
3 tions and to meet other needs of the Department;  
4 and

5           (3) an assessment of the efforts of foreign pow-  
6 ers to use quantum sciences for military applications  
7 and other purposes.

8           (c) FORM OF BRIEFING.—The briefing under sub-  
9 section (a) may be provided in classified or unclassified  
10 form.

11 **SEC. 225. REPORT ON DEFENSE INNOVATION UNIT EXPERI-**  
12 **MENTAL.**

13           Not later than May 1, 2019, the Under Secretary of  
14 Defense for Research and Engineering shall submit to the  
15 congressional defense committees a report on Defense In-  
16 novation Unit Experimental (in this section referred to as  
17 the “Unit”). Such a report shall include the following:

18           (1) The integration of the Unit into the broader  
19 Department of Defense research and engineering  
20 community to coordinate and de-conflict activities of  
21 the Unit with similar activities of the military de-  
22 partments, Defense Agencies, Department of De-  
23 fense laboratories, the Defense Advanced Research  
24 Project Agency, and other entities.

1           (2) The metrics used to measure the effective-  
2           ness of the Unit and the results of these metrics.

3           (3) The number and types of transitions by the  
4           Unit to the military departments or fielded to the  
5           warfighter.

6           (4) The use of other transaction authority by  
7           the Unit to include the process, procedures, docu-  
8           mentation, and oversight of awards made using such  
9           authority.

10          (5) The impact of the Unit's initiatives, out-  
11          reach, and investments on Department of Defense  
12          access to technology leaders and technology not oth-  
13          erwise accessible to the Department including—

14                (A) identification of the number of non-  
15                traditional companies with Department of De-  
16                fense contracts resulting directly from the  
17                Unit's initiatives, investments, or outreach;

18                (B) the number of innovations delivered  
19                into the hands of the warfighter; and

20                (C) how the Department is notifying its in-  
21                ternal components about participation in the  
22                Unit.

23          (6) How the Department of Defense is docu-  
24          menting and institutionalizing lessons learned and  
25          best practices of the Unit to alleviate the systematic

1 problems with technology access and timely contract  
2 execution.

3 **SEC. 226. INCREASE IN FUNDING FOR DIVERTOR TEST**  
4 **TOKAMAK RESEARCH AND DEVELOPMENT.**

5 (a) INCREASE.—Notwithstanding the amounts set  
6 forth in the funding tables in division G, the amount au-  
7 thorized to be appropriated in section 7701 for Depart-  
8 ment of Energy National Security Programs, as specified  
9 in the corresponding funding table in section 7701, for  
10 research, development, test, and evaluation, inertial con-  
11 finement fusion ignition and high yield, is hereby in-  
12 creased by \$3,000,000 (to be used for divertor test  
13 tokamak research and development).

14 (b) OFFSET.—Notwithstanding the amounts set forth  
15 in the funding tables in division G, the amount authorized  
16 to be appropriated in section 7101 for procurement, as  
17 specified in the corresponding funding table in section  
18 7101, for procurement of ammunition, Air Force, flares  
19 (Line 015) is hereby reduced by \$3,000,000.

20 **SEC. 227. BRIEFING ON INNOVATIVE MOBILE SECURITY**  
21 **TECHNOLOGY CAPABILITIES.**

22 (a) SENSE OF CONGRESS.—It is the sense of the Con-  
23 gress that—

24 (1) government-owned mobile technologies re-  
25 main at risk for targeting or data breaches placing

1 at risk information that could harm national secu-  
2 rity; and

3 (2) further, these vulnerabilities exist because  
4 current technologies do not possess the necessary se-  
5 curity features required to mitigate the threats of  
6 credential theft, active surveillance from micro-  
7 phones and cameras, and tracking of user move-  
8 ments and location.

9 (b) BRIEFING REQUIRED.—Not later than 90 days  
10 after the date of the enactment of this Act, the Secretary  
11 of Defense shall provide to the Committees on Armed  
12 Services of the Senate and the House of Representatives  
13 a briefing on—

14 (1) threats posed by credential theft, active sur-  
15 veillance from microphones and cameras, and track-  
16 ing of user movements and location;

17 (2) the commercial availability of technologies  
18 to mitigate these threats; and

19 (3) strategies and feasibilities of deploying mo-  
20 bile security technologies within the Department.

1 **SEC. 228. MODIFICATION OF FUNDING CRITERIA UNDER**  
2 **HISTORICALLY BLACK COLLEGES AND UNI-**  
3 **VERSITIES AND MINORITY INSTITUTIONS**  
4 **PROGRAM.**

5 Section 2362(d) of title 10, United States Code, is  
6 amended—

7 (1) in the subsection heading, by striking “Pri-  
8 ority” and inserting “Criteria”; and

9 (2) by striking “give priority in providing” and  
10 inserting “limit”.

11 **SEC. 229. REPORT ON OA-X LIGHT ATTACK AIRCRAFT AP-**  
12 **PLICABILITY TO PARTNER NATION SUPPORT.**

13 (a) REPORT REQUIRED.—Not later than February 1,  
14 2019, the Secretary of the Air Force shall submit to the  
15 congressional defense committees a report on the OA-X  
16 light attack aircraft experiment and how the program in-  
17 corporates partner nation requirements.

18 (b) ELEMENTS.—The report under subsection (a)  
19 shall include a description of—

20 (1) how the OA-X light attack experiment will  
21 support partner nations’ low-cost counter terrorism  
22 light attack capability;

23 (2) the extent to which the attributes of afford-  
24 ability, interoperability, sustainability, simplicity of  
25 maintenance and operations are included in the re-  
26 quirements for the OA-X; and

1           (3) how Federal Aviation Administration certifi-  
2           cation and a reasonable path for military type cer-  
3           tifications for commercial derivative aircraft are  
4           factored into foreign military sales for a partner na-  
5           tion.

6 **SEC. 230. FUNDING FOR DEVELOPMENT OF CANINE PLAS-**  
7 **MA FOR HEMORRHAGIC CONTROL.**

8           (a) INCREASE.—Notwithstanding the amounts set  
9           forth in the funding tables in division G, the amount au-  
10          thorized to be appropriated in section 201 for research,  
11          development, test, and evaluation, Defense-wide, as speci-  
12          fied in the corresponding funding table in section 7201,  
13          for the United States Special Operations Command is  
14          hereby increased by \$5,000,000 for the development of  
15          freeze-dried canine plasma for hemorrhagic control.

16          (b) OFFSET.—Notwithstanding the amounts set forth  
17          in the funding tables in division G, the amount authorized  
18          to be appropriated in section 101 for procurement, De-  
19          fense-wide, as specified in the corresponding funding table  
20          in section 7101, for the United States Special Operations  
21          Command is hereby reduced by \$5,000,000.

1 **SEC. 231. SENSE OF CONGRESS ON PARTNERSHIPS FOR**  
2 **NEXT GENERATION HYPERSONICS CAPABILI-**  
3 **TIES.**

4 It is the sense of Congress that the Secretary of the  
5 Air Force should consider entering into long-term partner-  
6 ships with institutions of higher education, similar to the  
7 partnerships between such institutions and the Army and  
8 the Navy, to conduct research and science and engineering  
9 education for next generation hypersonics capabilities.

10 **TITLE III—OPERATION AND**  
11 **MAINTENANCE**  
12 **Subtitle A—Authorization of**  
13 **Appropriations**

14 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

15 Funds are here by authorized to be appropriated for  
16 fiscal year 2019 for the use of the Armed Forces and other  
17 activities and agencies of the Department of Defense for  
18 expenses, not otherwise provided for, for operation and  
19 maintenance, as specified in the funding table in section  
20 7301.



## 1                   **Subtitle B—Energy and** 2                   **Environment**

### 3   **SEC. 311. INCLUSION OF CONSIDERATION OF ENERGY AND** 4                   **CLIMATE RESILIENCY EFFORTS IN MASTER** 5                   **PLANS FOR MAJOR MILITARY INSTALLA-** 6                   **TIONS.**

7           Section 2864 of title 10, United States Code, is  
8 amended—

9                   (1) in subsection (a)(2)—

10                   (A) in subparagraph (C), by striking  
11                   “and” at the end;

12                   (B) in subparagraph (D), by striking the  
13                   period at the end and inserting “; and”; and

14                   (C) by adding at the end the following new  
15                   subparagraph:

16                   “(E) energy and climate resiliency efforts.”;

17           and

18                   (2) in subsection (d), by adding at the end the  
19                   following new paragraph:

20                   “(3) The term ‘energy and climate resiliency’  
21                   means anticipation, preparation for, and adaptation  
22                   to utility disruptions and changing environmental  
23                   conditions and the ability to withstand, respond to  
24                   and recover rapidly from utility disruptions while en-

1       suring the sustainment of mission-critical oper-  
2       ations.”.

3       **SEC. 312. USE OF PROCEEDS FROM SALES OF ELECTRICAL**  
4                   **ENERGY DERIVED FROM GEOTHERMAL RE-**  
5                   **SOURCES FOR PROJECTS AT MILITARY IN-**  
6                   **STALLATIONS WHERE RESOURCES ARE LO-**  
7                   **CATED.**

8       Subsection (b) of section 2916 of title 10, United  
9       States Code, is amended—

10           (1) in paragraph (1), by striking “Proceeds”  
11           and inserting “Except as provided in paragraph (3),  
12           proceeds”; and

13           (2) by adding at the end the following new  
14           paragraph:

15           “(3) In the case of proceeds from a sale of electrical  
16           energy generated from any geothermal energy resource—

17                   “(A) 50 percent shall be credited to the appro-  
18                   priation account described in paragraph (1); and

19                   “(B) 50 percent shall be deposited in a special  
20                   account in the Treasury established by the Secretary  
21                   concerned which shall be available, for military con-  
22                   struction projects described in paragraph (2) or for  
23                   installation energy or water security projects directly  
24                   coordinated with local area energy or groundwater

1 governing authorities, for the military installation in  
2 which the geothermal energy resource is located.”.

3 **SEC. 313. EXTENSION OF AUTHORIZED PERIODS OF PER-**  
4 **MITTED INCIDENTAL TAKINGS OF MARINE**  
5 **MAMMALS IN THE COURSE OF SPECIFIED AC-**  
6 **TIVITIES BY DEPARTMENT OF DEFENSE.**

7 Section 101(a)(5)(A) of the Marine Mammal Protec-  
8 tion Act of 1972 (16 U.S.C. 1371(a)(5)(A)) is amended—

9 (1) in clause (i), by striking “Upon request”  
10 and inserting “Except as provided by clause (ii),  
11 upon request”;

12 (2) by redesignating clauses (ii) and (iii) as  
13 clauses (iii) and (iv), respectively; and

14 (3) by inserting after clause (i) the following  
15 new clause (ii):

16 “(ii) In the case of a request described in clause (i)  
17 made by the Department of Defense, such clause shall be  
18 applied—

19 “(I) in the matter preceding clause (I), by sub-  
20 stituting ‘ten consecutive years’ for ‘five consecutive  
21 years’; and

22 “(II) in clause (I), by substituting ‘ten-year’ for  
23 ‘five-year’.”.

1 **SEC. 314. STATE MANAGEMENT AND CONSERVATION OF**  
2 **SPECIES.**

3 (a) SAGE-GROUSE AND PRAIRIE-CHICKEN.—

4 (1) IN GENERAL.—During the 10-year period  
5 beginning on the date of the enactment of this Act,  
6 the conservation status of each of the Greater Sage-  
7 grouse (*Centrocercus urophasianus*) and the Lesser  
8 Prairie-Chicken (*Tympanuchus pallidicinctus*) under  
9 section 4 of the Endangered Species Act of 1973 (16  
10 U.S.C. 1533) shall be not-warranted for listing.

11 (2) SUBSEQUENT DETERMINATIONS.—In deter-  
12 mining conservation efficacy for purposes of making  
13 any determination of such status after such 10-year  
14 period, the Secretary of the Interior shall fully con-  
15 sider all conservation actions of States, Federal  
16 agencies, and military installations.

17 (b) AMERICAN BURYING BEETLE.—Notwithstanding  
18 the final rule of the United States Fish and Wildlife Serv-  
19 ice entitled “Endangered and Threatened Wildlife and  
20 Plants; Determination of Endangered Status for the  
21 American Burying Beetle” (54 Fed. Reg. 29652 (July 13,  
22 1989)), the American burying beetle (*Nicrophorus*  
23 *americanus*) may not be listed as a threatened species or  
24 endangered species under the Endangered Species Act of  
25 1973 (16 U.S.C. 1531 et seq.).

1 (c) JUDICIAL REVIEW.—Notwithstanding any other  
2 provision of statute or regulation, this section shall not  
3 be subject to judicial review.

4 **SEC. 315. DEPARTMENT OF DEFENSE ENVIRONMENTAL**  
5 **RESTORATION PROGRAMS.**

6 (a) FINDINGS.—Congress makes the following find-  
7 ings:

8 (1) The Department of Defense has identified  
9 nearly 39,500 sites that fall under the installation  
10 restoration program sites and munitions response  
11 sites.

12 (2) The installation response program addresses  
13 contamination from hazardous substances, pollut-  
14 ants, or contaminants and active military installa-  
15 tions, formerly used defense site properties, and base  
16 realignment and closure locations in the United  
17 States.

18 (3) Munitions response sites are known or sus-  
19 pected to contain unexploded ordnance, discarded  
20 military munitions, or munitions constitutes are ad-  
21 dressed through the military munitions response  
22 program.

23 (4) The installation restoration program sites  
24 and munitions response sites have had significant  
25 impacts on state and local governments that have

1 had to bear the increased costs of environmental  
2 degradation, notably groundwater contamination,  
3 and local populations that have had to live with the  
4 consequences of contaminated drinking, including in-  
5 creased health concerns and decreasing property val-  
6 ues.

7 (5) Through the end of fiscal year 2017, the  
8 Department of Defense had achieved response com-  
9 plete at 86 percent of installation restoration pro-  
10 gram sites and munitions response sites, but  
11 projects that it will fall short of meeting its goal of  
12 90 percent by the end of fiscal year 2018.

13 (6) The fiscal year 2019 budget request for en-  
14 vironmental restoration and base realignment and  
15 closure amounted to nearly \$1,318,320,000, a de-  
16 crease of \$53,429,000 from the amount authorized  
17 in the National Defense Authorization Act for Fiscal  
18 Year 2018 (Public Law 115–91).

19 (b) SENSE OF CONGRESS.—It is the sense of Con-  
20 gress that—

21 (1) the environmental restoration and base re-  
22 alignment and closure programs are important for  
23 the protection of the environment, the health of the  
24 military and civilian personnel and their families  
25 who live and work on military installations, to en-

1       sure that current and legacy military operations do  
2       not adversely affect the health or environments of  
3       surrounding communities;

4               (2) the Department of Defense and the Armed  
5       Forces should seek to reduce the financial burden on  
6       state and local government who are bearing signifi-  
7       cant costs of cleanup stemming from defense related  
8       activities;

9               (3) the Department of Defense and the Armed  
10       Forces should expedite and streamline cleanup at lo-  
11       cations where contamination is having a direct im-  
12       pact on civilian access to clean drinking water;

13              (4) the Department of Defense and the Armed  
14       Forces should continue to engage with and help  
15       allay local community concerns about the safety of  
16       the drinking water due to environmental degradation  
17       caused by defense related activities; and

18              (5) the Department of Defense should seek op-  
19       portunities to accelerate environmental restoration  
20       efforts where feasible, to include programming addi-  
21       tional resources for response actions, investing in  
22       technology solutions that may expedite response ac-  
23       tions, improving contracting procedures, increasing  
24       contracting capacity, and seeking opportunities for  
25       partnerships and other cooperative approaches.

1 (c) BRIEFING REQUIRED.—Not later than 120 days  
2 after enactment of this Act, the Assistant Secretary of De-  
3 fense for Energy, Installations, and Environment shall  
4 provide a briefing to the Committees on Armed Services  
5 of the Senate and House of Representatives on initiatives  
6 being pursued to accelerate environmental restoration ef-  
7 forts.

8 **SEC. 316. PRODUCTION AND USE OF NATURAL GAS AT**  
9 **FORT KNOX.**

10 (a) PRODUCTION AND USE OF NATURAL GAS AT  
11 FORT KNOX.—Chapter 449 of title 10, United States  
12 Code, is amended by adding at the end the following new  
13 section:

14 **“§ 4782. Natural gas: production, treatment, manage-**  
15 **ment, and use at Fort Knox, Kentucky**

16 “(a) AUTHORITY.—(1) The Secretary of the Army  
17 may provide for the production, treatment, management,  
18 and use of natural gas located under Fort Knox, Ken-  
19 tucky, without regard to section 3 of the Mineral Leasing  
20 Act for Acquired Lands (30 U.S.C. 352).

21 “(2) The Secretary is authorized to enter into a con-  
22 tract with an appropriate entity to carry out paragraph  
23 (1).

24 “(b) LIMITATION ON USES.—Any natural gas pro-  
25 duced under subsection (a) may be used only to support



1 activities and operations at Fort Knox and may not be  
2 sold for use elsewhere.

3 “(c) OWNERSHIP OF FACILITIES.—The Secretary of  
4 the Army may take ownership of any gas production and  
5 treatment equipment and facilities and associated infra-  
6 structure from an entity with which the Secretary has en-  
7 tered into a contract under subsection (a) in accordance  
8 with the terms of the contract.

9 “(d) APPLICABILITY.—The authority of the Sec-  
10 retary of the Army under this section is effective as of  
11 August 2, 2007.”

12 (b) CLERICAL AMENDMENT.—The table of sections  
13 at the beginning of such chapter is amended by adding  
14 at the end the following new item:

“4782. Natural gas: production, treatment, management, and use at Fort Knox,  
Kentucky.”

15 **SEC. 317. EXPLOSIVE ORDNANCE DISPOSAL DEFENSE PRO-**  
16 **GRAM.**

17 (a) IN GENERAL.—Chapter 136 of title 10, United  
18 States Code, as amended by section 851, is further amend-  
19 ed by adding at the end the following new section:

20 **“SEC. 2284. EXPLOSIVE ORDNANCE DISPOSAL DEFENSE**  
21 **PROGRAM.**

22 “(a) IN GENERAL.—The Secretary of Defense shall  
23 carry out a program to be known as the ‘Explosive Ord-  
24 nance Disposal Defense Program’ (in this section referred

1 to as the ‘Program’) under which the Secretary shall en-  
2 sure close and continuous coordination between military  
3 departments on matters relating to explosive ordnance dis-  
4 posal support for commanders of geographic and func-  
5 tional combatant commands.

6 “(b) ROLES, RESPONSIBILITIES, AND AUTHORI-  
7 TIES.—The plan under subsection (a) shall include provi-  
8 sions under which—

9 “(1) the Secretary of Defense shall—

10 “(A) assign the responsibility for the direc-  
11 tion, coordination, integration of the explosive  
12 ordnance disposal defense program within the  
13 Department of Defense;

14 “(B) designate the Assistant Secretary of  
15 Defense for Nuclear, Chemical, Biological De-  
16 fense Programs as the key individual for the ex-  
17 plosive ordnance disposal defense program that  
18 develops and oversees policy, plans, programs  
19 and budgets, and issues guidance and provides  
20 direction on Department of Defense explosive  
21 ordnance disposal activities;

22 “(C) designate the Secretary of the Navy,  
23 or a designee of the Secretary’s choice, as the  
24 executive agent for the Department of Defense  
25 that provides oversight of the joint program ex-

1 executive officer whom coordinates and integrates  
2 joint requirements for explosive ordnance dis-  
3 posal and carries out joint research, develop-  
4 ment, test and evaluation and procurement ac-  
5 tivities on behalf of the military departments  
6 and combatant commands with respect to explo-  
7 sive ordnance disposal;

8 “(D) designate the Director of the Defense  
9 Threat Reduction Agency as the responsible  
10 combat support agency that will exercise fund  
11 management responsibility of the Department  
12 of Defense-Wide Program Element for explosive  
13 ordnance disposal research, development, test  
14 and evaluation, transactions other than con-  
15 tracts, cooperative agreements, and grants re-  
16 lated to section 2371 of title 10 during research  
17 projects including rapid prototyping and limited  
18 procurement urgent activities, and acquisition;

19 “(E) designate an Army explosive ord-  
20 nance disposal-qualified general officer as the  
21 responsible senior leader of the Defense Threat  
22 Reduction Agency’s Joint Improvised-Threat  
23 Defeat Organization that serves as the Chair-  
24 man of the Department of Defense explosive  
25 ordnance disposal defense program board;

1           “(2) the Secretary of each military department  
2 shall assess the needs of the military department  
3 concerned with respect to explosive ordnance dis-  
4 posal and may carry out research, development, test  
5 and evaluation activities, including other trans-  
6 actions and procurement activities to address mili-  
7 tary department unique needs such as weapon sys-  
8 tems, manned and unmanned vehicles and platforms,  
9 cyber and communication equipment and the inte-  
10 gration of explosive ordnance disposal sets, kits and  
11 outfits and department’s developed explosive ord-  
12 nance disposal tools, equipment, sets, kits and out-  
13 fits.

14           “(c) ANNUAL BUDGET JUSTIFICATION DOCU-  
15 MENTS.—

16           “(1) For fiscal year 2021 and each fiscal year  
17 thereafter, the Secretary of Defense shall submit to  
18 Congress with the defense budget materials a con-  
19 solidated budget justification display, in classified  
20 and unclassified form, that includes all of activities  
21 of the Department of Defense relating to the Pro-  
22 gram.

23           “(2) The budget display under paragraph (1)  
24 for a fiscal year shall include a single program ele-  
25 ment for each of the following:

1           “(A) Civilian and military pay.

2           “(B) Research, development, test, and  
3 evaluation.

4           “(C) Procurement.

5           “(D) Other transaction agreements.

6           “(E) Military construction.

7           “(3) The budget display shall include funding  
8 data for each of the military department’s respective  
9 activities related to explosive ordnance disposal, in-  
10 cluding—

11           “(A) operations and maintenance; and

12           “(B) overseas contingency operations.

13           “(d) DEFINITIONS.—In this section:

14           “(1) The term ‘explosive ordnance’ means any  
15 munitions containing explosives, nuclear fission or  
16 fusion materials, or biological or chemical agents, in-  
17 cluding—

18           “(A) bombs and warheads;

19           “(B) guided and ballistic missiles;

20           “(C) artillery, mortar, rocket, and small  
21 arms munitions;

22           “(D) mines, torpedoes, and depth charges;

23           “(E) demolition charges;

24           “(F) pyrotechnics;

25           “(G) clusters and dispensers;

1           “(H) cartridge and propellant actuated de-  
2           vices;

3           “(I) electro-explosives devices;

4           “(J) clandestine and improvised explosive  
5           devices, including improvised nuclear, chemical  
6           and biological devices; and

7           “(K) similar or related items or compo-  
8           nents explosive in nature.

9           “(2) The term ‘disposal’ means, with respect to  
10          explosive ordnance, the assessment, sampling, detec-  
11          tion, identification, verification, field evaluation, de-  
12          feat, disablement, neutralization, or rendering-safe,  
13          war-head packaging, recovery, exploitation, and final  
14          disposition of ordnance.”.

15          (b) CLERICAL AMENDMENT.—The table of sections  
16          at the beginning of such chapter, as amended by section  
17          851, is further amended by adding at end the following  
18          new section:

          “2284. Explosive Ordnance Disposal Defense Program.”.

19          **SEC. 318. JOINT STUDY ON THE IMPACT OF WIND FARMS**  
20                                   **ON WEATHER RADARS AND MILITARY OPER-**  
21                                   **ATIONS.**

22          (a) IN GENERAL.—The Secretary of Defense shall  
23          enter into an arrangement with the National Oceanic and  
24          Atmospheric Administration to conduct a study on the im-

1 pact wind farms have on weather radars and subsequently  
2 Department of Defense operations and readiness.

3 (b) ELEMENTS.—The study required pursuant to  
4 subsection (a) shall include the following:

5 (1) The potential impacts of wind farms on  
6 NEXRAD radars and other Federal radars used by  
7 the Department of Defense, the National Oceanic  
8 and Atmospheric Administration, and the National  
9 Weather Service for weather forecasts and warnings.

10 (2) The subsequent impacts of wind farms on  
11 Department of Defense aviation readiness, includ-  
12 ing—

13 (A) Department of Defense air traffic con-  
14 trol radars;

15 (B) minimum vectoring altitudes, in par-  
16 ticular around military flight training bases;

17 (C) air-to-ground drop zones;

18 (D) air-to-ground bombing and test  
19 ranges;

20 (E) military operating areas that extend to  
21 the surface;

22 (F) military training routes;

23 (G) over-the-horizon radars; and

24 (H) Department of Defense weather ra-  
25 dars.

1           (3) Examples of when interference from the  
2 wind farms has affected the ability of the National  
3 Oceanic and Atmospheric Administration to forecast  
4 or warn for dangerous weather.

5           (4) Recommendations to reduce, mitigate, or  
6 eliminate the potential impacts.

7           (5) An analysis of the distance that wind tur-  
8 bines need to be away from the radars to ensure no  
9 impact.

10          (6) Recommendations for addressing the im-  
11 pacts to NEXRADs and weather radar due to in-  
12 creasing turbine heights.

13          (7) Recommendations to reduce or eliminate  
14 impacts of existing wind turbines, including those  
15 projects that are being repowered by developers to  
16 increase turbine heights.

17          (8) Recommendations to ensure wind farms do  
18 not impact the ability of the National Oceanic and  
19 Atmospheric Administration and the National  
20 Weather Service to warn or forecast hazardous  
21 weather.

22          (9) The cumulative impacts of multiple wind  
23 farms near a single radar on the ability of the Na-  
24 tional Oceanic and Atmospheric Administration and



1 the National Weather Service to warn or forecast  
2 hazardous weather.

3 (10) Recommendations to reduce or eliminate  
4 the cumulative impacts of multiple wind farms.

5 (11) An analysis of whether certain wind tur-  
6 bine projects, based on project layout, turbine ori-  
7 entation, number of turbines, density of turbines,  
8 proximity to radar, or turbine height result in great-  
9 er impacts to the missions of Department of De-  
10 fense, the National Oceanic and Atmospheric Ad-  
11 ministration, and the National Weather Service, and  
12 if so, how can those projects be better cited to re-  
13 duce or eliminate NEXRAD impacts.

14 (c) SUBMITTAL TO CONGRESS.—Not later than 12  
15 months after the date of the enactment of this Act, the  
16 Secretary shall submit to the congressional defense com-  
17 mittees a report on the study conducted pursuant to sub-  
18 section (a).

19 **SEC. 319. CORE SAMPLING AT JOINT BASE SAN ANTONIO,**  
20 **TEXAS.**

21 (a) SITE INVESTIGATION REQUIRED.—The Secretary  
22 of the Air Force shall conduct a core sampling study along  
23 the proposed route of the W-6 wastewater treatment line  
24 on Air Force real property, in compliance with best engi-  
25 neering practices, to determine if any regulated or haz-

1 arduous substances are present in the soil along the pro-  
2 posed route.

3 (b) REPORT REQUIRED.—Not later than 120 days  
4 after the date of the enactment of this Act, the Secretary  
5 of the Air Force shall submit to the Committees on Armed  
6 Services of the Senate and the House of Representatives  
7 a report on the results of the core samples taken pursuant  
8 to subsection (a).

9 **Subtitle C—Logistics and**  
10 **Sustainment**

11 **SEC. 321. EXAMINATION OF NAVAL VESSELS.**

12 Section 7304(a) of title 10, United States Code, is  
13 amended—

14 (1) by striking “The Secretary” and inserting  
15 “(1) The Secretary”; and

16 (2) by adding at the end the following new  
17 paragraphs:

18 “(2) Any naval vessel examined under this section on  
19 or after October 1, 2019, shall be examined without prior  
20 notice provided to the crew of the vessel.

21 “(3) Any report generated relating to an examination  
22 under this section shall be unclassified and made publicly  
23 available.”.

1 **SEC. 322. OVERHAUL AND REPAIR OF NAVAL VESSELS IN**  
2 **FOREIGN SHIPYARDS.**

3 (a) TREATMENT OF NAVAL VESSELS WITHOUT DES-  
4 IGNATED HOMEPORTS.—Subsection (a)(1) of section  
5 7310 of title 10, United States Code, is amended by add-  
6 ing at the end the following new sentence: “For the pur-  
7 pose of this section, a naval vessel that does not have a  
8 designated homeport shall be treated in the same manner  
9 as a vessel with a homeport in the United States or  
10 Guam.”.

11 (b) DEFINITION OF VOYAGE REPAIR.—Such section  
12 is further amended—

13 (1) in subsection (c)—

14 (A) in paragraph (3)(C), by striking “as  
15 defined” and all that follows through “Volume  
16 III”; and

17 (B) by striking paragraph (5); and

18 (2) by adding at the end the following new sub-  
19 section:

20 “(d) DEFINITIONS.—In this section:

21 “(1) The term ‘covered naval vessel’ means any  
22 of the following:

23 “(A) A naval vessel.

24 “(B) Any other vessel under the jurisdic-  
25 tion of the Secretary of the Navy.

1           “(C) A vessel not described in subpara-  
2 graph (A) or (B) that is operated pursuant to  
3 a contract entered into by the Secretary of the  
4 Navy and the Maritime Administration or the  
5 United States Transportation Command in sup-  
6 port of Department of Defense operations.

7           “(2) The term ‘voyage repair’ means repair per-  
8 formed solely for the corrective maintenance of mis-  
9 sion or safety essential items necessary for a vessel  
10 to deploy or continue its deployment.”.

11 **SEC. 323. LIMITATION ON LENGTH OF OVERSEAS FORWARD**

12 **DEPLOYMENT OF NAVAL VESSELS.**

13 (a) LIMITATION.—

14 (1) IN GENERAL.—Chapter 633 of title 10,  
15 United States Code, is amended by adding at the  
16 end the following new section:

17 **“§ 7320. Limitation on length of overseas forward de-**  
18 **ployment of naval vessels**

19 “(a) LIMITATION.—The Secretary of the Navy shall  
20 ensure that no naval vessel is forward deployed overseas  
21 for a period in excess of ten years. At the end of a period  
22 of overseas forward deployment, the vessel shall be as-  
23 signed a homeport in the United States.

24 “(b) WAIVER.—The Secretary of the Navy may waive  
25 the limitation under subsection (a) with respect to a naval

1 vessel if the Secretary submits to the congressional de-  
2 fense committees notice in writing of—

3 “(1) the waiver of such limitation with respect  
4 to the vessel;

5 “(2) the date on which the period of overseas  
6 forward deployment of the vessel is expected to end;  
7 and

8 “(3) the factors used by the Secretary to deter-  
9 mine that a longer period of deployment would pro-  
10 mote the national defense or be in the public inter-  
11 est.”.

12 (2) CLERICAL AMENDMENT.—The table of sec-  
13 tions at the beginning of such chapter is amended  
14 by adding at the end the following new section:

“7320. Limitation on length of overseas forward deployment of naval vessels.”.

15 (b) TREATMENT OF CURRENTLY DEPLOYED VES-  
16 SELS.—In the case of any naval vessel that has been for-  
17 ward deployed overseas for a period in excess of ten years  
18 as of the date of the enactment of this Act, the Secretary  
19 of the Navy shall ensure that such vessel is assigned a  
20 homeport in the United States by not later than three  
21 years after the date of the enactment of this Act.

22 (c) CONGRESSIONAL BRIEFING.—Not later than 90  
23 days after the date of the enactment of this Act, the Sec-  
24 retary of the Navy shall provide to the Committees on  
25 Armed Services of the Senate and House of Representa-

1 tives a briefing on the plan of the Secretary for the rota-  
2 tion of forward deployed naval vessels.

3 **SEC. 324. TEMPORARY MODIFICATION OF WORKLOAD CAR-**  
4 **RYOVER FORMULA.**

5 During the period beginning on the date of the enact-  
6 ment of this Act and ending on September 30, 2021, in  
7 carrying out chapter 9, volume 2B (relating to Instruc-  
8 tions for the Preparation of Exhibit Fund-11a Carryover  
9 Reconciliation) of Department of Defense regulation  
10 7000.14-R, entitled “Financial Management Regulation  
11 (FMR)”, in addition to any other applicable exemptions,  
12 the Secretary of Defense shall ensure that with respect  
13 to each military department depot or arsenal, outlay  
14 rates—

15 (1) reflect the timing of when during a fiscal  
16 year appropriations have historically funded work-  
17 load; and

18 (2) account for the varying repair cycle times of  
19 the workload supported.

20 **SEC. 325. LIMITATION ON USE OF FUNDS FOR IMPLEMEN-**  
21 **TATION OF ELEMENTS OF MASTER PLAN FOR**  
22 **REDEVELOPMENT OF FORMER SHIP REPAIR**  
23 **FACILITY IN GUAM.**

24 (a) LIMITATION.—Except as provided in subsection  
25 (b), none of the funds authorized to be appropriated by

1 this Act or otherwise made available for the Navy for fiscal  
2 year 2019 may be obligated or expended for any construc-  
3 tion, alteration, repair, or development of the real property  
4 consisting of the Former Ship Repair Facility in Guam.

5 (b) EXCEPTION.—The limitation under subsection  
6 (a) does not apply to any project that directly supports  
7 depot-level ship maintenance capabilities, including the  
8 mooring of a floating dry dock.

9 (c) FORMER SHIP REPAIR FACILITY IN GUAM.—In  
10 this section, the term “Former Ship Repair Facility in  
11 Guam” means the property identified by that name under  
12 the base realignment and closure authority carried out  
13 under the Defense Base Closure and Realignment Act of  
14 1990 (part A of title XXIX of Public Law 101–510; 10  
15 USC 2687 note).

16 **SEC. 326. BUSINESS CASE ANALYSIS FOR PROPOSED RELO-**  
17 **CATION OF J85 ENGINE REGIONAL REPAIR**  
18 **CENTER.**

19 (a) BUSINESS CASE ANALYSIS.—The Secretary of  
20 the Air Force shall prepare a business case analysis on  
21 the proposed relocation of the J85 Engine Regional Re-  
22 pair Center. Such analysis shall include each of the fol-  
23 lowing:

24 (1) An overview of each alternative considered  
25 for the J85 Engine Regional Repair Center.

1           (2) The one-time and annual costs associated  
2 with each such alternative.

3           (3) The effect of each such alternative on work-  
4 load capacity, capability, schedule, throughput, and  
5 costs.

6           (4) The effect of each such alternative on Gov-  
7 ernment-furnished parts, components, and equip-  
8 ment, including mitigation strategies to address  
9 known limitations to T38 production throughput, es-  
10 pecially such limitations caused by Government-fur-  
11 nished parts, equipment, or transportation.

12           (5) The effect of each such alternative on the  
13 transition of the Air Force to the T-X training air-  
14 craft.

15           (6) A detailed rationale for the selection of an  
16 alternative considered as part of the business case  
17 analysis under this section.

18       (b) LIMITATION ON USE OF FUNDS FOR RELOCA-  
19 TION.—None of the funds authorized to be appropriated  
20 by this Act, or otherwise made available for the Air Force,  
21 may be obligated or expended for any action to relocate  
22 the J85 Engine Regional Repair Center until the date that  
23 is 150 days after the date on which the Secretary of the  
24 Air Force provides to the Committees on Armed Services



1 of the Senate and House of Representatives a briefing on  
2 the business case analysis required by subsection (a).

3 **SEC. 327. ARMY ADVANCED AND ADDITIVE MANUFAC-**  
4 **TURING CENTER OF EXCELLENCE.**

5 (a) DESIGNATION.—The Secretary of the Army shall  
6 establish a Center of Excellence on Advanced and Additive  
7 Manufacturing at an arsenal (hereafter referred to as “the  
8 Center”).

9 (b) PURPOSES.—The Center established in section  
10 (a) shall—

11 (1) support the efforts of the Army to imple-  
12 ment advanced and additive manufacturing tech-  
13 niques and capabilities across the Army industrial  
14 facilities (as defined by section 4544(j) of title 10,  
15 United States Code);

16 (2) identify improvements to sustainment meth-  
17 ods for component parts and other logistics needs;

18 (3) identify and implement appropriate cyber  
19 protections to ensure viability of advanced and addi-  
20 tive manufacturing within the Army organic indus-  
21 trial base in consultation with the Army Cyber Cen-  
22 ter of Excellence and other appropriate government  
23 and private sector entities; and

1           (4) aid in the procurement of advanced and ad-  
2           ditive manufacturing equipment and support services  
3           including training.

4           (c) ASSISTANCE.—

5           (1) IN GENERAL.—The Secretary of the Army  
6           may use public-private partnerships and other trans-  
7           actional activity pursuant to section 2371 of title 10,  
8           United States Code, with covered entities to facili-  
9           tate the development of advanced and additive man-  
10          ufacturing techniques in support of Army industrial  
11          facilities.

12          (2) TERMS OF PARTNERSHIPS AND AGREE-  
13          MENTS.—Public-private partnerships and other  
14          transactional activity under paragraph (1)—

15                (A) shall facilitate development and imple-  
16                mentation of advanced and additive manufac-  
17                turing techniques and capabilities that support  
18                the Army organic industrial base;

19                (B) may support necessary workforce de-  
20                velopment and support efforts to sustain ad-  
21                vanced and additive manufacturing in the Army  
22                organic industrial base;

23                (C) shall facilitate appropriate sharing of  
24                information in the adaptation of advanced and

1 additive manufacturing into the Army organic  
2 industrial base;

3 (D) shall facilitate implementation of ap-  
4 propriate cyber protections into advanced and  
5 additive manufacturing tools and techniques;  
6 and

7 (E) may include the use of on-the-job  
8 training to ensure participants are able to learn  
9 the skills necessary for successful careers in ad-  
10 ditive manufacturing.

11 (d) DEFINITION OF COVERED ENTITY.—In this sec-  
12 tion, the term “covered entity” includes—

13 (1) community and technical colleges;

14 (2) research universities;

15 (3) State and local governments;

16 (4) economic development entities;

17 (5) non-profit technical associations in ad-  
18 vanced manufacturing; and

19 (6) non-profit organizations with a focus on im-  
20 proving the defense industrial base.

21 **SEC. 328. REPORT ON PILOT PROGRAM FOR MICRO-REAC-**  
22 **TORS.**

23 (a) REPORT REQUIRED.—Not later than 12 months  
24 after the date of enactment of this Act, the Secretary shall  
25 develop and submit to the Committee on Armed Services

1 and the Committee on Energy and Commerce in the  
2 House of Representatives and the Committee on Armed  
3 Services and the Committee on Energy and Natural Re-  
4 sources in the Senate a report describing the requirements  
5 for, and components of, a pilot program to provide resil-  
6 ience for critical national security infrastructure at De-  
7 partment of Defense and Department of Energy facilities  
8 by contracting with a commercial entity to site, construct,  
9 and operate at least one licensed micro-reactor at a facility  
10 identified under the report by December 31, 2027.

11 (b) CONSULTATION.—As necessary to develop the re-  
12 port required under subsection (a), the Secretary shall  
13 consult with—

- 14 (1) the Secretary of Defense;
- 15 (2) the Nuclear Regulatory Commission; and
- 16 (3) the Administrator of the General Services  
17 Administration.

18 (c) CONTENTS.—The report required under sub-  
19 section (a) shall include—

- 20 (1) identification of potential locations to site,  
21 construct, and operate a micro-reactor at a Depart-  
22 ment of Defense or Department of Energy facility  
23 that contains critical national security infrastructure  
24 that the Secretary determines may not be energy re-  
25 siliant;

1           (2) assessments of different nuclear tech-  
2 nologies to provide energy resiliency for critical na-  
3 tional security infrastructure;

4           (3) a survey of potential commercial stake-  
5 holders with which to enter into a contract under the  
6 pilot program to construct and operate a licensed  
7 micro-reactor;

8           (4) options to enter into long-term contracting,  
9 including various financial mechanisms for such pur-  
10 pose;

11          (5) identification of requirements for micro-re-  
12 actors to provide energy resilience to mission-critical  
13 functions at facilities identified under paragraph (1);

14          (6) an estimate of the costs of the pilot pro-  
15 gram;

16          (7) a timeline with milestones for the pilot pro-  
17 gram;

18          (8) an analysis of the existing authority of the  
19 Department of Energy and Department of Defense  
20 to permit the siting, construction, and operation of  
21 a micro-reactor; and

22          (9) recommendations for any legislative changes  
23 to the authorities analyzed under paragraph (8) nec-  
24 essary for the Department of Energy and the De-

1       partment of Defense to permit the siting, construc-  
2       tion, and operation of a micro-reactor.

3       (d) DEFINITIONS.—In this section:

4           (1) The term “critical national security infra-  
5       structure” means any site or installation that the  
6       Secretary of Energy or the Secretary of Defense de-  
7       termines supports critical mission functions of the  
8       national security enterprise.

9           (2) The term “licensed” means holding a li-  
10       cense under section 103 or 104 of the Atomic En-  
11       ergy Act of 1954.

12          (3) The term “micro-reactor” means a nuclear  
13       reactor that has a power production capacity that is  
14       not greater than 50 megawatts.

15          (4) The term “pilot program” means the pilot  
16       program described in subsection (a).

17          (5) The term “Secretary” means Secretary of  
18       Energy.

19       (e) FORM.—The report required under subsection (a)  
20       shall be submitted in unclassified form, but may include  
21       a classified appendix.

22       (f) LIMITATIONS.—This Act does not authorize the  
23       Department of Energy or Department of Defense to enter  
24       into a contract with respect to the pilot program.

1 **SEC. 329. REPORT ON EFFECTS OF INCREASED AUTOMA-**  
2 **TION OF DEFENSE INDUSTRIAL BASE ON**  
3 **MANUFACTURING WORKFORCE.**

4 Not later than 180 days after the date of the enact-  
5 ment of this Act, the Secretary of Defense shall submit  
6 to Congress a report on the effects of the increased auto-  
7 mation of the defense industrial base over the ten-year pe-  
8 riod beginning on the date that is 30 days after the date  
9 of the enactment of this Act. Such report shall include,  
10 for the period covered by the report—

11 (1) an estimate of the number of jobs in the  
12 United States manufacturing workforce expected to  
13 be eliminated due to automation in the defense sec-  
14 tor;

15 (2) an analysis describing any new types of jobs  
16 that are expected to be established as a result of an  
17 increasingly automated process, including an esti-  
18 mate of the number of these types of jobs that are  
19 expected to be created;

20 (3) an analysis of the potential threats to the  
21 national security of the United States that are  
22 unique to the automation of the defense industry;

23 (4) a strategy to assist in providing workforce  
24 training and transition preparation for workers who  
25 may lose manufacturing jobs in the defense industry  
26 due to automation;

1           (5) a description of any training necessary for  
2 workers affected by automation to more easily tran-  
3 sition to new types of jobs within the defense manu-  
4 facturing industry; and

5           (6) any actions taken, or planned to be taken,  
6 by the Department of Defense to assist in worker  
7 transition.

## 8                           **Subtitle D—Reports**

### 9 **SEC. 331. MATTERS FOR INCLUSION IN QUARTERLY RE-** 10 **PORTS ON PERSONNEL AND UNIT READI-** 11 **NESS.**

12       Section 482 of title 10, United States Code, is  
13 amended—

14           (1) in subsection (b)(1), by inserting after “de-  
15 ficiency” the following: “in the ground, sea, air,  
16 space, and cyber forces, and in such other such  
17 areas as determined by the Secretary of Defense,”;  
18 and

19           (2) in subsection (d)—

20                   (A) in the subsection heading, by striking  
21 “ASSIGNED MISSION”;

22                   (B) by striking paragraph (3);

23                   (C) by redesignating paragraphs (2) as  
24 paragraph (3); and



1 (D) by inserting after paragraph (1) the  
2 following new paragraph (2):

3 “(2) A report for the second or fourth quarter  
4 of a calendar year under this section shall also in-  
5 clude an assessment by each commander of a geo-  
6 graphic or functional combatant command of the  
7 readiness of the command to conduct operations in  
8 a multidomain battle that integrates ground, air,  
9 sea, space, and cyber forces.”.

10 **SEC. 332. ANNUAL COMPTROLLER GENERAL REVIEWS OF**  
11 **READINESS OF ARMED FORCES TO CONDUCT**  
12 **FULL SPECTRUM OPERATIONS.**

13 (a) **REVIEWS REQUIRED.**—For each of calendar  
14 years 2018 through 2021, the Comptroller General of the  
15 United States shall conduct an annual review of the readi-  
16 ness of the Armed Forces to conduct each of the following  
17 types of full spectrum operations:

18 (1) Ground.

19 (2) Sea.

20 (3) Air.

21 (4) Space.

22 (5) Cyber.

23 (b) **ELEMENTS OF REVIEW.**—In conducting a review  
24 under subsection (a), the Comptroller General shall—

1           (1) use standard methodology and reporting  
2 formats in order to show changes over time;

3           (2) evaluate, using fiscal year 2017 as the base  
4 year of analysis—

5                   (A) force structure;

6                   (B) the ability of major operational units  
7 to conduct operations; and

8                   (C) the status of equipment, manning, and  
9 training; and

10          (3) provide reasons for any variances in readi-  
11 ness levels, including changes in funding, availability  
12 in parts, training opportunities, and operational de-  
13 mands.

14          (c) METRICS.—For purposes of the reviews required  
15 by this section, the Secretary of Defense shall identify and  
16 establish metrics for measuring readiness for the oper-  
17 ations covered by subsection (a). In the first review con-  
18 ducted under this section, the Comptroller General shall  
19 evaluate and determine the validity of such metrics.

20          (d) ACCESS TO RELEVANT DATA.—For purposes of  
21 this section, the Secretary of Defense shall ensure that  
22 the Comptroller General has access to all relevant data,  
23 including—

1           (1) any assessments of the ability of the De-  
2           partment of Defense and the Armed Forces to exe-  
3           cute operational and contingency plans;

4           (2) any internal Department readiness and  
5           force structure assessments; and

6           (3) the readiness databases of the Department  
7           and the Armed Forces.

8           (e) REPORTS.—

9           (1) ANNUAL REPORT.—Not later than Feb-  
10          ruary 28, 2019, and annually thereafter until 2022,  
11          the Comptroller General shall submit to the Commit-  
12          tees on Armed Services of the Senate and House of  
13          Representatives an annual report on the review con-  
14          ducted under subsection (a) for the year preceding  
15          the year during which the report is submitted.

16          (2) ADDITIONAL REPORTS.—At the discretion  
17          of the Comptroller General, the Comptroller General  
18          may submit to the Committees on Armed Services of  
19          the Senate and House of Representatives additional  
20          reports addressing specific mission areas within the  
21          operations covered by subsection (a) in order to pro-  
22          vide an independent assessment of readiness in the  
23          areas of equipping, mapping, and training.

1 **SEC. 333. SURFACE WARFARE TRAINING IMPROVEMENT.**

2 (a) FINDINGS.—Congress makes the following find-  
3 ings:

4 (1) In 2017, there were three collisions and one  
5 grounding involving United States Navy ships in the  
6 Western Pacific. The two most recent mishaps in-  
7 volved separate incidents of a Japan-based United  
8 States Navy destroyer colliding with a commercial  
9 merchant vessel, resulting in the combined loss of 17  
10 sailors.

11 (2) The causal factors in these four mishaps  
12 are linked directly to a failure to take sufficient ac-  
13 tion in accordance with the rules of good seaman-  
14 ship.

15 (3) Because risks are high in the maritime envi-  
16 ronment, there are widely accepted standards for  
17 safe seamanship and navigation. In the United  
18 States, the International Convention on Standards  
19 of Training, Certification and Watchkeeping (herein-  
20 after in this section referred to as the “STCW”) for  
21 Seafarers, standardizes the skills and foundational  
22 knowledge a maritime professional must have in sea-  
23 manship and navigation.

24 (4) Section 568 of the National Defense Au-  
25 thorization Act for Fiscal Year 2017 (Public Law  
26 114–328; 130 Stat. 2139) endorsed the STCW proc-

1        ess and required the Secretary of Defense to maxi-  
2        mize the extent to which Armed Forces service,  
3        training, and qualifications are creditable toward  
4        meeting merchant mariner licenses and certifi-  
5        cations.

6            (5) The Surface Warfare Officer Course Cur-  
7        rriculum is being modified to include ten individual  
8        Go/No Go Mariner Assessments/Competency Check  
9        Milestones to ensure standardization and quality of  
10       the surface warfare community.

11           (6) The Military-to-Mariner Transition report  
12       of September 2017 notes the Army maintains an ex-  
13       tensive STCW qualifications program and that a  
14       similar Navy program does not exist.

15        (b) SENSE OF CONGRESS.—It is the sense of Con-  
16       gress that—

17            (1) the Secretary of the Navy should establish  
18       a comprehensive individual proficiency assessment  
19       process and include such an assessment prior to all  
20       operational surface warfare officer tour assignments;  
21       and

22            (2) the Secretary of the Navy should signifi-  
23       cantly expand the STCW qualifications process to  
24       improve seamanship and navigation individual skills  
25       training for surface warfare candidates, surface war-

1 fare officers, quartermasters and operations special-  
2 ists to include an increased set of courses that di-  
3 rectly correspond to STCW standards.

4 (c) REPORT.—Not later than March 1, 2019, the  
5 Secretary of the Navy shall submit to the congressional  
6 defense committees a report that includes each of the fol-  
7 lowing:

8 (1) A detailed description of the surface war-  
9 fare officer assessments process.

10 (2) A list of programs that have been approved  
11 for credit toward merchant mariner credentials.

12 (3) A complete gap analysis of the existing sur-  
13 face warfare training curriculum and STCW.

14 (4) A complete gap analysis of the existing sur-  
15 face warfare training curriculum and the 3rd mate  
16 unlimited licensing requirement.

17 (5) An assessment of surface warfare options to  
18 complete the 3rd mate unlimited license and the  
19 STCW qualification.

20 **SEC. 334. REPORT ON OPTIMIZING SURFACE NAVY VESSEL**  
21 **INSPECTIONS AND CREW CERTIFICATIONS.**

22 (a) REPORT REQUIRED.—Not later than 1 year after  
23 the date of the enactment of this Act, the Secretary of  
24 the Navy shall submit to Congress a report on optimizing  
25 surface Navy vessel inspections and crew certifications to

1 reduce the burden of inspection type visits that vessels un-  
2 dergo. Such report shall include—

3           (1) an audit of all surface Navy vessel inspec-  
4           tions, certifications, and required and recommended  
5           assist visits;

6           (2) an analysis of such inspections, certifi-  
7           cations, and visits for redundancies, as well as any  
8           necessary items not covered;

9           (3) recommendations to streamline surface ves-  
10          sel inspections, certifications, and required and rec-  
11          ommended assist visits to optimize effectiveness, im-  
12          prove material readiness, and restore training readi-  
13          ness; and

14          (4) recommendations for congressional action to  
15          address the needs of the Navy as identified in the  
16          report.

17          (b) CONGRESSIONAL BRIEFING.—Not later than  
18          January 31, 2019, the Secretary of the Navy shall provide  
19          to the Senate Committee on Armed Services and the  
20          House Committee on Armed Services an interim briefing  
21          on the matters to be included in the report required by  
22          subsection (a).

1 **SEC. 335. REPORT ON DEPOT-LEVEL MAINTENANCE AND**  
2 **REPAIR.**

3 The Secretary of Defense, in consultation with the  
4 heads of each of the military departments and the Chair-  
5 man of the Joint Chiefs of Staff, shall submit to the con-  
6 gressional defense committees a report on labor hours and  
7 depot maintenance, which shall include—

8 (1) the amount of public and private funding of  
9 depot-level maintenance and repair (as defined in  
10 section 2460 of title 10 United State Code) for the  
11 Department of Defense, Army, Navy, Marine Corps,  
12 Air Force, Special Operations Command, and any  
13 other unified command identified by the Secretary,  
14 expressed by commodity group by percentage and  
15 actual numbers in terms of dollars and direct labor  
16 hours;

17 (2) within each category of depot level mainte-  
18 nance and repair for each entities, the amount of the  
19 subset of depot maintenance workload that meets  
20 the description under section 2464 of title 10,  
21 United States Code, that is performed in the public  
22 and private sectors by direct labor hours and by dol-  
23 lars;

24 (3) of the subset referred to in paragraph (2),  
25 the amount of depot maintenance workload per-  
26 formed in the public and private sector by direct



1 labor hour and by dollars for each entity that would  
2 otherwise be considered core workload under such  
3 section 2462, but is not considered core because a  
4 weapon system or equipment has not been declared  
5 a program of record; and

6 (4) the projections for the upcoming future  
7 years defense program, including the distinction be-  
8 tween the Navy and the Marine Corps for the De-  
9 partment of the Navy, as well as any unified com-  
10 mand, including the Special Operations Command.

11 **SEC. 336. REPORT ON PERSONAL PROTECTIVE EQUIPMENT**  
12 **REQUIREMENTS FOR CIVIL RESPONSE**  
13 **TEAMS TO VOLCANIC ACTIVITY.**

14 (a) REPORT REQUIRED.—Not later than 90 days  
15 after the date of the enactment of this Act, the Secretary  
16 of Defense, in coordination with the Secretary of Health  
17 and Human Services, the Administrator of the Federal  
18 Emergency Management Agency, and the Director of the  
19 United States Geological Survey, shall submit to Congress  
20 a report on personal protective equipment requirements  
21 for civil defense response teams to volcanic activity and  
22 civilian communities in the vicinity of active volcanic activ-  
23 ity, including protection against sulfur dioxide gas.

24 (b) TRANSFER OF EQUIPMENT AUTHORIZED.—If the  
25 Secretary of Defense determines that the Department of

1 Defense is in possession of excess personal protective  
2 equipment that is not needed for current and future  
3 planned operational requirements, the Secretary may  
4 transfer such excess equipment to State and local civil de-  
5 fense agencies upon request from the governor or equiva-  
6 lent official of a State.

7 (c) DEFINITION OF STATE.—In this section, the term  
8 “State” means each of the several States of the United  
9 States, the District of Columbia, and any territory, com-  
10 monwealth, or possession of the United States.

11 **SEC. 337. REPORT ON WILDFIRE SUPPRESSION CAPABILI-**  
12 **TIES OF ACTIVE AND RESERVE COMPO-**  
13 **NENTS.**

14 (a) SENSE OF CONGRESS.—It is the Sense of Con-  
15 gress that wildfires endanger national security.

16 (b) REPORT.—Not later than 90 days after the date  
17 of the enactment of this Act, the Secretary of Defense  
18 shall submit to Congress a report on the wildfire suppres-  
19 sion capabilities within the active and reserve components  
20 of the Armed Forces, including the Modular Airborne Fire  
21 Fighting System Program, and interagency cooperation  
22 with the Forest Service and the Department of the Inte-  
23 rior.

1 **SEC. 338. REPORT ON RELOCATION OF STEAM TURBINE**  
2 **PRODUCTION FROM NIMITZ-CLASS AND**  
3 **FORD-CLASS AIRCRAFT CARRIERS, AND VIR-**  
4 **GINIA-CLASS AND COLUMBIA-CLASS SUB-**  
5 **MARINES.**

6 Not later than 180 days after the date of the enact-  
7 ment of this Act, the Secretary of Defense, in consultation  
8 with the Under Secretary of Defense for Acquisition,  
9 Technology, and Logistics, and Assistant Secretary of the  
10 Navy for Research, Development and Acquisition, shall de-  
11 velop and submit to Congress a report describing the po-  
12 tential impacts on national defense and the manufacturing  
13 base resulting from contractors or subcontracts relocating  
14 steam turbine production for Nimitz-class and Ford-class  
15 aircraft carriers, and Virginia-class and Columbia-class  
16 submarines. Such report shall address each of the fol-  
17 lowing:

18 (1) The overall risk of moving production on  
19 our national security including likelihood of produc-  
20 tion delay or reduction in quality of steam turbines.

21 (2) The impact on national security from a delay  
22 in production of aircraft carriers and submarines.

23 (3) The impacts on regional suppliers the cur-  
24 rent production of steam turbines draw on and their  
25 ability to perform other contracts should a relocation  
26 happen.

1 (4) The impact on the national industrial and  
 2 manufacturing base and loss of a critically skilled  
 3 workforce resulting from a relocation of production.

4 (5) The risk of moving production on total cost  
 5 of the acquisition.

## 6 **Subtitle E—Other Matters**

### 7 **SEC. 341. COAST GUARD REPRESENTATION ON EXPLOSIVE** 8 **SAFETY BOARD.**

9 Section 172(a) of title 10, United States Code, is  
 10 amended—

11 (1) by striking “and Marine Corps” and insert-  
 12 ing “Marine Corps, and Coast Guard”; and

13 (2) by adding at the end the following new sen-  
 14 tence: “When the Coast Guard is not operating as  
 15 a service in the Department of the Navy, the Sec-  
 16 retary of Homeland Security shall appoint an officer  
 17 of the Coast Guard to serve as a voting member of  
 18 the board.”.

### 19 **SEC. 342. SHILOH NATIONAL MILITARY PARK BOUNDARY** 20 **ADJUSTMENT AND PARKER’S CROSSROADS** 21 **BATTLEFIELD DESIGNATION.**

22 (a) AREAS TO BE ADDED TO SHILOH NATIONAL  
 23 MILITARY PARK.—

24 (1) ADDITIONAL AREAS.—The boundary of Shi-  
 25 loh National Military Park is modified to include the

1 areas that are generally depicted on the map entitled  
2 “Shiloh National Military Park, Proposed Boundary  
3 Adjustment”, numbered 304/80,011, and dated July  
4 2014, as follows:

5 (A) Fallen Timbers Battlefield.

6 (B) Russell House Battlefield.

7 (C) Davis Bridge Battlefield.

8 (2) ACQUISITION AUTHORITY.—The Secretary  
9 may acquire lands described in paragraph (1) by do-  
10 nation, purchase from willing sellers with donated or  
11 appropriated funds, or exchange.

12 (3) ADMINISTRATION.—Any lands acquired  
13 under this section shall be administered as part of  
14 the Park.

15 (b) ESTABLISHMENT OF AFFILIATED AREA.—

16 (1) IN GENERAL.—Parker’s Crossroads Battle-  
17 field in the State of Tennessee is hereby established  
18 as an affiliated area of the National Park System.

19 (2) DESCRIPTION.—The affiliated area shall  
20 consist of the area generally depicted within the  
21 “Proposed Boundary” on the map entitled “Parker’s  
22 Crossroads Battlefield, Proposed Boundary”, num-  
23 bered 903/80,073, and dated July 2014.

24 (3) ADMINISTRATION.—The affiliated area shall  
25 be managed in accordance with this section and all

1 laws generally applicable to units of the National  
2 Park System.

3 (4) MANAGEMENT ENTITY.—The City of Park-  
4 ers Crossroads and the Tennessee Historical Com-  
5 mission shall jointly be the management entity for  
6 the affiliated area.

7 (5) COOPERATIVE AGREEMENTS.—The Sec-  
8 retary may provide technical assistance and enter  
9 into cooperative agreements with the management  
10 entity for the purpose of providing financial assist-  
11 ance with marketing, marking, interpretation, and  
12 preservation of the affiliated area.

13 (6) LIMITED ROLE OF THE SECRETARY.—Noth-  
14 ing in this section authorizes the Secretary to ac-  
15 quire property at the affiliated area or to assume  
16 overall financial responsibility for the operation,  
17 maintenance, or management of the affiliated area.

18 (7) GENERAL MANAGEMENT PLAN.—

19 (A) IN GENERAL.—The Secretary, in con-  
20 sultation with the management entity, shall de-  
21 velop a general management plan for the affili-  
22 ated area. The plan shall be prepared in accord-  
23 ance with section 100502 of title 54, United  
24 States Code.

1           (B) TRANSMITTAL.—Not later than 3  
2           years after the date that funds are made avail-  
3           able for this section, the Secretary shall provide  
4           a copy of the completed general management  
5           plan to the Committee on Natural Resources of  
6           the House of Representatives and the Com-  
7           mittee on Energy and Natural Resources of the  
8           Senate.

9           (c) PRIVATE PROPERTY PROTECTION.—

10           (1) NO USE OF CONDEMNATION.—The Sec-  
11           retary may not acquire by condemnation any land or  
12           interests in land under this section or for the pur-  
13           poses of this section.

14           (2) WRITTEN CONSENT OF OWNER.—No non-  
15           Federal property may be included in the Shiloh Na-  
16           tional Military Park without the written consent of  
17           the owner.

18           (3) NO BUFFER ZONE CREATED.—Nothing in  
19           this section, the establishment of the Shiloh Na-  
20           tional Military Park, or the management plan for  
21           the Shiloh National Military Park shall be construed  
22           to create buffer zones outside of the Park. That ac-  
23           tivities or uses can be seen, heard, or detected from  
24           areas within the Shiloh National Military Park shall  
25           not preclude, limit, control, regulate, or determine

1 the conduct or management of activities or uses out-  
2 side of the Park.

3 (d) DEFINITIONS.—In this section:

4 (1) The term “affiliated area” means the Park-  
5 er’s Crossroads Battlefield established as an affili-  
6 ated area of the National Park System under sub-  
7 section (b).

8 (2) The term “Park” means Shiloh National  
9 Military Park, a unit of the National Park System.

10 (3) The term “Secretary” means the Secretary  
11 of the Interior.

12 **SEC. 343. SENSE OF CONGRESS REGARDING CRITICAL MIN-**  
13 **ERALS.**

14 It is the sense of Congress that the final composition  
15 of the critical minerals list, as ordered by Executive Order  
16 No. 13817, should include aggregates, copper,  
17 molybdenum, gold, zinc, nickel, lead, silver, and certain  
18 fertilizer compounds in addition to the 35 minerals in-  
19 cluded in the draft list, as published on February 16,  
20 2018, for public comment.

21 **SEC. 344. STUDY ON PHASING OUT OPEN BURN PITS.**

22 (a) STUDY.—Not later than 180 days after the date  
23 of the enactment of this Act, the Secretary of Defense  
24 shall submit to Congress a study on the feasibility of phas-



1 ing out the use of open burn pits by using technology in-  
2 cinerators.

3 (b) OPEN BURN PIT DEFINED.—In this section, the  
4 term “open burn pit” means an area of land—

5 (1) that is designated by the Secretary of De-  
6 fense to be used for disposing solid waste by burning  
7 in the outdoor air; and

8 (2) does not contain a commercially manufac-  
9 tured incinerator or other equipment specifically de-  
10 signed and manufactured for the burning of solid  
11 waste.

12 **SEC. 345. NOTIFICATION REQUIREMENTS RELATING TO**  
13 **CHANGES TO MILITARY UNIFORM COMPO-**  
14 **NENTS.**

15 (a) DLA NOTIFICATION.—The Secretary of a mili-  
16 tary department shall notify the Commander of the De-  
17 fense Logistics Agency of plans to make changes to a serv-  
18 ice member uniform or service member uniform compo-  
19 nent. Such notification shall be made not less than three  
20 years prior to the uniform change.

21 (b) CONTRACTOR NOTIFICATION.—The Commander  
22 of the Defense Logistics Agency shall notify a contractor  
23 when one of the military services plans to make a change  
24 to a military uniform component that is provided by that  
25 contractor. Such a notification shall be made not less than

1 12 months prior to any announcement of a public solicita-  
2 tion for the manufacture of the new uniform components.

3 (c) WAIVER.—If the Secretary of a military depart-  
4 ment or the Commander of the Defense Logistics Agency  
5 determines that the notification requirement under sub-  
6 section (a) would adversely impact operational safety,  
7 force protection, or national security interests of the  
8 United States, the secretary or the Commander may waive  
9 such requirement.

10 **SEC. 346. ASSESSMENT, MONITORING, AND EVALUATION OF**  
11 **SECURITY COOPERATION.**

12 (a) ASSESSMENT, MONITORING, AND EVALUATION  
13 OF SECURITY COOPERATION ACTIVITIES.—Of the amount  
14 for Operations and Maintenance, Defense-wide made  
15 available to the Defense Security Cooperation Agency for  
16 fiscal year 2019, not less than \$12,000,000 shall be allo-  
17 cated for the assessment, monitoring, and evaluation of  
18 security cooperation activities in accordance with section  
19 383 of title 10, United States Code.

20 (b) LIMITATION ON USE OF FUNDS.—Of the amount  
21 for Operation and Maintenance, Defense-wide made avail-  
22 able to the Department of Defense for fiscal year 2019  
23 for activities under section 333 of title 10, United States  
24 Code, not more than 50 percent may be expended until  
25 the Secretary presents to Congress a written plan for the

1 expenditure of the amount allocated under subsection (a),  
2 including—

3 (1) a description of the activities planned for  
4 fiscal year 2019 for the evaluation of security co-  
5 operation programs across the security cooperation  
6 enterprise, including through chapter 16 of title 10,  
7 United States Code, the Afghanistan Security  
8 Forces Fund, the Counter-ISIL Fund, the coopera-  
9 tive threat reduction program, and other security co-  
10 operation authorities as appropriate; and

11 (2) a description of the activities planned for  
12 fiscal year 2019 for the training, support, and orga-  
13 nization of the Department to effectively carry out  
14 responsibilities under section 383 of title 10, United  
15 States Code.

16 (c) OFFSET.—In section 7301 of division G, relating  
17 to operation and maintenance, Navy, reduce the amount  
18 for administration, Line 510, by \$6,000,000.

19 **SEC. 347. JOINT TASK FORCE FOR EXPLOSIVE ORDNANCE**  
20 **DISPOSAL AND COUNTERING IMPROVISED**  
21 **EXPLOSIVE DEVICES IN UNITED STATES**  
22 **NORTHERN COMMAND.**

23 (a) PLAN REQUIRED.—Not later than March 1,  
24 2019, the Secretary of Defense shall provide to the con-  
25 gressional defense committees an unclassified plan on how

1 the United States Northern Command will organize a  
2 Joint Task Force for Explosive Ordnance Disposal and  
3 Countering Improvised Explosive Devices, over the full  
4 range of military operations, including—

5 (1) combatant commander's daily operational  
6 requirements on joint mission command of explosive  
7 ordnance disposal force planning;

8 (2) protection of the Commander in Chief and  
9 critical infrastructures; and

10 (3) immediate response assistance to civil au-  
11 thorities on improvised explosive devices, military  
12 munitions, and explosives technical advice provided  
13 at the incident scene.

14 (b) ELEMENTS.—The plan required by subsection (a)  
15 shall include each of the following:

16 (1) An identification of the person to whom the  
17 commander of the joint task force reports.

18 (2) A description of how the Joint Task Force  
19 on Explosive Ordnance Disposal and Countering Im-  
20 proved Explosive Devices would implement its re-  
21 sponsibilities under sections 377, 380, 381, 382 and  
22 383 of title 10 United States Code, and Department  
23 of Defense Directives 5111.13 and 5111.18.

24 (3) An example of the standing execution order  
25 of the Joint Chiefs that would identify the rotation

1 of tactical units as forces for the Joint Task Force  
2 for Explosive Ordnance Disposal and Countering  
3 Improvised Explosive Devices during each of fiscal  
4 years 2020 through 2025.

5 (4) A description of whether, in leveraging, in-  
6 tegrating, and aligning United States Government  
7 efforts, the joint task force plans to detail the explo-  
8 sive ordnance disposal qualified liaison personnel of  
9 the joint task force to, or host liaison personnel  
10 from, or a combination thereof at any of the fol-  
11 lowing:

12 (A) The National Joint Terrorism Task  
13 Force.

14 (B) The National Explosives Task Force.

15 (C) The Critical Incident Response Group.

16 (D) The Terrorist Explosive Device Ana-  
17 lytical Center.

18 (E) The Bomb Data Center.

19 (F) The National Center for Explosives  
20 Training and Research.

21 (G) The Hazardous Devices School.

22 (H) The Office of Bombing Prevention.

1                   **TITLE IV—MILITARY**  
2           **PERSONNEL AUTHORIZATIONS**  
3                   **Subtitle A—Active Forces**

4   **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

5           The Armed Forces are authorized strengths for active  
6   duty personnel as of September 30, 2019, as follows:

7                   (1) The Army, 487,500.

8                   (2) The Navy, 335,400.

9                   (3) The Marine Corps, 186,100.

10                   (4) The Air Force, 329,100.

11   **SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END**  
12                   **STRENGTH MINIMUM LEVELS.**

13           Section 691(b) of title 10, United States Code, is  
14   amended by striking paragraphs (1) through (4) and in-  
15   serting the following new paragraphs:

16                   “(1) For the Army, 487,500.

17                   “(2) For the Navy, 335,400.

18                   “(3) For the Marine Corps, 186,100.

19                   “(4) For the Air Force, 329,100.”.

20                   **Subtitle B—Reserve Forces**

21   **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

22           (a) IN GENERAL.—The Armed Forces are authorized  
23   strengths for Selected Reserve personnel of the reserve  
24   components as of September 30, 2019, as follows:

1           (1) The Army National Guard of the United  
2 States, 343,500.

3           (2) The Army Reserve, 199,500.

4           (3) The Navy Reserve, 59,100.

5           (4) The Marine Corps Reserve, 38,500.

6           (5) The Air National Guard of the United  
7 States, 107,100.

8           (6) The Air Force Reserve, 70,000.

9           (7) The Coast Guard Reserve, 7,000.

10       (b) END STRENGTH REDUCTIONS.—The end  
11 strengths prescribed by subsection (a) for the Selected Re-  
12 serve of any reserve component shall be proportionately  
13 reduced by—

14           (1) the total authorized strength of units orga-  
15 nized to serve as units of the Selected Reserve of  
16 such component which are on active duty (other  
17 than for training) at the end of the fiscal year; and

18           (2) the total number of individual members not  
19 in units organized to serve as units of the Selected  
20 Reserve of such component who are on active duty  
21 (other than for training or for unsatisfactory partici-  
22 pation in training) without their consent at the end  
23 of the fiscal year.

24       (c) END STRENGTH INCREASES.—Whenever units or  
25 individual members of the Selected Reserve of any reserve

1 component are released from active duty during any fiscal  
2 year, the end strength prescribed for such fiscal year for  
3 the Selected Reserve of such reserve component shall be  
4 increased proportionately by the total authorized strengths  
5 of such units and by the total number of such individual  
6 members.

7 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**  
8 **DUTY IN SUPPORT OF THE RESERVES.**

9 Within the end strengths prescribed in section  
10 411(a), the reserve components of the Armed Forces are  
11 authorized, as of September 30, 2019, the following num-  
12 ber of Reserves to be serving on full-time active duty or  
13 full-time duty, in the case of members of the National  
14 Guard, for the purpose of organizing, administering, re-  
15 cruiting, instructing, or training the reserve components:

16 (1) The Army National Guard of the United  
17 States, 30,595.

18 (2) The Army Reserve, 16,386.

19 (3) The Navy Reserve, 10,110.

20 (4) The Marine Corps Reserve, 2,261.

21 (5) The Air National Guard of the United  
22 States, 19,861.

23 (6) The Air Force Reserve, 3,849.



1 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**  
2 **(DUAL STATUS).**

3 The minimum number of military technicians (dual  
4 status) as of the last day of fiscal year 2019 for the re-  
5 serve components of the Army and the Air Force (notwith-  
6 standing section 129 of title 10, United States Code) shall  
7 be the following:

8 (1) For the Army National Guard of the United  
9 States, 22,294.

10 (2) For the Army Reserve, 6,492.

11 (3) For the Air National Guard of the United  
12 States, 18,969.

13 (4) For the Air Force Reserve, 8,880.

14 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**  
15 **THORIZED TO BE ON ACTIVE DUTY FOR**  
16 **OPERATIONAL SUPPORT.**

17 During fiscal year 2019, the maximum number of  
18 members of the reserve components of the Armed Forces  
19 who may be serving at any time on full-time operational  
20 support duty under section 115(b) of title 10, United  
21 States Code, is the following:

22 (1) The Army National Guard of the United  
23 States, 17,000.

24 (2) The Army Reserve, 13,000.

25 (3) The Navy Reserve, 6,200.

26 (4) The Marine Corps Reserve, 3,000.

1           (5) The Air National Guard of the United  
2 States, 16,000.

3           (6) The Air Force Reserve, 14,000.

4           **Subtitle C—Authorization of**  
5           **Appropriations**

6 **SEC. 421. MILITARY PERSONNEL.**

7           (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
8 are hereby authorized to be appropriated for fiscal year  
9 2019 for the use of the Armed Forces and other activities  
10 and agencies of the Department of Defense for expenses,  
11 not otherwise provided for, for military personnel, as spec-  
12 ified in the funding table in section 7401.

13           (b) CONSTRUCTION OF AUTHORIZATION.—The au-  
14 thorization of appropriations in subsection (a) supersedes  
15 any other authorization of appropriations (definite or in-  
16 definite) for such purpose for fiscal year 2019.

1 **TITLE V—MILITARY PERSONNEL**  
2 **POLICY**  
3 **Subtitle A—Regular Component**  
4 **Management**

5 **SEC. 501. EXPANSION OF AUTHORITY TO AWARD CON-**  
6 **STRUCTIVE SERVICE CREDIT FOR ADVANCED**  
7 **EDUCATION, EXPERIENCE, OR TRAINING,**  
8 **UPON ORIGINAL APPOINTMENT AS A COM-**  
9 **MISSIONED OFFICER.**

10 (a) ACTIVE-DUTY LIST APPOINTMENTS.—Section  
11 533(g) of title 10, United States Code, is amended—

12 (1) in paragraph (1)—

13 (A) in the matter preceding subparagraph

14 (A)—

15 (i) by striking “with cyberspace-re-  
16 lated experience or advanced education”  
17 and inserting “with advanced education,  
18 special experience, or special training in a  
19 designated field”; and

20 (ii) by striking “critically”;

21 (B) in subparagraph (A)—

22 (i) by striking “in a particular cyber-  
23 space-related field” and inserting “in such  
24 designated field”; and

25 (ii) by striking “operational”; and

1 (C) in subparagraph (B)—

2 (i) by striking “in a cyberspace-re-  
3 lated field” and inserting “in such des-  
4 ignated field”; and

5 (ii) by striking “operational”;

6 (2) by striking paragraph (2) and inserting the  
7 following:

8 “(2) The amount of constructive service credited an  
9 officer under this subsection may not exceed the amount  
10 required for the officer to be eligible for an original ap-  
11 pointment in the grade of—

12 “(A) colonel in the Army, Air Force, or Marine  
13 Corps; or

14 “(B) captain in the Navy.”; and

15 (3) by striking paragraph (4) and inserting the  
16 following new paragraph:

17 “(4) In this subsection, the term ‘designated field’ in-  
18 cludes the following:

19 “(A) Cyberspace.

20 “(B) Any scientific or technical field designated  
21 by the Secretary of Defense.

22 “(C) Any other field designated by the Sec-  
23 retary of Defense as a field—

24 “(i) that requires a high level of skill; and

1                   “(ii) that an insufficient number of officers  
2                   possess in the military department concerned.”.

3           (b) RESERVE ACTIVE-STATUS LIST APPOINT-  
4 MENTS.—Section 12207 of such title is amended—

5           (1) in subsection (a)(2), by striking “subsection  
6           (b) or (e)” and inserting “subsection (b), (e), or  
7           (g)”;

8           (2) in subsection (f), by striking “or (e)” and  
9           inserting “(e), or (g)”;

10          (3) by redesignating subsection (g) as sub-  
11          section (h); and

12          (4) by inserting after subsection (f) the fol-  
13          lowing new subsection (g):

14          “(g)(1) Under regulations prescribed by the Sec-  
15          retary of Defense, if the Secretary of a military depart-  
16          ment determines that the number of commissioned officers  
17          serving on the reserve active-status list in an armed force  
18          under the jurisdiction of such Secretary with advanced  
19          education, special experience, or special training in a des-  
20          ignated field is below the number needed, such Secretary  
21          may credit any person receiving an original appointment  
22          with a period of constructive service for the following:

23                  “(A) Any period of advanced education in such  
24                  designated field beyond the baccalaureate degree

1 level if such advanced education is directly related to  
2 the needs of the armed force concerned.

3 “(B) Special experience or special training in  
4 such designated field if such experience or training  
5 is directly related to the needs of the armed force  
6 concerned.

7 “(2) The amount of constructive service credited an  
8 officer under this subsection may not exceed the amount  
9 required for the officer to be eligible for an original ap-  
10 pointment in the grade of—

11 “(A) colonel in the Army, Air Force, or Marine  
12 Corps; or

13 “(B) captain in the Navy.

14 “(3) Constructive service credited an officer under  
15 this subsection is in addition to any service credited that  
16 officer under subsection (a) and shall be credited at the  
17 time of the original appointment of the officer.

18 “(4) In this subsection, the term ‘designated field’  
19 means any of the following:

20 “(A) Cyberspace.

21 “(B) Any scientific or technical field designated  
22 by the Secretary of Defense.

23 “(C) Any other field designated by the Sec-  
24 retary of Defense as a field—

25 “(i) that requires a high level of skill; and

1                   “(ii) that an insufficient number of officers  
2                   possess in the military department concerned.”.

3 **SEC. 502. SURFACE WARFARE OFFICERS CAREER PATHS.**

4           (a) IN GENERAL.—Chapter 602 of title 10, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing new section:

7 **“§ 6933. Surface warfare officers: career paths**

8           “Any naval officer who is commissioned as a surface  
9 warfare officer on or after January 1, 2021, shall be as-  
10 signed to one of the following career paths:

11                   “(1) Ship engineering systems.

12                   “(2) Ship operations and combat systems.”.

13           (b) CLERICAL AMENDMENT.—The table of sections  
14 at the beginning of such chapter is amended by adding  
15 at the end the following new item:

“6933. Surface warfare officers: career paths.”.

16 **SEC. 503. AUTHORITY OF SELECTION BOARDS TO REC-**  
17 **COMMEND OFFICERS OF PARTICULAR MERIT**  
18 **BE PLACED AT THE TOP OF THE PROMOTION**  
19 **LIST.**

20           (a) RECOMMENDATION BY SELECTION BOARD.—Sec-  
21 tion 616 of title 10, United States Code, is amended by  
22 adding at the end the following new subsection (g):

23                   “(g)(1) A selection board may recommend an officer  
24 of particular merit from among officers recommended for  
25 promotion under subsection (a) to be placed at the top

1 of a promotion list established by the Secretary of the mili-  
2 tary department concerned under section 624(a)(1) of this  
3 title.

4 “(2) A selection board may make a recommendation  
5 under this subsection only if such recommendation is ap-  
6 propriate in the opinion of a majority of the members of  
7 the selection board.

8 “(3) A selection board may make recommendations  
9 under this subsection for no more than the number equal  
10 to 20 percent of the maximum number of officers that the  
11 board is authorized to recommend for promotion. If the  
12 number determined under this paragraph is less than one,  
13 the board may recommend one such officer.

14 “(4) A selection board that recommends under this  
15 subsection that more than one officer be placed at the top  
16 of a promotion list shall recommend the order in which  
17 such officers should be promoted.”.

18 (b) ACTION BY SECRETARY CONCERNED ON REC-  
19 OMMENDATION OF SELECTION BOARD.—Section 618(a)  
20 of such title is amended—

21 (1) by striking “to law or regulation or to  
22 guidelines” and inserting “to law, regulation, or  
23 guidelines” each place it appears;

24 (2) by inserting “or, in the case of a rec-  
25 ommendation under section 616(g) of this title, the



1 determination of the Secretary concerned” after  
2 “section 615(b) of this title” each place it appears;  
3 and

4 (3) in paragraph (2), by striking “law, regula-  
5 tion, and such guidelines” and inserting “law, regu-  
6 lation, such guidelines, and the determination of the  
7 Secretary concerned,”.

8 (c) PRIORITY IN PROMOTION LIST.—Section  
9 624(a)(1) of such title is amended by inserting “, subject  
10 to section 616(g) of this title” after “active-duty list”.

11 **SEC. 504. DEFERRED DEPLOYMENT FOR MEMBERS WHO**  
12 **GIVE BIRTH.**

13 Section 701 of title 10, United States Code, is  
14 amended by adding at the end the following new sub-  
15 section:

16 “(1) A member of the armed forces who gives birth  
17 may not be deployed during the period of 12 months be-  
18 ginning on the date of such birth except—

19 “(1) at the election of such member; and

20 “(2) with the approval of a health care provider  
21 employed at a military medical treatment facility.”.

1 **SEC. 505. CODIFICATION OF LOWERED GRADE FOR RE-**  
2 **TIRED OFFICERS OR PERSONS WHO COM-**  
3 **MITTED MISCONDUCT IN A LOWER GRADE.**

4 (a) IN GENERAL.—Subsection (b) of section 1370 of  
5 title 10, United States Code, is amended—

6 (1) in the heading, by striking “NEXT”;

7 (2) by striking “An” and inserting “(1) An”;

8 and

9 (3) by adding at the end the following new  
10 paragraph:

11 “(2) In the case of an officer or person whom the  
12 Secretary concerned determines committed misconduct in  
13 a lower grade, the Secretary concerned may determine the  
14 officer or person has not served satisfactorily in any grade  
15 equal to or higher than that lower grade.”.

16 (b) CONFORMING AMENDMENTS.—Such section is  
17 amended—

18 (1) in subsection (a)(1)—

19 (A) by striking “higher” and inserting  
20 “different”; and

21 (B) by striking “except as provided in  
22 paragraph (2)” and inserting “subject to para-  
23 graph (2) and subsection (b)”;

24 (2) in subsection (c)(1), by striking “An offi-  
25 cer” and inserting “Subject to subsection (b), an of-  
26 ficer”; and

1 (3) in subsection (d)(1)—

2 (A) by striking “higher” each place it ap-  
3 pears and inserting “different”; and

4 (B) by inserting “, subject to subsection  
5 (b),” before “shall”.

6 **SEC. 506. RETENTION OF MILITARY TECHNICIANS WHO**  
7 **LOSE DUAL STATUS UNDER CERTAIN CIR-**  
8 **CUMSTANCES.**

9 Section 10216(g) of title 10, United States Code, is  
10 amended—

11 (1) in paragraph (1), by striking “as the result  
12 of a combat-related disability (as defined in section  
13 1413a of this title), the person may be retained”  
14 and inserting “for any reason other than a disquali-  
15 fication described in subparagraph (B), the Sec-  
16 retary shall appoint that person to a position under  
17 section 3101 of title 5, in accordance with section  
18 2102(a) of that title,”;

19 (2) in paragraph (1)(A), by striking “the com-  
20 bat-related”; and

21 (3) by striking paragraph (3).

1 **SEC. 507. DEMONSTRATION PROGRAM ON ACCESSION OF**  
2 **CANDIDATES WITH AUDITORY IMPAIRMENTS**  
3 **AS AIR FORCE OFFICERS.**

4 (a) DEMONSTRATION PROGRAM REQUIRED.—Begin-  
5 ning not later than 90 days after the date of the enact-  
6 ment of this Act, the Secretary of the Air Force shall carry  
7 out a demonstration program to assess the feasibility and  
8 advisability of permitting individuals with auditory impair-  
9 ments (including deafness) to access as officers of the Air  
10 Force.

11 (b) CANDIDATES.—

12 (1) NUMBER OF CANDIDATES.—The total num-  
13 ber of individuals with auditory impairments who  
14 may participate in the demonstration program shall  
15 be not fewer than 15 individuals or more than 20 in-  
16 dividuals.

17 (2) MIX AND RANGE OF AUDITORY IMPAIR-  
18 MENTS.—The individuals who participate in the  
19 demonstration program shall include individuals who  
20 are deaf and individuals who have a range of other  
21 auditory impairments.

22 (3) QUALIFICATION FOR ACCESSION.—Any indi-  
23 vidual who is chosen to participate in the demonstra-  
24 tion program shall meet all essential qualifications  
25 for accession as an officer in the Air Force, other

1 than those related to having an auditory impair-  
2 ment.

3 (c) SELECTION OF PARTICIPANTS.—

4 (1) IN GENERAL.—The Secretary of the Air  
5 Force shall—

6 (A) publicize the demonstration program  
7 nationally, including to individuals who have  
8 auditory impairments and would be otherwise  
9 qualified for officer training;

10 (B) create a process whereby interested in-  
11 dividuals can apply for the demonstration pro-  
12 gram; and

13 (C) select the participants for the dem-  
14 onstration program, from among the pool of ap-  
15 plicants, based on the criteria in subsection (b).

16 (2) NO PRIOR SERVICE AS AIR FORCE OFFI-  
17 CERS.—Participants selected for the demonstration  
18 program shall be individuals who have not previously  
19 served as officers in the Air Force.

20 (d) BASIC OFFICER TRAINING.—

21 (1) IN GENERAL.—The participants in the dem-  
22 onstration program shall undergo, at the election of  
23 the Secretary of the Air Force, the Basic Officer  
24 Training course or the Commissioned Officer Train-  
25 ing course at Maxwell Air Force Base, Alabama.

1           (2) NUMBER OF PARTICIPANTS.—Once individ-  
2 uals begin participating in the demonstration pro-  
3 gram, each Basic Officer Training course or Com-  
4 missioned Officer Training course at Maxwell Air  
5 Force Base, Alabama, shall include not fewer than  
6 4, or more than 6, participants in the demonstration  
7 program until all participants have completed such  
8 training.

9           (3) AUXILIARY AIDS AND SERVICES.—The Sec-  
10 retary of Defense shall ensure that participants in  
11 the demonstration program have the necessary auxil-  
12 iary aids and services (as that term is defined in sec-  
13 tion 4 of the Americans With Disabilities Act of  
14 1990 (42 U.S.C. 12103)) in order to fully partici-  
15 pate in the demonstration program.

16 (e) COORDINATION.—

17           (1) SPECIAL ADVISOR.—The Secretary of the  
18 Air Force shall designate a special advisor to the  
19 demonstration program to act as a resource for par-  
20 ticipants in the demonstration program, as well as a  
21 liaison between participants in the demonstration  
22 program and those providing the officer training.

23           (2) QUALIFICATIONS.—The special advisor shall  
24 be a member of the Armed Forces on active duty—

25           (A) who—

1 (i) if a commissioned officer, shall be  
2 in grade O-3 or higher; or

3 (ii) if an enlisted member, shall be in  
4 grade E-5 or higher; and

5 (B) who is knowledgeable about issues in-  
6 volving, and accommodations for, individuals  
7 with auditory impairments (including deafness).

8 (3) RESPONSIBILITIES.—The special advisor  
9 shall be responsible for facilitating the officer train-  
10 ing for participants in the demonstration program,  
11 intervening and resolving issues and accommoda-  
12 tions during the training, and such other duties as  
13 the Secretary of the Air Force may assign to facili-  
14 tate the success of the demonstration program and  
15 participants.

16 (f) REPORT.—Not later than 2 years after the date  
17 of the enactment of this Act, the Secretary of the Air  
18 Force shall submit to the appropriate committees of Con-  
19 gress a report on the demonstration program. The report  
20 shall include the following:

21 (1) A description of the demonstration program  
22 and the participants in the demonstration program.

23 (2) The outcome of the demonstration program,  
24 including—

1 (A) the number of participants in the dem-  
2 onstration program that successfully completed  
3 the Basic Officer Training course or the Com-  
4 missioned Officer Training course;

5 (B) the number of participants in the dem-  
6 onstration program that were recommended for  
7 continued military service;

8 (C) the issues that were encountered dur-  
9 ing the program; and

10 (D) such recommendation for modifications  
11 to the demonstration program as the Secretary  
12 considers appropriate to increase further inclu-  
13 sion of individuals with auditory disabilities  
14 serving as officers in the Air Force or other  
15 Armed Forces.

16 (3) Such recommendations for legislative or ad-  
17 ministrative action as the Secretary considers appro-  
18 priate in light of the demonstration program.

19 (g) APPROPRIATE COMMITTEES OF CONGRESS DE-  
20 FINED.—In this section, the term “appropriate commit-  
21 tees of Congress” means—

22 (1) the Committee on Armed Services, the  
23 Committee on Health, Education, Labor, and Pen-  
24 sions, and the Committee on Appropriations of the  
25 Senate; and





1 “(e) The Chief of Chaplains, while so serving, holds  
2 the grade of rear admiral (upper half).”.

3 (c) AIR FORCE.—Section 8039 of title 10, United  
4 States Code, is amended by adding at the end the fol-  
5 lowing new subsection:

6 “(c) GRADE OF CHIEF OF CHAPLAINS.—The Chief  
7 of Chaplains, while so serving, holds the grade of major  
8 general.”.

9 **Subtitle B—Reserve Component**  
10 **Management**

11 **SEC. 511. PLACEMENT OF NATIONAL GUARD MILITARY**  
12 **TECHNICIANS (DUAL STATUS) IN THE COM-**  
13 **PETITIVE SERVICE.**

14 Section 10508 of title 10, United States Code, is  
15 amended—

16 (1) in subsection (b)(1), by striking “sections  
17 2103” and inserting “sections 2102”; and

18 (2) by adding at the end the following:

19 “(c) TREATMENT OF MILITARY TECHNICIAN (DUAL  
20 STATUS).—

21 “(1) PRIOR CONVERSIONS.—Not later than 30  
22 days after the date of enactment of this subsection,  
23 the Chief of the National Guard Bureau shall con-  
24 vert any military technician (dual status) occupying  
25 a position in the excepted service to a position in the

1 competitive service. For purposes of this paragraph,  
2 the term ‘military technician (dual status)’ means  
3 any military technician (dual status) of the National  
4 Guard of any State, the Commonwealth of Puerto  
5 Rico, the District of Columbia, Guam, or the Virgin  
6 Islands who, before the date of enactment of this  
7 subsection, was converted to a position in the ex-  
8 cepted service by operation of this section and sec-  
9 tion 1053 of the National Defense Authorization Act  
10 for Fiscal Year 2016 (Public Law 114–92; 129 Stat.  
11 981; 10 U.S.C. 10216 note).

12 “(2) FUTURE CONVERSIONS.—Any military  
13 technician (dual status) of the National Guard of  
14 any State, the Commonwealth of Puerto Rico, the  
15 District of Columbia, Guam, or the Virgin Islands  
16 converted under this section and such section 1053  
17 after the date of enactment of this subsection to a  
18 position filled by individuals who are employed under  
19 section 3101 of title 5 shall be converted to a posi-  
20 tion in the competitive service.

21 “(3) DEFINITIONS.—In this subsection—

22 “(A) the term ‘competitive service’ has the  
23 meaning given that term in section 2102 of title  
24 5; and

1                   “(B) the term ‘excepted service’ has the  
 2                   meaning given that term in section 2103 of  
 3                   such title.”.

4 **SEC. 512. AUTHORIZED STRENGTH AND DISTRIBUTION IN**  
 5                   **GRADE.**

6           (a) STRENGTH AND GRADE AUTHORIZATIONS.—Sec-  
 7 tion 12011(a) of title 10, United States Code is amended  
 8 by striking those parts of the table pertaining to the Air  
 9 National Guard and inserting the following:

“Air National Guard:

	Major	Lieutenant Colonel	Colonel
10,000 .....	763	745	333
12,000 .....	915	923	377
14,000 .....	1,065	1,057	402
16,000 .....	1,211	1,185	426
18,000 .....	1,347	1,313	450
20,000 .....	1,463	1,440	468
22,000 .....	1,606	1,569	494
24,000 .....	1,739	1,697	517
26,000 .....	1,872	1,825	539
28,000 .....	2,005	1,954	562
30,000 .....	2,138	2,082	585
32,000 .....	2,271	2,210	608
34,000 .....	2,404	2,338	630
36,000 .....	2,537	2,466	653
38,000 .....	2,670	2,595	676
40,000 .....	2,803	2,723	698”.

10           (b) STRENGTH AND GRADE AUTHORIZATIONS.—Sec-  
 11 tion 12012(a) of title 10, United States Code is amended  
 12 by striking those parts of the table pertaining to the Air  
 13 National Guard and inserting the following:

“Air National Guard:

	E-8	E-9
10,000 .....	1,350	550
12,000 .....	1,466	594
14,000 .....	1,582	636

“Air National Guard:

	E-8	E-9
16,000 .....	1,698	676
18,000 .....	1,814	714
20,000 .....	1,930	752
22,000 .....	2,046	790
24,000 .....	2,162	828
26,000 .....	2,278	866
28,000 .....	2,394	904
30,000 .....	2,510	942
32,000 .....	2,626	980
34,000 .....	2,742	1,018
36,000 .....	2,858	1,056
38,000 .....	2,974	1,094
40,000 .....	3,090	1,132”.

1 **SEC. 513. NATIONAL GUARD PROMOTION ACCOUNTABILITY.**

2 (a) **SHORT TITLE.**—This section may be cited as the  
3 “National Guard Promotion Accountability Act”.

4 (b) **DATE OF RANK OF COMMISSIONED NATIONAL**  
5 **GUARD OFFICERS PROMOTED TO A HIGHER GRADE.**—

6 (1) **IN GENERAL.**—Section 14308(f) of title 10,  
7 United States Code, is amended—

8 (A) by inserting “(1)” before “The effec-  
9 tive date”;

10 (B) in paragraph (1), as designated by  
11 subparagraph (A) of this paragraph, by striking  
12 “on which such Federal recognition in that  
13 grade is so extended” and inserting “of the ap-  
14 proval of the promotion of the officer to that  
15 grade by the State concerned”; and

16 (C) by adding at the end the following new  
17 paragraph:

1       “(2)(A) Notwithstanding subsection (c)(1), the date  
2 of rank in a higher grade of an officer whose effective date  
3 of promotion to such grade is governed by paragraph (1)  
4 shall be such effective date of promotion.

5       “(B) The specification of the date of rank of an offi-  
6 cer in a grade pursuant to subparagraph (A) shall be  
7 deemed an adjustment of the date of rank of the officer  
8 to that grade in the manner of section 741(d)(4) of this  
9 title, pursuant to subsection (c)(2), to which section  
10 741(d)(4)(C) of this title shall apply, notwithstanding sub-  
11 section (c)(3).”.

12           (2) EFFECTIVE DATE.—The amendments made  
13 by paragraph (1) shall take effect on the date of the  
14 enactment of this Act, and shall apply with respect  
15 to National Guard officers whose promotion to a  
16 grade is approved by a State after that date.

17       (c) NOTICE TO CONGRESS ON DELAY IN PUBLICA-  
18 TION OF SCROLLS INDICATING PROMOTION OF COMMIS-  
19 SIONED NATIONAL GUARD OFFICERS.—

20           (1) NOTICE REQUIRED.—If at the end of the  
21 200-day period beginning on the receipt by the De-  
22 partment of the Army or the Department of the Air  
23 Force of a scroll indicating the promotion of com-  
24 missioned officers in the Army National Guard or  
25 Air National Guard, as applicable, the scroll has not

1       been published by the military department con-  
2       cerned, the Secretary of the Army or the Secretary  
3       of the Air Force, as the case may be, shall imme-  
4       diately notify the congressional defense committees,  
5       in writing, of the following:

6               (A) The date on which the scroll was so re-  
7               ceived.

8               (B) A description of the processing of the  
9               scroll by the military department concerned as  
10              of the date of the report, including a statement  
11              of the length of time in processing at each stage  
12              in the process through that date.

13              (C) The reason why the scroll was not pub-  
14              lished within 200 days of receipt, and the in-  
15              tended remediation for the delay in publication.

16       (2) DEFINITIONS.—In this subsection:

17              (A) The term “congressional defense com-  
18              mittees” has the meaning given such term in  
19              section 101(a)(16) of title 10, United States  
20              Code.

21              (B) The term “scroll” has the meaning  
22              given that term in Department of Defense In-  
23              struction 1310.02, and any successor instruc-  
24              tion or document.

1 **SEC. 514. EXTENSION OF AUTHORITY FOR PILOT PROGRAM**  
2 **ON USE OF RETIRED SENIOR ENLISTED MEM-**  
3 **BERS OF THE ARMY NATIONAL GUARD AS**  
4 **ARMY NATIONAL GUARD RECRUITERS.**

5 Section 514 of the National Defense Authorization  
6 Act for Fiscal Year 2018 (Public Law 115-91) is amend-  
7 ed—

8 (1) in subsection (d), by striking “2020” and  
9 inserting “2021”; and

10 (2) in subsection (f), by striking “2019” and  
11 inserting “2020”.

12 **SEC. 515. NATIONAL GUARD YOUTH CHALLENGE PROGRAM.**

13 Section 509(k) of title 32, United States Code, is  
14 amended—

15 (1) in the heading, by striking “REPORT” and  
16 inserting “REPORTS”;

17 (2) by striking “Within” and inserting “(1) Not  
18 later than”; and

19 (3) by adding at the end the following new  
20 paragraph:

21 “(2) Not later than 120 days after the end of each  
22 fiscal year, the Secretary of Defense shall evaluate the  
23 pilot Jobs ChalleNGe Programs and submit a report of  
24 findings and recommendations to Congress.”.



1 **SEC. 516. NATIONAL GUARD YOUTH CHALLENGE PROGRAM.**

2 Section 509(h) of title 32, United States Code, is  
3 amended—

4 (1) by redesignating paragraph (2) as para-  
5 graph (4); and

6 (2) by inserting after paragraph (1) the fol-  
7 lowing new paragraphs:

8 “(2) Equipment and facilities of the United States  
9 may be transferred to the National Guard for purposes  
10 of carrying out the Program.

11 “(3) Equipment and facilities of a State, county, or  
12 local government entity may be transferred to the Na-  
13 tional Guard for purposes of carrying out the Program.”.

14 **SEC. 517. USE OF NATIONAL GUARD IN CASE OF A MAJOR**  
15 **DISASTER OR REQUEST FROM A STATE GOV-**  
16 **ERNOR.**

17 The President shall order members of the National  
18 Guard in a State to full-time National Guard duty or ac-  
19 tive Guard and Reserve duty under section 502(f) of title  
20 32, United States Code, if—

21 (1) the Governor of the State requests such an  
22 order; and

23 (2) the President declares that a major disaster  
24 exists—

1 (A) in that State and one or more other  
2 States is participating in the response to the  
3 disaster; or

4 (B) in two States described in subpara-  
5 graph (A) because of the same event.

6 **SECTION 518. FUNDING OF NATIONAL GUARD IN CASE OF**  
7 **A MAJOR DISASTER OR EMERGENCY DE-**  
8 **CLARED UNDER THE STAFFORD ACT.**

9 Section 403(c) of the Robert T. Stafford Disaster Re-  
10 lief and Emergency Assistance Act (42 U.S.C. 5170b(c))  
11 is amended—

12 (1) by redesignating paragraph (6) as para-  
13 graph (7); and

14 (2) by inserting after paragraph (5) the fol-  
15 lowing new paragraph (6):

16 “(6) NATIONAL GUARD.—The President may  
17 make contributions to a State or local government  
18 for the purpose of reimbursing the Department of  
19 Defense for expenditures that arise from use of  
20 members of the National Guard and Reserve under  
21 section 502(f) of title 32, United States Code, to re-  
22 spond to a major disaster declared by the President  
23 under section 401 of this Act.”.

1 **SEC. 519. PILOT PROGRAM FOR EOD-QUALIFIED MEMBERS**  
2 **OF THE ARMY NATIONAL GUARD TO SUP-**  
3 **PORT CIVIL AUTHORITIES.**

4 (a) **PILOT PROGRAM AUTHORIZED.**—The Secretary  
5 of the Army may carry out a pilot program under which  
6 EOD-qualified members of the Army National Guard may  
7 conduct planning and immediate response defense support  
8 to civil authorities.

9 (b) **OBJECTIVES.**—The Secretary of the Army shall  
10 design a pilot program conducted under this section to de-  
11 termine the following:

12 (1) The feasibility and effectiveness of estab-  
13 lishing program described in subsection (a).

14 (2) The merits of using EOD-qualified mem-  
15 bers of the Army National Guard on full-time Na-  
16 tional Guard duty versus such members on active  
17 duty for such a pilot program.

18 (3) The need for legislative authority to conduct  
19 such a pilot program.

20 (4) The costs to make such a pilot program  
21 permanent.

22 (c) **CONSULTATION.**—In developing a pilot program  
23 under this section, the Secretary of the Army shall consult  
24 with the Commanders of the United States Northern Com-  
25 mand and United States Pacific Command regarding—

1           (1) defeating sustained bombings in the United  
2 States, including the territories and possessions;

3           (2) plans for EOD defense support of des-  
4 ignated national special security events;

5           (3) plans for EOD defense support of the na-  
6 tional response framework activities of the Depart-  
7 ments of Justice and Homeland Security;

8           (4) EOD immediate response for recovery of  
9 Department of Defense munitions off-installation;  
10 and

11           (5) EOD immediate response in support of ci-  
12 vilian law enforcement agencies.

13       (d) **AUTHORITY FOR PAY AND ALLOWANCES.**—The  
14 Secretary of Defense may, subject to appropriations, make  
15 funds available to fund pay, allowances, travel, training,  
16 operations, and maintenance costs for members of the  
17 Army National Guard who participate in the pilot pro-  
18 gram.

19       (e) **COMMENCEMENT; DURATION.**—The Secretary of  
20 the Army may commence a pilot program under this sec-  
21 tion on or after January 1, 2019. All activities under such  
22 a pilot program shall terminate no later than December  
23 31, 2023.

24       (f) **REPORT.**—If the Secretary of the Army carries  
25 out a pilot program under this section, the Secretary shall

1 submit to the congressional defense committees a report  
2 containing an evaluation of the pilot program, including  
3 determinations described in subsection (b), not later than  
4 January 1, 2021.

5 (g) EOD DEFINED.—In this section, the term  
6 “EOD” means explosive ordnance disposal.

7 **Subtitle C—General Service Au-**  
8 **thorities and Correction of Mili-**  
9 **tary Records**

10 **SEC. 521. ENLISTMENTS VITAL TO THE NATIONAL INTER-**  
11 **EST.**

12 (a) IN GENERAL.—Section 504(b) of title 10, United  
13 States Code, is amended—

14 (1) in paragraph (2)—

15 (A) by inserting “and subject to paragraph  
16 (3),” after “Notwithstanding paragraph (1),”;

17 (B) by striking “enlistment is vital to the  
18 national interest.” and inserting “person pos-  
19 sesses a skill or expertise—”; and

20 (C) by adding at the end the following new  
21 subparagraphs:

22 “(A) that is vital to the national interest; and

23 “(B) that the person will use in daily duties as  
24 a member of the armed forces.”; and

1           (2) by adding at the end the following new  
2 paragraph (3):

3           “(3)(A) No person who enlists under paragraph (2)  
4 may report to initial training until after the Secretary con-  
5 cerned has completed all required background investiga-  
6 tions and security and suitability screening as determined  
7 by the Secretary of Defense regarding that person.

8           “(B) A Secretary concerned may not authorize more  
9 than 1,000 enlistments under paragraph (2) per military  
10 department in a calendar year until after—

11           “(i) the Secretary of Defense submits to Con-  
12 gress written notice of the intent of that Secretary  
13 concerned to authorize more than 1,000 such enlist-  
14 ments in a calendar year; and

15           “(ii) a period of 30 days has elapsed after the  
16 date on which Congress receives the notice.”.

17           (b) REPORT.—

18           (1) IN GENERAL.—Not later than December 31,  
19 2019, and annually thereafter for each of the subse-  
20 quent four years, the Secretary concerned shall sub-  
21 mit a report to the Committees on Armed Services  
22 and the Judiciary of the Senate and the House of  
23 Representatives regarding persons who enter into  
24 enlistment contracts under section 504(b)(2) of title

1 10, United States Code, as amended by subsection  
2 (a).

3 (2) ELEMENTS.—Each report under this sub-  
4 section shall include the following:

5 (A) The number of such persons who have  
6 entered into such contracts during the pre-  
7 ceding calendar year.

8 (B) How many such persons have success-  
9 fully completed background investigations and  
10 vetting procedures.

11 (C) How many such persons have begun  
12 initial training.

13 (D) The skills that are vital to the national  
14 interest that such persons possess.

15 **SEC. 522. STATEMENT OF BENEFITS.**

16 (a) IN GENERAL.—Chapter 58 of title 10, United  
17 States Code, is amended by adding at the end the fol-  
18 lowing new section:

19 **“§ 1155. Statement of benefits**

20 “(a) BEFORE SEPARATION.—Not later than 30 days  
21 before a member retires, is released, is discharged, or oth-  
22 erwise separates from the armed forces (or as soon as is  
23 practicable in the case of an unanticipated separation), the  
24 Secretary concerned shall provide that member with a cur-

1 rent assessment of all benefits to which that member is  
2 entitled under laws administered by—

3 “(1) the Secretary of Defense; and

4 “(2) the Secretary of Veterans Affairs.

5 “(b) ANNUAL STATEMENT FOR RESERVES.—Not less  
6 than once each year, the Secretary concerned shall provide  
7 each member of a reserve component with a current as-  
8 sessment of benefits described in subsection (a).”.

9 (b) CLERICAL AMENDMENT.—The table of sections  
10 at the beginning of such chapter is amended by inserting  
11 after the item relating to section 1154 the following new  
12 item:

“1155. Statement of benefits.”.

13 **SEC. 523. MODIFICATION TO FORMS OF SUPPORT THAT**  
14 **MAY BE ACCEPTED IN SUPPORT OF THE MIS-**  
15 **SION OF THE DEFENSE POW/MIA ACCOUNT-**  
16 **ING AGENCY.**

17 (a) PUBLIC-PRIVATE PARTNERSHIPS.—Subsection  
18 (a) of section 1501a of title 10, United States Code, is  
19 amended by adding at the end the following new sentence:  
20 “An employee of an entity outside the Government that  
21 has entered into a public-private partnership, cooperative  
22 agreement, or a grant arrangement with, or in direct sup-  
23 port of, the designated Defense Agency under this section  
24 shall be considered to be an employee of the Federal Gov-  
25 ernment by reason of participation in such partnership,



1 cooperative agreement, or grant, only for the purposes of  
2 section 552a of title 5 (relating to maintenance of records  
3 on individuals).”.

4 (b) AUTHORITY TO ACCEPT GIFTS IN SUPPORT OF  
5 MISSION TO ACCOUNT FOR MISSING PERSONS FROM  
6 PAST CONFLICTS.—Such section is further amended—

7 (1) by redesignating subsections (e) and (f) as  
8 subsections (f) and (g), respectively;

9 (2) by inserting after subsection (d) the fol-  
10 lowing new subsection (e):

11 “(e) ACCEPTANCE OF GIFTS.—

12 “(1) AUTHORITY TO ACCEPT.—Subject to sub-  
13 section (f)(2), the Secretary may accept, hold, ad-  
14 minister, spend, and use any gift of personal prop-  
15 erty, money, or services made on the condition that  
16 the gift be used for the purpose of facilitating ac-  
17 counting for missing persons pursuant to section  
18 1501(a)(2)(C) of this title.

19 “(2) GIFT FUNDS.—Gifts and bequests of  
20 money accepted under this subsection shall be depos-  
21 ited in the Treasury in the Department of Defense  
22 General Gift Fund.

23 “(3) USE OF GIFTS.—Personal property and  
24 money accepted under this subsection may be used  
25 by the Secretary, and services accepted under this

1 subsection may be performed, without further spe-  
2 cific authorization in law.

3 “(4) EXPENSES OF TRANSFER.—The Secretary  
4 may pay all necessary expenses in connection with  
5 the conveyance or transfer of a gift accepted under  
6 this subsection.

7 “(5) EXPENSES OF CARE.—The Secretary may  
8 pay all reasonable and necessary expenses in connec-  
9 tion with the care of a gift accepted under this sub-  
10 section.”; and

11 (3) by adding at the end of subsection (g), as  
12 redesignated by paragraph (1) of this subsection, the  
13 following new paragraph:

14 “(3) GIFT.—The term ‘gift’ includes a devise or  
15 bequest.”.

16 (c) CONFORMING AMENDMENT.—Subsection (a) of  
17 such section is further amended by striking “subsection  
18 (e)(1)” and inserting “subsection (f)(1)”.

19 **SEC. 524. CORRECTION OF MILITARY RECORDS WEBSITE.**

20 (a) IN GENERAL.—Section 1552(a)(5) of title 10,  
21 United States Code, is amended by striking the second  
22 sentence and inserting the following: “The Secretary shall  
23 also publish on such website a summary of each such deci-  
24 sion, indexed by subject matter. The Secretary shall redact

1 all personally identifiable information from any such deci-  
2 sion and summary.”

3 (b) EFFECTIVE DATE.—The amendments made by  
4 this section shall take effect on October 1, 2019.

5 **SEC. 525. MODIFICATION OF DD FORM 214 TO INCLUDE**  
6 **EMAIL ADDRESSES.**

7 (a) IN GENERAL.—The Secretary of Defense shall  
8 modify the Certificate of Release or Discharge from Active  
9 Duty (DD Form 214) by adding an entry block in which  
10 a member of the Armed Forces may provide one or more  
11 email addresses at which the member may be contacted  
12 after separation from active duty in the Armed Forces.

13 (b) DEADLINE.—The Secretary shall carry out sub-  
14 section (a) not later than 1 year after the date of the en-  
15 actment of this Act.

16 **SEC. 526. PUBLIC AVAILABILITY OF REPORTS RELATED TO**  
17 **SENIOR LEADER MISCONDUCT.**

18 (a) ESTABLISHMENT OF WEBSITE.—The Secretary  
19 of Defense and each Secretary of a military department  
20 shall make available on a public website of the Department  
21 of Defense all reports on substantiated investigations of  
22 misconduct completed by the Inspectors General of the  
23 Department and each military department regarding—

24 (1) an officer in the grade of O–7 or higher;

1           (2) an officer selected for promotion to grade  
2           O-7; or

3           (3) a civilian member of the Senior Executive  
4           Service.

5           (b) PUBLISHED REPORTS.—Each report under sub-  
6 section (a) shall be—

7           (1) properly redacted;

8           (2) segregated from documents regarding ongo-  
9           ing investigations (including announcements);

10          (3) labelled with the name of subject of the in-  
11          vestigation; and

12          (4) searchable by the name of subject of the in-  
13          vestigation.

14          (c) DEADLINE.—The Secretary shall carry out this  
15 section not later than 90 days after the enactment of this  
16 Act.

17 **SEC. 527. APPOINTMENT AND TRAINING OF PERSONNEL TO**  
18 **STAFF THE BOARD OF CORRECTIONS FOR**  
19 **MILITARY AND NAVAL RECORDS.**

20          (a) IN GENERAL.—The Secretary of Defense, in con-  
21 sultation with the Service Secretaries and Joint Chiefs,  
22 shall provide for the appointment and training of qualified  
23 personnel to join the staff of the Boards of Corrections  
24 for Military and Naval Records.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated for the Department of De-  
3 fense a total of \$3,000,000.00, in order to carry out the  
4 training required by subsection (a) and to provide related  
5 equipment and accommodations.

6 **SEC. 528. ENTREPRENEURIAL SABBATICAL FOR SCI-**  
7 **ENTISTS EMPLOYED AT DEFENSE LABORA-**  
8 **TORIES.**

9 The Secretary of Defense may prescribe regulations  
10 that permit scientists employed at defense laboratories to  
11 take unpaid sabbaticals from such employment to work  
12 in the private sector. Such regulations may address issues  
13 including conflict of interest and the risk and impact to  
14 mission if critical positions are unfilled due to a sabbatical.

15 **SEC. 529. COMPLETION OF DEPARTMENT OF DEFENSE DI-**  
16 **RECTIVE 2310.07E REGARDING MISSING PER-**  
17 **SONS.**

18 (a) IN GENERAL.—The Secretary of Defense shall  
19 make the completion of Department of Defense Directive  
20 2310.07E a top priority in order to improve the efficiency  
21 of locating missing persons.

22 (b) DEFINITION.—In this section, the term “missing  
23 person” has the meaning given such term in section 1513  
24 of title 10, United States Code.

1 **SEC. 530. ATTENDING PHYSICIAN TO THE CONGRESS.**

2 (a) IN GENERAL.—Chapter 41 of title 10, United  
3 States Code, is amended by inserting before section 716  
4 the following new section:

5 **“§ 715. Attending Physician to the Congress: grade**

6 “A general officer serving as Attending Physician to  
7 the Congress, while so serving, holds the grade of major  
8 general. A flag officer serving as Attending Physician to  
9 the Congress, while so serving, holds the grade of rear ad-  
10 miral (upper half).”.

11 (b) CLERICAL AMENDMENT.—The table of sections  
12 at the beginning of such chapter is amended by inserting  
13 before the item relating the section 716 the following new  
14 item:

“715. Attending Physician to Congress: grade”.

15 **Subtitle D—Military Justice**

16 **SEC. 531. MINIMUM CONFINEMENT PERIOD REQUIRED FOR**  
17 **CONVICTION OF CERTAIN SEX-RELATED OF-**  
18 **FENSES COMMITTED BY MEMBERS OF THE**  
19 **ARMED FORCES.**

20 Section 856(b)(1) of title 10, United States Code (ar-  
21 ticle 56(b)(1) of the Uniform Code of Military Justice),  
22 is amended by striking “such punishment must include,  
23 at a minimum, dismissal or dishonorable discharge, except  
24 as provided for in section 860 of this title (article 60)”  
25 and inserting “except as provided for in section 860 of

1 this title (article 60), such punishment must include, at  
2 a minimum—”

3 “(A) dismissal or dishonorable discharge; and

4 “(B) confinement for two years.”.

5 **SEC. 532. PUNITIVE ARTICLE IN THE UNIFORM CODE OF**  
6 **MILITARY JUSTICE ON DOMESTIC VIOLENCE.**

7 (a) IN GENERAL.—Subchapter X of chapter 47 of  
8 title 10, United States Code (the Uniform Code of Military  
9 Justice), is amended by inserting after the item relating  
10 to section 928 (article 128) the following new section (arti-  
11 cle):

12 **“§ 928a. Art 128a. Domestic violence**

13 “(a) DOMESTIC VIOLENCE.—Any person subject to  
14 this chapter who, unlawfully and with force or violence,  
15 attempts, offers to, or does intimidate, manipulate, humili-  
16 ate, isolate, frighten, terrorize, coerce, threaten, blame,  
17 hurt, injure, or wound another person of whom the person  
18 is an intimate partner is guilty of domestic violence and  
19 shall be punished as a court-martial may direct.

20 “(b) AGGRAVATED DOMESTIC VIOLENCE.—Any per-  
21 son subject to this chapter who, in committing domestic  
22 violence, uses a weapon, means, or force in a manner likely  
23 to produce death or grievous bodily harm is guilty of ag-  
24 gravated domestic violence and shall be punished as a  
25 court-martial may direct.”.

1 (b) CLERICAL AMENDMENT.—The table of sections  
 2 at the beginning of subchapter X of chapter 47 of such  
 3 title is amended by inserting after the item relating to sec-  
 4 tion 928 (article 128) the following new item:

“928a. 128a. Domestic violence.”.

5 **SEC. 533. DEFENSE ADVISORY COMMITTEE ON INVESTIGA-**  
 6 **TION, PROSECUTION, AND DEFENSE OF SEX-**  
 7 **UAL ASSAULT IN THE ARMED FORCES.**

8 Section 546(c)(2) of the Carl Levin and Howard P.  
 9 “Buck” McKeon National Defense Authorization Act for  
 10 Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 1561  
 11 note) is amended by adding at the end the following new  
 12 sentence: “After a majority vote by the Advisory Com-  
 13 mittee and upon request of the Chair of the Advisory Com-  
 14 mittee, the Secretary of Defense shall provide to the Advi-  
 15 sory Committee information the Secretary determines is  
 16 relevant to the scope and mission of the Advisory Com-  
 17 mittee under this section.”.

18 **SEC. 534. MODIFICATION OF MILITARY RULES OF EVI-**  
 19 **DENCE TO EXCLUDE ADMISSIBILITY OF GEN-**  
 20 **ERAL MILITARY CHARACTER TOWARD PROB-**  
 21 **ABILITY OF INNOCENCE IN ANY OFFENSE**  
 22 **NOT STRICTLY RELATED TO PERFORMANCE**  
 23 **OF MILITARY DUTIES.**

24 (a) IN GENERAL.—Not later than 180 days after the  
 25 date of the enactment of this Act, Rule 404(a) of the Mili-



1 tary Rules of Evidence shall be amended to provide that  
2 the general military character of an accused is not admis-  
3 sible for the purpose of showing the probability of inno-  
4 cence of the accused for any offense under chapter 47 of  
5 title 10, United States Code (the Uniform Code of Military  
6 Justice), unless such offense is strictly and solely related  
7 to the performance of military duties.

8 (b) SPECIFICATION OF OFFENSES FOR WHICH AD-  
9 MISSIBILITY ALLOWED.—

10 (1) IN GENERAL.—Each Secretary concerned  
11 shall specify, and may from time to time modify, the  
12 offenses under chapter 47 of title 10, United States  
13 Code, for which the military character of members  
14 of the Armed Forces under the jurisdiction of such  
15 Secretary is admissible pursuant to subsection (a) as  
16 a result of such offense being strictly and solely re-  
17 lated to the performance of military duties.

18 (2) APPROVAL OF PRESIDENT REQUIRED.—The  
19 specification of an offense pursuant to paragraph  
20 (1), and any modification of such specification, shall  
21 not be effective unless approved by the President.

22 (3) SECRETARY CONCERNED DEFINED.—In this  
23 subsection, the term “Secretary concerned” has the  
24 meaning given that term in section 101(a)(9) of title  
25 10, United States Code.

1 **SEC. 535. IMPROVED CRIME REPORTING.**

2 (a) IN GENERAL.—The Secretary of Defense, in con-  
3 sultation with the secretaries of the military departments,  
4 shall establish a consolidated tracking process for the en-  
5 tire Department of Defense to ensure increased oversight  
6 of the timely submission of crime reporting data to the  
7 Federal Bureau of Investigation under section 922(g) of  
8 title 18, United States Code, and Department of Defense  
9 Instruction 5505.11, “Fingerprint Card and Final Dis-  
10 position Report Submission Requirements”. The tracking  
11 process shall, to the maximum extent possible, standardize  
12 and automate reporting and increase the ability of the De-  
13 partment to track such submissions.

14 (b) REPORT REQUIRED.—Not later than July 1,  
15 2019, the Secretary of Defense shall submit a report to  
16 the Committees on Armed Services of the Senate and  
17 House of Representatives that details the tracking proc-  
18 ess.

19 **SEC. 536. OVERSIGHT OF REGISTERED SEX OFFENDER**  
20 **MANAGEMENT PROGRAM.**

21 (a) DESIGNATION OF OFFICIAL OR ENTITY.—The  
22 Secretary of Defense shall designate a single official or  
23 entity within the Office of the Secretary of Defense to  
24 serve as the official or entity (as the case may be) with  
25 principal responsibility in the Department of Defense for

1 providing oversight of the registered sex offender manage-  
2 ment program of the Department.

3 (b) DUTIES.—The official or entity designated under  
4 subsection (a) shall—

5 (1) monitor compliance with Department of De-  
6 fense Instruction 5525.20 and other relevant policies;

7 (2) compile data on members serving in the  
8 military departments who have been convicted of a  
9 qualifying sex offense, including data on the sex of-  
10 fender registration status of each such member;

11 (3) maintain statistics on the total number of  
12 active duty service members in each military depart-  
13 ment who are required to register as sex offenders;  
14 and

15 (4) perform such other duties as the Secretary  
16 of Defense determines to be appropriate.

17 (c) BRIEFING REQUIRED.—Not later than June 1,  
18 2019, the Secretary of Defense shall provide to the Com-  
19 mittee on Armed Services of the House of Representatives  
20 a briefing on—

21 (1) the compliance of the military departments  
22 with the policies of the Department of Defense relat-  
23 ing to registered sex offenders;

24 (2) the results of the data compilation described  
25 in subsection (b)(2); and

1           (3) any other matters the Secretary determines  
2           to be appropriate.

3           (d) **MILITARY DEPARTMENTS DEFINED.**—In this  
4 section, the term “military departments” has the meaning  
5 given that term in section 101(a)(8) of title 10, United  
6 States Code.

## 7           **Subtitle E—Other Legal Matters**

### 8           **SEC. 541. SECURITY CLEARANCE REINVESTIGATION OF** 9                                   **CERTAIN PERSONNEL WHO COMMIT CERTAIN** 10                                  **OFFENSES.**

11           Section 1564 of title 10, United States Code, is  
12 amended—

13           (1) by redesignating subsections (c), (d), (e),  
14           and (f) as subsection (d), (e), (f), and (g), respec-  
15           tively; and

16           (2) by inserting after subsection (b) the fol-  
17           lowing new subsection (c):

18           “(c) **REINVESTIGATION OF CERTAIN INDIVIDUALS.**—

19           (1) The Secretary of Defense shall conduct an investiga-  
20           tion under subsection (a) of any individual described in  
21           paragraph (2) upon—

22                           “(A) conviction of that individual by a court of  
23                           competent jurisdiction for—

24   “(i) sexual assault;

25   “(ii) sexual harassment;

1           “(iii) fraud against the United States; or

2           “(iv) any other violation that the Secretary  
3 determines renders that individual susceptible  
4 to blackmail or raises serious concern regarding  
5 the ability of that individual to hold a security  
6 clearance; or

7           “(B) determination by a commanding officer  
8 that the individual has committed an offense de-  
9 scribed in subparagraph (A).

10          “(2) An individual described in this paragraph has  
11 a security clearance and is—

12           “(A) a flag officer;

13           “(B) a general officer; or

14           “(C) an employee of the Department of Defense  
15 in the Senior Executive Service.

16          “(3) The Secretary shall conduct an investigation  
17 under this subsection of an individual described in para-  
18 graph (2) regardless of whether that individual has retired  
19 or resigned, is discharged or released, or otherwise sepa-  
20 rated from the armed forces or Department of Defense.

21          “(4) In this subsection:

22           “(A) The term ‘sexual assault’ includes rape,  
23 sexual assault, forcible sodomy, aggravated sexual  
24 contact, abusive sexual contact, and attempts to

1       commit such offenses, as those terms are defined in  
2       the Uniform Code of Military Justice.

3               “(B) The term ‘sexual harassment’ has the  
4       meaning given that term in section 1561 of this  
5       title.

6               “(C) The term ‘fraud against the United  
7       States’ means a violation of section 932 of this title  
8       (Article 132 of the Uniform Code of Military Jus-  
9       tice).”.

10 **SEC. 542. CONSIDERATION OF APPLICATION FOR TRANS-**  
11 **FER FOR A STUDENT OF A MILITARY SERV-**  
12 **ICE ACADEMY WHO IS THE VICTIM OF A SEX-**  
13 **UAL ASSAULT OR RELATED OFFENSE.**

14       (a) **MILITARY ACADEMY.**—Section 4361 of title 10,  
15 United States Code, is amended by adding at the end the  
16 following new subsection (e):

17       “(e) **CONSIDERATION OF APPLICATION FOR TRANS-**  
18 **FER FOR A CADET WHO IS THE VICTIM OF A SEXUAL**  
19 **ASSAULT OR RELATED OFFENSE.**—(1) The Secretary of  
20 the Army shall provide for timely determination and action  
21 on an application for consideration of a transfer to an-  
22 other military service academy submitted by a cadet who  
23 was a victim of a sexual assault or other offense covered  
24 by section 920, 920a, or 920c of this title (article 120,  
25 120a, or 120c of the Uniform Code of Military Justice)

1 so as to reduce the possibility of retaliation against the  
2 cadet for reporting the sexual assault or other offense.

3       “(2) The Secretary of the Army shall prescribe regu-  
4 lations to carry out this subsection, within guidelines pro-  
5 vided by the Secretary of Defense that direct the Super-  
6 intendent of the Military Academy, in coordination with  
7 the Superintendent of the military service academy to  
8 which the cadet wishes to transfer, to approve or deny an  
9 application under this subsection not later than 72 hours  
10 after the submission of the application. If the Super-  
11 intendent denies such an application, the cadet may re-  
12 quest review of the denial by the Secretary of the Army,  
13 who shall grant or deny review not later than 72 hours  
14 after submission of the request for review. The Secretary  
15 of the Army shall ensure that all records of any request,  
16 determination, or action under this subsection remains  
17 confidential.”.

18       (b) NAVAL ACADEMY.—Section 6980 of title 10,  
19 United States Code, is amended by adding at the end the  
20 following new subsection (e):

21       “(e) CONSIDERATION OF APPLICATION FOR TRANS-  
22 FER FOR A MIDSHIPMAN WHO IS THE VICTIM OF A SEX-  
23 UAL ASSAULT OR RELATED OFFENSE.—(1) The Sec-  
24 retary of the Navy shall provide for timely determination  
25 and action on an application for consideration of a trans-

1 fer to another military service academy submitted by a  
2 midshipman who was a victim of a sexual assault or other  
3 offense covered by section 920, 920a, or 920c of this title  
4 (article 120, 120a, or 120c of the Uniform Code of Mili-  
5 tary Justice) so as to reduce the possibility of retaliation  
6 against the midshipman for reporting the sexual assault  
7 or other offense.

8       “(2) The Secretary of the Navy shall prescribe regu-  
9 lations to carry out this subsection, within guidelines pro-  
10 vided by the Secretary of Defense that direct the Super-  
11 intendent of the Naval Academy, in coordination with the  
12 Superintendent of the military service academy to which  
13 the midshipman wishes to transfer, to approve or deny an  
14 application under this subsection not later than 72 hours  
15 after the submission of the application. If the Super-  
16 intendent denies such an application, the midshipman may  
17 request review of the denial by the Secretary of the Navy,  
18 who shall grant or deny review not later than 72 hours  
19 after submission of the request for review. The Secretary  
20 of the Navy shall ensure that all records of any request,  
21 determination, or action under this subsection remains  
22 confidential.”.

23       (c) AIR FORCE ACADEMY.—Section 9361 of title 10,  
24 United States Code, is amended by adding at the end the  
25 following new subsection (e):



1           “(e) CONSIDERATION OF APPLICATION FOR TRANS-  
2 FER FOR A CADET WHO IS THE VICTIM OF A SEXUAL  
3 ASSAULT OR RELATED OFFENSE.—(1) The Secretary of  
4 the Air Force shall provide for timely determination and  
5 action on an application for consideration of a transfer  
6 to another military service academy submitted by a cadet  
7 who was a victim of a sexual assault or other offense cov-  
8 ered by section 920, 920a, or 920c of this title (article  
9 120, 120a, or 120c of the Uniform Code of Military Jus-  
10 tice) so as to reduce the possibility of retaliation against  
11 the cadet for reporting the sexual assault or other offense.

12           “(2) The Secretary of the Air Force shall prescribe  
13 regulations to carry out this subsection, within guidelines  
14 provided by the Secretary of Defense that direct the Su-  
15 perintendent of the Air Force Academy, in coordination  
16 with the Superintendent of the military service academy  
17 to which the cadet wishes to transfer, to approve or deny  
18 an application under this subsection not later than 72  
19 hours after the submission of the application. If the Su-  
20 perintendent denies such an application, the cadet may re-  
21 quest review of the denial by the Secretary of the Air  
22 Force, who shall grant or deny review not later than 72  
23 hours after submission of the request for review. The Sec-  
24 retary of the Air Force shall ensure that all records of

1 any request, determination, or action under this sub-  
2 section remains confidential.”.

3 **SEC. 543. STANDARDIZATION OF POLICIES RELATED TO EX-**  
4 **PEDITED TRANSFER IN CASES OF SEXUAL AS-**  
5 **SAULT.**

6 (a) **POLICIES FOR MEMBERS.**—The Secretary of De-  
7 fense shall modify all policies related to the expedited  
8 transfer of a member of the Army, Navy, Air Force, or  
9 Marine Corps who is the victim of sexual assault (regard-  
10 less of whether the case is handled under the Sexual As-  
11 sault Prevention and Response Program or Family Advo-  
12 cacy Program) that the Secretary determines necessary to  
13 establish a standardized expedited transfer process for  
14 such members, consistent with section 673 of title 10,  
15 United States Code.

16 (b) **POLICIES FOR DEPENDENTS OF MEMBERS.**—The  
17 Secretary of Defense shall establish a policy to allow the  
18 transfer of a member of the Army, Navy, Air Force, or  
19 Marine Corps whose dependent is the victim of sexual as-  
20 sault perpetrated by a member of the Armed Forces who  
21 is not related to the victim.

1 **SEC. 544. DEVELOPMENT OF OVERSIGHT PLAN FOR IMPLE-**  
2 **MENTATION OF DEPARTMENT OF DEFENSE**  
3 **HARASSMENT PREVENTION AND RESPONSE**  
4 **POLICY.**

5 (a) DEVELOPMENT.—The Secretary of Defense shall  
6 develop a plan for overseeing the implementation of the  
7 instruction titled “Harassment Prevention and Response  
8 in the Armed Forces”, published on February 8, 2018  
9 (DODI–1020.03).

10 (b) ELEMENTS.—The plan under subsection (a) shall  
11 require the military services and other components of the  
12 Department of Defense to take steps by certain dates to  
13 implement harassment prevention and response programs  
14 under such instruction, including no less than the fol-  
15 lowing:

16 (1) Submitting implementation plans to the Di-  
17 rector, Force Resiliency.

18 (2) Incorporating results-oriented performance  
19 measures that assess the effectiveness of harassment  
20 prevention and response programs.

21 (3) Adopting compliance standards for pro-  
22 moting, supporting, and enforcing policies, plans,  
23 and programs.

24 (4) Tracking, collecting, and reporting data and  
25 information on sexual harassment incidents based on  
26 standards established by the Secretary.

1           (5) Instituting anonymous complaint mecha-  
2           nisms.

3           (c) REPORT.—Not later than July 1, 2019, the Sec-  
4           retary shall submit to the Committees on Armed Services  
5           of the Senate and the House of Representatives a report  
6           on the oversight plan developed under this section. The  
7           report shall include, for each military service and compo-  
8           nent of the Department of Defense, the implementation  
9           status of each element of the oversight plan.

10 **SEC. 545. DEVELOPMENT OF RESOURCE GUIDES REGARD-**  
11 **ING SEXUAL ASSAULT FOR THE MILITARY**  
12 **SERVICE ACADEMIES.**

13           (a) DEVELOPMENT.—Not later than 30 days after  
14           the date of the enactment of this Act, each Superintendent  
15           of a military service academy shall develop and maintain  
16           a resource guide for students at the respective military  
17           service academies regarding sexual assault.

18           (b) ELEMENTS.—Each guide developed under this  
19           section shall include the following information with re-  
20           gards to the relevant military service academy:

21           (1) PROCESS OVERVIEW AND DEFINITIONS.—

22                   (A) A clear explanation of prohibited con-  
23                   duct, including examples.

24                   (B) A clear explanation of consent.

25                   (C) Victims' rights.

1 (D) Clearly described complaint process,  
2 including multiple ways to file a complaint.

3 (E) Explanations of restricted and unre-  
4 stricted reporting.

5 (F) List of mandatory reporters.

6 (G) Protections from retaliation.

7 (H) Assurance that leadership will take  
8 immediate and proportionate corrective action.

9 (I) References to specific policies.

10 (J) Additional resources for survivors.

11 (2) EMERGENCY SERVICES.—

12 (A) Contact information.

13 (B) Location.

14 (3) SUPPORT AND COUNSELING.—Contact in-  
15 formation for the following support and counseling  
16 resources:

17 (A) The Sexual Assault Prevention and  
18 Response Victim Advocate or other equivalent  
19 advocate or counselor available to students in  
20 cases of sexual assault.

21 (B) The Sexual Harassment/Assault Re-  
22 sponse and Prevention Resource Program Cen-  
23 ter.

24 (C) Peer counseling.

25 (D) Medical care.

1 (E) Legal counsel.

2 (F) Hotlines.

3 (G) Chaplain or other spiritual representa-  
4 tives.

5 (4) ESCALATION.—

6 (A) A victim may report an incident to any  
7 authority.

8 (B) A victim may consult any authority  
9 named in this paragraph.

10 (C) The Superintendent determines the  
11 outcome of an investigation and has the author-  
12 ity to convene a court-martial after an initial  
13 hearing.

14 (D) The Secretary of the military depart-  
15 ment concerned reviews determinations in cases  
16 not referred for trial by court-martial.

17 (E) The Inspector General reviews cases of  
18 reprisal or professional retaliation.

19 (F) A Member of Congress (as that term  
20 is defined in section 1563 of title 10, United  
21 States Code).

22 (c) DISTRIBUTION.—Each Superintendent shall pro-  
23 vide a copy of the current guide developed by that Super-  
24 intendent under this section—

1           (1) not later than 30 days after completing de-  
2           velopment under subsection (a) to each student who  
3           is enrolled at the military service academy of that  
4           Superintendent on the date of the enactment of this  
5           Act;

6           (2) at the beginning of each academic year  
7           after the date of the enactment of this Act to each  
8           student who enrolls at the military service academy  
9           of that Superintendent; and

10          (3) as soon as practicable to a student at the  
11          military service academy of that Superintendent re-  
12          ports that such student is a victim of sexual assault.

13 **SEC. 546. REPORT ON VICTIMS IN MCIO REPORTS.**

14          Not later than September 30, 2019, and not less than  
15          once every two years thereafter, the Secretary of Defense,  
16          through the Defense Advisory Committee on Investiga-  
17          tions, Prosecutions, and Defense of Sexual Assault in the  
18          Armed Forces, shall submit to Congress a report regard-  
19          ing the frequency at which individuals, who are identified  
20          as victims of sexual offenses in case files of military crimi-  
21          nal investigative organizations (hereinafter, “MCIO”), are  
22          accused of or punished for misconduct or crimes consid-  
23          ered collateral to the investigation of sexual assault during  
24          the MCIO investigations in which the individuals were so  
25          identified.

1 **SEC. 547. DEFINITION OF MILITARY SEXUAL TRAUMA.**

2 (a) IN GENERAL.—The Secretaries of Defense and  
3 Veterans Affairs shall establish a joint definition of “mili-  
4 tary sexual trauma” for their respective Departments to  
5 use in all aspects of delivering care and benefits to mem-  
6 bers of the Armed Forces and veterans who have suffered  
7 that crime.

8 (b) REPORT.—The Secretaries shall submit to Con-  
9 gress a report on their efforts under subsection (a), includ-  
10 ing legislative recommendations, not later than 180 days  
11 after the date of the enactment of this Act.

12 **Subtitle F—Member Education,**  
13 **Training, Resilience, and Tran-**  
14 **sition**

15 **SEC. 551. PERMANENT CAREER INTERMISSION PROGRAM.**

16 (a) CODIFICATION AND PERMANENT AUTHORITY.—  
17 Chapter 40 of title 10, United States Code, is amended  
18 by adding at the end the following new section 710:

19 **“§ 710. Career flexibility to enhance retention of**  
20 **members**

21 “(a) PROGRAMS AUTHORIZED.—Each Secretary of a  
22 military department may carry out programs under which  
23 members of the regular components and members on Ac-  
24 tive Guard and Reserve duty of the armed forces under  
25 the jurisdiction of such Secretary may be inactivated from  
26 active service in order to meet personal or professional



1 needs and returned to active service at the end of such  
2 period of inactivation from active service.

3       “(b) PERIOD OF INACTIVATION FROM ACTIVE SERV-  
4 ICE; EFFECT OF INACTIVATION.—(1) The period of inac-  
5 tivation from active service under a program under this  
6 section of a member participating in the program shall be  
7 such period as the Secretary of the military department  
8 concerned shall specify in the agreement of the member  
9 under subsection (c), except that such period may not ex-  
10 ceed three years.

11       “(2) Any service by a Reserve officer while partici-  
12 pating in a program under this section shall be excluded  
13 from computation of the total years of service of that offi-  
14 cer pursuant to section 14706(a) of this title.

15       “(3) Any period of participation of a member in a  
16 program under this section shall not count toward—

17               “(A) eligibility for retirement or transfer to the  
18 Ready Reserve under either chapter 571 or 1223 of  
19 this title; or

20               “(B) computation of retired or retainer pay  
21 under chapter 71 or 1223 of this title.

22       “(c) AGREEMENT.—Each member of the armed  
23 forces who participates in a program under this section  
24 shall enter into a written agreement with the Secretary

1 of the military department concerned under which agree-  
2 ment that member shall agree as follows:

3           “(1) To accept an appointment or enlist, as ap-  
4 plicable, and serve in the Ready Reserve of the  
5 armed force concerned during the period of the inac-  
6 tivation of the member from active service under the  
7 program.

8           “(2) To undergo during the period of the inac-  
9 tivation of the member from active service under the  
10 program such inactive service training as the Sec-  
11 retary concerned shall require in order to ensure  
12 that the member retains proficiency, at a level deter-  
13 mined by the Secretary concerned to be sufficient, in  
14 the military skills, professional qualifications, and  
15 physical readiness of the member during the inac-  
16 tivation of the member from active service.

17           “(3) Following completion of the period of the  
18 inactivation of the member from active service under  
19 the program, to serve two months as a member of  
20 the armed forces on active service for each month of  
21 the period of the inactivation of the member from  
22 active service under the program.

23           “(d) CONDITIONS OF RELEASE.—The Secretary of  
24 Defense shall prescribe regulations specifying the guide-  
25 lines regarding the conditions of release that must be con-

1 sidered and addressed in the agreement required by sub-  
2 section (e). At a minimum, the Secretary shall prescribe  
3 the procedures and standards to be used to instruct a  
4 member on the obligations to be assumed by the member  
5 under paragraph (2) of such subsection while the member  
6 is released from active service.

7       “(e) ORDER TO ACTIVE SERVICE.—Under regula-  
8 tions prescribed by the Secretary of the military depart-  
9 ment concerned, a member of the armed forces partici-  
10 pating in a program under this section may, in the discre-  
11 tion of such Secretary, be required to terminate participa-  
12 tion in the program and be ordered to active service.

13       “(f) PAY AND ALLOWANCES.—(1) During each  
14 month of participation in a program under this section,  
15 a member who participates in the program shall be paid  
16 basic pay in an amount equal to two-thirtieths of the  
17 amount of monthly basic pay to which the member would  
18 otherwise be entitled under section 204 of title 37 as a  
19 member of the uniformed services on active service in the  
20 grade and years of service of the member when the mem-  
21 ber commences participation in the program.

22       “(2)(A) A member who participates in a program  
23 shall not, while participating in the program, be paid any  
24 special or incentive pay or bonus to which the member is  
25 otherwise entitled under an agreement under chapter 5 of

1 title 37 that is in force when the member commences par-  
2 ticipation in the program.

3       “(B) The inactivation from active service of a mem-  
4 ber participating in a program shall not be treated as a  
5 failure of the member to perform any period of service  
6 required of the member in connection with an agreement  
7 for a special or incentive pay or bonus under chapter 5  
8 of title 37 that is in force when the member commences  
9 participation in the program.

10       “(3)(A) Subject to subparagraph (B), upon the re-  
11 turn of a member to active service after completion by the  
12 member of participation in a program—

13               “(i) any agreement entered into by the member  
14 under chapter 5 of title 37 for the payment of a spe-  
15 cial or incentive pay or bonus that was in force when  
16 the member commenced participation in the program  
17 shall be revived, with the term of such agreement  
18 after revival being the period of the agreement re-  
19 maining to run when the member commenced par-  
20 ticipation in the program; and

21               “(ii) any special or incentive pay or bonus shall  
22 be payable to the member in accordance with the  
23 terms of the agreement concerned for the term spec-  
24 ified in clause (i).

1       “(B)(i) Subparagraph (A) shall not apply to any spe-  
2 cial or incentive pay or bonus otherwise covered by that  
3 subparagraph with respect to a member if, at the time  
4 of the return of the member to active service as described  
5 in that subparagraph—

6               “(I) such pay or bonus is no longer authorized  
7 by law; or

8               “(II) the member does not satisfy eligibility cri-  
9 teria for such pay or bonus as in effect at the time  
10 of the return of the member to active service.

11       “(ii) Subparagraph (A) shall cease to apply to any  
12 special or incentive pay or bonus otherwise covered by that  
13 subparagraph with respect to a member if, during the  
14 term of the revived agreement of the member under sub-  
15 paragraph (A)(i), such pay or bonus ceases being author-  
16 ized by law.

17       “(C) A member who is ineligible for payment of a  
18 special or incentive pay or bonus otherwise covered by this  
19 paragraph by reason of subparagraph (B)(i)(II) shall be  
20 subject to the requirements for repayment of such pay or  
21 bonus in accordance with the terms of the applicable  
22 agreement of the member under chapter 5 of title 37.

23       “(D) Any service required of a member under an  
24 agreement covered by this paragraph after the member re-  
25 turns to active service as described in subparagraph (A)

1 shall be in addition to any service required of the member  
2 under an agreement under subsection (c).

3 “(4)(A) Subject to subparagraph (B), a member who  
4 participates in a program is entitled, while participating  
5 in the program, to the travel and transportation allow-  
6 ances authorized by section 474 of title 37 for—

7 “(i) travel performed from the residence of the  
8 member, at the time of release from active service to  
9 participate in the program, to the location in the  
10 United States designated by the member as his resi-  
11 dence during the period of participation in the pro-  
12 gram; and

13 “(ii) travel performed to the residence of the  
14 member upon return to active service at the end of  
15 the participation of the member in the program.

16 “(B) An allowance is payable under this paragraph  
17 only with respect to travel of a member to and from a  
18 single residence.

19 “(5) A member who participates in a program is enti-  
20 tled to carry forward the leave balance existing as of the  
21 day on which the member begins participation and accu-  
22 mulated in accordance with section 701 of this title, but  
23 not to exceed 60 days.

24 “(g) PROMOTION.—(1)(A) An officer participating in  
25 a program under this section shall not, while participating

1 in the program, be eligible for consideration for promotion  
2 under chapter 36 or 1405 of this title.

3 “(B) Upon the return of an officer to active service  
4 after completion by the officer of participation in a pro-  
5 gram—

6 “(i) the Secretary of the military department  
7 concerned shall adjust the date of rank of the officer  
8 in such manner as the Secretary of Defense shall  
9 prescribe in regulations for purposes of this section;  
10 and

11 “(ii) the officer shall be eligible for consider-  
12 ation for promotion when officers of the same com-  
13 petitive category, grade, and seniority are eligible for  
14 consideration for promotion.

15 “(2) An enlisted member participating in a program  
16 shall not be eligible for consideration for promotion during  
17 the period that—

18 “(A) begins on the date of the inactivation of  
19 the member from active service under the program;  
20 and

21 “(B) ends at such time after the return of the  
22 member to active service under the program that the  
23 member is treatable as eligible for promotion by rea-  
24 son of time in grade and such other requirements as  
25 the Secretary of the military department concerned

1 shall prescribe in regulations for purposes of the  
2 program.

3 “(h) CONTINUED ENTITLEMENTS.—A member par-  
4 ticipating in a program under this section shall, while par-  
5 ticipating in the program, be treated as a member of the  
6 armed forces on active duty for a period of more than 30  
7 days for purposes of—

8 “(1) the entitlement of the member and of the  
9 dependents of the member to medical and dental  
10 care under the provisions of chapter 55 of this title;  
11 and

12 “(2) retirement or separation for physical dis-  
13 ability under the provisions of chapters 55 and 61  
14 of this title.”.

15 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

16 (1) TABLE OF SECTIONS.—The table of sections  
17 at the beginning of such chapter is amended by in-  
18 serting after the item relating to section 709a the  
19 following new item:

“710. Career flexibility to enhance retention of members.”.

20 (2) CONFORMING REPEAL.—Section 533 of the  
21 Duncan Hunter National Defense Authorization Act  
22 for Fiscal Year 2009 (10 U.S.C. prec. 701 note) is  
23 repealed.



1 **SEC. 552. IMPROVEMENTS TO TRANSITION ASSISTANCE**  
2 **PROGRAM.**

3 (a) PATHWAYS FOR TAP.—

4 (1) IN GENERAL.—Section 1142 of title 10,  
5 United States Code, is amended—

6 (A) in the section heading by striking  
7 “**medical**” and inserting “**certain**”;

8 (B) in subsection (a)—

9 (i) in paragraph (1), by inserting  
10 “(regardless of character of discharge)”  
11 after “discharge”;

12 (ii) in paragraph (3)(A)—

13 (I) by striking “as soon as pos-  
14 sible during the 12-month period pre-  
15 ceding” and inserting “not later than  
16 365 days before”;

17 (II) by striking “90 days” and  
18 inserting “365 days”; and

19 (III) by striking “discharge or  
20 release” and inserting “retirement or  
21 other separation”; and

22 (iii) in paragraph (3)(B)—

23 (I) by striking “90” and insert-  
24 ing “365”; and

25 (II) by striking “90-day” and in-  
26 serting “365-day”;

1 (C) by redesignating subsection (c) as sub-  
2 section (d);

3 (D) by inserting after subsection (b) the  
4 following new subsection (c):

5 “(c) COUNSELING PATHWAYS.—(1) Each Secretary  
6 concerned, in consultation with the Secretaries of Labor  
7 and Veterans Affairs, shall establish at least three path-  
8 ways for members of the military department concerned  
9 receiving individualized counseling under this section. The  
10 Secretaries shall design the pathways to address the needs  
11 of members, based on the following factors:

12 “(A) Rank.

13 “(B) Term of service.

14 “(C) Gender.

15 “(D) Whether the member was a member  
16 of a regular or reserve component of an armed  
17 force.

18 “(E) Disability.

19 “(F) Character of discharge (including ex-  
20 pedited discharge and discharge under condi-  
21 tions other than honorable).

22 “(G) Health (including mental health).

23 “(H) Military occupational specialty.

24 “(I) Whether the member intends, after  
25 separation, retirement, or discharge, to—

1 “(i) seek employment;

2 “(ii) enroll in a program of higher  
3 education;

4 “(iii) enroll in a program of vocational  
5 training; or

6 “(iv) become an entrepreneur.

7 “(J) The educational history of the mem-  
8 ber.

9 “(K) The employment history of the mem-  
10 ber.

11 “(L) Whether the member has secured—

12 “(i) employment;

13 “(ii) enrollment in a program of edu-  
14 cation; or

15 “(iii) enrollment in a program of voca-  
16 tional training.

17 “(M) Other factors the Secretary of De-  
18 fense and the Secretary of Homeland Security,  
19 in consultation with the Secretaries of Labor  
20 and Veterans Affairs, determine appropriate.

21 “(2) Each member described in subsection (a) shall  
22 meet in person or by video conference with a counselor  
23 before beginning counseling under this section to—

24 “(A) take a self-assessment designed by the  
25 Secretary concerned (in consultation with the Secre-

1       taries of Labor and Veterans Affairs) to ensure that  
2       the Secretary concerned places the member in the  
3       appropriate pathway under this subsection;

4               “(B) receive information from the counselor re-  
5       garding reenlistment in the armed forces; and

6               “(C) receive information from the counselor re-  
7       garding resources (including resources regarding  
8       military sexual trauma)—

9                       “(i) for members of the armed forces sepa-  
10       rated, retired, or discharged;

11                      “(ii) located in the community in which the  
12       member will reside after separation, retirement,  
13       or discharge.

14       “(3) At the meeting under paragraph (2), the mem-  
15       ber may elect to have the Secretary concerned (in con-  
16       sultation with the Secretaries of Labor and Veterans Af-  
17       fairs) provide the contact information of the member to  
18       the resources described in paragraph (2)(B).”; and

19                      (E) by adding at the end the following new  
20       subsection:

21       “(e) JOINT SERVICE TRANSCRIPT.—(1) The Sec-  
22       retary concerned shall provide a copy of the joint service  
23       transcript of a member described in subsection (a) to—

24                      “(A) that member—

1           “(i) at the meeting with a counselor under  
2           subsection (c)(2); and

3           “(ii) on the day the member separates, re-  
4           tires, or is discharged.

5           “(B) the Secretary of Veterans Affairs on the  
6           day the member separates, retires, or is discharged.

7           “(2) The Secretary of Veterans Affairs shall ensure  
8           that a member who has separated, retired, or is discharged  
9           may access the joint service transcript of that member  
10          from a website of the Department of Veterans Affairs not  
11          later than one year after the day the member separates,  
12          retires, or is discharged.”.

13          (2) DEADLINE.—Each Secretary concerned  
14          shall carry out subsection (c) of such section, as  
15          amended by paragraph (1), not later than 1 year  
16          after the date of the enactment of this Act.

17          (3) GAO STUDY.—Not later than 1 year after  
18          the Secretaries concerned carry out subsection (c) of  
19          such section, as amended by paragraph (1), the  
20          Comptroller General of the United States shall sub-  
21          mit to Congress a review of the pathways for the  
22          Transition Assistance Program established under  
23          such subsection (c).

24          (b) CONTENTS OF TAP.—

1           (1) IN GENERAL.—Section 1144 of title 10,  
2 United States Code, is amended—

3           (A) in subsection (a), by striking “Such  
4 services” and inserting “Subject to subsection  
5 (f)(2), such services”; and

6           (B) by amending subsection (f) to read as  
7 follows:

8           “(f) PROGRAM CONTENTS.—(1) The program carried  
9 out under this section shall consist of instruction as fol-  
10 lows:

11           “(A) One day of preseparation training  
12 specific to the armed force concerned, as deter-  
13 mined by the Secretary concerned.

14           “(B) One day of instruction regarding—  
15           “(i) benefits under laws administered  
16 by the Secretary of Veterans Affairs; and  
17           “(ii) other subjects determined by the  
18 Secretary concerned.

19           “(C) One day of instruction regarding  
20 preparation for employment.

21           “(D) Two days of instruction regarding a  
22 topic selected by the member from the following  
23 subjects:

24           “(i) Preparation for employment.

25           “(ii) Preparation for education.

1                   “(iii) Preparation for vocational train-  
2                   ing.

3                   “(iv) Preparation for entrepreneur-  
4                   ship.

5                   “(v) Other options determined by the  
6                   Secretary concerned.

7           “(2) The Secretary concerned may permit a member  
8 to attend training and instruction under the program es-  
9 tablished under this section—

10                   “(A) before the time periods established under  
11                   section 1142(a)(3) of this title;

12                   “(B) in addition to such training and instruc-  
13                   tion required during such time periods.”.

14                   (2) DEADLINE.—The Transition Assistance  
15                   Program shall comply with the requirements of sec-  
16                   tion 1144(f) of title 10, United States Code, as  
17                   amended by paragraph (1), not later than 1 year  
18                   after the date of the enactment of this Act.

19                   (3) ACTION PLAN.—Not later than 120 days  
20                   after the date of the enactment of this Act, the Sec-  
21                   retary of Defense shall submit an action plan to the  
22                   congressional defense committees that—

23                                   (A) details how the Secretary shall imple-  
24                                   ment the requirements of section 1144(f) of

1 title 10, United States Code, as amended by  
2 paragraph (1); and

3 (B) details how the Secretary, in consulta-  
4 tion with the Secretaries of Veterans Affairs  
5 and Labor, shall establish standardized per-  
6 formance metrics to measure Transition Assist-  
7 ance Program participation and outcome-based  
8 objective benchmarks in order to—

9 (i) provide feedback to the Depart-  
10 ments of Defense, Veterans Affairs, and  
11 Labor;

12 (ii) improve the curriculum of the  
13 Transition Assistance Program;

14 (iii) share best practices;

15 (iv) facilitate effective oversight of the  
16 Transition Assistance Program; and

17 (v) ensure members obtain sufficient  
18 financial literacy to effectively leverage  
19 conferred benefits and opportunities for  
20 employment, education, vocational training,  
21 and entrepreneurship.

22 (4) REPORT.—On the date that is 2 years after  
23 the date of the enactment of this Act and annually  
24 thereafter for the subsequent 4 years, the Secretary  
25 of Defense shall submit to the Committees on Armed



1 Services and Veterans' Affairs of the Senate and the  
2 House of Representatives, the Committee on Com-  
3 merce, Science, and Transportation of the Senate,  
4 and the Committee on Transportation and Infra-  
5 structure of the House of Representatives, a report  
6 regarding members of the Armed Forces who have  
7 attended Transition Assistance Program counseling  
8 during the preceding year. The report shall detail  
9 the following:

10 (A) The total number of members who at-  
11 tended Transition Assistance Program coun-  
12 seling.

13 (B) The number of members who attended  
14 Transition Assistance Program counseling  
15 under paragraph (1) of section 1144(f) of title  
16 10, as amended by paragraph (1).

17 (C) The number of members who attended  
18 Transition Assistance Program counseling  
19 under paragraph (2) of such section.

20 (D) The number of members who elected  
21 to attend each two-day instruction under para-  
22 graph (1)(D) of such section.

1 **SEC. 553. EMPLOYMENT AND COMPENSATION OF CIVILIAN**  
2 **FACULTY MEMBERS AT THE JOINT SPECIAL**  
3 **OPERATIONS UNIVERSITY.**

4 Section 1595(c) of title 10, United States Code, is  
5 amended by adding at the end the following new para-  
6 graph:

7 “(5) The Joint Special Operations University.”.

8 **SEC. 554. PROGRAM TO ASSIST MEMBERS OF THE ARMED**  
9 **FORCES IN OBTAINING PROFESSIONAL CRE-**  
10 **DENTIALS.**

11 Section 2015(a) of title 10, United States Code, is  
12 amended by striking “related to military training” and all  
13 that follows through the period at the end of paragraph  
14 (2) and inserting “that translate into civilian occupa-  
15 tions.”.

16 **SEC. 555. EXTENSION OF PILOT PROGRAM TO ASSIST MEM-**  
17 **BERS IN OBTAINING POST-SERVICE EMPLOY-**  
18 **MENT.**

19 Section 555(i) of the Carl Levin and Howard P.  
20 “Buck” McKeon National Defense Authorization Act for  
21 Fiscal Year 2015 (Public Law 113-291; 10 U.S.C. 1143  
22 note) is amended by striking “2018” and inserting  
23 “2023”.

1 **SEC. 556. DIRECT EMPLOYMENT PILOT PROGRAM FOR**  
2 **MEMBERS OF THE RESERVE COMPONENTS**  
3 **AND VETERANS.**

4 (a) **AUTHORITY.**—The Secretary of Defense may  
5 enter into agreements with the chief executives of the  
6 States to carry out pilot programs to enhance the efforts  
7 of the Department of Defense to provide job placement  
8 assistance and related employment services directly to un-  
9 employed or underemployed members of the reserve com-  
10 ponents of the Armed Forces and veterans.

11 (b) **COST-SHARING.**—Any agreement under sub-  
12 section (a) shall require that the State must contribute  
13 an amount, derived from non-Federal sources, that equals  
14 or exceeds 50 percent of the funds provided by the Sec-  
15 retary to the State under this section to support the oper-  
16 ation of the pilot program in that State.

17 (c) **ADMINISTRATION.**—The pilot program in a State  
18 shall be administered by the adjutant general in that State  
19 appointed under section 314 of title 32, United States  
20 Code. If the adjutant general is unavailable or unable to  
21 administer a pilot program, the Secretary, after consulting  
22 with the chief executive of the State, shall designate an  
23 official of that State to administer that pilot program.

24 (d) **PROGRAM MODEL.**—A pilot program under this  
25 section—

1           (1) shall use a job placement program model  
2           that focuses on working one-on-one with individuals  
3           described in subsection (a) to provide cost-effective  
4           job placement services, including—

5                   (A) job matching services;

6                   (B) resume editing;

7                   (C) interview preparation; and

8                   (D) post-employment follow up; and

9           (2) shall incorporate best practices of State-op-  
10          erated direct employment programs for members of  
11          the reserve components of the Armed Forces and  
12          veterans, such as the programs conducted in Cali-  
13          fornia and South Carolina.

14          (e) SKILLBRIDGE TRAINING OPPORTUNITIES.—A  
15          pilot program under this section shall utilize civilian train-  
16          ing opportunities through the SkillBridge transition train-  
17          ing program administered by the Department of Defense.

18          (f) EVALUATION.—The Secretary shall develop out-  
19          come measurements to evaluate the success of any pilot  
20          program established under this provision.

21          (g) REPORTING.—

22                  (1) REPORT REQUIRED.—Not later than March  
23                  1, 2021, the Secretary, in coordination with the Sec-  
24                  retary of Veterans Affairs and Chief of the National  
25                  Guard Bureau, shall submit to the congressional de-

1       fense committees a report describing the results of  
2       any pilot program established under this section.

3               (2) ELEMENTS.—A report under paragraph (1)  
4       shall include the following elements:

5               (A) A description and assessment of the ef-  
6       fectiveness and achievements of the pilot pro-  
7       gram, including—

8                       (i) the number of members of the re-  
9       serve components of the Armed Forces and  
10      veterans hired; and

11                      (ii) the cost-per-placement of partici-  
12      pating members and veterans.

13               (B) An assessment of the impact of the  
14      pilot program and increased reserve component  
15      employment levels on—

16                      (i) the readiness of members of the re-  
17      serve components of the Armed Forces;  
18      and

19                      (ii) retention of service members.

20               (C) A comparison of the pilot program to  
21      other programs conducted by the Department  
22      of Defense or Department of Veterans Affairs  
23      to provide unemployment and underemployment  
24      support to members of the reserve components  
25      of the Armed Forces or veterans, including best

1 practices the improved the effectiveness of such  
2 programs.

3 (D) The number and percentage of individ-  
4 uals served by the pilot program who are em-  
5 ployed in a field that matches their skills and  
6 training.

7 (E) Any other matter the Secretary deter-  
8 mines to be appropriate.

9 (h) DURATION OF AUTHORITY.—

10 (1) IN GENERAL.—Subject to paragraph (2),  
11 the authority to carry out a pilot program under this  
12 section expires on September 30, 2023.

13 (2) EXTENSION.—The Secretary may extend a  
14 pilot program under this section beyond the date in  
15 paragraph (1) by not more than 2 years.

16 **SEC. 557. EXTENDED DURATION OF AVAILABILITY OF MILI-**  
17 **TARY ONESOURCE PROGRAM SERVICES FOR**  
18 **MEMBERS OF THE ARMED FORCES UPON**  
19 **THEIR SEPARATION OR RETIREMENT.**

20 The Secretary of Defense shall ensure that retired  
21 and honorably discharged members of the Armed Forces,  
22 including members medically discharged, separated, or on  
23 the temporary disability retirement list, and their imme-  
24 diate family remain eligible for services under the Military  
25 OneSource Program for at least one year after the end

1 of the member's tour of service, the member's retirement  
2 date, or the member's separation date, as the case may  
3 be.

4 **SEC. 558. COMPTROLLER GENERAL BRIEFING AND REPORT**  
5 **ON PERMANENT EMPLOYMENT ASSISTANCE**  
6 **CENTERS.**

7 (a) REQUIREMENT.— Not later than 240 days after  
8 the date of the enactment of this Act, the Comptroller  
9 General of the United States shall provide a briefing to  
10 the Armed Services Committees of the Senate and House  
11 of Representatives, with a report to follow on a date  
12 agreed to at the time of the briefing. The briefing and  
13 report shall provide information on employment assistance  
14 required under section 1143 of title 10, United States  
15 Code, and related information regarding civilian employ-  
16 ment requiring certification or licensure.

17 (b) CONTENTS.—The information required under  
18 subsection (a) shall include the following:

19 (1) A description of the content of the database  
20 required by section 1143(a)(2)(A) of such title.

21 (2) A list and description of permanent employ-  
22 ment assistance centers required by section 1143(b)  
23 of such title.

1           (3) A list and description of employment skills  
2 training programs and eligible members of the  
3 Armed Forces.

4           (4) A list and description of State and non-  
5 State entities that have interacted with civilian em-  
6 ployers.

7           (5) A description of the use by members of the  
8 Armed Forces of the permanent employment assist-  
9 ance centers.

10           (6) An assessment of the permanent employ-  
11 ment assistance centers and challenges, if any, the  
12 centers have experienced as of the date of the brief-  
13 ing or report.

14 **SEC. 559. ACTIVITIES TO INCREASE AWARENESS OF AP-**  
15 **PRENTICESHIP PROGRAMS.**

16       The Secretary of Defense shall ensure that, as part  
17 of the transition counseling provided by the Department  
18 of Defense to members of the Armed Forces who are in  
19 the process of separating from the Armed Forces (includ-  
20 ing the reserve components), information is provided to  
21 such members on—

22           (1) the potential benefits of apprenticeship pro-  
23 grams;

24           (2) the appropriate use of veterans' education  
25 benefits to pay for apprenticeship programs, and



1           (3) the availability of veteran-focused, nonprofit  
2           apprenticeship programs.

3 **SEC. 560. ATOMIC VETERANS SERVICE MEDAL.**

4           (a) SERVICE MEDAL REQUIRED.—The Secretary of  
5           Defense shall design and produce a military service medal,  
6           to be known as the “Atomic Veterans Service Medal”, to  
7           honor retired and former members of the Armed Forces  
8           who are radiation-exposed veterans (as such term is de-  
9           fined in section 1112(c)(3) of title 38, United States  
10          Code).

11          (b) DISTRIBUTION OF MEDAL.—

12           (1) ISSUANCE TO RETIRED AND FORMER MEM-  
13          BERS.—At the request of a radiation-exposed vet-  
14          eran, the Secretary of Defense shall issue the Atom-  
15          ic Veterans Service Medal to the veteran.

16           (2) ISSUANCE TO NEXT-OF-KIN.—In the case of  
17          a radiation-exposed veteran who is deceased, the  
18          Secretary may provide for issuance of the Atomic  
19          Veterans Service Medal to the next-of-kin of the per-  
20          son.

21           (3) APPLICATION.—The Secretary shall prepare  
22          and disseminate as appropriate an application by  
23          which radiation-exposed veterans and their next-of-  
24          kin may apply to receive the Atomic Veterans Serv-  
25          ice Medal.

1 **SEC. 560A. REPORT ON AVAILABILITY OF COLLEGE CREDIT**  
2 **FOR SKILLS ACQUIRED DURING MILITARY**  
3 **SERVICE.**

4 Not later than 60 days after the date of the enact-  
5 ment of this Act, the Secretary of Defense, in consultation  
6 with the Secretaries of Veterans Affairs, Education, and  
7 Labor, shall submit to Congress a report on the transfer  
8 of skills into equivalent college credits or technical certifi-  
9 cations for members of the Armed Forces leaving the mili-  
10 tary. Such report shall describe each the following:

11 (1) Each skill that may be acquired during mili-  
12 tary service that is eligible for transfer into an  
13 equivalent college credit or technical certification.

14 (2) The academic level of the equivalent college  
15 credit or technical certification for which each such  
16 skill is eligible.

17 (3) Each academic institution that awards an  
18 equivalent college credit or technical certification for  
19 such skills, including—

20 (A) whether each such academic institution  
21 is public or private and whether such institution  
22 is for profit; and

23 (B) the number of veterans that applied to  
24 such academic institutions who were able to re-  
25 ceive equivalent college credits or technical cer-

1           tifications in the last fiscal year, and the aca-  
2           demic level of the credits or certifications.

3           (4) The number of members of the Armed  
4           Forces who left the military in the last fiscal year  
5           and the number of those individuals who met with  
6           an academic or technical training advisor as part of  
7           their participation in the Transition Assistance Pro-  
8           gram.

9   **SEC. 560B. INFORMATION REGARDING COUNTY VETERANS**  
10                           **SERVICE OFFICERS.**

11           (a) PROVISION OF INFORMATION.—The Secretary of  
12           Defense, and with respect to members of the Coast Guard,  
13           the Secretary of the Department in which the Coast Guard  
14           is operating when it is not operating as a service in the  
15           Navy, shall ensure that a member of the Armed Forces  
16           who is separating or retiring from the Armed Forces may  
17           elect to have the Department of Defense form DD-214  
18           of the member transmitted to the appropriate county vet-  
19           erans service officer based on the mailing address provided  
20           by the member.

21           (b) DATABASE.—The Secretary of Defense, in coordi-  
22           nation with the Secretary of Veterans Affairs, shall main-  
23           tain a database of all county veterans service officers.

24           (c) COUNTY VETERANS SERVICE OFFICER DE-  
25           FINED.—In this section, the term “county veterans service

1 officer” means an employee of a county government, local  
2 government, or Tribal government who is covered by sec-  
3 tion 14.629(a)(2) of title 38, Code of Federal Regulations.

4 **SEC. 560C. ENHANCEMENT OF AUTHORITIES IN CONNEC-**  
5 **TION WITH JUNIOR RESERVE OFFICERS’**  
6 **TRAINING CORPS PROGRAMS.**

7 (a) **AUTHORITY TO CONVERT OTHERWISE CLOSING**  
8 **UNITS TO NATIONAL DEFENSE CADET CORPS PROGRAM**  
9 **UNITS.**—If the Secretary of a military department is noti-  
10 fied by a local educational agency of the intent of the  
11 agency to close its Junior Reserve Officers’ Training  
12 Corps (JROTC) unit, the Secretary shall offer the agency  
13 the option of converting the program to a National De-  
14 fense Cadet Corps (NDCC) program unit in lieu of closing  
15 the unit.

16 (b) **FLEXIBILITY IN ADMINISTRATION OF INSTRUC-**  
17 **TORS.**—

18 (1) **IN GENERAL.**—The Secretaries of the mili-  
19 tary departments shall undertake initiatives designed  
20 to promote flexibility in the hiring and compensation  
21 of instructors for the Junior Reserve Officers’ Train-  
22 ing Corps program under the jurisdiction of such  
23 Secretaries.

1           (2) ELEMENTS.—The initiatives undertaken  
2 pursuant to this subsection may provide for one or  
3 more of the following:

4           (A) Termination of the requirement for a  
5 waiver as a condition of the hiring of well-quali-  
6 fied non-commissioned officers with a bachelor's  
7 degree for senior instructor positions within the  
8 Junior Reserve Officers' Training Corps.

9           (B) Specification of a single instructor as  
10 the minimum number of instructors required to  
11 found and operate a Junior Reserve Officers'  
12 Training Corps unit.

13           (C) Authority for Junior Reserve Officers'  
14 Training Corps instructors to undertake school  
15 duties, in addition to Junior Reserve Officers'  
16 Training Corps duties, at small schools.

17           (D) Authority for the payment of instruc-  
18 tor compensation for a limited number of Jun-  
19 ior Reserve Officers' Training Corps instructors  
20 on a 10-month per year basis rather than a 12-  
21 month per year basis.

22           (E) Such other actions as the Secretaries  
23 of the military departments consider appro-  
24 priate.

1           (c) FLEXIBILITY IN ALLOCATION AND USE OF TRAV-  
2 EL FUNDING.—The Secretaries of the military depart-  
3 ments shall take appropriate actions to provide so-called  
4 regional directors of the Junior Reserve Officers' Training  
5 Corps programs located at remote rural schools enhanced  
6 discretion in the allocation and use of funds for travel in  
7 connection with Junior Reserve Officers' Training Corps  
8 activities.

9           (d) STANDARDIZATION OF PROGRAM DATA.—The  
10 Secretary of Defense shall take appropriate actions to  
11 standardize the data collected and maintained on the Jun-  
12 ior Reserve Officers' Training Corps programs in order  
13 to facilitate and enhance the collection and analysis of  
14 such data. Such actions shall include a requirement for  
15 the use of the National Center for Education Statistics  
16 (NCES) identification code for each school with a unit  
17 under a Junior Reserve Officers' Training Corps program  
18 in order to facilitate identification of such schools and  
19 their units under the Junior Reserve Officers' Training  
20 Corps programs.

21           (e) AUTHORITY FOR ADDITIONAL UNITS.—

22           (1) IN GENERAL.—The Secretaries of the mili-  
23 tary departments may, using amounts authorized to  
24 be appropriated by paragraph (2), establish an ag-  
25 gregate of not more than 100 units under the Junior

1 Reserve Officers' Training Corps programs in low-  
2 income and rural areas of the United States and  
3 areas of the United States currently underserved by  
4 the Junior Reserve Officers' Training Corps pro-  
5 grams.

6 (2) FUNDING.—There is hereby authorized to  
7 be appropriated for fiscal year 2019 for the Depart-  
8 ment of Defense amounts as follows:

9 (A) For Operation and Maintenance,  
10 Army, \$3,140,000, with the amount available  
11 for the Junior Reserve Officers' Training Corps  
12 program of the Army.

13 (B) For Operation and Maintenance,  
14 Navy, \$950,000, with the amount available for  
15 the Junior Reserve Officers' Training Corps  
16 program of the Navy.

17 (C) For Operation and Maintenance, Air  
18 Force, \$1,000,000, with the amount available  
19 for the Junior Reserve Officers' Training Corps  
20 program of the Air Force.

21 (D) For Operation and Maintenance, Ma-  
22 rine Corps, \$390,000, with the amount avail-  
23 able for the Junior Reserve Officers' Training  
24 Corps program of the Marine Corps.

1 (E) For Military Personnel, \$1,220,000, of  
2 which—

3 (i) \$500,000 is for the Army for the  
4 Junior Reserve Officers' Training Corps  
5 program of the Army;

6 (ii) \$270,000 is for the Navy for the  
7 Junior Reserve Officers' Training Corps  
8 program of the Navy;

9 (iii) \$380,000 is for the Air Force for  
10 the Junior Reserve Officers' Training  
11 Corps program of the Air Force; and

12 (iv) \$70,000 is for the Marine Corps  
13 for the Junior Reserve Officers' Training  
14 Corps program of the Marine Corps.

15 (3) SUPPLEMENT NOT SUPPLANT.—The  
16 amounts authorized to be appropriated for fiscal  
17 year 2019 for the Department of Defense by this  
18 subsection are in addition to any other amounts au-  
19 thorized to be appropriated for fiscal year 2019 for  
20 the Department under any other provision of law.

21 (4) OFFSET.—Notwithstanding the amounts set  
22 forth in the funding tables in division G—

23 (A) the amount authorized to be appro-  
24 priated in section 101 for procurement, as set  
25 forth in the corresponding funding table in sec-



1           tion 7101, for other procurement, Navy, air-  
2           craft support equipment (line 090), is hereby  
3           decreased by \$3,200,000; and

4           (B) the amount authorized to be appro-  
5           priated in section 101 for procurement, as set  
6           forth in the corresponding funding table in sec-  
7           tion 7101, for other procurement, Navy, civil  
8           engineering support equipment, items under \$5  
9           million (line 115), is hereby decreased by  
10          \$3,500,000.

11 **SEC. 560D. TRANSITION OUTREACH PILOT PROGRAM.**

12          (a) ESTABLISHMENT.—Not later than 90 days after  
13 the enactment of this Act, the Secretary of Defense, in  
14 coordination with the Secretaries of Veterans Affairs,  
15 Labor, Education, and Homeland Security, and the Ad-  
16 ministrator of the Small Business Administration, shall  
17 establish a pilot program through the Transition to Vet-  
18 erans Program Office that fosters contact between vet-  
19 erans and the Department of Defense.

20          (b) CONTACT.—The Secretary of Defense, and with  
21 respect to members of the Coast Guard, the Secretary of  
22 the Department in which the Coast Guard is operating  
23 when it is not operating as a service in the Navy, shall  
24 direct the Military Transition Assistance Teams of the De-  
25 partment of Defense to contact each veteran from the

1 Armed Forces at least twice during each of the first three  
2 months after the veteran separates from the Armed  
3 Forces to—

4 (1) inquire about the transition of the separated  
5 member to civilian life, including—

6 (A) employment;

7 (B) veterans benefits;

8 (C) education;

9 (D) family life; and

10 (2) hear concerns of the veteran regarding tran-  
11 sition.

12 (c) TERMINATION.—The Secretary shall complete op-  
13 eration of the pilot program under this section not later  
14 than September 30, 2019.

15 (d) REPORT.—Not later than 90 days after termi-  
16 nation of the pilot program under this section, the Sec-  
17 retary of Defense shall submit a report to Congress re-  
18 garding such pilot program, including the following,  
19 disaggregated by armed force:

20 (1) The number of veterans contacted, includ-  
21 ing how many times such veterans were contacted.

22 (2) Information regarding the age, sex, and ge-  
23 ographic region of contacted veterans.

24 (3) Concerns most frequently raised by the vet-  
25 erans.

1           (4) What benefits the contacted veterans have  
2 received, and an estimate of the cost to the Federal  
3 Government for such benefits.

4           (5) How many contacted veterans are employed  
5 or have sought employment, including what fields of  
6 employment.

7           (6) How many contacted veterans are enrolled  
8 or have sought to enroll in a course of education, in-  
9 cluding what fields of study.

10          (7) Recommendations for legislation to improve  
11 the long-term effectiveness of TAP and the well-  
12 being of veterans.

13          (e) DEFINITIONS.—In this section:

14           (1) The term “armed force” has the meaning  
15 given that term in section 101 of title 10, United  
16 States Code.

17           (2) The term “TAP” means the Transition As-  
18 sistance Program under sections 1142 and 1144 of  
19 title 10, United States Code.

20           (3) The term “veteran” has the meaning given  
21 that term in section 101 of title 38, United States  
22 Code.

1 **Subtitle G—Defense Dependents’**  
2 **Education and Military Family**  
3 **Readiness Matters**

4 **SEC. 561. ENHANCEMENT AND CLARIFICATION OF FAMILY**  
5 **SUPPORT SERVICES FOR FAMILY MEMBERS**  
6 **OF MEMBERS OF SPECIAL OPERATIONS**  
7 **FORCES.**

8 Section 1788a of title 10, United States Code, is  
9 amended—

10 (1) by striking “activities” each place it appears  
11 and inserting “services”;

12 (2) in subsection (b)(2), by striking “activity”  
13 and inserting “service”;

14 (3) in subsection (c), by striking “\$5,000,000”  
15 and inserting “\$10,000,000”;

16 (4) in subsection (d)(1), by striking “there-  
17 after” and inserting “of the next two years”; and

18 (5) in subsection (e), by adding at the end the  
19 following new paragraph:

20 “(4) The term ‘family support services’ includes  
21 costs of transportation, food, lodging, child care,  
22 supplies, fees, and training materials for immediate  
23 family members of members of the armed forces as-  
24 signed to special operations forces while partici-  
25 pating in programs under subsection (a).”.

1 **SEC. 562. ADDITIONAL MATTERS FOR ASSESSMENT AND RE-**  
2 **PORT ON CHILDCARE SERVICES OF THE DE-**  
3 **PARTMENT OF DEFENSE.**

4 Section 575 of the National Defense Authorization  
5 Act for Fiscal Year 2018 (Public Law 115–91) is amend-  
6 ed—

7 (1) in subsection (a), by adding at the end the  
8 following new paragraphs:

9 “(5) Expanding the childcare hours at military  
10 installations that host initial training units in order  
11 to accommodate drill instructors, trainers, and sup-  
12 port staff.

13 “(6) Modifying the rate of use of subsidized,  
14 off-installation childcare services by military fami-  
15 lies, including whether such rate could be increased  
16 by altering policies that cap the amount of subsidies  
17 for military families for such services based on the  
18 cost of living for families and the average cost of ci-  
19 vilian childcare services.

20 “(7) Permitting the issuance of employee clear-  
21 ances on a provisional or interim basis for those  
22 working at military childcare centers.”; and

23 (2) in subsection (b)—

24 (A) by striking “September 1, 2018” and  
25 inserting “March 1, 2019”;

1 (B) by striking “the results of the assess-  
2 ment conducted under subsection (a).” and in-  
3 serting an em dash; and

4 (C) by adding at the end the following new  
5 paragraphs:

6 “(1) the results of the assessment conducted  
7 under subsection (a); and

8 “(2) assessments of—

9 “(A) the underlying factors contributing to  
10 the childcare backlogs at many installations;

11 “(B) the effect of such backlogs on mem-  
12 ber recruitment and retention; and

13 “(C) the effect of such backlogs on mili-  
14 tary spouse unemployment and underemploy-  
15 ment.”.

16 **SEC. 563. CONTINUED ASSISTANCE TO SCHOOLS WITH SIG-**  
17 **NIFICANT NUMBERS OF MILITARY DEPEND-**  
18 **ENT STUDENTS.**

19 (a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT  
20 NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the  
21 amount authorized to be appropriated for fiscal year 2019  
22 in division G of this Act and available for operation and  
23 maintenance for Defense-wide activities as specified in the  
24 funding table in section 7301 of this Act, \$40,000,000  
25 shall be available only for the purpose of providing assist-

1 ance to local educational agencies under subsection (a) of  
2 section 572 of the National Defense Authorization Act for  
3 Fiscal Year 2006 (Public Law 109–163; 20 U.S.C.  
4 7703b).

5 (b) **IMPACT AID FOR CHILDREN WITH SEVERE DIS-**  
6 **ABILITIES.**—Of the amount authorized to be appropriated  
7 for fiscal year 2019 in division G of this Act and available  
8 for operation and maintenance for Defense-wide activities  
9 as specified in the funding table in section 7301 of this  
10 Act, \$10,000,000 shall be available for payments under  
11 section 363 of the Floyd D. Spence National Defense Au-  
12 thorization Act for Fiscal Year 2001 (Public Law 106–  
13 398; 20 U.S.C. 7703a).

14 (c) **LOCAL EDUCATIONAL AGENCY DEFINED.**—In  
15 this section, the term “local educational agency” has the  
16 meaning given that term in section 7013(9) of the Ele-  
17 mentary and Secondary Education Act of 1965 (20 U.S.C.  
18 7713(9)).

19 **SEC. 564. DEPARTMENT OF DEFENSE EDUCATION ACTIVITY**  
20 **MISCONDUCT DATABASE.**

21 (a) **COMPREHENSIVE DATABASE.**—The Secretary of  
22 Defense shall consolidate the various databases and mech-  
23 anisms for the reporting and tracking of juvenile mis-  
24 conduct in Department of Defense Education Activity  
25 (hereinafter in this section referred to as “DODEA”)

1 schools into one comprehensive database for DODEA ju-  
2 venile misconduct. The comprehensive database shall in-  
3 clude, at a minimum, all reportable allegations of juvenile-  
4 on-juvenile sexual misconduct, regardless of the final dis-  
5 position of the case.

6 (b) POLICY.—The Secretary shall establish a com-  
7 prehensive policy regarding the reporting and tracking of  
8 juvenile misconduct cases occurring in DODEA schools,  
9 including policies establishing appropriate safeguards to  
10 prevent unauthorized disclosure of sensitive information  
11 contained in the comprehensive database required by sub-  
12 section (a).

13 **SEC. 565. REPORT ON ASSESSMENT OF FREQUENCY OF**  
14 **PERMANENT CHANGES OF STATION OF MEM-**  
15 **BERS OF THE ARMED FORCES ON EMPLOY-**  
16 **MENT AMONG MILITARY SPOUSES.**

17 (a) IN GENERAL.—The Secretary of Defense shall  
18 submit to Congress a report setting forth an assessment  
19 of the effects of the frequency of permanent changes of  
20 station of members of the Armed Forces on stability of  
21 employment among military spouses.

22 (b) ELEMENTS.—The report under this section shall  
23 include the following:

24 (1) An assessment of the effects of the fre-  
25 quency of permanent changes of station of members



1 of the Armed Forces on stability of employment  
2 among military spouses, including the contribution  
3 of frequent permanent changes of station to unem-  
4 ployment or underemployment among military  
5 spouses.

6 (2) An assessment of the effects of unemploy-  
7 ment and underemployment among military spouses  
8 on force readiness.

9 (3) Such recommendations as the Secretary  
10 considers appropriate regarding legislative or admin-  
11 istration action to achieve force readiness and sta-  
12 bilization through the minimization of the impacts of  
13 frequent permanent changes on stability of employ-  
14 ment among military spouses.

15 **SEC. 566. FLEXIBLE MATERNITY AND PARENTAL LEAVE.**

16 Not later than 180 days after the date of enactment  
17 of this Act, the Secretary of Defense shall establish and  
18 implement policies and procedures that permit a military  
19 parent to take, if requested by the military parent, flexible  
20 and non-continuous—

21 (1) maternity leave; and

22 (2) parental leave.

1 **SEC. 567. REPORT ON WAGE DETERMINATION FOR CER-**  
2 **TAIN PROGRAMS.**

3 (a) WAGE DETERMINATION.—The Secretary of De-  
4 fense, acting through the National Guard Bureau, shall  
5 coordinate with the Secretary of Labor to obtain a wage  
6 determination under section 6703(1) of title 41, United  
7 States Code, for all contract workers under the following  
8 programs:

- 9 (1) Family Assistance Centers.  
10 (2) Family Readiness and Support.  
11 (3) Yellow Ribbon Reintegration Program.  
12 (4) Recruit Sustainment Program.

13 (b) REPORT.—Not later than 1 year after the date  
14 of the enactment of this Act, the Secretary of Defense  
15 shall submit a report to the congressional defense commit-  
16 tees regarding the wage determinations described in sub-  
17 section (a). The report shall include a cost estimate of  
18 transferring all of the programs named in subsection (a)  
19 to direct Federal management.

20 **SEC. 568. EDUCATION FOR DEPENDENTS OF CERTAIN RE-**  
21 **TIRED MEMBERS OF THE ARMED FORCES.**

22 Section 2164(a) of title 10, United States Code, is  
23 amended—

- 24 (1) in paragraph (1), by adding at the end “If  
25 the Secretary determines that appropriate edu-  
26 cational programs are not available through a local

1 educational agency for dependents of retirees resid-  
2 ing on a military installation in the United States,  
3 the Secretary may enter into arrangements to pro-  
4 vide for the elementary or secondary education of  
5 the dependents of such retirees.”; and

6 (2) by adding at the end the following new  
7 paragraph:

8 “(4) For purposes of this subsection, the term ‘re-  
9 tiree’ means a member or former member of the armed  
10 forces who is entitled to retired or retainer pay under this  
11 title, or who, but for age, would be eligible for retired or  
12 retainer pay under chapter 1223 of this title.”.

13 **SEC. 569. TEMPORARY EXPANSION OF AUTHORITY FOR**  
14 **NONCOMPETITIVE APPOINTMENTS OF MILI-**  
15 **TARY SPOUSES BY FEDERAL AGENCIES.**

16 (a) IN GENERAL.—During the 2-year period begin-  
17 ning on the date of the enactment of this Act, section  
18 3330d of title 5, United States Code, shall be applied—

19 (1) without regard to—

20 (A) paragraphs (3), (4), and (5) of sub-  
21 section (a); and

22 (B) subsection (c);

23 (2) in subsection (b)(1), by substituting “a  
24 spouse of a member of the Armed Forces on active

1 duty” for “a relocating spouse of a member of the  
2 Armed Forces”; and

3 (3) in subsection (d)(1), by substituting “sub-  
4 section (a)(3)” for “subsection (a)(6)”.

5 (b) OPM LIMITATION AND REPORTS.—

6 (1) RELOCATING SPOUSES.—With respect to  
7 the noncompetitive appointment of a relocating  
8 spouse of a member of the Armed Forces under sub-  
9 section (b)(1) of section 3330d of title 5, United  
10 States Code, as modified by subsection (a), the Di-  
11 rector of the Office of Personnel Management—

12 (A) shall monitor the number of such ap-  
13 pointments;

14 (B) shall require the head of each agency  
15 with authority to make such appointments  
16 under such section to submit an annual report  
17 to the Director on such appointments, including  
18 information on the number of individuals so ap-  
19 pointed, the types of positions filled, and the ef-  
20 fectiveness of the authority for such appoint-  
21 ments; and

22 (C) not later than 18 months after the  
23 date of the enactment of this Act, shall submit  
24 a report to the Committee on Oversight and  
25 Government Reform of the House of Represent-

1           atives and the Committee on Homeland Secu-  
2           rity and Government Affairs of the Senate on  
3           the use and effectiveness of such authority.

4           (2) NON-RELOCATING SPOUSES.—With respect  
5           to the noncompetitive appointment of a spouse of a  
6           member of the Armed Forces other than a relocating  
7           spouse described in paragraph (1), the Director of  
8           the Office of Personnel Management—

9                   (A) shall treat the spouse as a relocating  
10                  spouse under paragraph (1); and

11                  (B) may limit the number of such appoint-  
12                  ments.

13           (c) SUNSET.—Effective on the date that is 2 years  
14           after the date of the enactment of this Act, the authority  
15           under this section, including the authority provided by the  
16           modifications to section 3330d of title 5, United States  
17           Code, shall expire.

18   **SEC. 570. ASSESSMENT AND REPORT ON ACTIVE SHOOTER**  
19                   **THREAT MITIGATION AT SCHOOLS LOCATED**  
20                   **ON MILITARY INSTALLATIONS.**

21           (a) ASSESSMENT.—The Secretary of Defense shall  
22           conduct an assessment of strategies that may be used to  
23           reduce the security threat posed by active shooter inci-  
24           dents at public elementary schools and secondary schools  
25           located on the grounds of Federal military installations.

1 (b) REPORT.—Not later than 180 days after the date  
2 of the enactment of this Act, the Secretary of Defense  
3 shall submit to the congressional defense committees a re-  
4 port that includes the results of the assessment conducted  
5 under subsection (a).

## 6 **Subtitle H—Decorations and** 7 **Awards**

### 8 **SEC. 571. LIMITATIONS ON AUTHORITY TO REVOKE CER-** 9 **TAIN MILITARY DECORATIONS AWARDED TO** 10 **MEMBERS OF THE ARMED FORCES.**

11 (a) ARMY.—

12 (1) LIMITATIONS.—Chapter 357 of title 10,  
13 United States Code, is amended by adding at the  
14 end the following new section:

#### 15 **“§ 3757. Military decorations: limitations on revoca-** 16 **tion**

17 “(a) LIMITATIONS.—Except as provided in sub-  
18 section (b), the President or the Secretary of the Army  
19 may not authorize the revocation of a military decoration  
20 after the actual award of the military decoration to a  
21 member of the armed forces under the jurisdiction of the  
22 Secretary.

23 “(b) EXCEPTIONS.—(1) Subsection (a) does not  
24 apply to the revocation of a military decoration if the rev-  
25 ocation is ordered on account of—

1           “(A) the acquisition of new or additional infor-  
2           mation that calls into question the service for which  
3           the member was awarded the military decoration; or

4           “(B) the conviction of the member for a felony.

5           “(2) In applying the exception described in paragraph  
6           (1)(B), the President and the Secretary of the Army shall  
7           take into account, as an extenuating factor, whether the  
8           member has been diagnosed with traumatic brain injury  
9           or post-traumatic stress disorder.

10           “(c) **MILITARY DECORATION DEFINED.**—In this sec-  
11           tion, the term ‘military decoration’ means the distin-  
12           guished-service cross, distinguished-service medal, silver  
13           star, distinguished flying cross, or Soldier’s Medal. The  
14           term does not include the medal of honor.”.

15           (2) **CLERICAL AMENDMENT.**—The table of sec-  
16           tions at the beginning of such chapter is amended  
17           by adding at the end the following new item:

“3757. Military decorations: limitations on revocation.”.

18           (b) **NAVY AND MARINE CORPS.**—

19           (1) **LIMITATIONS.**—Chapter 567 of title 10,  
20           United States Code, is amended by adding at the  
21           end the following new section:

22           “**§ 6259. Military decorations: limitations on revoca-**  
23                                   **tion**

24           “(a) **LIMITATIONS.**—Except as provided in sub-  
25           section (b), the President or the Secretary of the Navy

1 may not authorize the revocation of a military decoration  
2 after the actual award of the military decoration to a  
3 member of the armed forces under the jurisdiction of the  
4 Secretary.

5 “(b) EXCEPTIONS.—(1) Subsection (a) does not  
6 apply to the revocation of a military decoration if the rev-  
7 ocation is ordered on account of—

8 “(A) the acquisition of new or additional infor-  
9 mation that calls into question the service for which  
10 the member was awarded the military decoration; or

11 “(B) the conviction of the member for a felony.

12 “(2) In applying the exception described in paragraph  
13 (1)(B), the President and the Secretary of the Navy shall  
14 take into account, as an extenuating factor, whether the  
15 member has been diagnosed with traumatic brain injury  
16 or post-traumatic stress disorder.

17 “(c) MILITARY DECORATION DEFINED.—In this sec-  
18 tion, the term ‘military decoration’ means the Navy cross,  
19 distinguished-service medal, silver star medal, distin-  
20 guished flying cross, or Navy and Marine Corps Medal.  
21 The term does not include the medal of honor.”.

22 (2) CLERICAL AMENDMENT.—The table of sec-  
23 tions at the beginning of such chapter is amended  
24 by adding at the end the following new item:

“6259. Military decorations: limitations on revocation.”.

25 (c) AIR FORCE.—



1           (1) LIMITATIONS.—Chapter 857 of title 10,  
2           United States Code, is amended by adding at the  
3           end the following new section:

4   **“§ 8757. Military decorations: limitations on revoca-**  
5                                   **tion**

6           “(a) LIMITATIONS.—Except as provided in sub-  
7           section (b), the President or the Secretary of the Air Force  
8           may not authorize the revocation of a military decoration  
9           after the actual award of the military decoration to a  
10          member of the armed forces under the jurisdiction of the  
11          Secretary.

12          “(b) EXCEPTIONS.—(1) Subsection (a) does not  
13          apply to the revocation of a military decoration if the rev-  
14          ocation is ordered on account of—

15                  “(A) the acquisition of new or additional infor-  
16                  mation that calls into question the service for which  
17                  the member was awarded the military decoration; or

18                  “(B) the conviction of the member for a felony.

19          “(2) In applying the exception described in paragraph  
20          (1)(B), the President and the Secretary of the Air Force  
21          shall take into account, as an extenuating factor, whether  
22          the member has been diagnosed with traumatic brain in-  
23          jury or post-traumatic stress disorder.

24          “(c) MILITARY DECORATION DEFINED.—In this sec-  
25          tion, the term ‘military decoration’ means the Air Force

1 cross, distinguished-service medal, silver star, distin-  
 2 guished flying cross, or Airman’s Medal. The term does  
 3 not include the medal of honor.”.

4 (2) CLERICAL AMENDMENT.—The table of sec-  
 5 tions at the beginning of such chapter is amended  
 6 by adding at the end the following new item:

“8757. Military decorations: limitations on revocation.”.

7 **SEC. 572. AUTHORIZATION FOR AWARD OF EXPEDITIONARY**  
 8 **MEDAL TO CERTAIN MARINES FOR ACTIONS**  
 9 **ON JUNE 8, 1995.**

10 Notwithstanding any time limitation with respect to  
 11 the awarding of certain medals to persons who served in  
 12 the Armed Forces, the Secretary of Defense may award  
 13 the Armed Forces Expeditionary Medal to a member or  
 14 former member of the 24th Marine Expeditionary Unit,  
 15 Special Operations Capable, for the mission to rescue Cap-  
 16 tain Scott O’Grady, United States Air Force, from Bosnia  
 17 on June 8, 1995.

18 **SEC. 573. AWARD OF MEDALS OR OTHER COMMENDATIONS**  
 19 **TO HANDLERS OF MILITARY WORKING DOGS**  
 20 **AND MILITARY WORKING DOGS.**

21 (a) SHORT TITLE.—This section may be cited as the  
 22 “Guardians of America’s Freedom Medal Act”.

23 (b) AWARD OF MEDALS OR OTHER COMMENDATIONS  
 24 TO HANDLERS OF MILITARY WORKING DOGS AND MILI-  
 25 TARY WORKING DOGS.—

1           (1) PROGRAM OF AWARD REQUIRED.—Each  
2 Secretary of a military department shall carry out a  
3 program to provide for the award of one or more  
4 medals or other commendations to handlers of mili-  
5 tary working dogs, and to military working dogs,  
6 under the jurisdiction of such Secretary to recognize  
7 valor or meritorious achievement by such handlers  
8 and dogs.

9           (2) MEDAL AND COMMENDATIONS.—Any medal  
10 or commendation awarded pursuant to a program  
11 under paragraph (1) shall be of such design, and in-  
12 clude such elements, as the Secretary of the military  
13 department concerned shall specify.

14           (3) REGULATIONS.—Medals and commenda-  
15 tions shall be awarded under programs under para-  
16 graph (1) in accordance with regulations prescribed  
17 by the Secretary of Defense for purposes of this sec-  
18 tion.

19 **SEC. 574. AUTHORIZATION FOR AWARD OF DISTINGUISHED-**  
20 **SERVICE CROSS TO JUSTIN T. GALLEGOS FOR**  
21 **ACTS OF VALOR DURING OPERATION ENDUR-**  
22 **ING FREEDOM.**

23           (a) WAIVER OF TIME LIMITATIONS.—Notwith-  
24 standing the time limitations specified in section 3744 of  
25 title 10, United States Code, or any other time limitations

1 with respect to the awarding of certain medals to persons  
2 who served in the Armed Forces, the Secretary of the  
3 Army may award the Distinguished-Service Cross under  
4 section 3742 of such title to Justin T. Gallegos for the  
5 acts of valor described in subsection (b).

6 (b) ACTS OF VALOR DESCRIBED.—The acts of valor  
7 referred to in subsection (a) are the actions of Justin T.  
8 Gallegos on October 3, 2009, as a member of the Army  
9 in the grade of Staff Sergeant, serving in Afghanistan  
10 with the 61st Cavalry Regiment, 4th Brigade Combat  
11 Team, 4th Infantry Division.

12 **SEC. 575. REPORT ON AWARDS FOR COST-SAVING IDEAS.**

13 Not later than 1 year after the date of enactment  
14 of this Act, Secretary of Defense shall submit to Congress  
15 a report detailing—

16 (1) the total number of awards and commenda-  
17 tions presented to any military personnel for a cost-  
18 saving idea during the prior fiscal year;

19 (2) a total estimate of the total savings as a re-  
20 sult of the implementation of cost-saving ideas for  
21 which an award or commendation was presented;  
22 and

23 (3) a description of how the Secretary plans to  
24 expand incentive programs for the purpose described  
25 in this section and streamline such programs.

1 **SEC. 576. ELIGIBILITY OF VETERANS OF OPERATION END**  
2 **SWEEP FOR VIETNAM SERVICE MEDAL.**

3 The Secretary of the military department concerned  
4 may, upon the application of an individual who is a vet-  
5 eran who participated in Operation End Sweep, award  
6 that individual the Vietnam Service Medal.

7 **Subtitle I—Miscellaneous Reports**  
8 **and Other Matters**

9 **SEC. 581. PUBLIC AVAILABILITY OF TOP-LINE NUMBERS OF**  
10 **DEPLOYED MEMBERS OF THE ARMED**  
11 **FORCES.**

12 (a) IN GENERAL.—Except as provided in subsection  
13 (b), the Secretary of Defense shall make publicly available,  
14 on a quarterly basis, on a website of the Department the  
15 top-line numbers of members of the Armed Forces de-  
16 ployed for each country as of the date of the submittal  
17 of the report and the total number of members of the  
18 Armed Forces so deployed during the quarter covered by  
19 the report.

20 (b) WAIVER.—

21 (1) IN GENERAL.—The Secretary may waive  
22 the requirement under subsection (a) in the case of  
23 a sensitive military operation if—

24 (A) the Secretary determines the public  
25 disclosure of the number of deployed members  
26 of the Armed Forces could reasonably be ex-

1           pected to provide an operational military advan-  
2           tage to an adversary; or

3                       (B) members of the Armed Forces are de-  
4           ployed for a period that does not exceed 30  
5           days.

6           (2) NOTICE.— If the Secretary issues a waiver  
7           under this subsection, the Secretary submit to the  
8           congressional defense committees a notice of the  
9           waiver and the reasons for the determination that  
10          led to the waiver.

11          (3) PUBLIC AVAILABILITY.—If a waiver is  
12          issued under this subsection, notice of such waiver  
13          shall be included in the report made publicly avail-  
14          able under subsection (a) for the applicable quarter,  
15          together with information about the timing of the  
16          waiver.

17          (c) SENSITIVE MILITARY OPERATION DEFINED.—  
18          The term “sensitive military operation” has the meaning  
19          given that term in section 130f(d) of title 10, United  
20          States Code.

21   **SEC. 582. CRITERIA FOR INTERMENT AT ARLINGTON NA-**  
22                               **TIONAL CEMETERY.**

23          (a) CRITERIA.—The Secretary of the Army, in con-  
24          sultation with the Secretary of Defense, shall prescribe re-  
25          vised criteria for interment at Arlington National Ceme-

1 tery that preserve Arlington National Cemetery as an ac-  
2 tive burial ground “well into the future,” as that term is  
3 used in the report submitted by the Secretary of the Army  
4 to the Committees on Veterans’ Affairs and the Commit-  
5 tees on Armed Services of the House of Representatives  
6 and the Senate, dated February 14, 2017, and titled “The  
7 Future of Arlington National Cemetery: Report on the  
8 Cemetery’s Interment and Inurnment Capacity 2017”.

9 (b) DEADLINE.—The Secretary of the Army shall es-  
10 tablish the criteria under subsection (a) not later than  
11 September 30, 2019.

12 **SEC. 583. REPORT ON GENERAL AND FLAG OFFICER COSTS.**

13 Not later than nine months after the date of the en-  
14 actment of this Act, the Secretary of Defense shall submit  
15 to the congressional defense committees a report on gen-  
16 eral and flag officer costs. Such report shall include cost  
17 estimates for direct and indirect costs associated with gen-  
18 eral and flag officers generally and for specific positions  
19 in accordance with the recommendations of the Office of  
20 the Secretary of Defense-Cost Assessment and Program  
21 Evaluation report entitled “Defining General and Flag Of-  
22 ficer Costs” dated December 2017, including—

23 (1) direct compensation for all general and flag  
24 officers and for specific general and flag officer posi-

1        tions, using the full cost of manpower model to esti-  
2        mate where possible;

3            (2) personal money allowances for positions  
4        that receive an allowance;

5            (3) deferred compensation and health care costs  
6        for all general and flag officers and for specific gen-  
7        eral and flag officer positions;

8            (4) costs associated with providing security de-  
9        tails for specific general and flag officer positions  
10       that merit continuous security;

11           (5) costs associated with Government and com-  
12       mercial travel for general and flag officers who qual-  
13       ify for tier one or two travel, including commercial  
14       travel costs using defense travel system data;

15           (6) general flag officer per diems for specific  
16       positions, based on average travel per diem costs;

17           (7) costs for enlisted and officer aide housing  
18       for general and flag officers generally and for spe-  
19       cific general and flag officer positions, including  
20       basic housing assistance costs for staff;

21           (8) on a case-by-case basis, costs associated  
22       with enlisted and officer aide travel, taking into con-  
23       sideration the cost of data collection;

24           (9) costs associated with additional support  
25       staff for general and flag officers and their travel,



1 equipment, and per diem costs for all general and  
2 flag officers and specific general and flag officer po-  
3 sitions based on the average numbers per general or  
4 flag officer and estimations using the full cost of  
5 manpower model;

6 (10) costs associated with the upkeep and  
7 maintenance of official residences not captured by  
8 basic housing assistance; and

9 (11) costs associated with training for general  
10 and flag officers generally and specific general and  
11 flag officer positions using estimations from the full  
12 cost of manpower model.

13 **SEC. 584. REPORT ON OUTSIDE EMPLOYMENT OF SENIOR**  
14 **PERSONNEL.**

15 (a) REPORT REQUIRED.—Not later than 18 months  
16 after the date of the enactment of this Act, and annually  
17 thereafter, the Secretary of Defense shall submit a report  
18 to Congress on requests by senior personnel for approval  
19 of outside employment during the preceding fiscal year.

20 (b) ELEMENTS.—The report under this section shall  
21 contain the following regarding:

22 (1) The number of such requests.

23 (2) The number of such requests approved.

24 (3) The types of positions for which senior per-  
25 sonnel made such requests.

1           (4) The range and average of the time commit-  
2           ment for such positions.

3           (5) The range and average of the compensation  
4           for such positions.

5           (6) Any ethical lapses or abuses by senior per-  
6           sonnel in the course of employment pursuant to ap-  
7           proved requests.

8           (c) SENIOR PERSONNEL DEFINED.—In this section,  
9           the term “senior personnel” means any of the following:

10           (1) An officer in the regular or reserve compo-  
11           nent of an armed force above the grade of O–6.

12           (2) An employee of the Department of Defense  
13           in the Senior Executive Service.

14   **SEC. 585. LIMITATION ON USE OF FUNDS PENDING SUB-**  
15                           **MITTAL OF REPORT ON ARMY MARKETING**  
16                           **AND ADVERTISING PROGRAM.**

17           (a) REPORT REQUIRED.—

18           (1) IN GENERAL.—The Secretary of the Army  
19           shall submit to the Committees on Armed Services  
20           of the Senate and House of Representatives a report  
21           on the recommendations contained in the audit con-  
22           ducted by the Army Audit Agency of the Army’s  
23           Marketing and Advertising Program concerning con-  
24           tract oversight and return on investment.

1           (2) CONTENTS.—The report required by para-  
2 graph (1) shall address each of the following:

3           (A) The mitigation and oversight measures  
4 implemented to assure improved program re-  
5 turn and contract management including the  
6 establishment of specific goals to measure long-  
7 term effects of investments in marketing ef-  
8 forts.

9           (B) The establishment of a review process  
10 to regularly evaluate the effectiveness and effi-  
11 ciency of marketing efforts including efforts to  
12 better support the accessions missions of the  
13 Army.

14           (C) The increase of acquisition and mar-  
15 keting experience within the Army Marketing  
16 and Research Group (hereinafter in this section  
17 referred to as the “AMRG”).

18           (D) A workforce analysis of AMRG in co-  
19 operation with the Office of Personnel Manage-  
20 ment and industry experts assessing the AMRG  
21 organizational structure, staffing, and training,  
22 including an assessment of the workplace cli-  
23 mate and culture internal to the AMRG.

24           (E) The establishment of an Army Mar-  
25 keting and Advisory Board comprised of senior

1 Army and marketing and advertising leaders  
2 and an assessment of industry and service mar-  
3 keting and advertising best practices including  
4 a plan to incorporate relevant practices.

5 (F) The status of the implementation of  
6 contracting practices recommended by the  
7 Army Audit Agency's audit of contracting over-  
8 sight of AMRG contained in Audit Report A-  
9 2018-0033-MTH.

10 (b) LIMITATION ON USE OF FUNDS.—Not more than  
11 60 percent of the amounts authorized to be appropriated  
12 or otherwise made available in this Act for the AMRG for  
13 fiscal year 2019 for advertising and marketing activities  
14 may be obligated or expended until the Secretary of the  
15 Army submits the report required by subsection (a).

16 (c) COMPTROLLER GENERAL REVIEW.—Not later  
17 than 90 days after the date of the submittal of the report  
18 required by subsection (a), the Comptroller General of the  
19 United States shall conduct a review of the results and  
20 implementation of the recommendations of the Army  
21 Audit Agency Audits of the AMRG on contract oversight  
22 and return on investment. Such review shall include an  
23 assessment of the effects of the implementation of the rec-  
24 ommendations on the AMRG leadership, workforce and  
25 business practices, and return on investment.

1 **SEC. 586. INCLUSION OF BLAST EXPOSURE HISTORY IN**  
2 **SERVICE RECORDS.**

3 The Secretary of Defense shall ensure that blast ex-  
4 posure history is included in the service records of mem-  
5 bers of the Armed Forces in a manner that will assist in  
6 determining whether a future illness or injury is service  
7 connected.

8 **SEC. 587. CYBERSECURITY EDUCATIONAL PROGRAMS AND**  
9 **AWARENESS IN JUNIOR RESERVE OFFICER**  
10 **TRAINING CORPS.**

11 The Secretaries of the military departments shall en-  
12 courage the Junior Reserve Officer Training Corps to in-  
13 clude cybersecurity educational programs and awareness  
14 in the curriculum of the Corps, including lessons on cyber  
15 defense, risks of cybersecurity vulnerabilities in the mili-  
16 tary, and pursuing studies and careers in cybersecurity  
17 and related fields within the Department of Defense.

18 **SEC. 588. PUBLICATION OF GUIDANCE AND INFORMATION**  
19 **ON HOUSING MARKETS NEAR CERTAIN MILI-**  
20 **TARY INSTALLATIONS.**

21 (a) IN GENERAL.—The Secretary of Defense shall  
22 develop and make publicly available guidance and informa-  
23 tion about the housing market around military installa-  
24 tions in the continental United States. Such guidance and  
25 information shall be designed to assist members of the

1 Armed Forces in better using their basic allowance for  
2 housing.

3 (b) MATTERS FOR INCLUSION.—The information and  
4 guidance under subsection (a) shall include—

5 (1) information on the housing market around  
6 the installation, including—

7 (A) information about deciding whether to  
8 rent or buy, including taking into consideration  
9 the average deployment cycle for that military  
10 installation and permanent change of station  
11 timelines;

12 (B) information about houses and apart-  
13 ments;

14 (C) considerations of living with a room-  
15 mate; and

16 (D) information about working with and  
17 through a landlord;

18 (2) suggested bedroom and bathroom and  
19 square footage for each basic allowance for housing  
20 category;

21 (3) recommended zip codes in which to look for  
22 properties;

23 (4) information about the availability of public  
24 transportation;

1           (5) average commute times to military installa-  
2           tion and wait times at nearest gate; and

3           (6) a list of realtors and real estate brokers who  
4           work in the area, including any complaints reg-  
5           istered against such realtors and brokers.

6           (c) GAO REPORT.—The Comptroller General of the  
7           United States shall submit to Congress a report on a re-  
8           view of the Comptroller General of the rate setting proce-  
9           dure for basic allowance for housing. Such review shall  
10          cover how the Department of Defense collects basic allow-  
11          ance for housing data and shall include an analysis of each  
12          of the following:

13           (1) Whether the process in use is the most effi-  
14          cient process.

15           (2) Whether the information collected is pub-  
16          lically available elsewhere.

17           (3) Whether the data collected reflects what is  
18          available through open source methods.

19           (4) How basic allowance for housing rates and  
20          cost of living adjustments are interrelated.

21           (5) Whether members of the Armed Forces  
22          about whom data is collected are receiving loan pro-  
23          tections on interest rates pursuant to the  
24          Servicemembers Civil Relief Act.

1           (6) Whether such members of the Armed  
2           Forces experience issues when they need to break  
3           leases for a deployment or permanent change of sta-  
4           tion.

5 **SEC. 589. ASSISTANCE OF STATES FOR DEPLOYMENT-RE-**  
6                   **LATED SUPPORT OF MEMBERS OF THE**  
7                   **ARMED FORCES UNDERGOING DEPLOYMENT**  
8                   **AND THEIR FAMILIES BEYOND THE YELLOW**  
9                   **RIBBON REINTEGRATION PROGRAM.**

10          Section 582 of the National Defense Authorization  
11 Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is  
12 amended—

13           (1) by redesignating subsections (k) and (l) as  
14           subsections (l) and (m), respectively; and

15           (2) by inserting after subsection (j) the fol-  
16           lowing new subsection (k):

17          “(k) SUPPORT BEYOND PROGRAM.—The Secretary  
18 of Defense shall provide funding to States to carry out  
19 programs that provide deployment cycle information, serv-  
20 ices, and referrals to members of the Armed Forces, in-  
21 cluding members of the regular components and members  
22 of the reserve components, and the families of such mem-  
23 bers, throughout the deployment cycle. Such programs  
24 may include the provision of access to outreach services,  
25 including the following:



1 “(1) Employment counseling.

2 “(2) Behavioral health counseling.

3 “(3) Suicide prevention.

4 “(4) Housing advocacy.

5 “(5) Financial counseling.

6 “(6) Referrals for the receipt of other related  
7 services.”.

8 **SEC. 590. EXEMPTION FROM REPAYMENT OF VOLUNTARY**  
9 **SEPARATION PAY.**

10 Section 1175a(j) of title 10, United States Code, is  
11 amended—

12 (1) in paragraph (1) by striking “paragraphs  
13 (2) and (3)” and inserting “paragraphs (2), (3), and  
14 (4)”;

15 (2) by redesignating paragraph (4) as para-  
16 graph (5); and

17 (3) by inserting after paragraph (3) the fol-  
18 lowing new paragraph:

19 “(4) This subsection shall not apply to a member  
20 who—

21 “(A) is involuntarily recalled to active duty or  
22 full-time National Guard duty; and

23 “(B) in the course of such duty, incurs a serv-  
24 ice-connected disability rating of total under section  
25 1155 of title 38.”.

1 **SEC. 591. SERVICE OF WOUNDED WARRIORS AS REMOTELY**  
2 **PILOTED AIRCRAFT PILOTS OR REMOTELY**  
3 **PILOTED AIRCRAFT SENSOR OPERATORS IN**  
4 **THE AIR FORCE.**

5 (a) PROGRAM REQUIRED.—The Secretary of the Air  
6 Force shall establish a program under which a qualified  
7 wounded warrior who faces retirement or separation from  
8 the Armed Forces for physical disability may continue, in  
9 lieu of such retirement or separation, to serve in the  
10 Armed Forces as a remotely piloted aircraft pilot or re-  
11 motely piloted aircraft sensor operator in the Air Force.

12 (b) ELIGIBILITY QUALIFICATIONS.—

13 (1) MODIFICATION OF PHYSICAL REQUIRE-  
14 MENTS.—In the case of wounded warriors only, the  
15 Secretary of the Air Force shall modify the physical  
16 fitness requirements applicable to a wounded warrior  
17 who is seeking to serve, or is serving, as a remotely  
18 piloted aircraft pilot or remotely piloted aircraft sen-  
19 sor operator if the wounded warrior is incapable of  
20 meeting such requirements, such as completing an  
21 annual physical training test, due to the service-re-  
22 lated disability, but otherwise satisfies the remotely  
23 piloted aircraft medical standard.

24 (2) MEDICAL WAIVERS.—The restriction on  
25 medical waivers contained in section 6.4.5.1 of Air

1 Force Instruction 48–123 shall not apply to the pro-  
2 gram required by this section.

3 (3) CONTINUED APPLICABILITY OF OTHER RE-  
4 QUIREMENTS.—To serve as a remotely piloted air-  
5 craft pilot or remotely piloted aircraft sensor oper-  
6 ator, a wounded warrior applicant would still have to  
7 pass—

8 (A) the applicable Air Force Officer Quali-  
9 fying Test or Armed Services Vocational Apti-  
10 tude Battery; and

11 (B) the applicable security and mental  
12 health requirements.

13 (4) AUTOMATIC DISQUALIFICATION.—A wound-  
14 ed warrior may not be selected to serve, or continue  
15 to serve, as a remotely piloted aircraft pilot or re-  
16 motely piloted aircraft sensor operator if the Sec-  
17 retary of the Air Force determines that—

18 (A) the wounded warrior presents a hazard  
19 to flying safety or mission completion;

20 (B) performance of the duty would be haz-  
21 ardous to the health of the wounded warrior; or

22 (C) the wounded warrior is diagnosed with  
23 post-traumatic stress disorder, traumatic brain  
24 injury, or any other mental disorder that could  
25 hinder mission performance.

1 (c) PRIORITY FOR CERTAIN WOUNDED WARRIORS.—

2 In selecting wounded warriors to serve as a remotely pi-  
3 loted aircraft pilot or remotely piloted aircraft sensor oper-  
4 ator, the Secretary of the Air Force shall give priority to  
5 wounded warriors whose disability was incurred—

6 (1) in the line of duty in a combat zone des-  
7 igned by the Secretary of Defense; or

8 (2) during the performance of duty in combat-  
9 related operations as designated by the Secretary of  
10 Defense.

11 (d) TRANSFER AUTHORITY.—In the case of a wound-  
12 ed warrior who is not a member of the Air Force, the Sec-  
13 retary of the Air Force shall cooperate with the Secretary  
14 concerned having jurisdiction over the wounded warrior to  
15 transfer the wounded warrior from the other Armed Force  
16 to the Air Force to permit the wounded warrior to be se-  
17 lected for the program under this section.

18 (e) WOUNDED WARRIOR DEFINED.—In this section,  
19 the term “wounded warrior” means a member of the  
20 Armed Forces who—

21 (1) is unfit to perform the duties of the mem-  
22 ber’s office, grade, rank, or rating because of phys-  
23 ical disability incurred in the line of duty; and

24 (2) is under consideration for retirement or sep-  
25 aration under chapter 61 of title 10, United States

1 Code, or has been placed on the temporary disability  
2 retired list.

3 **SEC. 592. TRANSPORTATION OF REMAINS OF CASUALTIES;**  
4 **TRAVEL EXPENSES FOR NEXT OF KIN.**

5 (a) TRANSPORTATION FOR REMAINS OF A MEMBER  
6 WHO DIES NOT IN A THEATER OF COMBAT OPER-  
7 ATIONS.—Section 562 of the John Warner National De-  
8 fense Authorization Act for Fiscal Year 2007 (Public Law  
9 109-364; 10 U.S.C. 1482 note) is amended—

10 (1) in the heading, by striking “**DYING IN A**  
11 **THEATER OF COMBAT OPERATIONS**”; and

12 (2) in subsection (a), by striking “in a combat  
13 theater of operations” and inserting “outside of the  
14 United States”.

15 (b) TRANSPORTATION FOR FAMILY.—The Secretary  
16 of Defense shall revise Department of Defense Instruction  
17 1300.18 to extend travel privileges via Invitational Travel  
18 Authorization to family members of members of the  
19 Armed Forces who die outside of the United States and  
20 whose remains are returned to the United States through  
21 the mortuary facility at Dover Air Force Base, Delaware.

1 **SEC. 593. GARNISHMENT TO SATISFY JUDGMENT REN-**  
2 **DERED FOR PHYSICALLY, SEXUALLY, OR**  
3 **EMOTIONALLY ABUSING A CHILD.**

4 Section 1408 of title 10, United States Code, is  
5 amended—

6 (1) in subsection (e)—

7 (A) in paragraph (1), by striking “The”  
8 and inserting “Subject to subsection (l)(2),  
9 the”; and

10 (B) in paragraph (4)(B), by striking  
11 “other provision of law” and inserting “provi-  
12 sion of law except subsection (l)(2)”; and

13 (2) in subsection (l)(2), by striking the second  
14 sentence and inserting “The limitations on the  
15 amount of disposable retired pay available for pay-  
16 ments under paragraphs (1) and (4)(B) of sub-  
17 section (e) do not apply to a child abuse garnish-  
18 ment order.”.

19 **SEC. 594. USE OF MOBILE APPLICATIONS FOR TRAINING**  
20 **MANUALS.**

21 The Secretary of Defense shall encourage the military  
22 departments to transition training manuals, emergency  
23 guidance, and other publications needed to train members  
24 of the Armed Forces to applications on mobile telephones  
25 that use innovative technologies and provide for inter-

1 action between trainees and information needed to com-  
2 plete training in a manner that is cost efficient.

3 **SEC. 595. ADDRESSING ATTRITION LEVELS OF WOMEN IN**  
4 **THE MILITARY.**

5 Not later than 1 year after the date of enactment  
6 of this Act, the Secretary of Defense shall develop and  
7 carry out an exit survey to be completed by members of  
8 the Armed Forces to assist the Secretary to assess the  
9 reasons that attrition levels for women are higher than  
10 for men at various career points.

11 **SEC. 596. PROOF OF PERIOD OF MILITARY SERVICE FOR**  
12 **PURPOSES OF INTEREST RATE LIMITATION**  
13 **UNDER THE SERVICEMEMBERS CIVIL RELIEF**  
14 **ACT.**

15 Section 207(b)(1) of the Servicemembers Civil Relief  
16 Act (50 U.S.C. 3937(b)(1)) is amended to read as follows:

17 “(1) PROOF OF MILITARY SERVICE.—

18 “(A) IN GENERAL.—Not later than 180  
19 days after the date of a servicemember’s termi-  
20 nation or release from military service, in order  
21 for an obligation or liability of the servicemem-  
22 ber to be subject to the interest rate limitation  
23 in subsection (a), the servicemember shall pro-  
24 vide to the creditor written notice and a copy  
25 of—

1           “(i) the military orders calling the  
2           servicemember to military service and any  
3           orders further extending military service;  
4           or

5           “(ii) any other appropriate indicator  
6           of military service, including a certified let-  
7           ter from a commanding officer.

8           “(B) INDEPENDENT VERIFICATION BY  
9           CREDITOR.—

10           “(i) IN GENERAL.—Regardless of  
11           whether a servicemember has provided to a  
12           creditor the written notice and documenta-  
13           tion under subparagraph (A), the creditor  
14           may use, in lieu of such notice and docu-  
15           mentation, information retrieved from the  
16           Defense Manpower Database Center  
17           through the creditor’s normal business re-  
18           views of the Database Center for purposes  
19           of obtaining information indicating that  
20           the servicemember is on active duty.

21           “(ii) SAFE HARBOR.—A creditor that  
22           uses the information retrieved from the  
23           Defense Manpower Database Center under  
24           clause (i) with respect to a servicemember  
25           has not failed to treat the debt of the serv-



1                   icemember in accordance with subsection  
2                   (a) if—

3                               “(I) such information indicates  
4                               that, on the date the creditor retrieves  
5                               such information, the servicemember  
6                               is not on active duty; and

7                               “(II) the creditor has not, as of  
8                               such date, received the written notice  
9                               and documentation required under  
10                              subparagraph (A) with respect to the  
11                              servicemember.”.

12 **SEC. 597. REPORT REGARDING POSSIBLE IMPROVEMENTS**  
13                   **TO PROCESSING RETIREMENTS AND MED-**  
14                   **ICAL DISCHARGES.**

15           (a) **REPORT REQUIRED.**—Not later than 180 days  
16 after the date of the enactment of this Act, the Secretary  
17 of Defense, in consultation with the Secretary of Veterans  
18 Affairs, shall issue a report to the congressional defense  
19 committees and the Committees on Veterans’ Affairs of  
20 the Senate and House of Representatives regarding pos-  
21 sible improvements to the transition of members of the  
22 Armed Forces to veteran status.

23           (b) **ELEMENTS.**—The report under subsection (a)  
24 shall address the following:

1           (1) Feasibility of requiring members of the  
2           Armed Forces to apply for benefits administered by  
3           the Secretary of Veterans Affairs before such mem-  
4           bers complete discharge from the Armed Forces.

5           (2) Feasibility of requiring members of the  
6           Armed Forces to undergo compensation and pension  
7           examinations (to be administered by the Secretary of  
8           Defense) for purposes of obtaining benefits described  
9           in paragraph (1) before such members complete dis-  
10          charge from active duty in the Armed Forces.

11          (3) Possible improvements to the timeliness of  
12          the process for transitioning members who undergo  
13          medical discharge to care provided by the Secretary  
14          of Veterans Affairs.

15 **SEC. 598. CHAPLAINCIES OF THE ARMED FORCES.**

16          (a) PURPOSE.—The purposes of the chaplaincies of  
17          the Armed Forces are—

18               (1) to accommodate the religious needs of mem-  
19               bers of the Armed Forces;

20               (2) to provide religious and pastoral care to  
21               members of the Armed Forces; and

22               (3) to provide advice to commanders of the  
23               Armed Forces on the complexities of religion with  
24               regard to the respective commander's personnel and  
25               mission, as appropriate.

1 (b) REQUIREMENTS.—Each chaplain of the Armed  
2 Forces shall be—

3 (1) a member of a religious organization;

4 (2) of sufficient education and ecclesiastical  
5 qualification; and

6 (3) qualified to conduct religious observances or  
7 ceremonies.

8 **TITLE VI—COMPENSATION AND**  
9 **OTHER PERSONNEL BENEFITS**  
10 **Subtitle A—Pay and Allowances**

11 **SEC. 601. PROMPT REVIEW OF REQUEST FOR IMMINENT**  
12 **DANGER PAY.**

13 Section 310(d)(1) of title 37, United States Code, is  
14 amended by adding at the end the following new sentence:  
15 “The Secretary of Defense shall issue a determination re-  
16 garding special pay under this section not later than 90  
17 days after receiving a request for such determination from  
18 the commander of a geographic combatant command.”.

19 **SEC. 602. APPLICATION OF BASIC ALLOWANCE FOR HOUS-**  
20 **ING TO MEMBERS OF THE UNIFORMED SERV-**  
21 **ICES IN THE VIRGIN ISLANDS.**

22 (a) IN GENERAL.—Section 403(b) of title 37, United  
23 States Code, is amended—

24 (1) in the heading, by inserting “AND THE VIR-

25 GIN ISLANDS” after “THE UNITED STATES”;

1 (2) in paragraph (1), by inserting “and the Vir-  
2 gin Islands” after “the United States”; and

3 (3) in paragraphs (2), (3)(A), and (6), by in-  
4 serting “or the Virgin Islands” after “the United  
5 States” each place it appears.

6 (b) CONFORMING AMENDMENTS.—Section 403(c) of  
7 title 37, United States Code, is amended—

8 (1) in the heading, by inserting “OR THE VIR-  
9 GIN ISLANDS” after “THE UNITED STATES”; and

10 (2) in paragraphs (1), (2), (3)(A)(i), and  
11 (3)(B), by inserting “or the Virgin Islands” after  
12 “the United States” each place it appears.

13 (c) EFFECTIVE DATE.—The amendments made by  
14 this section shall take effect on the date of the enactment  
15 of this Act and shall apply to payments under section 403  
16 of title 37, United States Code, beginning on January 1,  
17 2019.

18 **SEC. 603. MANDATORY INCREASE IN INSURANCE COV-**  
19 **ERAGE UNDER SERVICEMEMBERS’ GROUP**  
20 **LIFE INSURANCE FOR MEMBERS DEPLOYED**  
21 **TO COMBAT THEATERS OF OPERATION.**

22 Section 1967(a)(3) of title 38, United States Code,  
23 is amended—

1           (1) in subparagraph (A), by striking “subpara-  
2           graphs (B) and (C)” and inserting “subparagraphs  
3           (B), (C), and (D)”; and

4           (2) by adding at the end the following new sub-  
5           paragraph:

6           “(D) In the case of a member who elects under  
7           paragraph (2)(A) not to be insured under this sec-  
8           tion, or who elects under subparagraph (B) to be in-  
9           sured for an amount less than the maximum amount  
10          provided under subparagraph (A), and who is de-  
11          ployed to a combat theater of operations the mem-  
12          ber—

13                 “(i) shall be insured under this subchapter  
14                 for the maximum amount provided under sub-  
15                 paragraph (A) for the period of such deploy-  
16                 ment; and

17                 “(ii) upon the end of such deployment—

18                         “(I) shall be insured in the amount  
19                         elected by the member under subparagraph  
20                         (B); or

21                         “(II) shall not be insured, if so elected  
22                         under paragraph (2)(A)”.

23 **SEC. 604. MILITARY HOUSING PRIVATIZATION INITIATIVE.**

24           (a) **PAYMENT AUTHORITY.**—Each month beginning  
25 on the first month after the date of the enactment of this

1 Act, the Secretary shall pay a lessor of covered housing  
2 5 percent of the amount calculated under section  
3 403(b)(3)(A)(i) of title 37, United States Code, for the  
4 area in which the covered housing exists. Any such pay-  
5 ment shall be in addition to any other payment made by  
6 the Secretary to that lessor.

7 (b) PLAN FOR MHPI HOUSING.—Not later than De-  
8 cember 1, 2018, the Secretary shall submit to the congres-  
9 sional defense committees a long-range plan to develop  
10 measures to consistently address the future sustainment,  
11 recapitalization, and financial condition of MHPI housing.  
12 The plan shall include—

13 (1) efforts to mitigate the losses incurred by  
14 MHPI housing projects because of the reductions to  
15 BAH under section 603 of the National Defense Au-  
16 thorization Act for Fiscal Year 2016 (Public Law  
17 114-92; 37 U.S.C. 403(b)(3)(B)); and

18 (2) a full assessment of the effects of such re-  
19 ductions (in relation to calculations of market rates  
20 for rent and utilities) on the financial condition of  
21 MHPI housing.

22 (c) REPORTING.—The Secretary shall direct the As-  
23 sistant Secretary of Defense for Energy, Installations, and  
24 Environment to take the following steps regarding reports  
25 under section 2884(c) of title 10, United States Code:

1           (1) Provide additional contextual information  
2           on MHPI housing to identify any differences in the  
3           calculation of debt coverage ratios and any effect of  
4           such differences on their comparability.

5           (2) Immediately resume issuing such reports on  
6           the financial condition of MHPI housing.

7           (3) Revise Department of Defense guidance on  
8           MHPI housing—

9                   (A) to ensure that relevant financial data  
10                   (such as debt coverage ratios) in such reports  
11                   are consistent and comparable in terms of the  
12                   time periods of the data collected;

13                   (B) to include a requirement that the sec-  
14                   retary of each military department includes  
15                   measures of future sustainment into each as-  
16                   sessments of MHPI housing projects; and

17                   (C) to require the secretary of each mili-  
18                   tary department to define risk tolerance regard-  
19                   ing the future sustainability of MHPI housing  
20                   projects.

21           (4) Report financial information on future  
22           sustainment of each MHPI housing project in such  
23           reports.

24           (5) Provide Department of Defense guidance to  
25           the secretaries of the military departments to—

1           (A) assess the significance of the specific  
2 risks to individual MHPI housing projects from  
3 the reduction in BAH; and

4           (B) identify methods to mitigate such risks  
5 based on their significance.

6           (6) Not later than December 1, 2018, finalize  
7 Department of Defense guidance that clearly de-  
8 fines—

9           (A) the circumstances in which the mili-  
10 tary departments shall provide notification of  
11 housing project changes to the congressional de-  
12 fense committees; and

13           (B) which types of such changes require  
14 prior notification to or prior approval from the  
15 congressional defense committees.

16 (d) DEFINITIONS.—In this section:

17           (1) The term “BAH” means the basic allow-  
18 ance for housing under section 403 of title 37,  
19 United States Code.

20           (2) The term “covered housing” means a unit  
21 of MHPI housing that is leased to a member of a  
22 uniformed service who resides in such unit.

23           (3) The term “MHPI housing” means housing  
24 acquired or constructed under the alternative au-  
25 thority of subchapter IV of chapter 169 of title 10,



1 United States Code (known as the Military Housing  
2 Privatization Initiative).

3 **SEC. 605. PER DIEM ALLOWANCE POLICIES.**

4 (a) POLICY AND REGULATIONS.—

5 (1) EXISTING POLICY AND REGULATIONS.—The  
6 Secretary of each military department may not im-  
7 plement the policy in the memorandum dated Octo-  
8 ber 1, 2014, titled “UTD/CTS for MAP 118-13/  
9 CAP 118-13 – Flat Rate Per Diem for Long Term  
10 TDY”, regarding per diem allowances, or any regu-  
11 lations prescribed pursuant to such memorandum,  
12 on or after the date of the enactment of this Act.

13 (2) FUTURE POLICY AND REGULATIONS.—(A)  
14 The Secretary of each military department con-  
15 cerned may not implement a new policy regarding  
16 per diem allowances under section 474 of title 37,  
17 United States Code, until after the Secretary of De-  
18 fense issues the report under subsection (b).

19 (B) The Secretary of the military department  
20 concerned shall notify the appropriate congressional  
21 committees not less than 60 days before imple-  
22 menting a new policy regarding per diem allowances  
23 under section 474 of title 37, United States Code.

24 (b) REPORT.—Not later than 180 days after the date  
25 of the enactment of this Act, the Secretary of Defense

1 shall issue a report to the appropriate congressional com-  
2 mittees regarding options to reduce travel costs incurred  
3 by the Department of Defense, including the adoption of  
4 practices used by private entities.

5 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—  
6 In this section, the term “appropriate congressional com-  
7 mittees” means the congressional defense committees, the  
8 Committee on Homeland Security and Governmental Af-  
9 fairs of the Senate, and the Committee on Oversight and  
10 Government Reform of the House of Representatives.

11 **SEC. 606. REPORT ON IMMINENT DANGER PAY AND HOS-**  
12 **TILE FIRE PAY.**

13 (a) REPORT REQUIRED.—Not later than March 1,  
14 2019, the Secretary of Defense shall submit to the Com-  
15 mittees on Armed Services of the Senate and the House  
16 of Representatives a report examining the current proc-  
17 esses for awarding imminent danger pay and hostile fire  
18 pay to members of the Armed Forces.

19 (b) ELEMENTS.—This report under this section shall  
20 include the following:

21 (1) An analysis of difficulties in implementing  
22 the current system.

23 (2) An explanation of how geographic regions  
24 are selected to be eligible for such pay and the cri-  
25 teria used to define these regions.

1           (3) An examination of whether the current geo-  
2           graphic model is the most appropriate way to award  
3           such pay, including the following:

4                   (A) A discussion of whether the current  
5                   model most accurately reflects the realities of  
6                   modern warfare and is responsive enough to the  
7                   needs of members.

8                   (B) Whether the Secretary believes it  
9                   would be appropriate to tie such pay to specific  
10                  authorizations for deployments (including de-  
11                  ployments of special operations forces) in addi-  
12                  tion to geographic criteria.

13                  (C) A description of any change the Sec-  
14                  retary would consider to update such pay to re-  
15                  flect the current operational environment.

16                  (D) How the Secretary would implement  
17                  each change under subparagraph (C).

18                  (E) Recommendations of the Secretary for  
19                  related regulations or legislative action.

20 **SEC. 607. SENSE OF CONGRESS REGARDING THE WIDOWS'**  
21 **TAX.**

22           It is the sense of Congress that—

23                   (1) section 621 of the National Defense Author-  
24                   ization Act for Fiscal Year 2018 (Public Law 115–  
25                   91) amended section 1450(m) of title 10, United

1 States Code, to make permanent the special survivor  
2 indemnity allowance;

3 (2) under the special survivor indemnity allow-  
4 ance, surviving spouses and dependent children of  
5 members who die of a service-connected cause will  
6 not be subject to a full offset of survivor benefit plan  
7 payments by dependency and indemnity compensa-  
8 tion, commonly referred to as the “widows’ tax”;  
9 and

10 (3) while the special survivor indemnity allow-  
11 ance alleviates the gap in benefits, the whole Con-  
12 gress must work together to find a way to eliminate  
13 the widows’ tax entirely.

14 **SEC. 608. REEVALUATION OF BAH FOR THE MILITARY**  
15 **HOUSING AREA INCLUDING STATEN ISLAND.**

16 Not later than 90 days after the date of the enact-  
17 ment of this Act, the Secretary of Defense, using the most  
18 recent data available to the Secretary, shall reevaluate the  
19 basic housing allowance prescribed under section 403(b)  
20 of title 37, United States Code, for the military housing  
21 area that includes Staten Island, New York.

1 **SEC. 609. COMPENSATION AND CREDIT FOR RETIRED PAY**  
2 **PURPOSES FOR MATERNITY LEAVE TAKEN**  
3 **BY MEMBERS OF THE RESERVE COMPO-**  
4 **NENTS.**

5 (a) COMPENSATION.—Section 206(a) of title 37,  
6 United States Code, is amended—

7 (1) in paragraph (2), by striking “or” at the  
8 end;

9 (2) in paragraph (3), by striking the period at  
10 the end and inserting “; or”; and

11 (3) by adding the end the following new para-  
12 graph:

13 “(4) for each of 6 days in connection with the  
14 taking by the member of a period of maternity  
15 leave.”.

16 (b) CREDIT FOR RETIRED PAY PURPOSES.—

17 (1) IN GENERAL.—The period of maternity  
18 leave taken by a member of the reserve components  
19 of the Armed Forces in connection with the birth of  
20 a child shall count toward the member’s entitlement  
21 to retired pay, and in connection with the years of  
22 service used in computing retired pay, under chapter  
23 1223 of title 10, United States Code, as 12 points.

24 (2) SEPARATE CREDIT FOR EACH PERIOD OF  
25 LEAVE.—Separate crediting of points shall accrue to  
26 a member pursuant to this subsection for each pe-

1       riod of maternity leave taken by the member in con-  
2       nection with a childbirth event.

3               (3) WHEN CREDITED.—Points credited a mem-  
4       ber for a period of maternity leave pursuant to this  
5       subsection shall be credited in the year in which the  
6       period of maternity leave concerned commences.

7               (4) CONTRIBUTION OF LEAVE TOWARD ENTI-  
8       TLEMENT TO RETIRED PAY.—Section 12732(a)(2) of  
9       title 10, United States Code, is amended by insert-  
10      ing after subparagraph (E) the following new sub-  
11      paragraph:

12              “(F) Points at the rate of 12 a year for the  
13      taking of maternity leave.”.

14              (5) COMPUTATION OF YEARS OF SERVICE FOR  
15      RETIRED PAY.—Section 12733 of such title is  
16      amended—

17              (A) by redesignating paragraph (5) as  
18      paragraph (6); and

19              (B) by inserting after paragraph (4) the  
20      following new paragraph (5):

21              “(5) One day for each point credited to the per-  
22      son under subparagraph (F) of section 12732(a)(2)  
23      of this title.”.

24              (c) EFFECTIVE DATE.—This section and the amend-  
25      ments made by this section shall take effect on the date

1 of the enactment of this Act, and shall apply with respect  
2 to periods of maternity leave that commence on or after  
3 that date.

## 4 **Subtitle B—Bonuses and Special** 5 **Incentive Pays**

### 6 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING** 7 **BONUS AND SPECIAL PAY AUTHORITIES.**

8 (a) **AUTHORITIES RELATING TO RESERVE**  
9 **FORCES.**—Section 910(g) of title 37, United States Code,  
10 relating to income replacement payments for reserve com-  
11 ponent members experiencing extended and frequent mo-  
12 bilization for active duty service, is amended by striking  
13 “December 31, 2018” and inserting “December 31,  
14 2019”.

15 (b) **TITLE 10 AUTHORITIES RELATING TO HEALTH**  
16 **CARE PROFESSIONALS.**—The following sections of title  
17 10, United States Code, are amended by striking “Decem-  
18 ber 31, 2018” and inserting “December 31, 2019”:

19 (1) Section 2130a(a)(1), relating to nurse offi-  
20 cer candidate accession program.

21 (2) Section 16302(d), relating to repayment of  
22 education loans for certain health professionals who  
23 serve in the Selected Reserve.

24 (c) **AUTHORITIES RELATING TO NUCLEAR OFFI-**  
25 **CERS.**—Section 333(i) of title 37, United States Code, is

1 amended by striking “December 31, 2018” and inserting  
2 “December 31, 2019”.

3 (d) AUTHORITIES RELATING TO TITLE 37 CONSOLI-  
4 DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-  
5 THORITIES.—The following sections of title 37, United  
6 States Code, are amended by striking “December 31,  
7 2018” and inserting “December 31, 2019”:

8 (1) Section 331(h), relating to general bonus  
9 authority for enlisted members.

10 (2) Section 332(g), relating to general bonus  
11 authority for officers.

12 (3) Section 334(i), relating to special aviation  
13 incentive pay and bonus authorities for officers.

14 (4) Section 335(k), relating to special bonus  
15 and incentive pay authorities for officers in health  
16 professions.

17 (5) Section 336(g), relating to contracting  
18 bonus for cadets and midshipmen enrolled in the  
19 Senior Reserve Officers’ Training Corps.

20 (6) Section 351(h), relating to hazardous duty  
21 pay.

22 (7) Section 352(g), relating to assignment pay  
23 or special duty pay.

24 (8) Section 353(i), relating to skill incentive  
25 pay or proficiency bonus.



1           (9) Section 355(h), relating to retention incen-  
2           tives for members qualified in critical military skills  
3           or assigned to high priority units.

4           (e) AUTHORITY TO PROVIDE TEMPORARY INCREASE  
5           IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section  
6           403(b)(7)(E) of title 37, United States Code, is amended  
7           by striking “December 31, 2018” and inserting “Decem-  
8           ber 31, 2019”.

## 9           **Subtitle C—Other Matters**

### 10       **SEC. 621. EXPANSIONS OF INSTALLATION BENEFITS TO** 11               **SURVIVING SPOUSES, DEPENDENT CHIL-** 12               **DREN, AND OTHER NEXT OF KIN.**

13           (a) ISSUANCE OF GOLD STAR INSTALLATION ACCESS  
14           CARDS.—

15           (1) ISSUANCE AND CONDITIONS ON USE.—

16           (A) IN GENERAL.—Chapter 57 of title 10,  
17           United States Code, is amended by inserting  
18           after section 1126 the following new section:

#### 19       **“§ 1126a. Gold Star Installation Access Card: issuance** 20               **and protections**

21           “(a) ISSUANCE TO GOLD STAR SURVIVING SPOUSE  
22           AND DEPENDENT CHILDREN OF DECEASED MEMBER RE-  
23           QUIRED.—The Secretary concerned shall provide for the  
24           issuance of a standardized Gold Star Installation Access  
25           Card to the widow and dependent children of a deceased

1 member of the armed forces described in section 1126(a)  
2 of this title to facilitate their ability to gain unescorted  
3 access to military installations for the purpose of attend-  
4 ing memorial events, visiting gravesites, and obtaining the  
5 on-installation services and benefits to which they are enti-  
6 tled or eligible.

7       “(b) ISSUANCE TO OTHER NEXT OF KIN AUTHOR-  
8 IZED.—At the discretion of the Secretary concerned, the  
9 Secretary concerned may provide the Gold Star Installa-  
10 tion Access Card to the parents and other next of kin of  
11 a deceased member of the armed forces described in sec-  
12 tion 1126(a) of this title.

13       “(c) SERVICE-WIDE ACCEPTANCE OF ACCESS  
14 CARD.—The Secretaries concerned shall work together to  
15 ensure that a Gold Star Installation Access Card issued  
16 by one armed force is accepted for access to military in-  
17 stallations under the jurisdiction of another armed force.

18       “(d) PROTECTION OF INSTALLATION SECURITY.—In  
19 developing, issuing, and accepting the Gold Star Installa-  
20 tion Access Card, the Secretary concerned may take such  
21 measures as the Secretary concerned considers nec-  
22 essary—

23               “(1) to prevent fraud in the procurement or use  
24       of the Gold Star Installation Access Card;

1           “(2) to limit installation access to those areas  
2           of the installation that provide the services and ben-  
3           efits for which the recipient of the Gold Star Instal-  
4           lation Access Card is entitled or eligible; and

5           “(3) to ensure that the availability and use of  
6           the Gold Star Installation Access Card does not ad-  
7           versely affect military installation security.

8           “(e) TERMINATION.—The Gold Star Installation Ac-  
9           cess Card for the widow and dependent children of a de-  
10          ceased member of the armed forces shall remain valid for  
11          the life of the widow or child, regardless of subsequent  
12          marital status of the widow, subject to periodic renewal  
13          as determined by the Secretary concerned to ensure mili-  
14          tary installation security.”.

15                   (B) CLERICAL AMENDMENT.—The table of  
16                   sections at the beginning of chapter 57 of title  
17                   10, United States Code, is amended by insert-  
18                   ing after the item relating to section 1126 the  
19                   following new item:

“1126a. Gold Star Installation Access Card: issuance and protections.”.

20                   (2) APPLICABILITY OF CURRENT DEFINI-  
21                   TIONS.—Section 1126(d) of title 10, United States  
22                   Code is amended by striking the matter preceding  
23                   paragraph (1) and inserting the following: “In this  
24                   section and section 1126a of this title:”.

1           (b) EXTENSION OF COMMISSARY AND EXCHANGE  
2 BENEFITS FOR REMARRIED SPOUSES WITH DEPENDENT  
3 CHILDREN.—

4           (1) BENEFITS.—Section 1062 of title 10,  
5 United States Code, is amended—

6                   (A) by striking “The Secretary of De-  
7 fense” and inserting the following:

8           “(a) CERTAIN UNREARRIED FORMER SPOUSES.—  
9 The Secretary of Defense”; and

10                   (B) by adding at the end the following new  
11 subsection:

12           “(b) CERTAIN REMARRIED SURVIVING SPOUSES.—  
13 The Secretary of Defense shall prescribe such regulations  
14 as may be necessary to provide that a surviving spouse  
15 of a deceased member of the armed forces, regardless of  
16 the marital status of the surviving spouse, who has guard-  
17 ianship of dependent children of the deceased member is  
18 entitled to use commissary stores and MWR retail facili-  
19 ties to the same extent and on the same basis as the  
20 unremarried surviving spouse of a member of the uni-  
21 formed services.”.

22           (2) CONFORMING AMENDMENTS.—Section 1062  
23 of title 10, United States Code, is further amend-  
24 ed—

1 (A) by striking “commissary and exchange  
2 privileges” and inserting “use commissary  
3 stores and MWR retail facilities”; and

4 (B) by adding at the end the following new  
5 subsection:

6 “(c) MWR RETAIL FACILITIES.—The term ‘MWR  
7 retail facilities’ has the meaning given that term in section  
8 1063(e) of this title.”.

9 (3) CLERICAL AMENDMENTS.—

10 (A) SECTION HEADING.—The heading of  
11 section 1062 of title 10, United States Code, is  
12 amended to read as follows:

13 **“§ 1062. Certain former spouses and surviving**  
14 **spouses”.**

15 (B) TABLE OF SECTIONS.—The table of  
16 sections at the beginning of chapter 54 of title  
17 10, United States Code, is amended by striking  
18 the item relating to section 1062 and inserting  
19 the following new item:

“1062. Certain former spouses and surviving spouses.”.

20 **SEC. 622. TRANSPORTATION ON MILITARY AIRCRAFT ON A**  
21 **SPACE-AVAILABLE BASIS FOR DISABLED VET-**  
22 **ERANS WITH A SERVICE-CONNECTED, PER-**  
23 **MANENT DISABILITY RATED AS TOTAL.**

24 (a) AVAILABILITY OF TRANSPORTATION.—Section  
25 2641b of title 10, United States Code, is amended—

1           (1) by redesignating subsection (f) as sub-  
2           section (g); and

3           (2) by inserting after subsection (e) the fol-  
4           lowing new subsection (f):

5           “(f) SPECIAL PRIORITY FOR CERTAIN DISABLED  
6 VETERANS.—(1) The Secretary of Defense shall provide  
7 transportation on scheduled and unscheduled military  
8 flights within the continental United States and on sched-  
9 uled overseas flights operated by the Air Mobility Com-  
10 mand on a space-available basis for any veteran with a  
11 service-connected, permanent disability rated as total on  
12 the same basis as such transportation is provided to mem-  
13 bers of the armed forces entitled to retired or retainer pay.

14           “(2) The transportation priority required by para-  
15 graph (1) for veterans described in such paragraph applies  
16 whether or not the Secretary establishes the travel pro-  
17 gram authorized by this section.

18           “(3) In this subsection, the terms ‘veteran’ and ‘serv-  
19 ice-connected’ have the meanings given those terms in sec-  
20 tion 101 of title 38.”.

21           (b) EFFECTIVE DATE.—Subsection (f) of section  
22 2641b of title 10, United States Code, as added by sub-  
23 section (a), shall take effect at the end of the 90-day pe-  
24 riod beginning on the date of the enactment of this Act.

1 **SEC. 623. EXTENSION OF PARKING EXPENSES ALLOWANCE**  
2 **TO CIVILIAN EMPLOYEES AT RECRUITING FA-**  
3 **CILITIES.**

4 Section 481i(b)(1) of title 37, United States Code,  
5 is amended by striking “as a recruiter for any” and insert-  
6 ing “at a recruiting facility”.

7 **SEC. 624. ADVISORY BOARDS REGARDING MILITARY COM-**  
8 **MISSARIES AND EXCHANGES.**

9 The Secretary of Defense shall direct each com-  
10 manding officer of a military base on which there is a mili-  
11 tary commissary or exchange to establish an advisory  
12 board, comprised of representatives of military or veterans  
13 service organizations, to advise the commanding officer re-  
14 garding the interests of patrons and beneficiaries of mili-  
15 tary commissaries and exchanges.

16 **SEC. 625. STUDY AND REPORT ON DEVELOPMENT OF A SIN-**  
17 **GLE DEFENSE RESALE SYSTEM.**

18 (a) STUDY.—The Secretary of Defense shall conduct  
19 a study to determine the feasibility of consolidating the  
20 military resale entities into a single defense resale system.  
21 Such study shall include the following:

22 (1) A financial assessment of consolidation of  
23 the military resale entities.

24 (2) A business case analysis of consolidation of  
25 the military resale entities.

1           (3) Organizational, operational, and business  
2 model integration plans for consolidation of the mili-  
3 tary resale entities.

4           (4) Determinations of which back-office proc-  
5 esses and systems associated with finance and pay-  
6 ment processing technologies the Secretary could  
7 convert to common technologies.

8           (b) REPORT.—Not later than January 1, 2019, the  
9 Secretary shall submit a report to the congressional de-  
10 fense committees regarding the study under subsection  
11 (a). That report shall contain the following:

12           (1) Details of the internal and external organi-  
13 zational structures of a consolidated defense resale  
14 system.

15           (2) Recommendations of the Secretaries of each  
16 of the military departments regarding the plan to  
17 consolidate the military resale entities.

18           (3) The costs and associated plan for the merg-  
19 er of technologies or implementation of new tech-  
20 nology from a third-party provider to standardize fi-  
21 nancial management and accounting processes of a  
22 consolidated defense resale system.

23           (4) Best practices to maximize reductions in  
24 costs associated with back-office retail payment  
25 processing for a consolidated defense resale system.



1           (5) A timeline for converting the Defense Com-  
2           missary Agency into a non-appropriated fund instru-  
3           mentality under section 2484(j) of title 10, United  
4           States Code.

5           (6) A determination whether the business case  
6           analysis supports consolidation of the military resale  
7           entities.

8           (7) Recommendations of the Secretary for legis-  
9           lation related to consolidation of the military resale  
10          entities.

11          (8) Other elements the Secretary determines  
12          are necessary for a successful evaluation of a con-  
13          solidation of the military resale entities.

14          (c) PROHIBITION ON USE OF FUNDS.—None of the  
15          amounts authorized to be appropriated or otherwise made  
16          available in this Act may be obligated or expended for the  
17          purpose of implementing consolidation of the military re-  
18          sale entities until October 1, 2019.

19          (d) MILITARY RESALE ENTITIES DEFINED.—In this  
20          section the term “military resale entities” means—

- 21               (1) the Defense Commissary Agency;
- 22               (2) the Army and Air Force Exchange Service;
- 23               (3) the Navy Exchange; and
- 24               (4) the Marine Corps Exchange.

1 **SEC. 626. DESIGNATION OF NEW BENEFICIARY UNDER THE**  
2 **SURVIVOR BENEFIT PLAN.**

3 Section 1448(b)(1) of title 10, United States Code,  
4 is amended by adding at the end the following new sub-  
5 paragraph (H):

6 “(H) ELECTION OF NEW BENEFICIARY BY  
7 TERMINALLY ILL PARTICIPANT.—

8 “(i) AUTHORITY FOR ELECTION.—A  
9 participant in the Plan may elect a new  
10 beneficiary if the Secretary concerned de-  
11 termines that the participant is terminally  
12 ill. Any such beneficiary must be a natural  
13 person with an insurable interest in the  
14 participant.

15 “(ii) PROCEDURES.—Such an election  
16 shall be in writing, signed by the partici-  
17 pant, and made in such form and manner  
18 as the Secretary concerned may prescribe.  
19 Such an election shall be effective the first  
20 day of the first month following the month  
21 in which the election is received by the  
22 Secretary.”.

23 **SEC. 627. REPORT REGARDING MANAGEMENT OF MILITARY**  
24 **COMMISSARIES AND EXCHANGES.**

25 (a) REPORT REQUIRED.—Not later than 180 days  
26 after the date of the enactment of this Act, the Secretary

1 of Defense shall submit to the congressional defense com-  
2 mittees a report regarding management practices of mili-  
3 tary commissaries and exchanges.

4 (b) ELEMENTS.—The report required under this sec-  
5 tion shall include a cost-benefit analysis with the goals  
6 of—

7 (1) reducing the costs of operating military  
8 commissaries and exchanges by \$2,000,000,000 dur-  
9 ing fiscal years 2019 through 2023; and

10 (2) not raising costs for patrons of military  
11 commissaries and exchanges.

12 **SEC. 628. ACCESS FOR VETERANS TO CERTAIN FITNESS**  
13 **CENTERS.**

14 (a) IN GENERAL.—Chapter 152 of title 10, United  
15 States Code, is amended by adding at the end the fol-  
16 lowing new section:

17 **“SEC. 2569. FITNESS CENTERS: ACCESS FOR VETERANS.**

18 “(a) IN GENERAL.—Subject to subsection (b), the  
19 Secretary of a military department may grant veterans ac-  
20 cess to a fitness center that—

21 “(1) is under the jurisdiction of such Secretary;  
22 and

23 “(2) is operated by a geographically separated  
24 unit that is located not less than 100 miles from the  
25 supporting base of such unit.

1       “(b) FACTORS FOR CONSIDERATION.—In deter-  
2 mining whether to grant veterans access to a fitness center  
3 under subsection (a), the Secretary concerned shall con-  
4 sider—

5               “(1) whether the commander who oversees the  
6 fitness center has determined—

7                       “(A) that such fitness center has the ca-  
8 pacity and infrastructure required to support  
9 veterans; and

10                      “(B) that granting veterans such access  
11 would not impede the readiness of members of  
12 the armed forces on active duty who use the fit-  
13 ness center;

14               “(2) the effect that granting veterans such ac-  
15 cess would have on the operating and maintenance  
16 expenses of the fitness center; and

17               “(3) any additional criteria determined by the  
18 Secretary concerned.

19       “(c) DEFINITION.—In this section, the term ‘veteran’  
20 has the meaning given such term in section 101 of title  
21 38.”.

22       (b) CLERICAL AMENDMENT.—The table of sections  
23 at the beginning of such chapter is amended by adding  
24 at the end the following:

“2569. Fitness centers: access for veterans.”.

1 **SEC. 629. EXTENSION OF CERTAIN MORALE, WELFARE, AND**  
2 **RECREATION PRIVILEGES TO CERTAIN VET-**  
3 **ERANS AND THEIR CAREGIVERS.**

4 (a) **SHORT TITLE.**—This section may be cited as the  
5 “Purple Heart and Disabled Veterans Equal Access Act  
6 of 2018”.

7 (b) **FINDINGS.**—Congress finds the following:

8 (1) In 2017, the Secretary of Defense deter-  
9 mined that the addition of new patron categories to  
10 the commissary and exchange systems would support  
11 the growth of a robust customer base and help en-  
12 sure the ability of both systems to provide benefits  
13 to members of the Armed Forces and their families.

14 (2) The Secretary previously opposed extending  
15 commissary and exchange privileges to large patron  
16 groups such as disabled veterans.

17 (3) In January 2017, the Secretary of Defense  
18 approved limited online exchange shopping privileges  
19 for all veterans, effective November 11, 2017.

20 (4) The Secretary determined that current pa-  
21 trons of exchanges did not perceive the extension of  
22 such privileges as diluting the benefit for members  
23 of the Armed Forces.

24 (5) The Purple Heart is the oldest military  
25 decoration, awarded to members of the Armed  
26 Forces who have been wounded or died in combat,

1 fighting for the United States. Since the modern in-  
2 carnation of the award was established in 1932, ap-  
3 proximately 1,800,000 members of the Armed  
4 Forces have been awarded the Purple Heart.

5 (c) COMMISSARY STORES AND MWR FACILITIES  
6 PRIVILEGES FOR CERTAIN VETERANS AND VETERAN  
7 CAREGIVERS.—

8 (1) EXTENSION OF PRIVILEGES.—Chapter 54  
9 of title 10, United States Code, is amended by add-  
10 ing at the end the following new section:

11 **“§ 1065. Use of commissary stores and MWR facilities:**  
12  **certain veterans and caregivers for vet-**  
13  **erans**

14 “(a) ELIGIBILITY OF VETERANS AWARDED THE  
15 PURPLE HEART.—A veteran who was awarded the Purple  
16 Heart shall be permitted to use commissary stores and  
17 MWR facilities on the same basis as a member of the  
18 armed forces entitled to retired or retainer pay.

19 “(b) ELIGIBILITY OF VETERANS WHO ARE MEDAL  
20 OF HONOR RECIPIENTS.—A veteran who is a Medal of  
21 Honor recipient shall be permitted to use commissary  
22 stores and MWR facilities on the same basis as a member  
23 of the armed forces entitled to retired or retainer pay.

24 “(c) ELIGIBILITY OF VETERANS WHO ARE FORMER  
25 PRISONERS OF WAR.—A veteran who is a former prisoner

1 of war shall be permitted to use commissary stores and  
2 MWR facilities on the same basis as a member of the  
3 armed forces entitled to retired or retainer pay.

4 “(d) ELIGIBILITY OF VETERANS WITH SERVICE-  
5 CONNECTED DISABILITIES.—A veteran with a service-  
6 connected disability shall be permitted to use commissary  
7 stores and MWR facilities on the same basis as a member  
8 of the armed forces entitled to retired or retainer pay.

9 “(e) ELIGIBILITY OF CAREGIVERS FOR VETERANS.—  
10 A caregiver or family caregiver shall be permitted to use  
11 commissary stores and MWR facilities on the same basis  
12 as a member of the armed forces entitled to retired or  
13 retainer pay.

14 “(f) USER FEE AUTHORITY.—(1) The Secretary of  
15 Defense shall prescribe regulations that impose a user fee  
16 on individuals who are eligible solely under this section  
17 to purchase merchandise at a commissary store or MWR  
18 retail facility.

19 “(2) The Secretary shall set the user fee under this  
20 subsection at a rate that the Secretary determines will off-  
21 set any increase in expenses arising from this section  
22 borne by the Department of the Treasury on behalf of  
23 commissary stores associated with the use of credit or  
24 debit cards for customer purchases, including expenses re-

1 lated to card network use and related transaction proc-  
2 essing fees.

3 “(3) The Secretary shall deposit funds collected pur-  
4 suant to a user fee under this subsection in the General  
5 Fund of the Treasury.

6 “(4) Any fee under this subsection is in addition to  
7 the uniform surcharge under section 2484(d) of this title.

8 “(g) DEFINITIONS.—In this section:

9 “(1) The term ‘MWR facilities’ includes—

10 “(A) MWR retail facilities, as that term is  
11 defined in section 1063(e) of this title; and

12 “(B) military lodging operated by the De-  
13 partment of Defense for the morale, welfare,  
14 and recreation of members of the armed forces.

15 “(2) The term ‘Medal of Honor recipient’ has  
16 the meaning given that term in section 1074h(e) of  
17 this title.

18 “(3) The terms ‘veteran’, ‘former prisoner of  
19 war’, and ‘service-connected’ have the meanings  
20 given those terms in section 101 of title 38.

21 “(4) The terms ‘caregiver’ and ‘family care-  
22 giver’ have the meanings given those terms in sec-  
23 tion in section 1720G(d) of title 38.”.

24 (2) CLERICAL AMENDMENT.—The table of sec-  
25 tions at the beginning of chapter 54 of title 10,



1 United States Code, is amended by adding at the  
2 end the following new item:

“1065. Use of commissary stores and MWR facilities: certain veterans and care-  
givers for veterans.”.

3 (3) EFFECTIVE DATE.—Section 1065 of title  
4 10, United States Code, as added by paragraph (1),  
5 shall take effect at the end of the 90-day period be-  
6 ginning on the date of the enactment of this Act.

7 (d) AUTHORIZATION OF APPROPRIATION FOR UP-  
8 DATING EPACS FOR MILITARY COMMISSARIES.—There is  
9 hereby authorized to be appropriated, out of any funds  
10 in the Treasury not otherwise appropriated, \$500,000 to  
11 the Secretary of Defense for the purpose of updating the  
12 electronic physical access control system used by military  
13 commissaries and exchanges so that the system may rec-  
14 ognize and accept veteran health identification cards.

15 (e) SENSE OF CONGRESS REGARDING INDIVIDUALS  
16 AWARDED THE PURPLE HEART.—It is the sense of Con-  
17 gress that the Secretary of Defense, in coordination with  
18 the Secretary of Veterans Affairs, should maintain a list  
19 of all individuals awarded the Purple Heart.

1           **TITLE VII—HEALTH CARE**  
2                   **PROVISIONS**  
3           **Subtitle A—TRICARE and Other**  
4                   **Health Care Benefits**

5   **SEC. 701. TRICARE MEDICARE ADVANTAGE DEMONSTRA-**  
6                   **TION PROGRAM.**

7           (a) ESTABLISHMENT.—

8                   (1) IN GENERAL.—Not later than 2 years after  
9           the date of the enactment of this Act, the Secretary  
10          of Defense, in consultation with the Secretary of  
11          Health and Human Services, shall carry out a dem-  
12          onstration program under which, notwithstanding  
13          section 1851(c)(3) of the Social Security Act (42  
14          U.S.C. 1395w-21(c)(3)), each covered individual is  
15          deemed, unless the individual (in accordance with a  
16          process specified by the Secretaries) elects otherwise,  
17          to have elected to receive benefits under title XVIII  
18          of such Act (42 U.S.C. 1395 et seq.) through a par-  
19          ticipating MA plan, with respect to the military  
20          health system region involved, (and shall be enrolled  
21          in such plan) for each plan year during which such  
22          demonstration program is carried out. In carrying  
23          out the demonstration program, the Secretary shall  
24          ensure that a covered individual who is enrolled in  
25          an MA plan in a military health system region se-

1 lected under paragraph (3) that is not a partici-  
2 participating MA plan may remain in such non-partici-  
3 pating MA plan without making an election through  
4 such process specified in the previous sentence.

5 (2) DURATION.—Subject to subsection (d), the  
6 demonstration program established under paragraph  
7 (1) shall be carried out for a period of not less than  
8 2 plan years.

9 (b) PARTICIPATING MA PLANS.—

10 (1) DEFINITION.—For purposes of this section,  
11 the term “participating MA plan” means, with re-  
12 spect to a military health system region selected  
13 under paragraph (3) and a plan year beginning dur-  
14 ing the period during which the demonstration  
15 project is carried out, an eligible Medicare Advan-  
16 tage plan that enters into a contract under para-  
17 graph (2) with the Secretary of Defense to partici-  
18 pate in the demonstration program under this sec-  
19 tion for such plan year.

20 (2) SELECTION OF PLANS.—

21 (A) IN GENERAL.—The Secretary shall,  
22 after consultation with the TRICARE managed  
23 care support contractor in each military health  
24 system region selected under paragraph (3) and  
25 with respect to each plan year beginning the pe-

1           riod during which such demonstration program  
2           is carried out, enter into a contract with one or  
3           more eligible Medicare Advantage plans de-  
4           scribed in subparagraph (B) to participate in  
5           the demonstration program for such plan year,  
6           with respect to such military health system re-  
7           gion. Under such contract, the Medicare Advan-  
8           tage organization offering such plan, with re-  
9           spect to such military health system region,  
10          shall agree to provide coverage under such plan  
11          to all covered individuals residing in such region  
12          during such plan year.

13                 (B) ELIGIBLE MEDICARE ADVANTAGE  
14          PLAN.—For purposes of this section, an eligible  
15          Medicare Advantage plan, with respect to a  
16          military health system region selected under  
17          paragraph (3), is an MA plan that satisfies the  
18          following conditions, with respect to a plan year  
19          beginning during the period during which the  
20          demonstration program is carried out:

21                         (i) The Medicare Advantage organiza-  
22                                 tion offering the plan has in effect a con-  
23                                 tract with the Secretary of Health and  
24                                 Human Services under section 1857 of the  
25                                 Social Security Act (42 U.S.C. 1395w-27)

1           for offering such plan to MA eligible indi-  
2           viduals in such military health system re-  
3           gion with respect to such plan year.

4           (ii) The plan is, or is treated as, a  
5           qualifying plan under section 1853(o)(3) of  
6           such Act (42 U.S.C. 1395w-23(o)(3)),  
7           with respect to such plan year.

8           (3) SELECTION OF MILITARY HEALTH SYSTEM  
9           REGIONS.—The Secretary shall select two military  
10          health system regions in which to carry out the dem-  
11          onstration program, one from each TRICARE man-  
12          aged care support contractor region. Each such re-  
13          gion shall have a large concentration of beneficiaries  
14          eligible for TRICARE for Life.

15          (c) COSTS OF PROGRAM.—

16               (1) DEPARTMENT OF DEFENSE.—The Sec-  
17          retary shall bear the costs to the Department of De-  
18          fense and realize any potential savings to the De-  
19          partment that result from the demonstration pro-  
20          gram.

21               (2) COST NEUTRALITY.—The costs paid under  
22          the demonstration program by the United States to  
23          the participating Medicare Advantage plans, and the  
24          costs paid by the United States pursuant to  
25          TRICARE for Life, for the period of the demonstra-

1       tion program, with respect to covered individuals en-  
2       rolled in such plans during such period, may not ex-  
3       ceed the estimated costs that would have been paid  
4       by the United States during such period for pro-  
5       viding health care benefits to such individuals  
6       through the original Medicare fee-for-service pro-  
7       gram under parts A and B of title XVIII of the So-  
8       cial Security Act and TRICARE for Life, as ad-  
9       justed to account for the age, location, and health  
10      status of the population.

11      (d) CERTIFICATIONS REQUIRED TO CARRY OUT PRO-  
12      GRAM.—

13           (1) CERTIFICATIONS.—Not later than 1 year  
14      after the date of the enactment of this Act, and an-  
15      nually thereafter for each plan year occurring during  
16      the period during which the demonstration program  
17      is carried out, the Secretary shall submit to the ap-  
18      propriate congressional committees a report and cer-  
19      tification on the demonstration program. If the Sec-  
20      retary does not submit the certification by such date  
21      each year, the Secretary may not carry out the dem-  
22      onstration program for the plan year or any subse-  
23      quent plan year.

1           (2) ELEMENTS.—Each report and certification  
2 under paragraph (1), with respect to a plan year,  
3 shall include the following:

4           (A) Except for the first report and certifi-  
5 cation submitted under paragraph (1)—

6           (i) a certification that the demonstra-  
7 tion program maintains cost neutrality  
8 pursuant to subsection (c)(2);

9           (ii) the number of covered individuals  
10 eligible to be enrolled in the demonstration  
11 program and the number of covered indi-  
12 viduals who opted out of such enrollment  
13 in each participating MA plan in each such  
14 region; and

15           (iii) an assessment of the number of  
16 covered individuals enrolled in partici-  
17 pating Medicare Advantage plans under  
18 the demonstration program that have  
19 reached the limit on out-of-pocket expendi-  
20 tures applied under the respective plan.

21           (B) A certification that the access stand-  
22 ards for the TRICARE program are met in the  
23 Medicare Advantage plans selected under sub-  
24 section (b)(2).

1           (C) A description of the average premium  
2 rates, and copayments or cost sharing, if any,  
3 for each participating MA plan in each military  
4 health system region selected under subsection  
5 (b)(3).

6           (D) A description of the quality rating de-  
7 termined under the 5-star rating system under  
8 section 1853(o)(4) of the Social Security Act  
9 (42 U.S.C. 1395w-23(o)(4)) for such plan year  
10 for each participating MA plan.

11           (E) Any recommendations by the Secretary  
12 with respect to any legislative actions to im-  
13 prove the demonstration program.

14       (e) REPORT.—Not later than 3 years after the date  
15 of the enactment of this Act, the Secretary shall submit  
16 to the appropriate congressional committees a report pro-  
17 viding a comprehensive assessment of the demonstration  
18 program.

19       (f) REGULATIONS.—

20           (1) IN GENERAL.—The Secretary may prescribe  
21 regulations to expeditiously implement the dem-  
22 onstration program under subsection (a).

23           (2) RULEMAKING.—The Secretary shall carry  
24 out paragraph (1)—



1 (A) by prescribing an interim final rule;  
2 and

3 (B) not later than 180 days after pre-  
4 scribing such interim final rule and considering  
5 public comments with respect to such interim  
6 final rule, by prescribing a final rule.

7 (g) DEFINITIONS.—In this section:

8 (1) The term “appropriate congressional com-  
9 mittees” means—

10 (A) the Committees on Armed Services,  
11 Ways and Means, and Energy and Commerce  
12 of the House of Representatives; and

13 (B) the Committees on Armed Services,  
14 Finance, and Health, Education, Labor, and  
15 Pensions of the Senate.

16 (2) The term “covered individual” means an in-  
17 dividual who—

18 (A) is a Medicare Advantage eligible indi-  
19 vidual (as defined in section 1851(a)(3) of the  
20 Social Security Act (42 U.S.C. 1395w-  
21 21(a)(3)));

22 (B) is enrolled in TRICARE for Life; and

23 (C) resides in a ZIP Code that is located—

24 (i) in a military health system region  
25 selected under subsection (b)(3); and

1 (ii) at least 40 miles from a military  
2 medical center or a military hospital de-  
3 scribed in subsections (b) and (c) of sec-  
4 tion 1073d of title 10, United States Code.

5 (3) The term “Medicare Advantage organiza-  
6 tion” has the meaning given that term in section  
7 1859 of the Social Security Act (42 U.S.C. 1395w-  
8 28).

9 (4) The term “Medicare Advantage plan”  
10 means a health plan under part C of title XVIII of  
11 the Social Security Act (42 U.S.C. 1395w-21 et  
12 seq.).

13 (5) The term “plan year” has the meaning  
14 given such term for purposes of such part.

15 (6) The term “Secretary” means the Secretary  
16 of Defense.

17 (7) The terms “TRICARE program” and  
18 “TRICARE for Life” have the meanings given those  
19 terms in section 1072 of title 10, United States  
20 Code.

1 **SEC. 702. PILOT PROGRAM ON TREATMENT OF MEMBERS**  
2 **OF THE ARMED FORCES FOR POST-TRAU-**  
3 **MATIC STRESS DISORDER RELATED TO MILI-**  
4 **TARY SEXUAL TRAUMA.**

5 (a) IN GENERAL.—The Secretary of Defense may  
6 carry out a pilot program to assess the feasibility and ad-  
7 visability of using intensive outpatient programs to treat  
8 members of the Armed Forces suffering from post-trau-  
9 matic stress disorder resulting from military sexual trau-  
10 ma, including treatment for substance abuse, depression,  
11 and other issues related to such conditions.

12 (b) DISCHARGE THROUGH PARTNERSHIPS.—The  
13 pilot program authorized by subsection (a) shall be carried  
14 out through partnerships with public, private, and non-  
15 profit health care organizations, universities, and institu-  
16 tions that—

17 (1) provide health care to members of the  
18 Armed Forces;

19 (2) provide evidence-based treatment for psy-  
20 chological and neurological conditions that are com-  
21 mon among members of the Armed Forces, includ-  
22 ing post-traumatic stress disorder, traumatic brain  
23 injury, substance abuse, and depression;

24 (3) provide health care, support, and other ben-  
25 efits to family members of members of the Armed  
26 Forces; and

1           (4) provide health care under the TRICARE  
2           program (as that term is defined in section 1072 of  
3           title 10, United States Code).

4           (c) PROGRAM ACTIVITIES.—Each organization or in-  
5           stitution that participates in a partnership under the pilot  
6           program authorized by subsection (a) shall—

7           (1) carry out intensive outpatient programs of  
8           short duration to treat members of the Armed  
9           Forces suffering from post-traumatic stress disorder  
10          resulting from military sexual trauma, including  
11          treatment for substance abuse, depression, and other  
12          issues related to such conditions;

13          (2) use evidence-based and evidence-informed  
14          treatment strategies in carrying out such programs;

15          (3) share clinical and outreach best practices  
16          with other organizations and institutions partici-  
17          pating in the pilot program; and

18          (4) annually assess outcomes for members of  
19          the Armed Forces individually and among the orga-  
20          nizations and institutions participating in the pilot  
21          program with respect to the treatment of conditions  
22          described in paragraph (1).

23          (d) EVALUATION METRICS.—Before commencement  
24          of the pilot program, the Secretary shall establish metrics

1 to be used to evaluate the effectiveness of the pilot pro-  
2 gram and the activities under the pilot program.

3 (e) REPORTS.—

4 (1) INITIAL REPORT.—Not later than 180 days  
5 after the date of the enactment of this Act, the Sec-  
6 retary shall submit to the Committees on Armed  
7 Services of the Senate and the House of Representa-  
8 tives a report on the pilot program authorized by  
9 subsection (a). The report shall include a description  
10 of the pilot program and such other matters on the  
11 pilot program as the Secretary considers appro-  
12 priate.

13 (2) FINAL REPORT.—Not later than 180 days  
14 after the cessation of the pilot program under sub-  
15 section (f), the Secretary shall submit to the com-  
16 mittees of Congress referred to in paragraph (1) a  
17 report on the pilot program. The report shall include  
18 the following:

19 (A) A description of the pilot program, in-  
20 cluding the partnership under the pilot program  
21 as described in subsection (b).

22 (B) An assessment of the effectiveness of  
23 the pilot program and the activities under the  
24 pilot program.

1           (C) Such recommendations for legislative  
2           or administrative action as the Secretary con-  
3           siders appropriate in light of the pilot program,  
4           including recommendations for extension or  
5           making permanent the authority for the pilot  
6           program.

7           (f) TERMINATION.—The Secretary may not carry out  
8           the pilot program authorized by subsection (a) after the  
9           date that is three years after the date of the enactment  
10          of this Act.

11       **SEC. 703. PILOT PROGRAM ON CRYOPRESERVATION AND**  
12                               **STORAGE.**

13          (a) IN GENERAL.—The Secretary of Defense shall es-  
14          tablish a pilot program to provide not greater than 1,000  
15          members of the Armed Forces on active duty in the Armed  
16          Forces with the opportunity to cryopreserve and store  
17          their gametes prior to deployment to a combat zone.

18          (b) PERIOD OF TIME.—

19               (1) IN GENERAL.—The Secretary shall provide  
20          for the cryopreservation and storage of gametes of  
21          a participating member of the Armed Forces under  
22          subsection (a), at no cost to the member, in a facil-  
23          ity of the Department of Defense or of a private en-  
24          tity pursuant to a contract under subsection (d)  
25          until the date that is one year after the retirement,

1 separation, or release of the member from the  
2 Armed Forces.

3 (2) CONTINUED CRYOPRESERVATION AND  
4 STORAGE.—At the end of the one-year period speci-  
5 fied in paragraph (1), the Secretary shall permit an  
6 individual whose gametes were cryopreserved and  
7 stored in a facility of the Department as described  
8 in that paragraph to select, including pursuant to an  
9 advance medical directive or military testamentary  
10 instrument completed under subsection (c), one of  
11 the following options:

12 (A) To continue such cryopreservation and  
13 storage in such facility with the cost of such  
14 cryopreservation and storage borne by the indi-  
15 vidual.

16 (B) To transfer the gametes to a private  
17 cryopreservation and storage facility selected by  
18 the individual.

19 (3) DISPOSAL OF GAMETES.—If an individual  
20 described in paragraph (2) does not make a selection  
21 under subparagraph (A) or (B) of such paragraph,  
22 the Secretary may dispose of the gametes of the in-  
23 dividual not earlier than the date that is 90 days  
24 after the end of the 1-year period specified in para-  
25 graph (1) with respect to the individual.

1           (c) ADVANCE MEDICAL DIRECTIVE AND MILITARY  
2 TESTAMENTARY INSTRUMENT.—A member of the Armed  
3 Forces who elects to cryopreserve and store their gametes  
4 under this section must complete an advance medical di-  
5 rective, as defined in section 1044c(b) of title 10, United  
6 States Code, and a military testamentary instrument, as  
7 defined in section 1044d(b) of such title, that explicitly  
8 specifies the use of their cryopreserved and stored gametes  
9 if such member dies or otherwise loses the capacity to con-  
10 sent to the use of their cryopreserved and stored gametes.

11           (d) AGREEMENTS.—To carry out this section, the  
12 Secretary may enter into agreements with private entities  
13 that provide cryopreservation and storage services for  
14 gametes.

15 **SEC. 704. MENTAL HEALTH ASSESSMENTS FOR MEMBERS**  
16                           **OF THE ARMED FORCES DEPLOYED IN SUP-**  
17                           **PORT OF A CONTINGENCY OPERATION.**

18           Section 1074m(a)(1)(B) of title 10, United States  
19 Code, is amended by striking “Until January 1, 2019,  
20 once” and inserting “Once”.



1 **SEC. 705. COUNSELING AND TREATMENT FOR SUBSTANCE**  
2 **USE DISORDERS AND CHRONIC PAIN MAN-**  
3 **AGEMENT SERVICES FOR MEMBERS WHO**  
4 **SEPARATE FROM THE ARMED FORCES.**

5 Section 1145(a)(6)(B)(i) of title 10, United States  
6 Code, is amended—

7 (1) in subclause (I)—

8 (A) by inserting “, substance use dis-  
9 order,” after “post-traumatic stress disorder”;  
10 and

11 (B) by striking “and” at the end;

12 (2) by redesignating subclause (II) as subclause  
13 (III); and

14 (3) by inserting after subclause (I) the fol-  
15 lowing:

16 “(II) chronic pain management  
17 services, including counseling and  
18 treatment of co-occurring mental  
19 health disorders and alternatives to  
20 opioid analgesics; and”.

1                   **Subtitle B—Health Care**  
2                   **Administration**

3 **SEC. 711. TRANSITION OF ADMINISTRATION BY DEFENSE**  
4                   **HEALTH AGENCY OF MILITARY MEDICAL**  
5                   **TREATMENT FACILITIES.**

6           Section 1073c(a) of title 10, United States Code, is  
7 amended—

8           (1) in paragraph (1), by striking “Beginning  
9           October 1, 2018,” and inserting “In accordance with  
10          paragraph (3), by not later than September 30,  
11          2020,”;

12          (2) by redesignating paragraphs (3) and (4) as  
13          paragraphs (4) and (5), respectively;

14          (3) by inserting after paragraph (2) the fol-  
15          lowing new paragraph (3):

16          “(3)(A) The Secretary of Defense shall establish a  
17          timeline to ensure that each Secretary of a military de-  
18          partment transitions the administration of military med-  
19          ical treatment facilities from the respective Secretary to  
20          the Director of the Defense Health Agency pursuant to  
21          paragraph (1) by the date specified in such paragraph.

22          “(B) In carrying out this subsection, and in addition  
23          to the requirements under section 1073d(e) of this title,  
24          the Secretary of Defense may not close any military med-  
25          ical treatment facility, limit the health services provided

1 by a military medical treatment facility, or take any action  
2 to begin such a closure or limitation, until the date on  
3 which the Secretary submits to the congressional defense  
4 committees a report containing the following:

5           “(i) A certification that each Secretary of a  
6           military department has completed the transition of  
7           the administration of each military medical treat-  
8           ment facility from the respective Secretary to the  
9           Director of the Defense Health Agency pursuant to  
10          paragraph (1).

11          “(ii) A description of the metrics used by the  
12          Secretary of Defense to ensure that such transition  
13          is completed.

14          “(iii) A description of a cohesive headquarters  
15          structure that delineates the roles and responsibil-  
16          ities for each military department, the Joint Staff  
17          Surgeon, and the Defense Health Agency.

18          “(iv) A description of the methodology and cri-  
19          teria used by the Secretary to make decisions to  
20          close any military medical treatment facility or limit  
21          the health services provided by a military medical  
22          treatment facility, including input from the affected  
23          military department.

24          “(C) Not later than January 31, 2019, and every 6  
25 months thereafter through September 30, 2020, the Di-

1 rector of the Defense Health Agency shall provide a brief-  
2 ing to the congressional defense committees on the  
3 progress of the transition under this paragraph.”; and

4 (4) in paragraph (3), as so redesignated, by  
5 striking “subsection (a)” and inserting “paragraph  
6 (1)”.

7 **SEC. 712. SHARING INFORMATION WITH STATE PRESCRIP-**  
8 **TION DRUG MONITORING PROGRAMS.**

9 (a) ESTABLISHMENT.—Section 1074g of title 10,  
10 United States Code, is amended—

11 (1) by redesignating subsections (g) and (h) as  
12 subsections (h) and (i), respectively; and

13 (2) by inserting after subsection (f) the fol-  
14 lowing new subsection:

15 “(g) SHARING INFORMATION WITH STATE PRE-  
16 SCRIPTON DRUG MONITORING PROGRAMS.—(1) The Sec-  
17 retary shall establish and operate a prescription drug mon-  
18 itoring program (to be known as the Military Health Sys-  
19 tem Prescription Drug Monitoring Program) for prescrip-  
20 tion drugs provided through facilities of the uniformed  
21 services.

22 “(2) The Secretary shall ensure that the program es-  
23 tablished under paragraph (1)—

24 “(A) is comparable to prescription drug moni-  
25 toring programs operated by States; and

1           “(B) covers prescription drugs provided under  
2           the pharmacy benefits program that are controlled  
3           substances.

4           “(3)(A) In carrying out the program established  
5           under paragraph (1), the Secretary shall establish appro-  
6           priate procedures for sharing between the program and  
7           State prescription drug monitoring programs patient-spe-  
8           cific information regarding prescription drugs that are  
9           controlled substances to prevent the misuse and diversion  
10          of opioid medications and other controlled substances.

11          “(B) For purposes of the regulations promulgated  
12          under section 264(e) of the Health Insurance Portability  
13          and Accountability Act of 1996 (Public Law 104–191; 42  
14          U.S.C. 1320d–2 note), any disclosure of patient-specific  
15          information by the Secretary under subparagraph (A)  
16          shall be treated as a permitted disclosure.

17          “(C) The Secretary shall include in the procedures  
18          established under subparagraph (A) appropriate safe-  
19          guards, as determined by the Secretary, concerning the  
20          cybersecurity of information systems of the Department  
21          of Defense systems and the operational security of per-  
22          sonnel of the Department.

23          “(4) In this subsection, the term ‘controlled sub-  
24          stance’ has the meaning given that term in section 102  
25          of the Controlled Substances Act (21 U.S.C. 802).”.

1 (b) BRIEFING.—Not later than one year after the  
2 date of the enactment of this Act, the Secretary of Defense  
3 shall provide to the Committees on Armed Services of the  
4 House of Representatives and the Senate a briefing on the  
5 implementation of the program established under section  
6 1074g(g) of title 10, United States Code, as added by sub-  
7 section (a).

8 (c) CONFORMING AMENDMENTS.—

9 (1) TITLE 10, UNITED STATES CODE.—Section  
10 1079(q) of title 10, United States Code, is amended  
11 by striking “section 1074g(g)” and inserting “sec-  
12 tion 1074g(h)”.

13 (2) FY16 NDAA.—Section 715(e)(2) of the Na-  
14 tional Defense Authorization Act for Fiscal Year  
15 2016 (Public Law 114–92; 10 U.S.C. 1074g note)  
16 is amended by striking “section 1074g(g)” and in-  
17 serting “section 1074g(h)”.

18 (3) FY17 NDAA.—Section 745(b) of the Na-  
19 tional Defense Authorization Act for Fiscal Year  
20 2017 (Public Law 114–328; 10 U.S.C. 1074 note)  
21 is amended by striking “section 1074g(g)” and in-  
22 serting “section 1074g(h)”.

1 **SEC. 713. IMPROVEMENT TO NOTIFICATION TO CONGRESS**  
2 **OF HOSPITALIZATION OF COMBAT-WOUNDED**  
3 **MEMBERS OF THE ARMED FORCES.**

4 Section 1074l(a) of title 10, United States Code, is  
5 amended by striking “admitted to a military treatment fa-  
6 cility within the United States” and inserting “admitted  
7 to any military medical treatment facility”.

8 **SEC. 714. IMPROVEMENTS TO TRAUMA CENTER PARTNER-**  
9 **SHIPS.**

10 Section 708(c) of the National Defense Authorization  
11 Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.  
12 1071 note) is amended—

13 (1) in paragraph (1), by striking “large metro-  
14 politan teaching hospitals that have level I civilian”;

15 (2) in paragraph (2)—

16 (A) by striking “with civilian academic  
17 medical centers and large metropolitan teaching  
18 hospitals”; and

19 (B) by striking “the trauma centers of the  
20 medical centers and hospitals” and inserting  
21 “trauma centers”; and

22 (3) in paragraph (3), by striking “large metro-  
23 politan teaching hospitals” and inserting “trauma  
24 centers”.

1 **SEC. 715. WOUNDED WARRIOR POLICY REVIEW.**

2 (a) IN GENERAL.—Not later than 180 days after the  
3 date of the enactment of this Act, the Secretary of Defense  
4 shall review and update policies and procedures relating  
5 to the care and management of recovering service mem-  
6 bers. In conducting such review, the Secretary shall con-  
7 sider best practices—

8 (1) in the care of recovering service members;

9 (2) in the administrative management relating  
10 to such care;

11 (3) to carry out applicable provisions of Federal  
12 law; and

13 (4) recommended by the Comptroller General of  
14 the United States in the report titled “Army Needs  
15 to Improve Oversight of Warrior Transition Units”.

16 (b) SCOPE OF POLICY.—In carrying out subsection  
17 (a), the Secretary shall update policies of the Department  
18 of Defense with respect to each of the following:

19 (1) The case management coordination of mem-  
20 bers of the Armed Forces between the military de-  
21 partments and the military medical treatment facili-  
22 ties administered by the Director of the Defense  
23 Health Agency pursuant to section 1073c of title 10,  
24 United States Code, including with respect to the co-  
25 ordination of—

26 (A) appointments;



- 1 (B) rehabilitative services;
- 2 (C) recuperation in an outpatient status;
- 3 (D) contract care provided by a private
- 4 health care provider outside of a military med-
- 5 ical treatment facility;
- 6 (E) the disability evaluation system; and
- 7 (F) other administrative functions relating
- 8 to the military department.

9 (2) The transition of a member of the Armed

10 Forces who is retired under chapter 61 of title 10,

11 United States Code, from receiving treatment fur-

12 nished by the Secretary of Defense to treatment fur-

13 nished by the Secretary of Veterans Affairs.

14 (3) Facility standards related to lodging and

15 accommodations for recovering service members and

16 the family members and non-medical attendants of

17 such recovering service members.

18 (c) REPORT.—Not later than 1 year after the date

19 of the enactment of this Act, the Secretary of Defense and

20 Secretaries of the military departments shall jointly sub-

21 mit to the Committees on Armed Services of the Senate

22 and House of Representatives a report on the review con-

23 ducted under subsection (a), including a description of the

24 policies updated pursuant to subsection (b).

1 (d) DEFINITIONS.—In this section, the terms “dis-  
2 ability evaluation system”, “outpatient status”, and “re-  
3 covering service members” have the meaning given those  
4 terms in section 1602 of the Wounded Warrior Act (title  
5 XVI of Public Law 110–181; 10 U.S.C. 1071 note).

6 **SEC. 716. JOINT FORCE MEDICAL CAPABILITIES DEVELOP-**  
7 **MENT AND STANDARDIZATION.**

8 (a) DEVELOPMENT.—The Secretary of Defense, in  
9 coordination with the Secretaries of the military depart-  
10 ments and the Chairman of the Joint Chiefs of Staff, shall  
11 develop a process to establish required joint medical capa-  
12 bilities for members of the Armed Forces that meet the  
13 operational planning requirements of the combatant com-  
14 mands.

15 (b) PROCESS.—The process developed under sub-  
16 section (a) shall include—

17 (1) the development of a joint medical estimate  
18 to determine the medical requirements for treating  
19 members of the Armed Forces who are wounded, ill,  
20 or injured during military operations, including with  
21 respect to environmental health and force health  
22 protection.

23 (2) a process to review and revise military  
24 health related mission essential tasks that are

1 aligned with health professional knowledge, skills,  
2 and abilities; and

3 (3) a process to standardize the interoperability  
4 of medical equipment and capabilities to the greatest  
5 extent practicable to support the joint force.

6 (c) REPORT.—Not later than March 1, 2019, the  
7 Secretary of Defense shall submit to the Committees on  
8 Armed Services of the Senate and House of Representa-  
9 tives a report describing the process developed under sub-  
10 section (a).

11 **SEC. 717. BURN PATIENT TRANSFER SYSTEM.**

12 The Secretary of Defense may develop a burn patient  
13 transfer system, including any required hardware and  
14 software, that would provide a platform for reporting im-  
15 mediate and surge bed availability and that would elec-  
16 tronically match patient acuity with open beds at other  
17 military and civilian burn centers.

18 **SEC. 718. REPORT ON MHS GENESIS ELECTRONIC HEALTH**  
19 **RECORD SYSTEM.**

20 Not later than 90 days after the date of the enact-  
21 ment of this Act, the Secretary of Defense shall submit  
22 to the congressional defense committees a report outlining  
23 the corrective actions that were taken based on the results  
24 of the Initial Operational Test and Evaluation Report  
25 prior to fielding the electronic health record system known

1 as MHS Genesis to additional military medical treatment  
2 facilities beyond such facilities participating in the initial  
3 operational testing and evaluation of MHS Genesis.

## 4           **Subtitle C—Reports and Other** 5                           **Matters**

### 6   **SEC. 721. ESTABLISHMENT OF TRISERVICE DENTAL RE-** 7                           **SEARCH PROGRAM.**

8           (a) IN GENERAL.—Chapter 104 of title 10, United  
9 States Code, is amended by adding at the end the fol-  
10 lowing new section:

#### 11   **“§ 2117. Military dental research**

12           “(a) DEFINITIONS.—In this section:

13                   “(1) The term ‘military dental research’ means  
14 research on the furnishing of care and services by  
15 dentists in the armed forces.

16                   “(2) The term ‘TriService Dental Research  
17 Program’ means the program of military dental re-  
18 search authorized under this section.

19           “(b) PROGRAM AUTHORIZED.—The Secretary of De-  
20 fense may establish at the University a program of mili-  
21 tary dental research.

22           “(c) TRISERVICE RESEARCH GROUP.—The  
23 TriService Dental Research Program shall be adminis-  
24 tered by a TriService Dental Research Group composed  
25 of Army, Navy, and Air Force dentists who are involved

1 in military dental research and are designated by the Sec-  
2 retary concerned to serve as members of the group.

3 “(d) DUTIES OF GROUP.—The TriService Dental Re-  
4 search Group shall—

5 “(1) develop for the Department of Defense  
6 recommended guidelines for requesting, reviewing,  
7 and funding proposed military dental research  
8 projects; and

9 “(2) make available to Army, Navy, and Air  
10 Force dentists and Department of Defense officials  
11 concerned with military dental research—

12 “(A) information about dental research  
13 projects that are being developed or carried out  
14 in the Army, Navy, and Air Force; and

15 “(B) expertise and information beneficial  
16 to the encouragement of meaningful dental re-  
17 search.

18 “(e) RESEARCH TOPICS.—For purposes of this sec-  
19 tion, military dental research includes research on the fol-  
20 lowing issues:

21 “(1) Issues regarding how to improve the re-  
22 sults of dental care and services provided in the  
23 armed forces in time of peace.

1           “(2) Issues regarding how to improve the re-  
2           sults of dental care and services provided in the  
3           armed forces in time of war.

4           “(3) Issues regarding how to improve methods  
5           of training dental personnel.”.

6           (b) CLERICAL AMENDMENT.—The table of sections  
7           at the beginning of such chapter is amended by inserting  
8           after the item relating to section 2116 the following new  
9           section:

          “2117. Military dental research.”.

10 **SEC. 722. INCREASING THE NUMBER OF APPOINTED DIREC-**  
11 **TORS OF THE HENRY M. JACKSON FOUNDA-**  
12 **TION FOR THE ADVANCEMENT OF MILITARY**  
13 **MEDICINE.**

14           Section 178(c)(1)(C) of title 10, United States Code,  
15           is amended to read as follows:

16           “(C) six members appointed by the ex offi-  
17           cio members of the Council designated in sub-  
18           paragraphs (A) and (B).”.

19 **SEC. 723. EXTENSION OF AUTHORITY FOR JOINT DEPART-**  
20 **MENT OF DEFENSE- DEPARTMENT OF VET-**  
21 **ERANS AFFAIRS MEDICAL FACILITY DEM-**  
22 **ONSTRATION FUND.**

23           Section 1704(e) of the National Defense Authoriza-  
24           tion Act for Fiscal Year 2010 (Public Law 111–84; 123  
25           Stat. 2573), as most recently amended by section 719 of

1 the National Defense Authorization Act for Fiscal Year  
2 2018 (Public Law 115–91; 131 Stat. 1440), is further  
3 amended by striking “September 30, 2019” and inserting  
4 “September 30, 2020”.

5 **SEC. 724. INCLUSION OF GAMBLING DISORDER IN HEALTH**  
6 **ASSESSMENTS AND RELATED RESEARCH EF-**  
7 **FORTS OF THE DEPARTMENT OF DEFENSE.**

8 (a) ANNUAL PERIODIC HEALTH ASSESSMENT.—The  
9 Secretary of Defense shall incorporate medical screening  
10 questions specific to gambling disorder into annual peri-  
11 odic health assessments conducted by the Department of  
12 Defense for members of the Armed Forces.

13 (b) RESEARCH EFFORTS.—The Secretary shall incor-  
14 porate into ongoing research efforts of the Department  
15 questions on gambling disorder, as appropriate, including  
16 by restoring such questions into the Health Related Be-  
17 haviors Survey of Active Duty Military Personnel.

18 **SEC. 725. MEDICAL SIMULATION TECHNOLOGY AND LIVE**  
19 **TISSUE TRAINING WITHIN THE DEPARTMENT**  
20 **OF DEFENSE.**

21 (a) IN GENERAL.—

22 (1) USE OF SIMULATION TECHNOLOGY.—Ex-  
23 cept as provided by paragraph (2), the Secretary of  
24 Defense shall use medical simulation technology be-  
25 fore the use of live tissue training to train medical

1 professionals and combat medics of the Department  
2 of Defense.

3 (2) DETERMINATION.— The use of live tissue  
4 training within the Department of Defense may be  
5 used as determined necessary by the medical chain  
6 of command.

7 (b) BRIEFING.—Not later than 180 days after the  
8 date of the enactment of this Act, the Secretary of De-  
9 fense, in consultation with the Chairman of the Joint  
10 Chiefs of Staff and the Secretaries of the military depart-  
11 ments, shall provide a briefing to the Committees on  
12 Armed Services of the House of Representatives and the  
13 Senate on the use and benefit of medical simulation tech-  
14 nology and live tissue training within the Department of  
15 Defense to train medical professionals, combat medics,  
16 and members of the Special Operations Forces.

17 (c) ELEMENTS.—The briefing under subsection (b)  
18 shall include the following:

19 (1) A discussion of the benefits and needs of  
20 both medical simulation technology and live tissue  
21 training.

22 (2) Ways and means to enhance and advance  
23 the use of simulation technologies in training.

24 (3) An assessment of current medical simula-  
25 tion technology requirements, gaps, and limitations.



1           (4) An overview of Department of Defense med-  
2           ical training programs, as of the date of the briefing,  
3           that use live tissue training and medical simulation  
4           technologies.

5           (5) Any other matters the Secretary determines  
6           appropriate.

7 **SEC. 726. LIMITATION ON CHANGES TO FEDERAL EMER-**  
8                                   **GENCY SERVICES CERTIFICATION LEVELS OF**  
9                                   **THE AIR FORCE.**

10          The Secretary of the Air Force may not transition  
11 Federal Emergency Services certification levels from  
12 Emergency Medical Technician level to Emergency Med-  
13 ical Responder level until the Secretary submits to the  
14 congressional defense committees a report that contains  
15 the following:

16           (1) Details on the process and factors the Air  
17          Force Emergency Medical Services Working Group  
18          used and considered to determine which military in-  
19          stallations would be required to transition Federal  
20          Emergency Services certification levels from Emer-  
21          gency Medical Technician level to Emergency Med-  
22          ical Responder level.

23           (2) The required base and community emer-  
24          gency response standards the Air Force Emergency  
25          Medical Services Working Group based such transi-

1       tion on, including information on where these stand-  
2       ards are defined and how these standards were de-  
3       veloped.

4           (3) Information on how the Air Force will meet  
5       the needs of trench rescue, water rescue, high angle  
6       rescue, and confined space rescue pursuant to De-  
7       partment of Defense Instructions with less Emer-  
8       gency Medical Technician certified personnel.

9           (4) Information on the required response time  
10      standard for advanced life support and how the Air  
11      Force Emergency Medical Services Working Group  
12      determined a military installation could meet this  
13      standard.

14          (5) Details on any contingency plans the Air  
15      Force has developed when basic and advance life  
16      support care and ambulance transport are unavail-  
17      able as a result of these resources being used to  
18      transport patients to medical facilities located off the  
19      military installation.

20   **SEC. 727. STRATEGIC MEDICAL RESEARCH PLAN.**

21      (a) PLAN.—Not later than 30 days after the date on  
22      which the budget of the President for fiscal year 2020 is  
23      submitted to Congress pursuant to section 1105 of title  
24      31, United States Code, the Secretary of Defense, in con-  
25      sultation with the Secretaries of the military departments,

1 shall submit to the congressional defense committees a  
2 comprehensive strategic medical research plan.

3 (b) MATTERS INCLUDED.—The plan under sub-  
4 section (a) shall include the following:

5 (1) A description of all medical research focus  
6 areas of the Department of Defense and a descrip-  
7 tion of the coordination process to ensure the focus  
8 areas are linked to military readiness, joint force re-  
9 quirements, and relevance to individuals eligible for  
10 care at military medical treatment facilities or  
11 through the TRICARE program.

12 (2) A description of the medical research  
13 projects funded under the Defense Health Program  
14 account and the projects under the Congressional  
15 Directed Medical Research Programs.

16 (3) A description of the process to ensure syn-  
17 ergy across the military medical research community  
18 to address gaps in military medical research, mini-  
19 mize duplication of research, and to promote collabo-  
20 ration within research focus areas.

21 (4) A description of the efforts of the Secretary  
22 to coordinate with other departments and agencies  
23 of the Federal Government to increase awareness of  
24 complementary medical research efforts that are  
25 being carried out through the Federal Government.

1 **SEC. 728. INDEPENDENT EVALUATION OF MENTAL HEALTH**  
2 **CARE.**

3 (a) **IN GENERAL.**—The Secretary of Defense shall  
4 seek to enter into an agreement with a federally funded  
5 research and development center to evaluate the manage-  
6 ment of mental health care by the Defense Health Agency  
7 pursuant to section 1073c(a) of title 10, United States  
8 Code.

9 (b) **SELECTION.**—The Secretary shall select a feder-  
10 ally funded research and development center under sub-  
11 section (a) that has expertise and a record of independent,  
12 peer-reviewed publications with respect to—

13 (1) behavioral health research; and

14 (2) independent evaluations of mental health  
15 programs within the Department of Defense using  
16 multidisciplinary methods.

17 (c) **MATTERS INCLUDED.**—The evaluation under sub-  
18 section (a) shall include the following:

19 (1) An assessment of the management of men-  
20 tal health care by the Defense Health Agency, in-  
21 cluding—

22 (A) how mental health care providers will  
23 be arranged within the command structure of  
24 the Agency; and

25 (B) how mental health care policy and  
26 processes will be managed within the Agency.

1           (2) An assessment of the ability of each Sur-  
2           geon General of the military departments to main-  
3           tain the readiness of the military health workforce to  
4           deliver mental health care services operationally in  
5           support of deployed forces.

6           (3) An assessment of the coordination of behav-  
7           ioral health research efforts across the research con-  
8           tinuum.

9           (4) An assessment of the inclusion of evidence-  
10          based suicide prevention programs.

11          (5) A description of new processes to accelerate  
12          scientific research and delivery of breakthrough  
13          therapies for traumatic brain injury, chronic trau-  
14          matic encephalopathy, and post-traumatic stress dis-  
15          order.

16          (6) Plans to field medical devices approved by  
17          the Food and Drug Administration that provide cli-  
18          nicians with rapid, accurate assessments of trau-  
19          matic brain injury.

20          (d) SUBMISSION.—Not later than April 1, 2019, the  
21          Secretary shall submit to the congressional defense com-  
22          mittees a report on the evaluation under subsection (a).

1 **SEC. 729. STUDY ON REIMBURSEMENT RATES FOR MENTAL**  
2 **HEALTH CARE PROVIDERS UNDER TRICARE**  
3 **PRIME AND TRICARE SELECT IN THE EAST**  
4 **AND WEST REGIONS OF THE TRICARE PRO-**  
5 **GRAM.**

6 (a) **STUDY.**—The Secretary of Defense shall conduct  
7 a study assessing the impact of using established rates to  
8 reimburse covered mental health care providers on the  
9 availability of such providers.

10 (b) **ELEMENTS.**—The study under subsection (a)  
11 shall include the following:

12 (1) An evaluation of—

13 (A) whether there are enough covered men-  
14 tal health care providers to adequately serve the  
15 beneficiaries under TRICARE Prime and the  
16 beneficiaries under TRICARE Select of each lo-  
17 cality in the East and West regions of the  
18 TRICARE program, including in rural commu-  
19 nities in such regions; and

20 (B) whether the requirements under sec-  
21 tions 1079(h)(1) and 1097b of title 10, United  
22 States Code, to use established rates to reim-  
23 burse covered mental health care providers lim-  
24 its the number of covered health care providers  
25 serving each locality in the East and West re-

1           gions of the TRICARE program, including in  
2           rural communities in such regions.

3           (2) An assessment of the impact of using estab-  
4           lished rates to reimburse covered mental health care  
5           providers on—

6                   (A) the ability of beneficiaries under  
7           TRICARE Prime and beneficiaries under  
8           TRICARE Select beneficiaries to access appro-  
9           priate and timely mental health care in accord-  
10          ance with section 199.17 of title 32, Code of  
11          Federal Regulations; and

12                   (B) the availability of services provided by  
13          mental health care providers that are needed by  
14          members of the Armed Forces to be medically  
15          ready.

16          (3) Information about instances in which the  
17          Secretary provided or applied exceptions to estab-  
18          lished rates pursuant to sections 1079(h)(2) of title  
19          10, United States Code, to increase the number of  
20          covered mental health care providers.

21          (4) A description of how the Secretary solicits  
22          and collects feedback from covered mental health  
23          care providers on established rates.

24          (5) A list of actions the Secretary has taken to  
25          address such feedback.

1           (6) Any legislative, regulatory, or policy rec-  
2           ommendations that are necessary to improve the  
3           overall medical readiness of Armed Forces.

4           (c) REPORT.—Not later than 1 year after the date  
5           of the enactment of this Act, the Secretary shall submit  
6           to the Committee on Armed Services of the House of Rep-  
7           resentatives and the Committee on the Armed Services of  
8           the Senate a report on the results of the study required  
9           under subsection (a).

10          (d) BRIEFING.—Not later than 60 days after the date  
11          on which the report required under subsection (c) is sub-  
12          mitted to the Committee on Armed Services of the House  
13          of Representatives and the Committee on Armed Services  
14          of the Senate, the Secretary shall provide a briefing to  
15          such committees on the results of the study required under  
16          subsection (a).

17          (e) COMPTROLLER GENERAL REVIEW AND RE-  
18          PORT.—Not later than 180 days after the date on which  
19          the report under subsection (c) is submitted to the Com-  
20          mittee on Armed Services of the House of Representatives  
21          and the Committee on Armed Services of the Senate, the  
22          Comptroller General of the United States shall—

23                 (1) review the report required under subsection  
24                 (c); and



1           (2) submit to the Committee on Armed Services  
2 of the House of Representatives and the Committee  
3 on Armed Services of the Senate an assessment of—

4           (A) whether the results of the study re-  
5 quired under subsection (a) are supported by  
6 the data and information examined in the study  
7 required under subsection (a); and

8           (B) the feasibility of any recommendations  
9 identified by the Secretary under subsection  
10 (b)(6).

11 (f) DEFINITIONS.—In this section:

12           (1) The term “established rate” means the pay-  
13 ment amount determined by the Secretary pursuant  
14 to sections 1079(h)(1) and 1097b of title 10, United  
15 States Code, and section 199.14 of title 32, Code of  
16 Federal Regulations.

17           (2) The term “covered mental health care pro-  
18 vider” means a mental health care provider under  
19 TRICARE Prime and TRICARE Select in the East  
20 and West regions of the TRICARE program.

21           (3) The term “mental health care provider”  
22 means a psychiatrist, clinical psychologist, certified  
23 psychiatric nurse specialist, certified clinical social  
24 worker, certified marriage and family therapist,  
25 TRICARE certified mental health counselor, pas-

1       toral counselor under the supervision of a physician,  
2       and supervised mental health counselor under the  
3       supervision of a physician.

4               (4) The term locality means a geographic loca-  
5       tion—

6                       (A) designated as a Prime Service Area  
7       under section 199.17(b)(1) of title 32, Code of  
8       Federal Regulations; and

9                       (B) in which the Secretary entered into a  
10       contract under chapter 55 of title 10, United  
11       States Code, with a contractor under the  
12       TRICARE program to provide health care serv-  
13       ices to beneficiaries by TRICARE-authorized ci-  
14       vilian health care providers.

15               (5) The terms “TRICARE Prime” and  
16       “TRICARE Select” have the meanings given those  
17       terms in section 1072 of title 10, United States  
18       Code.

19 **SEC. 730. STUDY ON THE TREATMENT OF TRICARE BENE-**  
20 **FICIARIES WHO ARE RESIDENTS OF PUERTO**  
21 **RICO.**

22       (a) **STUDY.**—The Secretary of Defense, and with re-  
23       spect to members of the Coast Guard, in coordination with  
24       the Secretary of the Department in which the Coast Guard  
25       is operating when it is not operating as a service in the

1 Navy, shall conduct a study on the feasibility and effect  
2 of extending the eligibility to enroll in, and the coverage  
3 of, TRICARE Prime to members of the Armed Forces and  
4 covered beneficiaries who reside in Puerto Rico to the  
5 same degree that a covered beneficiary who resides in any  
6 of the several States may enroll in TRICARE Prime.

7 (b) ELEMENTS.—The study under subsection (a)  
8 shall address the following:

9 (1) The requirements, as of the date of the  
10 study, for a covered beneficiary to be eligible to en-  
11 roll in the TRICARE program in Puerto Rico.

12 (2) The number of—

13 (A) covered beneficiaries who are enrolled  
14 in the TRICARE program who reside in Puerto  
15 Rico; and

16 (B) such covered beneficiaries who would  
17 potentially enroll in TRICARE Prime if the  
18 Secretary extends TRICARE Prime as de-  
19 scribed in subsection (a).

20 (3) The demographic distribution of covered  
21 beneficiaries who reside in Puerto Rico.

22 (4) The access of such covered beneficiaries to  
23 health care networks, including trauma care centers,  
24 as of the date of the study.

25 (5) The quality of such health care networks.

1           (6) The costs and timeline requirements for ex-  
2           tending TRICARE Prime as described in subsection  
3           (a).

4           (7) The feasibility of using medical resources of  
5           the Department of Defense to cover gaps in service  
6           availability in Puerto Rico if such extension does not  
7           occur.

8           (c) SUBMISSION.—Not later than 90 days after the  
9           date of the enactment of this Act, the Secretary shall sub-  
10          mit to the congressional defense committees a report on  
11          the study under subsection (a).

12          (d) DEFINITIONS.—In this section, the terms “cov-  
13          ered beneficiary”, “TRICARE Prime”, and “TRICARE  
14          program” have the meanings given those terms in section  
15          1072 of title 10, United States Code.

16          **SEC. 731. STUDY ON HEALTH EFFECTS RELATING TO AC-**  
17   **TIVITY OF THE ARMED FORCES ON VIEQUES.**

18          Not later than 180 days after the date of the enact-  
19          ment of this Act, the Comptroller General of the United  
20          States shall submit to the congressional defense commit-  
21          tees a report containing a study of the health effects of  
22          the live-fire training at Vieques Naval Training Range  
23          conducted by the Navy before 2002 and other activities  
24          of the Armed Forces on the island of Vieques, Puerto

1 Rico. The study shall include a comprehensive analysis of  
2 the following:

3           (1) The immediate health effects of such train-  
4           ing and activity on the residents of Vieques.

5           (2) The long-term health effects of such train-  
6           ing and activity on the residents of Vieques.

7           (3) The potential ongoing health effects caused  
8           by any contamination relating to such training and  
9           activity.

10 **SEC. 732. STRATEGY TO RECRUIT AND RETAIN MENTAL**  
11 **HEALTH PROVIDERS.**

12           Not later than 180 days after the date of the enact-  
13           ment of this Act, the Secretary of Defense shall submit  
14           to the congressional defense committees a report that—

15           (1) describes the shortage of mental health pro-  
16           viders of the Department of Defense;

17           (2) explains the reasons for such shortage;

18           (3) explains the effect of such shortage on  
19           members of the Armed Forces; and

20           (4) contains a strategy to better recruit and re-  
21           tain mental health providers, including with respect  
22           to psychiatrists, psychologists, mental health nurse  
23           practitioners, licensed social workers, and other li-  
24           censed providers of the military health system.

1 **SEC. 733. STUDY ON EARNING BY SPECIAL OPERATIONS**  
2 **FORCES MEDICS OF CREDITS TOWARDS A**  
3 **PHYSICIAN ASSISTANT DEGREE.**

4 (a) STUDY.—The Secretary of Defense shall conduct  
5 a study to assess the feasibility and advisability of estab-  
6 lishing partnerships between special operations forces and  
7 institutions of higher education, and health care systems  
8 if determined appropriate by the Secretary, through which  
9 special operations forces medics earn credit toward the  
10 master’s degree of physician assistant for military oper-  
11 ational work and training performed by the medics.

12 (b) ELEMENTS.—The study under subsection (a)  
13 shall include the following:

14 (1) The feasibility with respect to establishing  
15 partnerships described in subsection (a) that permit  
16 medics to conduct clinical training at medical facili-  
17 ties of the Department of Defense and the civilian  
18 sector in order to meet the increasing demand for  
19 highly trained health care providers at such facili-  
20 ties.

21 (2) How partnerships described in subsection  
22 (a) will ensure that the evaluation of work and train-  
23 ing performed by medics for which credits are  
24 earned comply with civilian clinical evaluation stand-  
25 ards applicable to the awarding of master’s degrees  
26 of physician assistant.

1           (3) How the Secretary can leverage the physi-  
2           cian assistant program at the Uniformed Services  
3           University to coordinate such partnerships and as-  
4           sist with credits.

5           (c) REPORT.—Not later than 180 days after the date  
6 of the enactment of this Act, the Secretary of Defense  
7 shall submit to the Committees on Armed Services of the  
8 Senate and the House of Representative a report on the  
9 study under subsection (a).

10 **SEC. 734. STUDY OF DRUG SHORTAGES AND IMPACT ON**  
11 **MEMBERS OF THE ARMED FORCES.**

12           (a) CONGRESSIONAL FINDINGS.—The Congress finds  
13 the following:

14           (1) Shortages of critical medical drugs used for  
15           surgery and emergency care have increased signifi-  
16           cantly during 2017 and 2018.

17           (2) Reports from physicians have identified crit-  
18           ical drugs such as dilaudid, bupivacaine, morphine,  
19           and epinephrine as important commonly needed  
20           drugs in shortage.

21           (3) Health care providers for the Armed Forces  
22           use the same drugs as civilian health care providers  
23           and are experiencing similar shortages in surgical  
24           facilities.

1           (4) Such shortages could compromise the qual-  
2           ity of care available to members of the Armed  
3           Forces.

4           (b) STUDY.—The Secretary of Defense shall conduct  
5           a study of shortages of drugs used in the surgical and  
6           emergency settings of military facilities—

7           (1) to determine if the quality or safety of mili-  
8           tary health care has been compromised by such  
9           shortages;

10          (2) to identify and examine supply chain issues  
11          related to the availability of drugs used for surgery  
12          and emergency care; and

13          (3) to identify and examine the impact of short-  
14          ages on care for military patients.

15          (c) CONSULTATION.—In conducting the study under  
16          subsection (b), the Secretary shall consult with the Com-  
17          missioner of Food and Drugs, the Administrator of the  
18          Drug Enforcement Administration, and such other stake-  
19          holders as the Secretary considers relevant to the study,  
20          including physician organizations and drug manufactur-  
21          ers.

22          (d) REPORT.—Not later than the expiration of the  
23          12-month period beginning on the date of the enactment  
24          of this Act, the Secretary shall submit a report to the Con-  
25          gress describing the study under this section and setting



1 forth any conclusions and recommendations resulting from  
2 the study.

3 **SEC. 735. PROVISION OF INFORMATION TO DEPARTMENT**  
4 **OF VETERANS AFFAIRS REGARDING MHS**  
5 **GENESIS ELECTRONIC HEALTH RECORD SYS-**  
6 **TEM.**

7 The Secretary of Defense shall transmit to the Sec-  
8 retary of Veterans Affairs a report detailing lessons  
9 learned by the Secretary of Defense with respect to suc-  
10 cessfully remediating concerns found during the initial  
11 operational testing and evaluation of the electronic health  
12 record system known as MHS Genesis.

13 **SEC. 736. REPORT REGARDING OPIOID PREVENTION AND**  
14 **TREATMENT FOR DEPENDENTS OF MEMBERS**  
15 **OF THE ARMED FORCES.**

16 The Secretary of Defense shall prepare and submit  
17 a report to congressional defense committees regarding  
18 the actions the Department of Defense is taking to prevent  
19 and treat opioid use among the dependents of members  
20 of the Armed Forces. Such report shall include how infor-  
21 mation is shared between military medical treatment fa-  
22 cilities across the country, what counseling services are  
23 available to dependents and how such services are pub-  
24 lished, and a plan for intervention strategies to prevent  
25 opioid use and abuse.

1 **SEC. 737. MONITORING MEDICATION PRESCRIBING PRACTICES FOR THE TREATMENT OF POST-TRAUMATIC STRESS DISORDER.**

2  
3  
4 (a) REPORT.—

5 (1) IN GENERAL.—Not later than 180 days  
6 after the date of enactment of this Act, the Secretary of Defense shall submit to the Committees on  
7 Armed Services of the House of Representatives and  
8 Senate a report on the practices for prescribing  
9 medication during the period beginning January 1,  
10 2012, and ending December 31, 2017, that were inconsistent with the post-traumatic stress disorder  
11 medication guidelines developed by the Department  
12 of Defense and the Veterans Health Administration.

13  
14  
15 (2) CONTENTS.—The report under this subsection shall include the following:

16  
17 (A) A summary of the Army's, the Navy's,  
18 and the Air Force's practices for prescribing  
19 medication during the period referred to in  
20 paragraph (1) that were inconsistent with the  
21 post-traumatic stress disorder medication guidelines developed by the Department of Defense  
22 and the Veterans Health Administration.

23  
24 (B) Identification of medical centers serving  
25 members of the Armed Forces found to  
26 having higher than average incidences of pre-

1           scribing medication during the period referred  
2           to in paragraph (1) that were inconsistent with  
3           the post-traumatic stress disorder guidelines.

4           (C) A plan for such medical centers to re-  
5           duce the prescribing of medications that are in-  
6           consistent with the post-traumatic stress dis-  
7           order guidelines.

8           (D) A plan for ongoing monitoring of med-  
9           ical centers found to have higher than average  
10          incidences of prescribing medication that were  
11          inconsistent with the post-traumatic stress dis-  
12          order guidelines by the Department of Defense  
13          and the Veterans Health Administration.

14          (b) MONITORING PROGRAM.—Based on the findings  
15          of the report under subsection (a), the Secretaries of the  
16          Army, the Navy, and the Air Force shall each establish  
17          a monitoring program carried out with respect to such  
18          branch of the Armed Forces shall provide as follows:

19               (1) The monitoring program shall provide for  
20               the conduct of periodic reviews, beginning October 1,  
21               2019, of medication prescribing practices of its own  
22               providers.

23               (2) The monitoring program shall provide for  
24               regular reports, beginning October 1, 2020, to the  
25               Department of Defense and the Veterans Health Ad-

1       ministration, of the results of the periodic reviews  
2       pursuant to paragraph (1) of this subsection.

3           (3) The monitoring program shall establish in-  
4       ternal procedures, not later than October 1, 2020, to  
5       address practices for prescribing medication that are  
6       inconsistent with the post-traumatic stress disorder  
7       medication guidelines developed Department of De-  
8       fense and the Veterans Health Administration.

9       **SEC. 738. PILOT PROGRAM ON MINDFULNESS-BASED**  
10                   **STRESS REDUCTION IN PRE-DEPLOYMENT**  
11                   **TRAINING.**

12       (a) **PILOT PROGRAM.**—The Secretary of Defense, in  
13       consultation with the Secretary of Homeland Security with  
14       respect to the Coast Guard when it is not operating as  
15       a service in the Navy, shall carry out a pilot program  
16       under which the Secretary provides mindfulness-based  
17       stress reduction training to members of the Armed Forces  
18       before their deployment to a combat theater of operations.

19       (b) **STUDY AND REPORT.**—The Secretary of Defense  
20       shall study and submit to Congress a report on the effec-  
21       tiveness of training under the pilot program, including the  
22       effect of the training on—

23           (1) managing stress; and

24           (2) preventing post-traumatic stress disorder.

1 **SEC. 739. STUDY ON REQUIREMENT FOR CERTAIN FORMER**  
2 **MEMBERS OF THE ARMED FORCES TO EN-**  
3 **ROLL IN MEDICARE PART B TO BE ELIGIBLE**  
4 **FOR TRICARE FOR LIFE.**

5 (a) STUDY.—Not later than 180 days after the date  
6 of the enactment of this Act, the Secretary of Defense,  
7 the Secretary of Health and Human Services, and the  
8 Commissioner of Social Security shall jointly submit to the  
9 Committees on Armed Services of the House of Represent-  
10 atives and the Senate, the Committee on Ways and Means  
11 of the House of Representatives, and the Committee on  
12 Finance of the Senate a report on the requirement that  
13 a covered individual enroll in the supplementary medical  
14 insurance program under part B of title XVIII of the So-  
15 cial Security Act (42 U.S.C. 1395j et seq.) in order to  
16 be eligible for TRICARE for Life.

17 (b) MATTERS INCLUDED.—The study under sub-  
18 section (a) shall include the following:

19 (1) An analysis of whether the requirement de-  
20 scribed in such subsection affects covered individuals  
21 from returning to work.

22 (2) The number of individuals who—

23 (A) are retired from the Armed Forces  
24 under chapter 61 of title 10, United States  
25 Code;

1 (B) are entitled to hospital insurance bene-  
2 fits under part A of title XVIII of the Social  
3 Security Act pursuant to receiving benefits for  
4 24 months as described in subparagraph (A) or  
5 (C) of section 226(b)(2) of such Act (42 U.S.C.  
6 426(b)(2)); and

7 (C) because of such entitlement, are no  
8 longer enrolled in TRICARE Standard,  
9 TRICARE Prime, TRICARE Extra, or  
10 TRICARE Select.

11 (3) The number of covered individuals who  
12 would potentially enroll in TRICARE for Life but  
13 not enroll in the supplementary medical insurance  
14 program under part B of title XVIII of the Social  
15 Security Act (42 U.S.C. 1395j et seq.) if able.

16 (c) DEFINITIONS.—In this section:

17 (1) The term “covered individual” means an in-  
18 dividual—

19 (A) who is under 65 years of age;

20 (B) who is entitled to hospital insurance  
21 benefits under part A of title XVIII of the So-  
22 cial Security Act pursuant to subparagraph (A)  
23 or (C) of section 226(b)(2) of such Act (42  
24 U.S.C. 426(b)(2));

1 (C) whose entitlement to a benefit de-  
2 scribed in subparagraph (A) of such section has  
3 terminated due to performance of substantial  
4 gainful activity; and

5 (D) who is retired under chapter 61 of title  
6 10, United States Code.

7 (2) The terms “TRICARE for Life”,  
8 “TRICARE Extra”, “TRICARE Standard”,  
9 “TRICARE Select”, and “TRICARE Prime” have  
10 the meanings given those terms in section 1072 of  
11 title 10, United States Code.

12 **TITLE VIII—ACQUISITION POL-**  
13 **ICY, ACQUISITION MANAGE-**  
14 **MENT, AND RELATED MAT-**  
15 **TERS**

16 **Subtitle A—Streamlining of De-**  
17 **fense Acquisition Statutes and**  
18 **Regulations**

19 **SEC. 800. EFFECTIVE DATES; COORDINATION OF AMEND-**  
20 **MENTS.**

21 (a) EFFECTIVE DATES.—

22 (1) PARTS I AND II.—Parts I and II of this  
23 subtitle, and the redesignations and amendments  
24 made by such parts, shall take effect on February  
25 1, 2020.

1 (2) PART III.—Part III of this subtitle shall  
 2 take effect on the date of the enactment of this Act.

3 (b) COORDINATION OF AMENDMENTS.—The redес-  
 4 ignations and amendments made by part II of this subtitle  
 5 shall be executed—

6 (1) before the amendments made by part I of  
 7 this subtitle; and

8 (2) after any amendments made by any other  
 9 provisions of this Act.

10 **PART I—CONSOLIDATION OF DEFENSE ACQUI-**  
 11 **SION STATUTES IN NEW PART V OF SUB-**  
 12 **TITLE A OF TITLE 10, UNITED STATES CODE**

13 **SEC. 801. FRAMEWORK FOR NEW PART V OF SUBTITLE A.**

14 (a) IN GENERAL.—Subtitle A of title 10, United  
 15 States Code, is amended by adding at the end the fol-  
 16 lowing new part:

17 **“PART V—ACQUISITION**

“Chap. Sec.

“SUBPART A—GENERAL

“201. Definitions .....	3001
“203. General Matters .....	3021
“205. Defense Acquisition System .....	3051
“207. Budgeting and Appropriations Matters .....	3101
“209. Overseas Contingency Operations .....	3151

“SUBPART B—ACQUISITION PLANNING

“221. Planning and Solicitation Generally .....	3201
“223. Planning and Solicitation Relating to Particular Items or Serv- ices .....	3251

“SUBPART C—CONTRACTING METHODS AND CONTRACT TYPES

“241. Awarding of Contracts .....	3301
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“243. Specific Types of Contracts .....	3351
“245. Task and Delivery Order Contracts (Multiple Award Contracts) .....	3401
“247. Acquisition of Commercial Items .....	3451
“249. Multiyear Contracts .....	3501
“251. Simplified Acquisition Procedures .....	3551
“253. Emergency and Rapid Acquisitions .....	3601
“255. Contracting With or Through Other Agencies .....	3651

“SUBPART D—GENERAL CONTRACTING REQUIREMENTS

“271. Truthful Cost or Pricing Data .....	3701
“273. Allowable Costs .....	3741
“275. Proprietary Contractor Data and Technical Data .....	3771
“277. Contract Financing .....	3801
“279. Contractor Audits and Accounting .....	3841
“281. Claims and Disputes .....	3861
“283. Foreign Acquisitions .....	3881
“285. Small Business Programs .....	3901
“287. Socioeconomic Programs .....	3961

“SUBPART E—SPECIAL CATEGORIES OF CONTRACTING: MAJOR DEFENSE  
ACQUISITION PROGRAMS AND MAJOR SYSTEMS

“301. Major Defense Acquisition Programs .....	4001
“303. Weapon Systems Development and Related Matters .....	4071
“305. Other Matters Relating to Major Systems .....	4121

“SUBPART F—SPECIAL CATEGORIES OF CONTRACTING: RESEARCH,  
DEVELOPMENT, TEST, AND EVALUATION

“321. Research and Development Generally .....	4201
“323. Innovation .....	4301
“325. Department of Defense Laboratories .....	4351
“327. Research and Development Centers and Facilities .....	4401
“329. Operational Test and Evaluation; Developmental Test and Eval- uation .....	4451

“SUBPART G—OTHER SPECIAL CATEGORIES OF CONTRACTING

“341. Contracting for Performance of Civilian Commercial or Indus- trial Type Functions .....	4501
“343. Acquisition of Services .....	4541
“345. Acquisition of Information Technology .....	4571

“SUBPART H—CONTRACT MANAGEMENT

“361. Contract Administration .....	4601
“363. Prohibitions and Penalties .....	4651
“365. Contractor Workforce .....	4701
“367. Other Administrative and Miscellaneous Provisions .....	4751

“SUBPART I—DEFENSE INDUSTRIAL BASE

“381. Defense Industrial Base Generally .....	4801
“383. Loan Guarantee Programs .....	4861
“385. Procurement Technical Assistance Cooperative Agreement Pro- gram .....	4881

1                   **“Subpart A—General**

2                   **“CHAPTER 201—DEFINITIONS**

3 **“SEC. 3001. [RESERVED].**

**[Reserved]**

4                   **“CHAPTER 203—GENERAL MATTERS**

5 **“SEC. 3021. [RESERVED].**

**[Reserved]**

6                   **“CHAPTER 205—DEFENSE ACQUISITION**

7                                   **SYSTEM**

8 **“SEC. 3051. [RESERVED].**

**[Reserved]**

9                   **“CHAPTER 207—BUDGETING AND**

10                                   **APPROPRIATIONS MATTERS**

11 **“SEC. 3101. [RESERVED].**

**[Reserved]**

12 **“CHAPTER 209—OVERSEAS CONTINGENCY**

13                                   **OPERATIONS**

14 **“SEC. 3151. [RESERVED].**

**[Reserved]**

15                   **“Subpart B—Acquisition Planning**

16                   **“CHAPTER 221—PLANNING AND**

17                                   **SOLICITATION GENERALLY**

18 **“SEC. 3201. [RESERVED].**

**[Reserved]**

1 **“CHAPTER 223—PLANNING AND SOLICITA-**  
2 **TION RELATING TO PARTICULAR**  
3 **ITEMS OR SERVICES**

4 **“SEC. 3251. [RESERVED].**

**[Reserved]**

5 **“Subpart C—Contracting Methods and Contract**  
6 **Types**

7 **“CHAPTER 241—AWARDING OF**  
8 **CONTRACTS**

9 **“SEC. 3301. [RESERVED].**

**[Reserved]**

10 **“CHAPTER 243—SPECIFIC TYPES OF**  
11 **CONTRACTS**

12 **“SEC. 3351. [RESERVED].**

**[Reserved]**

13 **“CHAPTER 245—TASK AND DELIVERY**  
14 **ORDER CONTRACTS (MULTIPLE**  
15 **AWARD CONTRACTS)**

16 **“SEC. 3401. [RESERVED].**

**[Reserved]**

17 **“CHAPTER 247—ACQUISITION OF**  
18 **COMMERCIAL ITEMS**

19 **“SEC. 3451. [RESERVED].**

**[Reserved]**

1 **“CHAPTER 249—MULTIYEAR CONTRACTS**

2 **“SEC. 3501. [RESERVED].**

**[Reserved]**

3 **“CHAPTER 251—SIMPLIFIED ACQUISITION**  
4 **PROCEDURES**

5 **“SEC. 3551. [RESERVED].**

**[Reserved]**

6 **“CHAPTER 253—EMERGENCY AND RAPID**  
7 **ACQUISITIONS**

8 **“SEC. 3601. [RESERVED].**

**[Reserved]**

9 **“CHAPTER 255—CONTRACTING WITH OR**  
10 **THROUGH OTHER AGENCIES**

11 **“SEC. 3651. [RESERVED].**

**[Reserved]**

12 **“Subpart D—General Contracting Requirements**

13 **“CHAPTER 271—TRUTHFUL COST OR**  
14 **PRICING DATA**

15 **“SEC. 3701. [RESERVED].**

**[Reserved]**

16 **“CHAPTER 273—ALLOWABLE COSTS**

17 **“SEC. 3741. [RESERVED].**

**[Reserved]**

1 **“CHAPTER 275—PROPRIETARY CON-**  
2 **TRACTOR DATA AND TECHNICAL DATA**

3 **“SEC. 3771. [RESERVED].**

**[Reserved]**

4 **“CHAPTER 277—CONTRACT FINANCING**

5 **“SEC. 3801. [RESERVED].**

**[Reserved]**

6 **“CHAPTER 279—CONTRACTOR AUDITS**  
7 **AND ACCOUNTING**

8 **“SEC. 3841. [RESERVED].**

**[Reserved]**

9 **“CHAPTER 281—CLAIMS AND DISPUTES**

10 **“SEC. 3861. [RESERVED].**

**[Reserved]**

11 **“CHAPTER 283—FOREIGN ACQUISITIONS**

12 **“SEC. 3881. [RESERVED].**

**[Reserved]**

13 **“CHAPTER 285—SMALL BUSINESS**  
14 **PROGRAMS**

15 **“SEC. 3901. [RESERVED].**

**[Reserved]**

16 **“CHAPTER 287—SOCIOECONOMIC**  
17 **PROGRAMS**

18 **“SEC. 3961. [RESERVED].**

**[Reserved]**

1 **“Subpart E—Special Categories of Contracting:**  
2 **Major Defense Acquisition Programs and Major**  
3 **Systems**

4 **“CHAPTER 301—MAJOR DEFENSE**  
5 **ACQUISITION PROGRAMS**

6 **“SEC. 4001. [RESERVED].**

**[Reserved]**

7 **“CHAPTER 303—WEAPON SYSTEMS**  
8 **DEVELOPMENT AND RELATED MATTERS**

9 **“SEC. 4071. [RESERVED].**

**[Reserved]**

10 **“CHAPTER 305—OTHER MATTERS**  
11 **RELATING TO MAJOR SYSTEMS**

12 **“SEC. 4121. [RESERVED].**

**[Reserved]**

13 **“Subpart F—Special Categories of Contracting:**  
14 **Research, Development, Test, and Evaluation**

15 **“CHAPTER 321—RESEARCH AND**  
16 **DEVELOPMENT GENERALLY**

17 **“SEC. 4201. [RESERVED].**

**[Reserved]**

18 **“CHAPTER 323—INNOVATION**

19 **“SEC. 4301. [RESERVED].**

**[Reserved]**

1           **“CHAPTER 325—DEPARTMENT OF**  
2                           **DEFENSE LABORATORIES**

3 **“SEC. 4351. [RESERVED].**

**[Reserved]**

4           **“CHAPTER 327—RESEARCH AND**  
5 **DEVELOPMENT CENTERS AND FACILITIES**

6 **“SEC. 4401. [RESERVED].**

**[Reserved]**

7 **“CHAPTER 329—OPERATIONAL TEST AND**  
8           **EVALUATION; DEVELOPMENTAL TEST**  
9           **AND EVALUATION**

10 **“SEC. 4451. [RESERVED].**

**[Reserved]**

11           **“Subpart G—Other Special Categories Of**  
12                           **Contracting**

13 **“CHAPTER 341—CONTRACTING FOR PER-**  
14 **FORMANCE OF CIVILIAN COMMER-**  
15 **CIAL OR INDUSTRIAL TYPE FUNC-**  
16 **TIONS**

17 **“SEC. 4501. [RESERVED].**

**[Reserved]**

18           **“CHAPTER 343—ACQUISITION OF**  
19                           **SERVICES**

20 **“SEC. 4541. [RESERVED].**

**[Reserved]**

1           **“CHAPTER 345—ACQUISITION OF**  
2                           **INFORMATION TECHNOLOGY**

3 **“SEC. 4571. [RESERVED].**

**[Reserved]**

4                           **“Subpart H—Contract Management**

5                           **“CHAPTER 361—CONTRACT**  
6   **ADMINISTRATION**

7 **“SEC. 4601. [RESERVED].**

**[Reserved]**

8                           **“CHAPTER 363—PROHIBITIONS AND**  
9   **PENALTIES**

10 **“SEC. 4651. [RESERVED].**

**[Reserved]**

11                           **“CHAPTER 365—CONTRACTOR**  
12   **WORKFORCE**

13 **“SEC. 4701. [RESERVED].**

**[Reserved]**

14                           **“CHAPTER 367—OTHER ADMINISTRATIVE**  
15   **AND MISCELLANEOUS PROVISIONS**

16 **“SEC. 4751. [RESERVED].**

**[Reserved]**



1 **“Subpart I—Defense Industrial Base**  
2 **“CHAPTER 381—DEFENSE INDUSTRIAL**  
3 **BASE GENERALLY**

4 **“SEC. 4801. [RESERVED].**

[Reserved]

5 **“CHAPTER 383—LOAN GUARANTEE**  
6 **PROGRAMS**

7 **“SEC. 4861. [RESERVED].**

[Reserved]

8 **“CHAPTER 385—PROCUREMENT TECH-**  
9 **NICAL ASSISTANCE COOPERATIVE**  
10 **AGREEMENT PROGRAM**

11 **“SEC. 4881. [RESERVED].**

[Reserved]

12 (b) TABLE OF CHAPTERS AMENDMENT.—The table  
13 of chapters at the beginning of subtitle A is amended by  
14 adding at the end the following new items:

15 **“PART V—ACQUISITION**

“Chap. Sec.

“SUBPART A—GENERAL

“201. Definitions ..... 3001  
“203. General Matters ..... 3021  
“205. Defense Acquisition System ..... 3051  
“207. Budgeting and Appropriations Matters ..... 3101  
“209. Overseas Contingency Operations ..... 3151

“SUBPART B—ACQUISITION PLANNING

“221. Planning and Solicitation Generally ..... 3201  
“223. Planning and Solicitation Relating to Particular Items or Services ..... 3251

“SUBPART C—CONTRACTING METHODS AND CONTRACT TYPES

“241. Awarding of Contracts .....	3301
“243. Specific Types of Contracts .....	3351
“245. Task and Delivery Order Contracts (Multiple Award Contracts) .....	3401
“247. Acquisition of Commercial Items .....	3451
“249. Multiyear Contracts .....	3501
“251. Simplified Acquisition Procedures .....	3551
“253. Emergency and Rapid Acquisitions .....	3601
“255. Contracting With or Through Other Agencies .....	3651

“SUBPART D—GENERAL CONTRACTING REQUIREMENTS

“271. Truthful Cost or Pricing Data .....	3701
“273. Allowable Costs .....	3741
“275. Proprietary Contractor Data and Technical Data .....	3771
“277. Contract Financing .....	3801
“279. Contractor Audits and Accounting .....	3841
“281. Claims and Disputes .....	3861
“283. Foreign Acquisitions .....	3881
“285. Small Business Programs .....	3901
“287. Socioeconomic Programs .....	3961

“SUBPART E—SPECIAL CATEGORIES OF CONTRACTING: MAJOR DEFENSE  
ACQUISITION PROGRAMS AND MAJOR SYSTEMS

“301. Major Defense Acquisition Programs .....	4001
“303. Weapon Systems Development and Related Matters .....	4071
“305. Other Matters Relating to Major Systems .....	4121

“SUBPART F—SPECIAL CATEGORIES OF CONTRACTING: RESEARCH,  
DEVELOPMENT, TEST, AND EVALUATION

“321. Research and Development Generally .....	4201
“323. Innovation .....	4301
“325. Department of Defense Laboratories .....	4351
“327. Research and Development Centers and Facilities .....	4401
“329. Operational Test and Evaluation; Developmental Test and Eval- uation .....	4451

“SUBPART G—OTHER SPECIAL CATEGORIES OF CONTRACTING

“341. Contracting for Performance of Civilian Commercial or Indus- trial Type Functions .....	4501
“343. Acquisition of Services .....	4541
“345. Acquisition of Information Technology .....	4571

“SUBPART H—CONTRACT MANAGEMENT

“361. Contract Administration .....	4601
“363. Prohibitions and Penalties .....	4651
“365. Contractor Workforce .....	4701
“367. Other Administrative and Miscellaneous Provisions .....	4751

“SUBPART I—DEFENSE INDUSTRIAL BASE

“381. Defense Industrial Base Generally .....	4801
“383. Loan Guarantee Programs .....	4861
“385. Procurement Technical Assistance Cooperative Agreement Pro- gram .....	4881”.

1 **PART II—REDESIGNATION OF SECTIONS AND**  
2 **CHAPTERS OF SUBTITLES B, C, AND D TO**  
3 **PROVIDE ROOM FOR NEW PART V OF SUB-**  
4 **TITLE A**

5 **SEC. 806. REDESIGNATION OF SECTIONS AND CHAPTERS**  
6 **OF SUBTITLE D OF TITLE 10, UNITED STATES**  
7 **CODE—AIR FORCE.**

8 (a) SUBTITLE D, PART III, SECTION NUMBERS.—  
9 The sections in part III of subtitle D of title 10, United  
10 States Code, are redesignated as follows:

11 (1) CHAPTER 909.—Each section in chapter 909  
12 is redesignated so that the number of the section, as  
13 redesignated, is the number equal to the previous  
14 number plus 50.

15 (2) CHAPTER 907.—Each section in chapter 907  
16 is redesignated so that the number of the section, as  
17 redesignated, is the number equal to the previous  
18 number plus 70.

19 (3) CHAPTERS 901 AND 903.—Each section in  
20 chapter 901 and chapter 903 is redesignated so that  
21 the number of the section, as redesignated, is the  
22 number equal to the previous number plus 100.

23 (b) SUBTITLE D, PART II, SECTION NUMBERS.—The  
24 sections in part II of such subtitle are redesignated as fol-  
25 lows:

1           (1) CHAPTER 831.—Section 8210 is redesi-  
2           gnated as section 9110.

3           (2) CHAPTER 833.—Sections 8251, 8252, 8257,  
4           and 8258 are redesignated as sections 9131, 9132,  
5           9137, and 9138, respectively.

6           (3) CHAPTER 835.—Sections 8281 and 8310  
7           are redesignated as sections 9151 and 9160, respec-  
8           tively.

9           (4) CHAPTER 839.—Section 8446 is redesi-  
10          gnated as section 9176.

11          (5) CHAPTER 841.—Sections 8491 and 8503  
12          are redesignated as sections 9191 and 9203, respec-  
13          tively.

14          (6) CHAPTER 843.—Sections 8547 and 8548  
15          are redesignated as sections 9217 and 9218, respec-  
16          tively.

17          (7) CHAPTER 845.—Sections 8572, 8575, 8579,  
18          8581, and 8583 are redesignated as sections 9222,  
19          9225, 9229, 9231, and 9233, respectively.

20          (8) CHAPTER 849.—Section 8639 is redesi-  
21          gnated as section 9239.

22          (9) CHAPTER 853.—Sections 8681, 8684, and  
23          8691 are redesignated as sections 9251, 9252, and  
24          9253, respectively.

1           (10) CHAPTER 855.—Section 8723 is redesi-  
2           gated as section 9263.

3           (11) CHAPTER 857.—Each section in chapter  
4           857 is redesignated so that the number of the sec-  
5           tion, as redesignated, is the number equal to the  
6           previous number plus 530.

7           (12) CHAPTER 861.—Section 8817 is redesi-  
8           gated as section 9307.

9           (13) CHAPTER 867.—Each section in chapter  
10          867 is redesignated so that the number of the sec-  
11          tion, as redesignated, is the number equal to the  
12          previous number plus 400.

13          (14) CHAPTER 869.—Sections 8961, 8962,  
14          8963, 8964, 8965, and 8966 are redesignated as  
15          sections 9341, 9342, 9343, 9344, 9345, and 9346,  
16          respectively.

17          (15) CHAPTER 871.—Sections 8991 and 8992  
18          are redesignated as sections 9361 and 9362, respec-  
19          tively.

20          (16) CHAPTER 873.—Sections 9021, 9025, and  
21          9027 are redesignated as sections 9371, 9375, and  
22          9377, respectively.

23          (17) CHAPTER 875.—Section 9061 is redesi-  
24          gated as section 9381.

1 (c) SUBTITLE D, PART I, SECTION NUMBERS.—

2 Each section in part I of such subtitle is redesignated so  
3 that the number of the section, as redesignated, is the  
4 number equal to the previous number plus 1,000.

5 (d) SUBTITLE D CHAPTER NUMBERS.—

6 (1) PART IV CHAPTER NUMBERS.—Each chap-  
7 ter in part IV of such subtitle is redesignated so  
8 that the number of the chapter, as redesignated, is  
9 the number equal to the previous number plus 30.

10 (2) PART III CHAPTER NUMBERS.—Each chap-  
11 ter in part III of such subtitle is redesignated so  
12 that the number of the chapter, as redesignated, is  
13 the number equal to the previous number plus 50.

14 (3) PART II CHAPTER NUMBERS.—

15 (A) IN GENERAL.—Except as provided in  
16 subparagraph (B), each chapter in part II of  
17 such subtitle is redesignated so that the number  
18 of the chapter, as redesignated, is the number  
19 equal to the previous number plus 80.

20 (B) OTHER CHAPTERS.—

21 (i) Chapter 861 is redesignated as  
22 chapter 939.

23 (ii) Chapters 867, 869, 871, 873, and  
24 875 are each redesignated so that the  
25 number of the chapter, as redesignated, is

1                   the number equal to the previous number  
2                   plus 74.

3                   (4) PART I CHAPTER NUMBERS.—Each chapter  
4                   in part I of such subtitle is redesignated so that the  
5                   number of the chapter, as redesignated, is the num-  
6                   ber equal to the previous number plus 100.

7                   (e) SUBTITLE D TABLES OF SECTIONS AND TABLES  
8                   OF CHAPTERS.—

9                   (1) TABLES OF SECTIONS.—The tables of sec-  
10                  tions at the beginning of the chapters of such sub-  
11                  title are revised so as to conform the section ref-  
12                  erences in those tables to the redesignations made  
13                  by subsections (a), (b), and (c).

14                  (2) TABLES OF CHAPTERS.—The table of chap-  
15                  ters at the beginning of such subtitle, and the tables  
16                  of chapters at the beginning of each part of such  
17                  subtitle, are revised so as to conform the chapter  
18                  references and section references in those tables to  
19                  the redesignations made by this section.

20 **SEC. 807. REDESIGNATION OF SECTIONS AND CHAPTERS**  
21 **OF SUBTITLE C OF TITLE 10, UNITED STATES**  
22 **CODE—NAVY AND MARINE CORPS.**

23                  (a) SUBTITLE C, PART I, SECTION NUMBERS.—

24                  (1) IN GENERAL.—Except as provided in para-  
25                  graph (2), each section in part I of subtitle C of title

1       10, United States Code, is redesignated so that the  
2       number of the section, as redesignated, is the num-  
3       ber equal to the previous number plus 3,000.

4           (2) CHAPTER 513.—For sections in chapter  
5       513, each section is redesignated so that the number  
6       of the section, as redesignated, is the number equal  
7       to the previous number plus 2,940.

8       (b) SUBTITLE C, PART II, SECTION NUMBERS.—The  
9       sections in part II of such subtitle are redesignated as fol-  
10      lows:

11           (1) CHAPTER 533.—Sections 5441, 5450, and  
12       5451 are redesignated as sections 8101, 8102, and  
13       8103, respectively.

14           (2) CHAPTER 535.—Sections 5501, 5502, 5503,  
15       and 5508 are redesignated as sections 8111, 8112,  
16       8113, and 8118, respectively.

17           (3) CHAPTER 537.—Section 5540 is redesi-  
18       gnated as section 8120.

19           (4) CHAPTER 539.—Sections 5582, 5585, 5587,  
20       5587a, 5589, and 5596 are redesignated as sections  
21       8132, 8135, 8137, 8138, 8139, and 8146, respec-  
22       tively.

23           (5) CHAPTER 544.—Section 5721 is redesi-  
24       gnated as section 8151.



1           (6) CHAPTER 551.—Each section in chapter 551  
 2           is redesignated so that the number of the section, as  
 3           redesignated, is the number equal to the previous  
 4           number plus 2,220.

5           (7) CHAPTER 553.—Sections 5983, 5985, and  
 6           5986 are redesignated as sections 8183, 8185, and  
 7           8186, respectively.

8           (8) CHAPTER 555.—The sections in chapter 555  
 9           are redesignated as follows:

<b>Section</b>	<b>Redesignated Section</b>
6011	8211
6012	8212
6013	8213
6014	8214
6019	8215
6021	8216
6022	8217
6024	8218
6027	8219
6029	8220
6031	8221
6032	8222
6035	8225
6036	8226

10           (9) CHAPTER 557.—Each section in chapter 557  
 11           is redesignated so that the number of the section, as

1 redesignated, is the number equal to the previous  
2 number plus 2,160.

3 (10) CHAPTER 559.—Section 6113 is redesign-  
4 nated as section 8253.

5 (11) CHAPTER 561.—The sections in chapter  
6 561 are redesignated as follows:

<b>Section</b>	<b>Redesignated Section</b>
6141	8261
6151	8262
6152	8263
6153	8264
6154	8265
6155	8266
6156	8267
6160	8270
6161	8271

7 (12) CHAPTER 563.—Sections 6201, 6202, and  
8 6203 are redesignated as sections 8281, 8282, and  
9 8283, respectively.

10 (13) CHAPTER 565.—Sections 6221 and 6222  
11 are redesignated as sections 8286 and 8287, respec-  
12 tively.

13 (14) CHAPTER 567.—Each section in chapter  
14 567 is redesignated so that the number of the sec-  
15 tion, as redesignated, is the number equal to the  
16 previous number plus 2,050.

1           (15) CHAPTER 569.—Section 6292 is redesi-  
2           gnated as section 8317.

3           (16) CHAPTER 571.—Each section in chapter  
4           571 is redesignated so that the number of the sec-  
5           tion, as redesignated, is the number equal to the  
6           previous number plus 2,000.

7           (17) CHAPTER 573.—Sections 6371, 6383,  
8           6389, 6404, and 6408 are redesignated as sections  
9           8371, 8372, 8373, 8374, and 8375, respectively.

10          (18) CHAPTER 575.—Sections 6483, 6484,  
11          6485, and 6486 are redesignated as sections 8383,  
12          8384, 8385, and 8386, respectively.

13          (19) CHAPTER 577.—Section 6522 is redesi-  
14          gnated as section 8392.

15          (c) SUBTITLE C, PART III, SECTION NUMBERS.—

16           (1) IN GENERAL.—Except as provided in para-  
17           graph (2), each section in part III of such subtitle  
18           is redesignated so that the number of the section, as  
19           redesignated, is the number equal to the previous  
20           number plus 1,500.

21           (2) CHAPTER 609.—Sections 7101, 7102, 7103,  
22           and 7104 are redesignated as sections 8591, 8592,  
23           8593, and 8594, respectively.

1 (d) SUBTITLE C, PART IV, SECTION NUMBERS.—

2 The sections in part IV of such subtitle are redesignated  
3 as follows:

4 (1) CHAPTER 631.—Each section in chapter 631  
5 is redesignated so that the number of the section, as  
6 redesignated, is the number equal to the previous  
7 number plus 1,400.

8 (2) CHAPTER 633.—Each section in chapter 633  
9 is redesignated so that the number of the section, as  
10 redesignated, is the number equal to the previous  
11 number plus 1,370.

12 (3) CHAPTER 637.—Sections 7361, 7362, 7363,  
13 and 7364 are redesignated as sections 8701, 8702,  
14 8703, and 8704, respectively.

15 (4) CHAPTER 639.—Sections 7395 and 7396  
16 are redesignated as sections 8715 and 8716, respec-  
17 tively.

18 (5) CHAPTER 641.—Each section in chapter 641  
19 is redesignated so that the number of the section, as  
20 redesignated, is the number equal to the previous  
21 number plus 1,300.

22 (6) CHAPTER 643.—Sections 7472, 7473, 7476,  
23 7477, 7478, 7479, and 7480 are redesignated as  
24 sections 8742, 8743, 8746, 8747, 8748, 8749, and  
25 8750, respectively.

1           (7) CHAPTER 645.—Sections 7522, 7523, and  
2           7524 are redesignated as sections 8752, 8753, and  
3           8754, respectively.

4           (8) CHAPTER 647.—The sections in chapter 647  
5           are redesignated as follows:

<b>Section</b>	<b>Redesignated Section</b>
7541	8761
7541a	8761a
7541b	8761b
7542	8762
7543	8763
7544	8764
7545	8745
7546	8746
7577	8747

6           (9) CHAPTERS 649, 651, 653, AND 655.—Each  
7           section in chapters 649, 651, 653, and 655 is reded-  
8           ignated so that the number of the section, as reded-  
9           ignated, is the number equal to the previous number  
10          plus 1,200.

11          (10) CHAPTER 657.—Each section in chapter  
12          657 is redesignated so that the number of the sec-  
13          tion, as redesignated, is the number equal to the  
14          previous number plus 1,170.

1           (11) CHAPTER 659.—Sections 7851, 7852,  
2           7853, and 7854 are redesignated as sections 8901,  
3           8902, 8903, and 8904, respectively.

4           (12) CHAPTER 661.—Sections 7861, 7862, and  
5           7863 are redesignated as sections 8911, 8912, and  
6           8913, respectively.

7           (13) CHAPTER 663.—Section 7881 is redesignig-  
8           nated as section 8921.

9           (14) CHAPTER 665.—Sections 7901, 7902, and  
10          7903 are redesignated as sections 8931, 8932, and  
11          8933, respectively.

12          (15) CHAPTER 667.—Sections 7912 and 7913  
13          are redesignated as sections 8942 and 8943, respec-  
14          tively.

15          (16) CHAPTER 669.—Section 7921 is redesignig-  
16          nated as section 8951.

17          (e) SUBTITLE C CHAPTER NUMBERS.—

18           (1) PART I CHAPTER NUMBERS.—Each chapter  
19           in part I of such subtitle is redesignated so that the  
20           number of the chapter, as redesignated, is the num-  
21           ber equal to the previous number plus 300, except  
22           that chapter 513 is redesignated as chapter 809.

23           (2) PART II CHAPTER NUMBERS.—

24           (A) IN GENERAL.—Except as provided in  
25           subparagraph (B), each chapter in part II of

1 such subtitle is redesignated so that the number  
2 of the chapter, as redesignated, is the number  
3 equal to the previous number plus 270.

4 (B) OTHER CHAPTERS.—Chapter 533 is  
5 redesignated as chapter 811, chapter 535 is re-  
6 designated as chapter 812, chapter 537 is re-  
7 designated as chapter 813, chapter 539 is re-  
8 designated as chapter 815, and chapter 544 is  
9 redesignated as chapter 817.

10 (3) PART III CHAPTER NUMBERS.—Each chap-  
11 ter in part III of such subtitle is redesignated so  
12 that the number of the chapter, as redesignated, is  
13 the number equal to the previous number plus 250.

14 (4) PART IV CHAPTER NUMBERS.—Each chap-  
15 ter in part IV of such subtitle is redesignated so  
16 that the number of the chapter, as redesignated, is  
17 the number equal to the previous number plus 228,  
18 except that chapter 631 is redesignated as chapter  
19 861 and chapter 633 is redesignated as chapter 863.

20 (f) SUBTITLE C TABLES OF SECTIONS AND TABLES  
21 OF CHAPTERS.—

22 (1) TABLES OF SECTIONS.—The table of sec-  
23 tions at the beginning of each chapter of such sub-  
24 title is revised so as to conform the section ref-

1       erences in the table to the redesignations made by  
2       subsections (a), (b), (c), and (d).

3           (2) TABLES OF CHAPTERS.—The table of chap-  
4       ters at the beginning of such subtitle, and the tables  
5       of chapters at the beginning of each part of such  
6       subtitle, are revised so as to conform the chapter  
7       references and section references in those tables to  
8       the redesignations made by this section.

9       **SEC. 808. REDESIGNATION OF SECTIONS AND CHAPTERS**  
10           **OF SUBTITLE B OF TITLE 10, UNITED STATES**  
11           **CODE—ARMY.**

12       (a) SUBTITLE B, PART I, SECTION NUMBERS.—  
13       Each section in part I of subtitle B of title 10, United  
14       States Code, is redesignated so that the number of the  
15       section, as redesignated, is the number equal to the pre-  
16       vious number plus 4,000.

17       (b) SUBTITLE B, PART II, SECTION NUMBERS.—The  
18       sections in part II of such subtitle are redesignated as fol-  
19       lows:

20           (1) CHAPTER 331.—Section 3210 is redesi-  
21       gnated as section 7110.

22           (2) CHAPTER 333.—Sections 3251, 3258, and  
23       3262 are redesignated as sections 7131, 7138, and  
24       7142, respectively.



1           (3) CHAPTER 335.—Sections 3281, 3282, 3283,  
2           and 3310 are redesignated as sections 7151, 7152,  
3           7153, and 7160, respectively.

4           (4) CHAPTER 339.—Section 3446 is redesign-  
5           ated as sections 7176.

6           (5) CHAPTER 341.—Sections 3491 and 3503  
7           are redesignated as sections 7191 and 7203, respec-  
8           tively.

9           (6) CHAPTER 343.—Sections 3533, 3534, 3536,  
10          3547 and 3548 are redesignated as sections 7213,  
11          7214, 7316, 7217, and 7218, respectively.

12          (7) CHAPTER 345.—Sections 3572, 3575, 3579,  
13          3581, and 3583 are redesignated as sections 7222,  
14          7225, 7229, 7231, and 7233, respectively.

15          (8) CHAPTER 349.—Section 3639 is redesign-  
16          ated as section 7239.

17          (9) CHAPTER 353.—Sections 3681, 3684, and  
18          3691 are redesignated as sections 7251, 7252, and  
19          7253, respectively.

20          (10) CHAPTER 355.—Section 3723 is redesign-  
21          ated as section 7263.

22          (11) CHAPTER 357.—Each section in chapter  
23          357 is redesignated so that the number of the sec-  
24          tion, as redesignated, is the number equal to the  
25          previous number plus 3,530.

1           (12) CHAPTER 367.—Each section in chapter  
2           367 is redesignated so that the number of the sec-  
3           tion, as redesignated, is the number equal to the  
4           previous number plus 3,400.

5           (13) CHAPTER 369.—Sections 3961, 3962,  
6           3963, 3964, 3965, and 3966 are redesignated as  
7           sections 7341, 7342, 7343, 7344, 7345, and 7346,  
8           respectively.

9           (14) CHAPTER 371.—Sections 3991 and 3992  
10          are redesignated as sections 7361 and 7362, respec-  
11          tively.

12          (15) CHAPTER 373.—Sections 4021, 4024,  
13          4025, and 4027 are redesignated as sections 7371,  
14          7374, 7375, and 7377, respectively.

15          (16) CHAPTER 375.—Section 4061 is redesign-  
16          ated as section 7381.

17          (c) SUBTITLE B, PART III, SECTION NUMBERS.—

18           (1) IN GENERAL.—Except as provided in para-  
19           graph (2), each section in part III of such subtitle  
20           is redesignated so that the number of the section, as  
21           redesignated, is the number equal to the previous  
22           number plus 3,100.

23           (2) CHAPTER 407.—Each section in chapter 407  
24           is redesignated so that the number of the section, as

1 redesignated, is the number equal to the previous  
2 number plus 3,070.

3 (d) SUBTITLE B, PART IV, SECTION NUMBERS.—

4 Each section in part IV of such subtitle is redesignated  
5 so that the number of the section, as redesignated, is the  
6 number equal to the previous number plus 3,000.

7 (e) SUBTITLE B CHAPTER NUMBERS.—

8 (1) PART I CHAPTER NUMBERS.—Each chapter  
9 in part I of such subtitle is redesignated so that the  
10 number of the chapter, as redesignated, is the num-  
11 ber equal to the previous number plus 400.

12 (2) PART II CHAPTER NUMBERS.—

13 (A) IN GENERAL.—Except as provided in  
14 subparagraph (B), each chapter in part II of  
15 such subtitle is redesignated so that the number  
16 of the chapter, as redesignated, is the number  
17 equal to the previous number plus 380.

18 (B) OTHER CHAPTERS.—Chapters 367,  
19 369, 371, 373, and 375 are each redesignated  
20 so that the number of the chapter, as redesi-  
21 gnated, is the number equal to the previous  
22 number plus 374.

23 (3) PART III CHAPTER NUMBERS.—Each chap-  
24 ter in part III of such subtitle is redesignated so

1 that the number of the chapter, as redesignated, is  
2 the number equal to the previous number plus 350.

3 (4) PART IV CHAPTER NUMBERS.—Each chap-  
4 ter in part IV of such subtitle is redesignated so  
5 that the number of the chapter, as redesignated, is  
6 the number equal to the previous number plus 330.

7 (f) SUBTITLE B TABLES OF SECTIONS AND TABLES  
8 OF CHAPTERS.—

9 (1) TABLES OF SECTIONS.—The table of sec-  
10 tions at the beginning of each chapter of such sub-  
11 title is revised so as to conform the section ref-  
12 erences in the table to the redesignations made by  
13 subsections (a), (b), (c), and (d).

14 (2) TABLES OF CHAPTERS.—The table of chap-  
15 ters at the beginning of such subtitle, and the tables  
16 of chapters at the beginning of each part of such  
17 subtitle, are revised so as to conform the chapter  
18 references and section references in those tables to  
19 the redesignations made by this section.

20 **SEC. 809. CROSS REFERENCES TO REDESIGNATED SEC-**  
21 **TIONS AND CHAPTERS.**

22 (a) AMENDMENTS TO REFERENCES IN TITLE 10.—  
23 Each provision of title 10, United States Code (including  
24 the table of subtitles preceding subtitle A), that contains  
25 a reference to a section or chapter redesignated by this

1 subtitle is amended so that the reference refers to the  
2 number of the section or chapter as redesignated.

3 (b) DEEMING RULE FOR OTHER REFERENCES.—  
4 Any reference in a provision of law other than title 10,  
5 United States Code, to a section or chapter redesignated  
6 by this subtitle shall be deemed to refer to the section or  
7 chapter as so redesignated.

8 **PART III—REPEALS OF CERTAIN PROVISIONS OF**  
9 **DEFENSE ACQUISITION LAW**

10 **SEC. 811. AMENDMENT TO AND REPEAL OF STATUTORY RE-**  
11 **QUIREMENTS FOR CERTAIN POSITIONS OR**  
12 **OFFICES IN THE DEPARTMENT OF DEFENSE.**

13 (a) AMENDMENT TO STATUTORY REQUIREMENT FOR  
14 DIRECTOR OF CORROSION POLICY AND OVERSIGHT.—

15 (1) IN GENERAL.—Section 2228 of title 10,  
16 United States Code, is amended—

17 (A) by amending subsection (a) to read as  
18 follows:

19 “(a) ESTABLISHMENT.—There is established an Of-  
20 fice of Corrosion Policy and Oversight within the Depart-  
21 ment of Defense, which shall be headed by a Director of  
22 Corrosion Policy and Oversight.”;

23 (B) by striking subsections (b) and (c);

1           (C) by redesignating subsections (d), (e),  
2           and (f) as subsections (b), (c), and (d), respec-  
3           tively; and

4           (D) in subsection (c) (as so redesignated),  
5           by striking “subsection (d)” each place it ap-  
6           pears and inserting “subsection (b)”.

7           (2) CONFORMING AMENDMENT.—Section 1067  
8           of the Bob Stump National Defense Authorization  
9           Act for Fiscal Year 2003 (Public Law 107–314; 116  
10          Stat. 2658, 2659; 10 U.S.C. 2228 note) is amended  
11          by striking subsections (b), (c), (d), and (e).

12          (b) REPEAL OF STATUTORY REQUIREMENT FOR DI-  
13          RECTOR OF THE OFFICE OF PERFORMANCE ASSESSMENT  
14          AND ROOT CAUSE ANALYSIS.—

15           (1) REPEAL.—

16           (A) IN GENERAL.—Section 2438 of title  
17           10, United States Code, is repealed.

18           (B) CLERICAL AMENDMENT.—The table of  
19           sections at the beginning of chapter 144 of such  
20           title is amended by striking the item relating to  
21           section 2438.

22           (2) CONFORMING AMENDMENTS.—

23           (A) Section 131(b)(9) of such title is  
24           amended by striking subparagraph (I).

1 (B) Section 2548(a) of such title is amend-  
2 ed by striking “, the Director of Procurement  
3 and Acquisition Policy, and the Director of the  
4 Office of Performance Assessment and Root  
5 Cause Analysis,” and inserting “and the Direc-  
6 tor of Procurement and Acquisition Policy”.

7 (C) Section 882 of the Ike Skelton Na-  
8 tional Defense Authorization Act for Fiscal  
9 Year 2011 (Public Law 111–383; 10 U.S.C.  
10 2222 note) is amended by striking subsection  
11 (a).

12 (c) REPEAL OF STATUTORY REQUIREMENT FOR OF-  
13 FICE OF TECHNOLOGY TRANSITION.—

14 (1) REPEAL.—Section 2515 of title 10, United  
15 States Code, is repealed.

16 (2) CLERICAL AMENDMENT.—The table of sec-  
17 tions at the beginning of subchapter III of chapter  
18 148 of such title is amended by striking the item re-  
19 lating to section 2515.

20 (d) REPEAL OF STATUTORY REQUIREMENT FOR OF-  
21 FICE FOR FOREIGN DEFENSE CRITICAL TECHNOLOGY  
22 MONITORING AND ASSESSMENT.—

23 (1) REPEAL.—Section 2517 of title 10, United  
24 States Code, is repealed.

1           (2) CLERICAL AMENDMENT.—The table of sec-  
2           tions at the beginning of subchapter III of chapter  
3           148 of such title is amended by striking the item re-  
4           lating to section 2517.

5           (e) REPEAL OF STATUTORY REQUIREMENT FOR  
6 SMALL BUSINESS OMBUDSMAN FOR DEFENSE CONTRACT  
7 AUDIT AGENCY AND DEFENSE CONTRACT MANAGEMENT  
8 AGENCY.—

9           (1) REPEAL.—Section 204 of title 10, United  
10          States Code, is repealed.

11          (2) CLERICAL AMENDMENT.—The table of sec-  
12          tions at the beginning of subchapter II of chapter 8  
13          of such title is amended by striking the item relating  
14          to section 204.

15          (f) REPEAL OF STATUTORY REQUIREMENT FOR DE-  
16 FENSE LOGISTICS AGENCY ADVOCATE FOR COMPETI-  
17 TION.—

18          (1) REPEAL.—Section 2318 of title 10, United  
19          States Code, is amended—

20                 (A) by striking subsection (a); and

21                 (B) by striking “(b)” before “Each advo-  
22                 cate”.

23          (2) TECHNICAL AMENDMENTS.—Such section is  
24          further amended—



1 (A) by striking “advocate for competition  
2 of” and inserting “advocate for competition  
3 designated pursuant to section 1705(a) of title  
4 41 for”; and

5 (B) by striking “a grade GS–16 or above  
6 under the General Schedule (or in a comparable  
7 or higher position under another schedule)” and  
8 inserting “in a position classified above GS–15  
9 pursuant to section 5108 of title 5”.

10 (g) SUNSET FOR STATUTORY DESIGNATION OF SEN-  
11 IOR DEPARTMENT OF DEFENSE OFFICIAL WITH PRIN-  
12 CIPAL RESPONSIBILITY FOR DIRECTED ENERGY WEAP-  
13 ONS.—Section 219 of the National Defense Authorization  
14 Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.  
15 2431 note) is amended by adding at the end the following  
16 new subsection:

17 “(d) SUNSET.—The provisions of subsection (a) and  
18 of paragraphs (2) and (3) of subsection (b) shall cease  
19 to be in effect as of September 30, 2022.”.

20 (h) REPEAL OF STATUTORY REQUIREMENT FOR  
21 DESIGNATION OF INDIVIDUAL TO SERVE AS PRIMARY LI-  
22 AISON BETWEEN THE PROCUREMENT AND RESEARCH  
23 AND DEVELOPMENT ACTIVITIES OF THE UNITED STATES  
24 ARMED FORCES AND THOSE OF THE STATE OF  
25 ISRAEL.—Section 1006 of the National Defense Author-

1 ization Act, Fiscal Year 1989 (Public Law 100–456; 102  
2 Stat. 2040; 10 U.S.C. 133a note) is repealed.

3 (i) REPEAL OF STATUTORY REQUIREMENT FOR DES-  
4 IGNATION OF SENIOR OFFICIAL TO COORDINATE AND  
5 MANAGE HUMAN SYSTEMS INTEGRATION ACTIVITIES RE-  
6 LATED TO ACQUISITION PROGRAMS.—Section 231 of the  
7 National Defense Authorization Act for Fiscal Year 2008  
8 (Public Law 110–181; 122 Stat. 45; 10 U.S.C. 1701 note)  
9 is amended—

10 (1) by striking “(a) IN GENERAL.—”; and

11 (2) by striking subsections (b), (c), and (d).

12 (j) REPEAL OF STATUTORY REQUIREMENT FOR DES-  
13 IGNATION OF SENIOR OFFICIAL RESPONSIBLE FOR  
14 FOCUS ON URGENT OPERATIONAL NEEDS AND RAPID  
15 ACQUISITION.—Section 902 of the National Defense Au-  
16 thorization Act for Fiscal Year 2013 (Public Law 112–  
17 239; 126 Stat. 1865; 10 U.S.C. 2302 note) is repealed.

18 (k) REPEAL OF STATUTORY REQUIREMENT FOR  
19 DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE FOR  
20 DUAL-USE PROJECTS UNDER DUAL-USE SCIENCE AND  
21 TECHNOLOGY PROGRAM.—Section 203 of the National  
22 Defense Authorization Act for Fiscal Year 1998 (Public  
23 Law 105–85; 10 U.S.C. 2511 note) is amended by striking  
24 subsection (c).

1 (l) REPEAL OF STATUTORY REQUIREMENT FOR DES-  
2 IGNATION OF SENIOR OFFICIAL AS EXECUTIVE AGENT  
3 FOR PRINTED CIRCUIT BOARD TECHNOLOGY.—Section  
4 256 of the National Defense Authorization Act for Fiscal  
5 Year 2009 (Public Law 110–417; 122 Stat. 4404; 10  
6 U.S.C. 2501 note) is repealed.

7 (m) SUBMISSION OF NOTICE AND PLAN TO CON-  
8 GRESS.—Not later than 30 days before reorganizing, re-  
9 structuring, or eliminating any position or office specified  
10 in this section, the Secretary shall submit to the Commit-  
11 tees on Armed Services of the Senate and House of Rep-  
12 resentatives notice of such reorganization, restructuring,  
13 or elimination together with a plan to ensure that mission  
14 requirements are met and appropriate oversight is con-  
15 ducted in carrying out such reorganization, restructuring,  
16 or elimination. Such plan shall address how user needs  
17 will be met and how associated roles and responsibilities  
18 will be accomplished for each position or office that the  
19 Secretary determines requiring reorganization, restruc-  
20 turing, or elimination.

21 **SEC. 812. REPEAL OF CERTAIN DEFENSE ACQUISITION**  
22 **LAWS.**

23 (a) TITLE 10, UNITED STATES CODE.—

24 (1) SECTION 167A.—

1 (A) REPEAL.—Section 167a of title 10,  
2 United States Code, is repealed.

3 (B) CLERICAL AMENDMENT.—The table of  
4 sections at the beginning of chapter 6 of such  
5 title is amended by striking the item relating to  
6 section 167a.

7 (C) CONFORMING AMENDMENT.—Section  
8 905(a)(1) of the John Warner National Defense  
9 Authorization Act for Fiscal Year 2007 (Public  
10 Law 109–364; 10 U.S.C. 133a note) is amend-  
11 ed by striking “166b, 167, or 167a” and insert-  
12 ing “166b or 167”.

13 (2) SECTION 2323.—

14 (A) REPEAL.—Section 2323 of title 10,  
15 United States Code, is repealed.

16 (B) CLERICAL AMENDMENT.—The table of  
17 sections at the beginning of chapter 137 of such  
18 title is amended by striking the item relating to  
19 section 2323.

20 (C) CONFORMING AMENDMENTS.—

21 (i) Section 853(c) of the National De-  
22 fense Authorization Act for Fiscal Year  
23 2004 (Public Law 108–136; 10 U.S.C.  
24 2302 note) is amended by striking “section

1           2323 of title 10, United States Code,  
2           and”.

3           (ii) Section 831(n) of the National  
4           Defense Authorization Act for Fiscal Year  
5           1991 (Public Law 101–510; 10 U.S.C.  
6           2302 note) is amended—

7                   (I) in paragraph (4), by inserting  
8                   “, as in effect on March 1, 2018”  
9                   after “section 2323 of title 10, United  
10                  States Code”; and

11                   (II) in paragraph (6), by striking  
12                   “section 2323 of title 10, United  
13                   States Code, and”.

14           (iii) Subsection (d) of section 811 of  
15           the National Defense Authorization Act for  
16           Fiscal Year 1994 (Public Law 103–160;  
17           10 U.S.C. 2323 note) is repealed.

18           (iv) Section 8304(1) of the Federal  
19           Acquisition Streamlining Act of 1994 (10  
20           U.S.C. 2375 note) is amended by striking  
21           “section 2323 of title 10, United States  
22           Code, or”.

23           (v) Section 10004(a)(1) of the Fed-  
24           eral Acquisition Streamlining Act of 1994  
25           (41 U.S.C. 1122 note) is amended by

1 striking “section 2323 of title 10, United  
2 States Code, or”.

3 (vi) Section 2304(b)(2) of title 10,  
4 United States Code, is amended by strik-  
5 ing “and concerns other than” and all that  
6 follows through “this title”.

7 (vii) Section 2304e(b) of title 10,  
8 United States Code, is amended—

9 (I) by striking “other than—”  
10 and all that follows through “small”  
11 and inserting “other than small”;

12 (II) by striking “; or” and insert-  
13 ing a period; and

14 (III) by striking paragraph (2).

15 (viii) Section 2323a(a) of title 10,  
16 United States Code, is amended by strik-  
17 ing “section 2323 of this title and”.

18 (ix) Section 15 of the Small Business  
19 Act (15 U.S.C. 644) is amended—

20 (I) in subsection (j)(3), by strik-  
21 ing “section 2323 of title 10, United  
22 States Code,”;

23 (II) in subsection (k)(10)—

24 (aa) by striking “or section  
25 2323 of title 10, United States

1 Code,” and all that follows  
2 through “subsection (m),”; and  
3 (bb) by striking “subsection  
4 (a),” and inserting “subsection  
5 (a) or”; and  
6 (III) by amending subsection (m)  
7 to read as follows:

8 “(m) ADDITIONAL DUTIES OF PROCUREMENT CEN-  
9 TER REPRESENTATIVES.—All procurement center rep-  
10 resentatives (including those referred to in subsection  
11 (k)(6)), in addition to such other duties as may be as-  
12 signed by the Administrator, shall increase, insofar as pos-  
13 sible, the number and dollar value of procurements that  
14 may be used for the programs established under this sec-  
15 tion and section 8(a).”.

16 (x) Section 1902(b)(1) of title 41,  
17 United States Code, is amended by strik-  
18 ing “, section 2323 of title 10,”.

19 (3) SECTION 2332.—

20 (A) REPEAL.—Section 2332 of title 10,  
21 United States Code, is repealed.

22 (B) CLERICAL AMENDMENT.—The table of  
23 sections at the beginning of chapter 137 of such  
24 title is amended by striking the item relating to  
25 section 2332.

1 (b) OTHER PROVISIONS OF LAW.—The following pro-  
2 visions of law are repealed:

3 (1) Section 801 of the Carl Levin and Howard  
4 P. “Buck” McKeon National Defense Authorization  
5 Act for Fiscal Year 2015 (Public Law 113–291; 10  
6 U.S.C. 2223a note).

7 (2) Section 934 of the National Defense Au-  
8 thorization Act for Fiscal Year 2013 (Public Law  
9 112–239; 10 U.S.C. 2223a note).

10 (3) Section 804 of the National Defense Au-  
11 thorization Act for Fiscal Year 2010 (Public Law  
12 111–84; 10 U.S.C. 2223a note).

13 (4) Section 881 of the National Defense Au-  
14 thorization Act for Fiscal Year 2008 (Public Law  
15 110–181; 10 U.S.C. 2223a note).

16 (5) Section 854 of the National Defense Au-  
17 thorization Act for Fiscal Year 2017 (Public Law  
18 114–328; 10 U.S.C. 2302 note).

19 (6) Section 804 of the National Defense Au-  
20 thorization Act for Fiscal Year 2013 (Public Law  
21 112–239; 10 U.S.C. 2302 note).

22 (7) Section 829 of the National Defense Au-  
23 thorization Act for Fiscal Year 2013 (Public Law  
24 112–239; 10 U.S.C. 2302 note).



1           (8) Section 818(g) of the National Defense Au-  
2           thorization Act for Fiscal Year 2012 (Public Law  
3           112–81; 10 U.S.C. 2302 note).

4           (9) Section 815(b) of the National Defense Au-  
5           thorization Act for Fiscal Year 2008 (Public Law  
6           110–181; 10 U.S.C. 2302 note).

7           (10) Section 812 of the John Warner National  
8           Defense Authorization Act for Fiscal Year 2007  
9           (Public Law 109–364; 10 U.S.C. 2302 note).

10          (11) Section 817 of the National Defense Au-  
11          thorization Act for Fiscal Year 2006 (Public Law  
12          109–163; 10 U.S.C. 2302 note).

13          (12) Section 141 of the Ronald W. Reagan Na-  
14          tional Defense Authorization Act for Fiscal Year  
15          2005 (Public Law 108–375; 10 U.S.C. 2302 note).

16          (13) Section 801(b) of the National Defense  
17          Authorization Act for Fiscal Year 2004 (Public Law  
18          108–136; 10 U.S.C. 2302 note).

19          (14) Section 805(a) of the National Defense  
20          Authorization Act for Fiscal Year 2004 (Public Law  
21          108–136; 10 U.S.C. 2302 note).

22          (15) Section 352 of the Bob Stump National  
23          Defense Authorization Act for Fiscal Year 2003  
24          (Public Law 107–314; 10 U.S.C. 2302 note).

1           (16) Section 326 of the National Defense Au-  
2           thorization Act for Fiscal Year 1993 (Public Law  
3           102–484; 10 U.S.C. 2302 note).

4           (17) Section 9004 of the Department of De-  
5           fense Appropriations Act, 1990 (Public Law 101–  
6           165; 10 U.S.C. 2302 note).

7           (18) Section 895 of the National Defense Au-  
8           thorization Act for Fiscal Year 2016 (Public Law  
9           114–92; 10 U.S.C. 2304 note).

10          (19) Section 802 of the Duncan Hunter Na-  
11          tional Defense Authorization Act for Fiscal Year  
12          2009 (Public Law 110–417; 10 U.S.C. 2304 note).

13          (20) Section 821 of the National Defense Au-  
14          thorization Act for Fiscal Year 2008 (Public Law  
15          110–181; 10 U.S.C. 2304 note).

16          (21) Section 813 of the John Warner National  
17          Defense Authorization Act for Fiscal Year 2007  
18          (Public Law 109–364; 10 U.S.C. 2304 note).

19          (22) Section 391 of the National Defense Au-  
20          thorization Act for Fiscal Year 1998 (Public Law  
21          105–85; 10 U.S.C. 2304 note).

22          (23) Section 927(b) of Public Laws 99–500,  
23          99–591, and 99–661 (10 U.S.C. 2304 note).

1           (24) Section 1222(b) of the National Defense  
2           Authorization Act for Fiscal Year 1987 (Public Law  
3           99–661; 10 U.S.C. 2304 note).

4           (25) Section 814(b) of the National Defense  
5           Authorization Act for Fiscal Year 2010 (Public Law  
6           111–84; 10 U.S.C. 2304a note).

7           (26) Section 834 of the John Warner National  
8           Defense Authorization Act for Fiscal Year 2007  
9           (Public Law 109–364; 10 U.S.C. 2304b note).

10          (27) Section 803 of the Strom Thurmond Na-  
11          tional Defense Authorization Act for Fiscal Year  
12          1999 (Public Law 105–261; 10 U.S.C. 2306a note).

13          (28) Section 1075 of the National Defense Au-  
14          thorization Act for Fiscal Year 1995 (Public Law  
15          103–337; 10 U.S.C. 2315 note).

16          (29) Section 824(a) of the Ike Skelton National  
17          Defense Authorization Act for Fiscal Year 2011  
18          (Public Law 111–383; 10 U.S.C. 2320 note).

19          (30) Section 818 of the National Defense Au-  
20          thorization Act for Fiscal Year 1995 (Public Law  
21          103–337; 10 U.S.C. 2324 note).

22          (31) Section 812 of the National Defense Au-  
23          thorization Act for Fiscal Year 2010 (Public Law  
24          111–84; 10 U.S.C. 2326 note).

1           (32) Sections 908(a), (b), (c), and (e) of Public  
2           Laws 99–500, 99–591, and 99–661 (10 U.S.C.  
3           2326 note).

4           (33) Section 882 of the National Defense Au-  
5           thorization Act for Fiscal Year 2016 (Public Law  
6           114–92; 10 U.S.C. 2330 note).

7           (34) Section 807 of the National Defense Au-  
8           thorization Act for Fiscal Year 2012 (Public Law  
9           112–81; 10 U.S.C. 2330 note).

10          (35) Section 805 of the National Defense Au-  
11          thorization Act for Fiscal Year 2008 (Public Law  
12          110–181; 10 U.S.C. 2330 note).

13          (36) Section 808 of the National Defense Au-  
14          thorization Act for Fiscal Year 2008 (Public Law  
15          110–181; 10 U.S.C. 2330 note).

16          (37) Section 812(b)–(c) of the National Defense  
17          Authorization Act for Fiscal Year 2006 (Public Law  
18          109–163; 10 U.S.C. 2330 note).

19          (38) Section 801(d)–(f) of the National Defense  
20          Authorization Act for Fiscal Year 2002 (Public Law  
21          107–107; 10 U.S.C. 2330 note).

22          (39) Section 802 of the National Defense Au-  
23          thorization Act for Fiscal Year 2002 (Public Law  
24          107–107; 10 U.S.C. 2330 note).

1           (40) Section 831 of the Duncan Hunter Na-  
2           tional Defense Authorization Act for Fiscal Year  
3           2009 (Public Law 110–417; 10 U.S.C. 2330a note).

4           (41) Section 1032 of the Bob Stump National  
5           Defense Authorization Act for Fiscal Year 2003  
6           (Public Law 107–314; 10 U.S.C. 2358 note).

7           (42) Section 241 of the Bob Stump National  
8           Defense Authorization Act for Fiscal Year 2003  
9           (Public Law 107–314; 10 U.S.C. 2358 note).

10          (43) Section 606 of Public Law 92–436 (10  
11          U.S.C. 2358 note).

12          (44) Section 913(b) of the National Defense  
13          Authorization Act for Fiscal Year 2000 (Public Law  
14          106–65; 10 U.S.C. 2364 note).

15          (45) Sections 234(a) and (b) of the National  
16          Defense Authorization Act for Fiscal Year 1987  
17          (Public Law 99–661; 10 U.S.C. 2364 note).

18          (46) Section 943(b) of the National Defense  
19          Authorization Act for Fiscal Year 2008 (Public Law  
20          110–181; 10 U.S.C. 2366a note).

21          (47) Section 801 of the National Defense Au-  
22          thorization Act for Fiscal Year 1990 (Public Law  
23          101–189; 10 U.S.C. 2399 note).

1           (48) Section 8133 of the Department of De-  
2           fense Appropriations Act, 2000 (Public Law 106-  
3           79; 10 U.S.C. 2401a note).

4           (49) Section 807(b) of the John Warner Na-  
5           tional Defense Authorization Act for Fiscal Year  
6           2007 (Public Law 109-364; 10 U.S.C. 2410p note).

7           (50) Section 825(c)(1)-(2) of the National De-  
8           fense Authorization Act for Fiscal Year 2016 (Pub-  
9           lic Law 114-92; 10 U.S.C. 2430 note).

10          (51) Section 1058 of the Carl Levin and How-  
11          ard P. “Buck” McKeon National Defense Authoriza-  
12          tion Act for Fiscal Year 2015 (Public Law 113-291;  
13          10 U.S.C. 2430 note).

14          (52) Section 837 of the National Defense Au-  
15          thorization Act for Fiscal Year 1994 (Public Law  
16          103-160; 10 U.S.C. 2430 note).

17          (53) Section 838 of the National Defense Au-  
18          thorization Act for Fiscal Year 1994 (Public Law  
19          103-160; 10 U.S.C. 2430 note).

20          (54) Section 809 of the National Defense Au-  
21          thorization Act for Fiscal Year 1991 (Public Law  
22          101-510; 10 U.S.C. 2430 note).

23          (55) Section 833 of the National Defense Au-  
24          thorization Act for Fiscal Year 1994 (Public Law  
25          103-160; 10 U.S.C. 2430 note).

1           (56) Section 839 of the National Defense Au-  
2           thorization Act for Fiscal Year 1994 (Public Law  
3           103–160; 10 U.S.C. 2430 note).

4           (57) Section 819 of the National Defense Au-  
5           thorization Act for Fiscal Year 1995 (Public Law  
6           103–337; 10 U.S.C. 2430 note).

7           (58) Section 5064 of the Federal Acquisition  
8           Streamlining Act of 1994 (Public Law 103–355; 10  
9           U.S.C. 2430 note).

10          (59) Section 803 of the National Defense Au-  
11          thorization Act for Fiscal Year 1997 (Public Law  
12          104–201; 10 U.S.C. 2430 note).

13          (60) Section 1215 of the Department of De-  
14          fense Authorization Act, 1984 (Public Law 98–94;  
15          10 U.S.C. 2452 note).

16          (61) Section 328 of the National Defense Au-  
17          thorization Act for Fiscal Year 2010 (Public Law  
18          111–84; 10 U.S.C. 2458 note).

19          (62) Section 347 of the Strom Thurmond Na-  
20          tional Defense Authorization Act for Fiscal Year  
21          1999 (Public Law 105–261; 10 U.S.C. 2458 note).

22          (63) Section 349 of the Strom Thurmond Na-  
23          tional Defense Authorization Act for Fiscal Year  
24          1999 (Public Law 105–261; 10 U.S.C. 2458 note).

1           (64) Section 395 of the National Defense Au-  
2           thorization Act for Fiscal Year 1998 (Public Law  
3           105–85; 10 U.S.C. 2458 note).

4           (65) Section 352 of the National Defense Au-  
5           thorization Act for Fiscal Year 1996 (Public Law  
6           104–106; 10 U.S.C. 2458 note).

7           (66) Section 325 of the Ronald W. Reagan Na-  
8           tional Defense Authorization Act for Fiscal Year  
9           2005 (Public Law 108–375; 10 U.S.C. 2461 note).

10          (67) Section 336 of the National Defense Au-  
11          thorization Act for Fiscal Year 2004 (Public Law  
12          108–136; 10 U.S.C. 2461 note).

13          (68) Section 353(a) of the National Defense  
14          Authorization Act for Fiscal Year 1996 (Public Law  
15          104–106; 10 U.S.C. 2461 note).

16          (69) Section 353(b) of the National Defense  
17          Authorization Act for Fiscal Year 1996 (Public Law  
18          104–106; 10 U.S.C. 2461 note).

19          (70) Section 356 of the National Defense Au-  
20          thorization Act for Fiscal Year 1996 (Public Law  
21          104–106; 10 U.S.C. 2461 note).

22          (71) Section 1010 of the USA Patriot Act of  
23          2001 (Public Law 107–56; 10 U.S.C. 2465 note).



1           (72) Section 4101 of the National Defense Au-  
2           thorization Act for Fiscal Year 1993 (Public Law  
3           102–484; 10 U.S.C. 2500 note).

4           (73) Section 852 of the National Defense Au-  
5           thorization Act for Fiscal Year 2012 (Public Law  
6           112–81; 10 U.S.C. 2504 note).

7           (74) Section 823 of the National Defense Au-  
8           thorization Act for Fiscal Year 2004 (Public Law  
9           108–136; 10 U.S.C. 2521 note).

10          (75) Section 823 of the Ike Skelton National  
11          Defense Authorization Act for Fiscal Year 2011  
12          (Public Law 111–383; 10 U.S.C. 2533b note).

13          (76) Section 804(h) of the National Defense  
14          Authorization Act for Fiscal Year 2008 (Public Law  
15          110–181; 10 U.S.C. 2533b note).

16          (77) Section 842(b) of the John Warner Na-  
17          tional Defense Authorization Act for Fiscal Year  
18          2007 (Public Law 109–364; 10 U.S.C. 2533b note).

19          (78) Section 343 of the Floyd D. Spence Na-  
20          tional Defense Authorization Act for Fiscal Year  
21          2001 (as enacted into law by Public Law 106–398;  
22          10 U.S.C. 4551 note).

1 **SEC. 813. REPEAL OF CERTAIN DEPARTMENT OF DEFENSE**  
2 **REPORTING REQUIREMENTS.**

3 (a) AMENDMENTS TO TITLE 10, UNITED STATES  
4 CODE.—Title 10, United States Code, is amended as fol-  
5 lows:

6 (1) SECTION 118A.—Section 118a is amended  
7 by striking subsection (d).

8 (2) SECTION 1116.—Section 1116 is amended  
9 by striking subsection (d).

10 (3) SECTION 2275.—

11 (A) REPEAL.—Section 2275 is repealed.

12 (B) CLERICAL AMENDMENT.—The table of  
13 sections at the beginning of chapter 135 is  
14 amended by striking the item relating to section  
15 2275.

16 (4) SECTION 2276.—Section 2276 is amended  
17 by striking subsection (e).

18 (5) SECTION 10543.—

19 (A) REPEAL.—Section 10543 is repealed.

20 (B) CLERICAL AMENDMENT.—The table of  
21 sections at the beginning of chapter 1013 is  
22 amended by striking the item relating to section  
23 10543.

24 (b) NDAA FOR FY 2007.—Section 122 of the John  
25 Warner National Defense Authorization Act for Fiscal  
26 Year 2007 (Public Law 109–364; 120 Stat. 2104), as

1 amended by section 121 of the National Defense Author-  
2 ization Act for Fiscal Year 2014 (Public Law 113–66; 127  
3 Stat. 691), is amended by striking subsection (d).

4 (c) NDAA FOR FY 2008.—The National Defense  
5 Authorization Act for Fiscal Year 2008 (Public Law 110–  
6 181) is amended—

7 (1) in section 911(f) (10 U.S.C. 2271 note)—

8 (A) in the subsection heading, by striking  
9 “; BIENNIAL UPDATE”;

10 (B) in paragraph (3), by striking “, and  
11 each update required by paragraph (2),”; and

12 (C) by striking paragraph (2) and redesign-  
13 ating paragraph (3) as paragraph (2); and

14 (2) in section 1107 (10 U.S.C. 2358 note)—

15 (A) in subsection (c), by striking “dem-  
16 onstration laboratory” and inserting “labora-  
17 tory designated by the Secretary of Defense  
18 under the provisions of section 342(b) of the  
19 National Defense Authorization Act for Fiscal  
20 Year 1995 (Public Law 103–337; 108 Stat.  
21 2721)”; and

22 (B) by striking subsections (d) and (e).

23 (d) NDAA FOR FY 2009.—Section 1047(d) of the  
24 Duncan Hunter National Defense Authorization Act for

1 Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2366b  
2 note) is amended—

3 (1) in the subsection heading, by striking  
4 “BANDWIDTH” and all that follows through “The  
5 Secretary” and inserting “BANDWIDTH REQUIRE-  
6 MENTS.—The Secretary”; and

7 (2) by striking paragraph (2).

8 (e) NDAA FOR FY 2010.—Section 1244 of the Na-  
9 tional Defense Authorization Act for Fiscal Year 2010  
10 (Public Law 111–84; 22 U.S.C. 1928 note) is amended  
11 by striking subsection (d).

12 (f) NDAA FOR FY 2011.—Section 1217 of the Ike  
13 Skelton National Defense Authorization Act for Fiscal  
14 Year 2011 (Public Law 111–383; 22 U.S.C. 7513 note)  
15 is amended by striking subsection (i).

16 (g) NDAA FOR FY 2013.—The National Defense  
17 Authorization Act for Fiscal Year 2013 (Public Law 112–  
18 239) is amended—

19 (1) in section 524 (126 Stat. 1723; 10 U.S.C.  
20 1222 note) by striking subsection (c); and

21 (2) in section 904(h) (10 U.S.C. 133 note)—

22 (A) by striking “REPORTS TO CONGRESS”  
23 and all that follows through “(3) ADDITIONAL  
24 CONGRESSIONAL NOTIFICATION.—” and insert-  
25 ing “CONGRESSIONAL NOTIFICATION.—”; and

1           (B) by striking “Under Secretary of De-  
2           fense for Acquisition, Technology, and Logis-  
3           tics” and inserting “Under Secretary of De-  
4           fense for Research and Engineering”.

5           (h) NDAA FOR FY 2015.—Section 1026(d) of the  
6           Carl Levin and Howard P. “Buck” McKeon National De-  
7           fense Authorization Act for Fiscal Year 2015 (Public Law  
8           113–291; 128 Stat. 3490) is repealed.

9           (i) MILITARY CONSTRUCTION AUTHORIZATION ACT,  
10          1982.—Section 703 of the Military Construction Author-  
11          ization Act, 1982 (Public Law 97–99; 95 Stat. 1376) is  
12          amended by striking subsection (g).

13          (j) CONFORMING AMENDMENTS.—

14               (1) NDAA FOR FY 2017.—Section 1061 of the  
15               National Defense Authorization Act for Fiscal Year  
16               2017 (Public Law 114–328; 10 U.S.C. 111 note) is  
17               amended—

18                       (A) in subsection (c), by striking para-  
19                       graphs (3), (28), (40), (41), and (63);

20                       (B) in subsection (d), by striking para-  
21                       graph (3);

22                       (C) in subsection (f), by striking para-  
23                       graphs (1) and (2);

24                       (D) in subsection (g), by striking para-  
25                       graph (3);

1 (E) in subsection (h), by striking para-  
2 graph (3); and

3 (F) in subsection (i), by striking para-  
4 graphs (17), (19), and (24).

5 (2) NDAA FOR FY 2000.—Section 1031 of the  
6 National Defense Authorization Act for Fiscal Year  
7 2000 (Public Law 106–65; 113 Stat. 749; 31 U.S.C.  
8 1113 note) is amended by striking paragraph (32).

9 **Subtitle B—Amendments to Gen-**  
10 **eral Contracting Authorities,**  
11 **Procedures, and Limitations**

12 **SEC. 821. CONTRACT GOAL FOR THE ABILITYONE PRO-**  
13 **GRAM.**

14 (a) CONTRACT GOAL FOR THE ABILITYONE PRO-  
15 GRAM.—Chapter 137 of title 10, United States Code, is  
16 amended by inserting after section 2323a the following  
17 new section:

18 **“§ 2323b. Contract goal for the AbilityOne program**

19 “(a) GOAL.—The Secretary of Defense shall establish  
20 a goal for each fiscal year for the procurement of products  
21 and services from the procurement list established pursu-  
22 ant to section 8503 of title 41 of an amount equal to 1.5  
23 percent of the total amount of funds obligated for con-  
24 tracts entered into with the Department of Defense in  
25 such fiscal year for procurement.

1 “(b) ANNUAL REPORT.—At the conclusion of each  
2 fiscal year, the Secretary of Defense shall submit to the  
3 Committee for Purchase From People Who Are Blind or  
4 Severely Disabled (established under section 8502 of title  
5 41) a report on the progress toward attaining the goal  
6 established under subsection (a) with respect to such fiscal  
7 year. The report shall include—

8 “(1) if the goal was not achieved, a plan to  
9 achieve the goal in the next fiscal year; and

10 “(2) if the goal was achieved, a strategy to ex-  
11 ceed the goal in the next fiscal year.”.

12 (b) CLERICAL AMENDMENT.—The table of sections  
13 at the beginning of such chapter is amended by inserting  
14 after the item relating to section 2323a the following new  
15 item:

“2323b. Contract goal for the AbilityOne program.”.

16 **SEC. 822. INCREASED MICRO-PURCHASE THRESHOLD AP-**  
17 **PLICABLE TO DEPARTMENT OF DEFENSE**  
18 **PROCUREMENTS.**

19 (a) IN GENERAL.—Section 2338 of title 10, United  
20 States Code, is amended—

21 (1) by striking “Notwithstanding subsection (a)  
22 of section 1902 of title 41, the” and inserting  
23 “The”; and

24 (2) by striking “\$5,000” and inserting  
25 “\$10,000”.

1 (b) CONFORMING AMENDMENTS.—

2 (1) REPEAL OF MICRO-PURCHASE THRESHOLD  
3 FOR CERTAIN DEPARTMENT OF DEFENSE ACTIVI-  
4 TIES.—

5 (A) IN GENERAL.—Section 2339 of title  
6 10, United States Code, is repealed.

7 (B) CLERICAL AMENDMENT.—The table of  
8 sections at the beginning of chapter 137 of such  
9 title is amended by striking the item relating to  
10 section 2339.

11 (2) MICRO-PURCHASE THRESHOLD FOR NON-  
12 DEPARTMENT OF DEFENSE PURCHASES.—Section  
13 1902(a)(1) of title 41, United States Code, is  
14 amended by striking “sections 2338 and 2339 of  
15 title 10 and”.

16 **SEC. 823. PREFERENCE FOR OFFERORS EMPLOYING VET-**  
17 **ERANS.**

18 (a) IN GENERAL.—Chapter 137 of title 10, United  
19 States Code, is amended by adding at the end the fol-  
20 lowing new section:

21 **“§ 2339a. Preference for offerors employing veterans**

22 “(a) PREFERENCE.—In awarding a contract for the  
23 procurement of goods or services for the Department of  
24 Defense, the head of an agency may establish a preference  
25 for offerors that employ veterans on a full-time basis. The



1 Secretary of Defense shall determine the criteria for use  
2 of such preference.

3 “(b) CONGRESSIONAL NOTIFICATION.—Prior to es-  
4 tablishing the preference described in subsection (a), the  
5 Secretary of Defense shall provide a briefing to the Com-  
6 mittee on Armed Services of the House of Representatives  
7 on—

8 “(1) a plan for implementing such preference,  
9 including—

10 “(A) penalties for an offeror that willfully  
11 and intentionally misrepresents the veteran sta-  
12 tus of the employees of the offeror in a bid sub-  
13 mitted under subsection (a); and

14 “(B) reporting on use of such preference;  
15 and

16 “(2) the process for assessing and verifying of-  
17 feror compliance with regulations relating to equal  
18 opportunity for veterans requirements.”.

19 (b) CLERICAL AMENDMENT.—The table of sections  
20 at the beginning of such chapter is amended by inserting  
21 after the item relating to section 2339 the following new  
22 item:

“2339a. Preference for offerors employing veterans.”.

1 **SEC. 824. REVISION OF REQUIREMENT TO SUBMIT INFOR-**  
2 **MATION ON SERVICES CONTRACTS TO CON-**  
3 **GRESS.**

4 Section 2329(b) of title 10, United States Code, is  
5 amended—

6 (1) by striking “October 1, 2022” and inserting  
7 “October 1, 2020”; and

8 (2) in paragraph (1)—

9 (A) by striking “at or about” and inserting  
10 “at or before”; and

11 (B) by inserting “or on the date on which  
12 the future-years defense program is submitted  
13 to Congress under section 221 of this title”  
14 after “title 31”;

15 (3) in paragraph (3), by striking “and” at the  
16 end;

17 (4) in paragraph (4), by striking the period at  
18 the end and inserting “; and”; and

19 (5) by adding at the end the following new  
20 paragraph:

21 “(5) be included in the future-years defense  
22 program submitted to Congress under section 221 of  
23 this title.”.

1 **SEC. 825. DATA COLLECTION AND INVENTORY FOR SERV-**  
2 **ICES CONTRACTS.**

3 Section 2330a of title 10, United States Code, is  
4 amended—

5 (1) in subsection (a)—

6 (A) by striking “\$3,000,000” and inserting  
7 “the simplified acquisition threshold”;

8 (B) by striking “in the following service  
9 acquisition portfolio groups:” and inserting “in  
10 any service acquisition portfolio group.”; and

11 (C) by striking paragraphs (1) through  
12 (4);

13 (2) in subsection (c)(1)—

14 (A) by striking “staff augmentation con-  
15 tracts” and inserting “services contracts”; and

16 (B) by striking “Under Secretary of De-  
17 fense for Acquisition, Technology, and Logis-  
18 tics” each place it appears and inserting  
19 “Under Secretary of Defense for Acquisition  
20 and Sustainment”; and

21 (3) in subsection (h)—

22 (A) by striking paragraph (6); and

23 (B) by redesignating paragraphs (7) and  
24 (8) as paragraphs (6) and (7), respectively.

1 **SEC. 826. COMPETITION REQUIREMENTS FOR PURCHASES**  
2 **FROM FEDERAL PRISON INDUSTRIES.**

3 (a) COMPETITION REQUIREMENTS FOR PURCHASES  
4 FROM FEDERAL PRISON INDUSTRIES.—Subsections (a)  
5 and (b) of section 2410n of title 10, United States Code,  
6 are amended to read as follows:

7 “(a) MARKET RESEARCH.—Before purchasing a  
8 product listed in the latest edition of the Federal Prison  
9 Industries catalog published under section 4124(d) of title  
10 18, the Secretary of Defense shall conduct market re-  
11 search to determine whether such product—

12 “(1) is comparable to products available from  
13 the private sector; and

14 “(2) best meets the needs of the Department of  
15 Defense in terms of price, quality, and time of deliv-  
16 ery.

17 “(b) COMPETITION REQUIREMENT.—If the Secretary  
18 determines that a Federal Prison Industries product is not  
19 comparable to products available from the private sector  
20 and does not best meet the needs of the Department of  
21 Defense in terms of price, quality, or time of delivery pur-  
22 suant to subsection (a), the Secretary shall use competitive  
23 procedures or make an individual purchase under a mul-  
24 tiple award contract for the procurement of the product.  
25 In conducting such a competition or making such a pur-

1 chase, the Secretary shall consider a timely offer from  
2 Federal Prison Industries.”.

3 (b) **EFFECTIVE DATE.**—The amendment made by  
4 subsection (a) shall take effect 60 days after the date of  
5 the enactment of this Act.

6 **SEC. 827. REQUIREMENT FOR A FAIR AND REASONABLE**  
7 **PRICE FOR TECHNICAL DATA BEFORE DE-**  
8 **VELOPMENT OR PRODUCTION OF MAJOR**  
9 **WEAPON SYSTEMS.**

10 Section 2439 of title 10, United States Code, is  
11 amended—

12 (1) by inserting “, to the maximum extent prac-  
13 ticable,” after “shall ensure”; and

14 (2) by inserting “fair and reasonable” after  
15 “negotiates a”.

16 **SEC. 828. REVISIONS IN AUTHORITY RELATING TO PRO-**  
17 **GRAM COST TARGETS AND FIELDING TAR-**  
18 **GETS FOR MAJOR DEFENSE ACQUISITION**  
19 **PROGRAMS.**

20 (a) **REVISIONS IN AUTHORITY RELATING TO PRO-**  
21 **GRAM COST AND FIELDING TARGETS.**—Section 2448a of  
22 title 10, United States Code, is amended—

23 (1) in subsection (a), by striking “the Secretary  
24 of Defense” and inserting “the appropriate Sec-  
25 retary”;

1           (2) by striking subsection (b); and

2           (3) by redesignating subsection (c) as sub-  
3           section (b) and adding at the end of that subsection  
4           the following new paragraph:

5           “(3) The term ‘appropriate Secretary’, with re-  
6           spect to a major defense acquisition program,  
7           means—

8                   “(A) the Secretary of the military depart-  
9                   ment that is managing the program; or

10                   “(B) in the case of a program for which an  
11                   alternate milestone decision authority is des-  
12                   ignated under section 2430(d)(2) of this title,  
13                   the Secretary of Defense.”.

14           (b) CONFORMING AMENDMENTS.—Such title is fur-  
15           ther amended—

16                   (1) in section 2366a(c)(1)(A) by striking “by  
17                   the Secretary of Defense”; and

18                   (2) in section 2366b—

19                           (A) in subsection (a)(3)(D), by striking  
20                           “Secretary of Defense” and inserting “appro-  
21                           priate Secretary (as defined in such section  
22                           2448a)”; and

23                           (B) in subsection (c)(1)(A), by striking  
24                           “by the Secretary of Defense”.

1 **SEC. 829. REVISION OF TIMELINE FOR USE OF THE RAPID**  
2 **FIELDING PATHWAY FOR ACQUISITION PRO-**  
3 **GRAMS.**

4 Section 804(b)(2) of the National Defense Authoriza-  
5 tion Act for Fiscal Year 2016 (Public Law 114–92; 10  
6 U.S.C. 2302 note) is amended by striking “complete field-  
7 ing within five years” and inserting “complete low-rate  
8 initial production (as described under section 2400 of title  
9 10, United States Code) within five years”.

10 **SEC. 830. CLARIFICATION OF SERVICES CONTRACTING**  
11 **DEFINITIONS.**

12 Not later than 180 days after the date of the enact-  
13 ment of this Act, the Secretary of Defense shall revise the  
14 Defense Federal Acquisition Regulation Supplement to  
15 clarify the definitions of and relationships between terms  
16 related to services contracts, including the appropriate use  
17 of personal services contracts and nonpersonal services  
18 contracts, and the responsibilities of individuals in the ac-  
19 quisition workforce with respect to such contracts.

20 **Subtitle C—Provisions Relating to**  
21 **Commercial Items**

22 **SEC. 831. REVISION OF DEFINITION OF COMMERCIAL ITEM**  
23 **FOR PURPOSES OF FEDERAL ACQUISITION**  
24 **STATUTES.**

25 (a) DEFINITIONS IN CHAPTER 1 OF TITLE 41,  
26 UNITED STATES CODE.—

1           (1) SEPARATION OF “COMMERCIAL ITEM” DEF-  
2           INITION INTO DEFINITIONS OF “COMMERCIAL PROD-  
3           UCT” AND “COMMERCIAL SERVICE”.—Chapter 1 of  
4           title 41, United States Code, is amended by striking  
5           section 103 and inserting the following new sections:

6   **“§ 103. Commercial product**

7           “In this subtitle, the term ‘commercial product’  
8           means any of the following:

9           “(1) A product, other than real property,  
10          that—

11                   “(A) is of a type customarily used by the  
12                   general public or by nongovernmental entities  
13                   for purposes other than governmental purposes;  
14                   and

15                   “(B) has been sold, leased, or licensed, or  
16                   offered for sale, lease, or license, to the general  
17                   public.

18          “(2) A product that—

19                   “(A) evolved from a product described in  
20                   paragraph (1) through advances in technology  
21                   or performance; and

22                   “(B) is not yet available in the commercial  
23                   marketplace but will be available in the com-  
24                   mercial marketplace in time to satisfy the deliv-



1           ery requirements under a Federal Government  
2           solicitation.

3           “(3) A product that would satisfy the criteria in  
4           paragraph (1) or (2) were it not for—

5                   “(A) modifications of a type customarily  
6                   available in the commercial marketplace; or

7                   “(B) minor modifications made to meet  
8                   Federal Government requirements.

9           “(4) Any combination of products meeting the  
10          requirements of paragraph (1), (2), or (3) that are  
11          of a type customarily combined and sold in combina-  
12          tion to the general public.

13          “(5) A product, or combination of products, re-  
14          ferred to in paragraphs (1) through (4), even though  
15          the product, or combination of products, is trans-  
16          ferred between or among separate divisions, subsidi-  
17          aries, or affiliates of a contractor.

18          “(6) A nondevelopmental item if the procuring  
19          agency determines, in accordance with conditions in  
20          the Federal Acquisition Regulation, that—

21                   “(A) the product was developed exclusively  
22                   at private expense; and

23                   “(B) has been sold in substantial quan-  
24                   tities, on a competitive basis, to multiple State

1           and local governments or to multiple foreign  
2           governments.

3 **“§ 103a. Commercial service**

4           “In this subtitle, the term ‘commercial service’ means  
5 any of the following:

6           “(1) Installation services, maintenance services,  
7           repair services, training services, and other services  
8           if—

9                   “(A) those services are procured for sup-  
10                   port of a commercial product, regardless of  
11                   whether the services are provided by the same  
12                   source or at the same time as the commercial  
13                   product; and

14                   “(B) the source of the services provides  
15                   similar services contemporaneously to the gen-  
16                   eral public under terms and conditions similar  
17                   to those offered to the Federal Government;

18           “(2) Services of a type offered and sold com-  
19           petitively, in substantial quantities, in the commer-  
20           cial marketplace—

21                   “(A) based on established catalog or mar-  
22                   ket prices;

23                   “(B) for specific tasks performed or spe-  
24                   cific outcomes to be achieved; and

1           “(C) under standard commercial terms and  
2           conditions.

3           “(3) A service described in paragraph (1) or  
4           (2), even though the service is transferred between  
5           or among separate divisions, subsidiaries, or affili-  
6           ates of a contractor.”.

7           (2) CONFORMING AMENDMENTS TO TITLE 41  
8           DEFINITIONS.—

9           (A) DEFINITION OF COMMERCIAL COMPO-  
10          NENT.—Section 102 of such title is amended by  
11          striking “commercial item” and inserting “com-  
12          mercial product”.

13          (B) DEFINITION OF COMMERCIALY  
14          AVAILABLE OFF-THE-SHELF ITEM.—Section  
15          104(1)(A) is amended by striking “commercial  
16          item” and inserting “commercial product”.

17          (C) DEFINITION OF NONDEVELOPMENTAL  
18          ITEM.—Section 110(1) of such title is amended  
19          by striking “commercial item” and inserting  
20          “commercial product”.

21          (3) CLERICAL AMENDMENT.—The table of sec-  
22          tions at the beginning of chapter 1 of title 41,  
23          United States Code, is amended by striking the item  
24          relating to section 103 and inserting the following  
25          new items:

“103. Commercial product.  
“103a. Commercial service.”.

1           (b) CONFORMING AMENDMENTS TO OTHER PROVI-  
2 SIONS OF TITLE 41, UNITED STATES CODE.—Title 41,  
3 United States Code, is further amended as follows:

4           (1) Section 1502(b) is amended—

5                   (A) in paragraph (1)(A), by striking “com-  
6 mercial items” and inserting “commercial prod-  
7 ucts or commercial services”;

8                   (B) in paragraph (1)(C)(i), by striking  
9 “commercial item” and inserting “commercial  
10 product or commercial service”; and

11                   (C) in paragraph (3)(A)(i), by striking  
12 “commercial items” and inserting “commercial  
13 products or commercial services”.

14           (2) Section 1705(c) is amended by striking  
15 “commercial items” and inserting “commercial prod-  
16 ucts and commercial services”.

17           (3) Section 1708 is amended by striking “com-  
18 mercial items” in subsections (c)(6) and (e)(3) and  
19 inserting “commercial products or commercial serv-  
20 ices”.

21           (4) Section 1901 is amended—

22                   (A) in subsection (a)(2), by striking “com-  
23 mercial items” and inserting “commercial prod-  
24 ucts or commercial services”; and

1 (B) in subsection (e)—

2 (i) by striking “COMMERCIAL ITEMS”  
3 in the subsection heading and inserting  
4 “COMMERCIAL PRODUCTS AND COMMER-  
5 CIAL SERVICES”; and

6 (ii) by striking “commercial items”  
7 and inserting “commercial products or  
8 commercial services”.

9 (5) Section 1903(c) is amended—

10 (A) in the subsection heading, by striking  
11 “COMMERCIAL ITEM” and inserting “COMMER-  
12 CIAL PRODUCT OR COMMERCIAL SERVICE”;

13 (B) in paragraph (1), by striking “as a  
14 commercial item” and inserting “as a commer-  
15 cial product or a commercial service”; and

16 (C) in paragraph (2), by striking “for an  
17 item or service treated as a commercial item”  
18 and inserting “for a product or service treated  
19 as a commercial product or a commercial serv-  
20 ice”.

21 (6)(A) Section 1906 is amended by striking  
22 “commercial items” each place it appears in sub-  
23 sections (b), (c), and (d) and inserting “commercial  
24 products or commercial services”.

1 (B)(i) The heading of such section is amended  
2 to read as follows:

3 **“§ 1906. List of laws inapplicable to procurements of**  
4 **commercial products and commercial**  
5 **services”.**

6 (ii) The table of sections at the beginning of  
7 chapter 19 is amended by striking the item relating  
8 to section 1906 and inserting the following new  
9 item:

“1906. List of laws inapplicable to procurements of commercial products and  
commercial services.”.

10 (7) Section 3304 is amended by striking “com-  
11 mercial item” in subsections (a)(5) and (e)(4)(B)  
12 and inserting “commercial product”.

13 (8) Section 3305(a)(2) is amended by striking  
14 “commercial items” and inserting “commercial prod-  
15 ucts or commercial services”.

16 (9) Section 3306(b) is amended by striking  
17 “commercial items” and inserting “commercial prod-  
18 ucts or commercial services”.

19 (10)(A) Section 3307 is amended—

20 (i) in subsection (a)—

21 (I) by striking “COMMERCIAL ITEMS”  
22 in the subsection heading and inserting  
23 “COMMERCIAL PRODUCTS AND COMMER-  
24 CIAL SERVICES”;

1 (II) in paragraph (1), by striking  
2 “commercial items” and inserting “com-  
3 mercial products and commercial services”;  
4 and

5 (III) in paragraph (2), by striking “a  
6 commercial item” and inserting “a com-  
7 mercial product or commercial service”;

8 (ii) in subsection (b)—

9 (I) in paragraph (2), by striking  
10 “commercial items or, to the extent that  
11 commercial items suitable to meet the ex-  
12 ecutive agency’s needs are not available,  
13 nondevelopmental items other than com-  
14 mercial items” and inserting “commercial  
15 services or commercial products or, to the  
16 extent that commercial products suitable to  
17 meet the executive agency’s needs are not  
18 available, nondevelopmental items other  
19 than commercial products”; and

20 (II) in paragraph (3), by striking  
21 “commercial items and nondevelopmental  
22 items other than commercial items” and  
23 inserting “commercial services, commercial  
24 products, and nondevelopmental items  
25 other than commercial products”;

1 (iii) in subsection (c)—

2 (I) in paragraphs (1) and (2), by  
3 striking “commercial items or nondevelop-  
4 mental items other than commercial items”  
5 and inserting “commercial services or com-  
6 mercial products or nondevelopmental  
7 items other than commercial products”;

8 (II) in paragraphs (3) and (4), by  
9 striking “commercial items or, to the ex-  
10 tent that commercial items suitable to  
11 meet the executive agency’s needs are not  
12 available, nondevelopmental items other  
13 than commercial items” and inserting  
14 “commercial services or commercial prod-  
15 ucts or, to the extent that commercial  
16 products suitable to meet the executive  
17 agency’s needs are not available, non-  
18 developmental items other than commercial  
19 products”; and

20 (III) in paragraphs (5) and (6), by  
21 striking “commercial items” and inserting  
22 “commercial products and commercial  
23 services”;

24 (iv) in subsection (d)(2), by striking “com-  
25 mercial items or, to the extent that commercial



1 items suitable to meet the executive agency’s  
2 needs are not available, nondevelopmental items  
3 other than commercial items” and inserting  
4 “commercial services or commercial products  
5 or, to the extent that commercial products suit-  
6 able to meet the executive agency’s needs are  
7 not available, nondevelopmental items other  
8 than commercial products”; and

9 (v) in subsection (e)—

10 (I) in paragraph (1), by inserting  
11 “103a, 104,” after “sections 102, 103,”;

12 (II) in paragraph (2)(A), by striking  
13 “commercial items” and inserting “com-  
14 mercial products or commercial services”;

15 (III) in the first sentence of para-  
16 graph (2)(B), by striking “commercial end  
17 items” and inserting “end items that are  
18 commercial products”;

19 (IV) in paragraphs (2)(B)(i), (2)(C)(i)  
20 and (2)(D), by striking “commercial items  
21 or commercial components” and inserting  
22 “commercial products, commercial compo-  
23 nents, or commercial services”;

24 (V) in paragraph (2)(C), in the mat-  
25 ter preceding clause (i), by striking “com-

1           merchial items” and inserting “commercial  
2           products or commercial services”;

3                   (VI) in paragraph (4)(A), by striking  
4           “commercial items” and inserting “com-  
5           mercial products or commercial services”;

6                   (VII) in paragraph (4)(C)(i), by strik-  
7           ing “commercial item, as described in sec-  
8           tion 103(5)” and inserting “commercial  
9           product, as described in section 103a(1)”;  
10          and

11                   (VIII) in paragraph (5), by striking  
12          “items” each place it appears and insert-  
13          ing “products”.

14           (B)(i) The heading of such section is amended  
15          to read as follows:

16    **“§ 3307. Preference for commercial products and**  
17          **commercial services”.**

18           (ii) The table of sections at the beginning of  
19          chapter 33 is amended by striking the item relating  
20          to section 3307 and inserting the following new  
21          item:

“3307. Preference for commercial products and commercial services.”.

22           (11) Section 3501 is amended—

23                   (A) in subsection (a)—

24                           (i) by striking paragraph (1);

1 (ii) by redesignating paragraphs (2)  
2 and (3) as paragraphs (1) and (2), respec-  
3 tively; and

4 (iii) in paragraph (2) (as so redesign-  
5 ated), by striking “commercial items”  
6 and inserting “commercial products or  
7 commercial services”; and

8 (B) in subsection (b)—

9 (i) by striking “ITEM” in the heading  
10 for paragraph (1); and

11 (ii) by striking “commercial items” in  
12 paragraphs (1) and (2)(A) and inserting  
13 “commercial services”.

14 (12) Section 3503 is amended—

15 (A) in subsection (a)(2), by striking “a  
16 commercial item” and inserting “a commercial  
17 product or a commercial service”; and

18 (B) in subsection (b)—

19 (i) by striking “COMMERCIAL ITEMS”  
20 in the subsection heading and inserting  
21 “COMMERCIAL PRODUCTS OR COMMER-  
22 CIAL SERVICES”; and

23 (ii) by striking “a commercial item”  
24 each place it appears and inserting “a

1 commercial product or a commercial serv-  
2 ice”.

3 (13) Section 3505(b) is amended by striking  
4 “commercial items” each place it appears and in-  
5 serting “commercial products or commercial serv-  
6 ices”.

7 (14) Section 3509(b) is amended by striking  
8 “commercial items” and inserting “commercial prod-  
9 ucts or commercial services”.

10 (15) Section 3704(c)(5) is amended by striking  
11 “commercial item” and inserting “commercial prod-  
12 uct”.

13 (16) Section 3901(b)(3) is amended by striking  
14 “commercial items” and inserting “commercial prod-  
15 ucts or commercial services”.

16 (17) Section 4301(2) is amended by striking  
17 “commercial items” and inserting “commercial prod-  
18 ucts or commercial services”.

19 (18)(A) Section 4505 is amended by striking  
20 “commercial items” in subsections (a) and (c) and  
21 inserting “commercial products or commercial serv-  
22 ices”.

23 (B)(i) The heading of such section is amended  
24 to read as follows:

1 **“§ 4505. Payments for commercial products and com-**  
2 **mercial services”.**

3 (ii) The table of sections at the beginning of  
4 chapter 45 is amended by striking the item relating  
5 to section 4505 and inserting the following new  
6 item:

“4505. Payments for commercial products and commercial services.”.

7 (19) Section 4704(d) is amended by striking  
8 “commercial items” both places it appears and in-  
9 serting “commercial products or commercial serv-  
10 ices”.

11 (20) Sections 8102(a)(1), 8703(d)(2), and  
12 8704(b) are amended by striking “commercial items  
13 (as defined in section 103 of this title)” and insert-  
14 ing “commercial products or commercial services (as  
15 defined in sections 103 and 103a, respectively, of  
16 this title)”.

17 (c) AMENDMENTS TO CHAPTER 137 OF TITLE 10,  
18 UNITED STATES CODE.—Chapter 137 of title 10, United  
19 States Code, is amended as follows:

20 (1) Section 2302(3) is amended—

21 (A) by redesignating subparagraphs (J),  
22 (K), and (L) as subparagraphs (K), (L), and  
23 (M); and

1 (B) by striking subparagraph (I) and in-  
2 serting the following new subparagraphs (I) and  
3 (J):

4 “(I) The term ‘commercial product’.

5 “(J) The term ‘commercial service’.”.

6 (2) Section 2304 is amended—

7 (A) in subsections (c)(5) and (f)(2)(B), by  
8 striking “brand-name commercial item” and in-  
9 serting “brand-name commercial product”;

10 (B) in subsection (g)(1)(B), by striking  
11 “commercial items” and inserting “commercial  
12 products or commercial services”; and

13 (C) in subsection (i)(3), by striking “com-  
14 mercial items” and inserting “commercial prod-  
15 ucts”.

16 (3) Section 2305 is amended—

17 (A) in subsection (a)(2), by striking “com-  
18 mercial items” and inserting “commercial prod-  
19 ucts or commercial services”; and

20 (B) in subsection (b)(5)(B)(v), by striking  
21 “commercial item” and inserting “commercial  
22 product”.

23 (4) Section 2306(b) is amended by striking  
24 “commercial items” and inserting “commercial prod-  
25 ucts or commercial services”.

- 1 (5) Section 2306a is amended—
- 2 (A) in subsection (b)—
- 3 (i) in paragraph (1)(B), by striking
- 4 “a commercial item” and inserting “a com-
- 5 mercial product or a commercial service”;
- 6 (ii) in paragraph (2)—
- 7 (I) by striking “COMMERCIAL
- 8 ITEMS” in the paragraph heading and
- 9 inserting “COMMERCIAL PRODUCTS
- 10 OR COMMERCIAL SERVICES”; and
- 11 (II) by striking “commercial
- 12 item” each place it appears and in-
- 13 serting “commercial product or com-
- 14 mercial services”;
- 15 (iii) in paragraph (3)—
- 16 (I) by striking “COMMERCIAL
- 17 ITEMS” in the paragraph heading and
- 18 inserting “COMMERCIAL PRODUCTS”;
- 19 and
- 20 (II) by striking “item” each place
- 21 it appears and inserting “product”;
- 22 and
- 23 (iv) in paragraph (4)—
- 24 (I) by striking “COMMERCIAL
- 25 ITEM” in the paragraph heading and

1 inserting “COMMERCIAL PRODUCT OR  
2 COMMERCIAL SERVICE”;

3 (II) by striking “commercial  
4 item” in subparagraph (A) after “ap-  
5 plying the”;

6 (III) by striking “prior commer-  
7 cial item determination” in subpara-  
8 graph (A) and inserting “prior com-  
9 mercial product or commercial service  
10 determination”;

11 (IV) by striking “of such item”  
12 in subparagraph (A) and inserting “of  
13 such product or service”;

14 (V) by striking “of an item pre-  
15 viously determined to be a commercial  
16 item” in subparagraph (B) and insert-  
17 ing “of a product or service previously  
18 determined to be a commercial prod-  
19 uct or a commercial service”;

20 (VI) by striking “of a commercial  
21 item,” in subparagraph (B) and in-  
22 serting “of a commercial product or a  
23 commercial service, as the case may  
24 be,”;



1 (VII) by striking “the commer-  
2 cial item determination” in subpara-  
3 graph (B) and inserting “the commer-  
4 cial product or commercial service de-  
5 termination”; and

6 (VIII) by striking “commercial  
7 item” in subparagraph (C); and

8 (v) in paragraph (5), by striking  
9 “commercial items” and inserting “com-  
10 mercial products or commercial services”;

11 (B) in subsection (d)(2), by striking “com-  
12 mercial items” each place it appears and insert-  
13 ing “commercial products or commercial serv-  
14 ices”; and

15 (C) in subsection (h)—

16 (i) in paragraph (2), by striking  
17 “commercial items” and inserting “com-  
18 mercial products or commercial services”;

19 and

20 (ii) by striking paragraph (3).

21 (6) Section 2307(f) is amended—

22 (A) by striking “COMMERCIAL ITEMS” in  
23 the subsection heading and inserting “COMMER-  
24 CIAL PRODUCTS AND COMMERCIAL SERVICES”;

25 and

1 (B) by striking “commercial items” in  
2 paragraphs (1) and (2) and inserting “commer-  
3 cial products and commercial services”.

4 (7) Section 2320(b) is amended—

5 (A) in paragraph (1), by striking “a com-  
6 mercial item, the item” and inserting “a com-  
7 mercial product, the product”; and

8 (B) in paragraph (9)(A), by striking “any  
9 noncommercial item or process” and inserting  
10 “any noncommercial product or process”.

11 (8) Section 2321(f) is amended—

12 (A) in paragraph (1)—

13 (i) by striking “commercial items”  
14 and inserting “commercial products”; and

15 (ii) by striking “the item” both places  
16 it appears and inserting “commercial prod-  
17 ucts”; and

18 (B) in paragraph (2)(A), in clauses (i) and  
19 (ii), by striking “commercial item” and insert-  
20 ing “commercial product”.

21 (9) Section 2324(l)(1)(A) is amended by strik-  
22 ing “commercial items” and inserting “commercial  
23 products or commercial services”.

1           (10) Section 2335(b) is amended by striking  
2           “commercial items” and inserting “commercial prod-  
3           ucts and commercial services”.

4           (d) AMENDMENTS TO CHAPTER 140 OF TITLE 10,  
5 UNITED STATES CODE.—Chapter 140 of title 10, United  
6 States Code, is amended as follows:

7           (1) Section 2375 is amended—

8                   (A) in subsection (a), by striking “commer-  
9                   cial item” in paragraphs (1) and (2) and insert-  
10                   ing “commercial product or commercial serv-  
11                   ice”;

12                   (B) in subsections (b) and (c)—

13                           (i) by striking “COMMERCIAL ITEMS”  
14                           in the subsection heading and inserting  
15                           “COMMERCIAL PRODUCTS AND COMMER-  
16                           CIAL SERVICES”; and

17                           (ii) by striking “commercial items”  
18                           each place it appears and inserting “com-  
19                           mercial products and commercial services”;  
20                           and

21                   (C) in subsection (e)(3), by striking “com-  
22                   mercial items” and inserting “commercial prod-  
23                   ucts and commercial services”.

24           (2) Section 2376(1) is amended—

1 (A) by striking “terms ‘commercial item’,”  
2 and inserting “terms ‘commercial product’,  
3 ‘commercial service’,”; and

4 (B) by striking “chapter 1 of title 41” and  
5 inserting “sections 103, 103a, 110, 105, and  
6 102, respectively, of title 41”.

7 (3) Section 2377 is amended—

8 (A) in subsection (a)—

9 (i) in paragraph (2), by striking  
10 “commercial items or, to the extent that  
11 commercial items suitable to meet the  
12 agency’s needs are not available, non-  
13 developmental items other than commercial  
14 items” and inserting “commercial services  
15 or commercial products or, to the extent  
16 that commercial products suitable to meet  
17 the agency’s needs are not available, non-  
18 developmental items other than commercial  
19 products”; and

20 (ii) in paragraph (3), by striking  
21 “commercial items and nondevelopmental  
22 items other than commercial items” and  
23 inserting “commercial services, commercial  
24 products, and nondevelopmental items  
25 other than commercial products”;

1 (B) in subsection (b)—

2 (i) in paragraphs (1) and (2), by  
3 striking “commercial items or nondevelop-  
4 mental items other than commercial items”  
5 and inserting “commercial services, com-  
6 mercial products, or nondevelopmental  
7 items other than commercial products”;

8 (ii) in paragraphs (3) and (4), by  
9 striking “commercial items or, to the ex-  
10 tent that commercial items suitable to  
11 meet the agency’s needs are not available,  
12 nondevelopmental items other than com-  
13 mercial items” and inserting “commercial  
14 services or commercial products or, to the  
15 extent that commercial products suitable to  
16 meet the agency’s needs are not available,  
17 nondevelopmental items other than com-  
18 mercial products”; and

19 (iii) in paragraphs (5) and (6), by  
20 striking “commercial items” and inserting  
21 “commercial products and commercial  
22 services”;

23 (C) in subsection (c)—

24 (i) in paragraph (2), by striking  
25 “commercial items or, to the extent that

1 commercial items suitable to meet the  
2 agency's needs are not available, non-  
3 developmental items other than commercial  
4 items" and inserting "commercial services  
5 or commercial products or, to the extent  
6 that commercial products suitable to meet  
7 the agency's needs are not available, non-  
8 developmental items other than commercial  
9 products"; and

10 (ii) in paragraph (4), by striking  
11 "items other than commercial items" and  
12 inserting "products other than commercial  
13 products or services other than commercial  
14 services";

15 (D) in subsection (d)—

16 (i) in the first sentence, by striking  
17 "commercial items" and inserting "com-  
18 mercial products or commercial services";

19 (ii) in paragraph (1), by striking  
20 "items" and inserting "products or serv-  
21 ices"; and

22 (iii) in paragraph (2), by striking  
23 "items" and inserting "products or serv-  
24 ices"; and

1           (E) in subsection (e)(1), by striking “com-  
2           mercial items” and inserting “commercial prod-  
3           ucts and commercial services”.

4           (4) Section 2379 is amended—

5           (A) by striking “COMMERCIAL ITEMS” in  
6           the headings of subsections (b) and (c) and in-  
7           serting “COMMERCIAL PRODUCTS”;

8           (B) in subsections (a)(1)(A), (b)(2), and  
9           (c)(1)(B), by striking “, as defined in section  
10          103 of title 41”; and

11          (C) by striking “commercial item” and  
12          “commercial items” each place they appear and  
13          inserting “commercial product” and “commer-  
14          cial products”, respectively.

15          (5) Section 2380 is amended—

16          (A) in subsection (a), by striking “commer-  
17          cial item determinations” in paragraphs (1) and  
18          (2) and inserting “commercial product and  
19          commercial service determinations”; and

20          (B) in subsection (b) (as added by section  
21          848 of the National Defense Authorization Act  
22          for Fiscal Year 2018)—

23                  (i) by striking “ITEM” in the sub-  
24                  section heading;

1           (ii) by striking “an item” each place  
2           it appears and inserting “a product or  
3           service”;

4           (iii) by striking “item” after “using  
5           commercial” each place it appears;

6           (iv) by striking “prior commercial  
7           item determination” and inserting “prior  
8           commercial product or service determina-  
9           tion”;

10          (v) by striking “such item” and in-  
11          serting “such product or service”; and

12          (vi) by striking “the item” both places  
13          it appears and inserting “the product or  
14          service”.

15          (6) Section 2380a is amended—

16           (A) in subsection (a)—

17           (i) by striking “items and” and insert-  
18           ing “products and”; and

19           (ii) by striking “commercial items”  
20           and inserting “commercial products and  
21           commercial services, respectively,”; and

22           (B) in subsection (b), by striking “com-  
23           mercial items” and inserting “commercial serv-  
24           ices”.



1           (7) Section 2380B is amended by striking  
2           “commercial item” and inserting “commercial prod-  
3           uct”.

4           (8) AMENDMENTS TO HEADINGS, ETC.—

5           (A) The heading of such chapter is amend-  
6           ed to read as follows:

7           **“CHAPTER 140—PROCUREMENT OF COM-**  
8           **MERCIAL PRODUCTS AND COMMER-**  
9           **CIAL SERVICES”.**

10           (B) The heading of section 2375 is amend-  
11           ed to read as follows:

12           **“§ 2375. Relationship of other provisions of law to**  
13           **procurement of commercial products and**  
14           **commercial services”.**

15           (C) The heading of section 2377 is amend-  
16           ed to read as follows:

17           **“§ 2377. Preference for commercial products and**  
18           **commercial services”.**

19           (D) The heading of section 2379 is amend-  
20           ed to read as follows:

1 **“§ 2379. Procurement of a major weapon system as a**  
2 **commercial product: requirement for**  
3 **prior determination by Secretary of De-**  
4 **fense and notification to Congress”.**

5 (E) The heading of section 2380 is amend-  
6 ed to read as follows:

7 **“§ 2380. Commercial product and commercial service**  
8 **determinations by Department of De-**  
9 **fense”.**

10 (F) The heading of section 2380a is  
11 amended to read as follows:

12 **“§ 2380a. Treatment of certain products and services**  
13 **as commercial products and commercial**  
14 **services”.**

15 (G) Section 2380B is redesignated as sec-  
16 tion 2380b and the heading of that section is  
17 amended to read as follows:

18 **“§ 2380b. Treatment of commingled items purchased**  
19 **by contractors as commercial products”.**

20 (H) The table of sections at the beginning  
21 of such chapter is amended to read as follows:

“2375. Relationship of other provisions of law to procurement of commercial products and commercial services.

“2376. Definitions.

“2377. Preference for commercial products and commercial services.

“2379. Procurement of a major weapon system as a commercial product: requirement for prior determination by Secretary of Defense and notification to Congress.

“2380. Commercial product and commercial service determinations by Department of Defense.

“2380a. Treatment of certain products and services as commercial products and commercial services.

“2380b. Treatment of commingled items purchased by contractors as commercial products.”.

1           (e) OTHER AMENDMENTS TO TITLE 10, UNITED  
2 STATES CODE.—Title 10, United States Code, is further  
3 amended as follows:

4           (1) Section 2226(b) is amended by striking “for  
5 services” and all that follows through “deliverable  
6 items” and inserting “for services or deliverable  
7 items”.

8           (2) Section 2384(b)(2) is amended by striking  
9 “commercial items” and inserting “commercial prod-  
10 ucts”.

11           (3) Section 2393(d) is amended by striking  
12 “commercial items (as defined in section 103 of title  
13 41)” and inserting “commercial products or com-  
14 mercial services (as defined in sections 103 and  
15 103a, respectively, of title 41)”.

16           (4) Section 2402(d) is amended—

17           (A) in paragraph (1), by striking “com-  
18 mercial items” both places it appears and in-  
19 serting “commercial products or commercial  
20 services”; and

21           (B) in paragraph (2), by striking “the  
22 term” and all that follows and inserting “the  
23 terms ‘commercial product’ and ‘commercial

1 service' have the meanings given those terms in  
2 sections 103 and 103a, respectively, of title  
3 41.”.

4 (5) Section 2408(a)(4)(B) is amended by strik-  
5 ing “commercial items (as defined in section 103 of  
6 title 41)” and inserting “commercial products or  
7 commercial services (as defined in sections 103 and  
8 103a, respectively, of title 41)”.

9 (6) Section 2410b(c) is amended by striking  
10 “commercial items” and inserting “commercial prod-  
11 ucts”.

12 (7) Section 2410g(d)(1) is amended by striking  
13 “Commercial items (as defined in section 103 of title  
14 41)” and inserting “Commercial products or com-  
15 mercial services (as defined in sections 103 and  
16 103a, respectively, of title 41)”.

17 (8) Section 2447a is amended—

18 (A) in subsection (a)(2), by striking “com-  
19 mercial items and technologies” and inserting  
20 “commercial products and technologies”; and

21 (B) in subsection (c), by inserting before  
22 the period at the end the following: “and the  
23 term ‘commercial product’ has the meaning  
24 given that term in section 103 of title 41”.

1           (9) Section 2451(d) is amended by striking  
2           “commercial items” and inserting “commercial prod-  
3           ucts (as defined in section 103 of title 41)”.

4           (10) Section 2464 is amended—

5                 (A) in subsection (a)—

6                     (i) in paragraph (3), by striking  
7                     “commercial items” and inserting “com-  
8                     mercial products or commercial services”;  
9                     and

10                    (ii) in paragraph (5), by striking “The  
11                    commercial items covered by paragraph (3)  
12                    are commercial items” and inserting “The  
13                    commercial products or commercial serv-  
14                    ices covered by paragraph (3) are commer-  
15                    cial products (as defined in section 103 of  
16                    title 41) or commercial services (as defined  
17                    in section 103a of such title)”;

18                 (B) in subsection (c)—

19                     (i) by striking “COMMERCIAL ITEMS”  
20                     in the subsection heading and inserting  
21                     “COMMERCIAL PRODUCTS OR COMMER-  
22                     CIAL SERVICES”; and

23                     (ii) by striking “commercial item” and  
24                     inserting “commercial product or commer-  
25                     cial service”.

1 (11) Section 2484(f) is amended—

2 (A) by striking “COMMERCIAL ITEMS” in  
3 the subsection heading and inserting “COMMER-  
4 CIAL PRODUCTS”; and

5 (B) by striking “commercial item” and in-  
6 serting “commercial product”.

7 (12) The items relating to chapter 140 in the  
8 tables of chapters at the beginning of subtitle A, and  
9 at the beginning of part IV of subtitle A, are amend-  
10 ed to read as follows:

**“140. Procurement of Commercial Products and Com-  
mercial Services ..... 2377”.**

11 (f) AMENDMENTS TO PROVISIONS OF NATIONAL DE-  
12 FENSE AUTHORIZATION ACTS.—

13 (1) Section 806(b) of the National Defense Au-  
14 thorization Act for Fiscal Years 1992 and 1993  
15 (Public Law 102–190; 10 U.S.C. 2302 note) is  
16 amended by striking “commercial items (as defined  
17 in section 103 of title 41, United States Code)” and  
18 inserting “commercial products or commercial serv-  
19 ices (as defined in sections 103 and 103a, respec-  
20 tively, of title 41, United States Code)”.

21 (2) Section 821(e) of the Floyd D. Spence Na-  
22 tional Defense Authorization Act for Fiscal Year  
23 2001 (as enacted into law by Public Law 106–398;  
24 10 U.S.C. 2302 note) is amended—

1 (A) by striking paragraph (2); and

2 (B) by redesignating paragraph (3) as  
3 paragraph (2).

4 (3) Section 821(b) of the National Defense Au-  
5 thorization Act for Fiscal Year 2008 (Public Law  
6 110–181; 10 U.S.C. 2304 note) is amended—

7 (A) in paragraph (1), by striking “a com-  
8 mercial item” and inserting “a commercial  
9 product or a commercial service”;

10 (B) in paragraph (2), by striking “com-  
11 mercial item” and inserting “commercial prod-  
12 uct”; and

13 (C) by adding at the end the following new  
14 paragraph:

15 “(3) The term ‘commercial service’ has the  
16 meaning provided by section 103a of title 41, United  
17 States Code.”.

18 (4) Section 817(d) of the Bob Stump National  
19 Defense Authorization Act for Fiscal Year 2003  
20 (Public Law 107–314; 10 U.S.C. 2306a note) is  
21 amended—

22 (A) in paragraph (1), by striking “com-  
23 mercial item exceptions” and inserting “com-  
24 mercial product-commercial service exceptions”;  
25 and

1 (B) in paragraph (2), by striking “com-  
2 mercial item exception” and inserting “commer-  
3 cial product-commercial service exception”;

4 (5) Section 852(b)(2)(A)(ii) of the National De-  
5 fense Authorization Act for Fiscal Year 2007 (Pub-  
6 lic Law 109–364; 10 U.S.C. 2324 note) is amended  
7 by striking “a commercial item, as defined in section  
8 103 of title 41” and inserting “a commercial prod-  
9 uct or a commercial service, as defined in sections  
10 103 and 103a, respectively, of title 41”.

11 (6) Section 805 of the National Defense Au-  
12 thorization Act for Fiscal Year 2008 (Public Law  
13 110–181; 10 U.S.C. 2330 note) is amended—

14 (A) in subsection (b), by striking “com-  
15 mercial items” in paragraphs (1) and (2)(A)  
16 and inserting “commercial services”; and

17 (B) in subsection (c)—

18 (i) by striking “ITEM” in the headings  
19 for paragraphs (1) and (2) and inserting  
20 “SERVICES”;

21 (ii) in the matter in paragraph (1)  
22 preceding subparagraph (A), by striking  
23 “commercial item” and inserting “commer-  
24 cial service”;



1 (iii) in paragraph (1)(A), by striking  
2 “a commercial item, as described in section  
3 103(5) of title 41” and inserting “a serv-  
4 ice, as described in section 103a(1) of title  
5 41”;

6 (iv) in paragraph (1)(C)(i), by strik-  
7 ing “section 103(6) of title 41” and insert-  
8 ing “section 103a(2) of title 41”; and

9 (v) in paragraph (2), by striking  
10 “item” and inserting “service”.

11 (7) Section 849(d) of the National Defense Au-  
12 thorization Act for Fiscal Year 2017 (Public Law  
13 114–328; 10 U.S.C. 2377 note) is amended—

14 (A) by striking “commercial items” in  
15 paragraph (1) and inserting “commercial prod-  
16 ucts”;

17 (B) by striking “commercial item” in para-  
18 graph (3)(B)(i) and inserting “commercial  
19 product”; and

20 (C) by adding at the end the following new  
21 paragraph:

22 “(5) DEFINITION.—In this subsection, the term  
23 ‘commercial product’ has the meaning given that  
24 term in section 103 of title 41.”.

1           (8) Section 856(a)(1) of the National Defense  
2           Authorization Act for Fiscal Year 2016 (Public Law  
3           114–92; 10 U.S.C. 2377 note) is amended by strik-  
4           ing “commercial items or services” and inserting “a  
5           commercial product or a commercial service, as de-  
6           fined in sections 103 and 103a, respectively, of title  
7           41,”.

8           (9) Section 879 of the National Defense Au-  
9           thorization Act for Fiscal Year 2017 (Public Law  
10          114–328; 10 U.S.C. 2302 note) is amended—

11           (A) in the section heading, by striking  
12           “**COMMERCIAL ITEMS**” and inserting “**COM-**  
13           **MERCIAL PRODUCTS**”;

14           (B) in subsection (a), by striking “com-  
15           mercial items” and inserting “commercial prod-  
16           ucts”;

17           (C) in subsection (c)(3)—

18           (i) by striking “COMMERCIAL ITEMS”  
19           in the paragraph heading and inserting  
20           “COMMERCIAL PRODUCTS OR COMMERCIAL  
21           SERVICES”; and

22           (ii) by striking “commercial items”  
23           and inserting “commercial products or  
24           commercial services”; and

1 (D) in subsection (e)(2), by striking  
2 “item” in subparagraphs (A) and (B) and in-  
3 serting “products”.

4 (10) Section 880 of the National Defense Au-  
5 thorization Act for Fiscal Year 2017 (Public Law  
6 114–328; 41 U.S.C. 3301 note) is amended by strik-  
7 ing “commercial items” in subsection (a)(1) and in-  
8 serting “commercial products”.

9 (g) CONFORMING AMENDMENTS TO OTHER STAT-  
10 UTES.—

11 (1) Section 604(g) of the American Recovery  
12 and Reinvestment Act of 2009 (6 U.S.C. 453b(g))  
13 is amended—

14 (A) by striking “COMMERCIAL ITEMS” in  
15 the subsection heading and inserting “COMMER-  
16 CIAL PRODUCTS”;

17 (B) by striking “procurement of commer-  
18 cial” in the first sentence and all that follows  
19 through “items listed” and inserting “procure-  
20 ment of commercial products notwithstanding  
21 section 1906 of title 41, United States Code,  
22 with the exception of commercial products list-  
23 ed”; and

24 (C) in the second sentence—

1 (i) by inserting “product” after “com-  
2 mercial”; and

3 (ii) by striking “in the” and all that  
4 follows and inserting “in section 103 of  
5 title 41, United States Code.”.

6 (2) Section 142 of the Higher Education Act of  
7 1965 (20 U.S.C. 1018a) is amended—

8 (A) in subsection (e)—

9 (i) by striking “COMMERCIAL ITEMS”  
10 in the subsection heading and inserting  
11 “COMMERCIAL PRODUCTS AND COMMER-  
12 CIAL SERVICES”;

13 (ii) by striking “that commercial  
14 items” and inserting “that commercial  
15 products or commercial services”;

16 (iii) by striking “special rules for com-  
17 mercial items” and inserting “special rules  
18 for commercial products and commercial  
19 services”;

20 (iv) by striking “without regard to—  
21 ” and all that follows through “dollar limi-  
22 tation” and inserting “without regard to  
23 any dollar limitation”;

24 (v) by striking “; and” and inserting  
25 a period; and

1 (vi) by striking paragraph (2);

2 (B) in subsection (f)—

3 (i) by striking “ITEMS” in the sub-  
4 section heading and inserting “PRODUCTS  
5 AND SERVICES”;

6 (ii) by striking “ITEMS” in the head-  
7 ing of paragraph (2) and inserting “PROD-  
8 UCTS AND SERVICES”; and

9 (iii) by striking “a commercial item”  
10 in paragraph (2) and inserting “a commer-  
11 cial product or a commercial service”;

12 (C) in subsection (h)—

13 (i) by striking “ITEMS” in the sub-  
14 section heading and inserting “SERVICES”;  
15 and

16 (ii) by striking “commercial items” in  
17 paragraph (1) and inserting “commercial  
18 services”; and

19 (D) in subsection (l)—

20 (i) by redesignating paragraphs (2),  
21 (3), (4), and (5) as paragraphs (3), (4),  
22 (5), and (6), respectively;

23 (ii) by striking paragraph (1) and in-  
24 serting the following new paragraphs:

1           “(1) COMMERCIAL PRODUCT.—The term ‘com-  
2           mercial product’ has the meaning given the term in  
3           section 103 of title 41, United States Code.

4           “(2) COMMERCIAL SERVICE.—The term ‘com-  
5           mercial service’ has the meaning given the term in  
6           section 103a of title 41, United States Code.”;

7                   (iii) in paragraph (3), as so redesign-  
8                   ated, by striking “in section” and all that  
9                   follows and inserting “in section 152 of  
10                  title 41, United States Code.”;

11                  (iv) in paragraph (5), as so redesign-  
12                  ated—

13                   (I) by striking “COMMERCIAL  
14                   ITEMS” in the paragraph heading and  
15                   inserting “COMMERCIAL PRODUCTS  
16                   AND COMMERCIAL SERVICES”;

17                   (II) by striking “commercial  
18                   items” and inserting “commercial  
19                   products and commercial services”;  
20                   and

21                   (III) by striking “pursuant to”  
22                   and all that follows and inserting  
23                   “pursuant to sections 1901 and  
24                   3305(a) of title 41, United States  
25                   Code.”; and

1           (v) in paragraph (6), as so redesignated,  
2           nated, by striking “pursuant to” and all  
3           that follows and inserting “pursuant to  
4           sections 1901(a)(1) and 3305(a)(1) of title  
5           41, United States Code.”.

6           (3) Section 3901(a)(4)(A)(ii)(II) of title 31,  
7           United States Code, is amended by striking “com-  
8           mercial item” and inserting “commercial product”.

9           (4) Section 2455(c)(1) of the Federal Acquisition  
10          Streamlining Act of 1994 (31 U.S.C. 6101  
11          note) is amended by striking “commercial items”  
12          and inserting “commercial products”.

13          (5) Section 508(f) of the Federal Water Pollution  
14          Control Act (33 U.S.C. 1368(f)) is amended—

15               (A) in paragraph (1), by striking “com-  
16               mercial items” and inserting “commercial prod-  
17               ucts or commercial services”; and

18               (B) in paragraph (2), by striking “the  
19               term” and all that follows and inserting “the  
20               terms ‘commercial product’ and ‘commercial  
21               service’ have the meanings given those terms in  
22               sections 103 and 103a, respectively, of title 41,  
23               United States Code.”.

24          (6) Section 3707 of title 40, United States  
25          Code, is amended by striking “a commercial item (as

1 defined in section 103 of title 41)” and inserting “a  
2 commercial product (as defined in section 103 of  
3 title 41) or a commercial service (as defined in sec-  
4 tion 103a of title 41)”.

5 (7) Subtitle III of title 40, United States Code,  
6 is amended—

7 (A) in section 11101(1), by striking “COM-  
8 MERCIAL ITEM.—The term ‘commercial item’  
9 has” and inserting “COMMERCIAL PRODUCT.—  
10 The term ‘commercial product’ has”; and

11 (B) in section 11314(a)(3), by striking  
12 “items” each place it appears and inserting  
13 “products”.

14 (8) Section 8301(g) of the Federal Acquisition  
15 Streamlining Act of 1994 (42 U.S.C. 7606 note) is  
16 amended by striking “commercial items” and insert-  
17 ing “commercial products or commercial services”.

18 (9) Section 40118(f) of title 49, United States  
19 Code, is amended—

20 (A) in paragraph (1), by striking “com-  
21 mercial items” and inserting “commercial prod-  
22 ucts”; and

23 (B) in paragraph (2), by striking “com-  
24 mercial item” and inserting “commercial prod-  
25 uct”.



1           (10) Chapter 501 of title 51, United States  
2 Code, is amended—

3           (A) in section 50113(c)—

4                 (i) by striking “COMMERCIAL ITEM”  
5 in the subsection heading and inserting  
6 “COMMERCIAL PRODUCT OR COMMERCIAL  
7 SERVICE”; and

8                 (ii) by striking “commercial item” in  
9 the second sentence and inserting “com-  
10 mercial product or commercial service”;  
11 and

12           (B) in section 50115(b)—

13                 (i) by striking “COMMERCIAL ITEM”  
14 in the subsection heading and inserting  
15 “COMMERCIAL PRODUCT OR COMMERCIAL  
16 SERVICE”; and

17                 (ii) by striking “commercial item” in  
18 the second sentence and inserting “com-  
19 mercial product or commercial service”;  
20 and

21           (C) in section 50132(a)—

22                 (i) by striking “COMMERCIAL ITEM”  
23 in the subsection heading and inserting  
24 “COMMERCIAL SERVICE”; and

1 (ii) by striking “commercial item” in  
2 the second sentence and inserting “com-  
3 mercial service”.

4 (h) SAVINGS PROVISION.—Any provision of law that  
5 on the day before the effective date of this section is on  
6 a list of provisions of law included in the Federal Acquisi-  
7 tion Regulation pursuant to section 1907 of title 41,  
8 United States Code, shall be deemed as of that effective  
9 date to be on a list of provisions of law included in the  
10 Federal Acquisition Regulation pursuant to section 1906  
11 of such title.

12 **SEC. 832. DEFINITION OF SUBCONTRACT.**

13 (a) STANDARD DEFINITION IN TITLE 41, UNITED  
14 STATES CODE.—

15 (1) IN GENERAL.—Chapter 1 of title 41, United  
16 States Code, is amended—

17 (A) by redesignating sections 115 and 116  
18 as sections 116 and 117, respectively; and

19 (B) by inserting after section 114 the fol-  
20 lowing new section 115:

21 **“§ 115. Subcontract**

22 “(a) IN GENERAL.—In this subtitle, the term ‘sub-  
23 contract’ means a contract entered into by a prime con-  
24 tractor or subcontractor for the purpose of obtaining sup-  
25 plies, materials, equipment, or services of any kind under

1 a prime contract. The term includes a transfer of a com-  
2 mercial product or commercial service between divisions,  
3 subsidiaries, or affiliates of a contractor or subcontractor.

4 “(b) MATTERS NOT INCLUDED.—In this subtitle, the  
5 term ‘subcontract’ does not include—

6 “(1) a contract the costs of which are applied  
7 to general and administrative expenses or indirect  
8 costs; or

9 “(2) an agreement entered into by a contractor  
10 or subcontractor for the supply of a commodity, a  
11 commercial product, or a commercial service that is  
12 intended for use in the performance of multiple con-  
13 tracts.”.

14 (2) CLERICAL AMENDMENT.—The table of sec-  
15 tions at the beginning of chapter 1 of title 41,  
16 United States Code, is amended by striking the  
17 items relating to sections 115 and 116 and inserting  
18 the following new items:

“115. Subcontract.

“116. Supplies.

“117. Technical data.”.

19 (b) CONFORMING AMENDMENTS TO TITLE 41,  
20 UNITED STATES CODE.—Title 41, United States Code, is  
21 further amended as follows:

22 (1) Section 1502(b)(1) is amended—

23 (A) by striking subparagraph (A);

1 (B) by redesignating subparagraphs (B)  
2 and (C) as subparagraphs (A) and (B), respec-  
3 tively; and

4 (C) in subparagraph (B), as so redesign-  
5 ated, by striking “Subparagraph (B)” and in-  
6 serting “Subparagraph (A)”.

7 (2) Section 1906 is amended—

8 (A) in subsection (c)—

9 (i) by striking paragraph (1);

10 (ii) by redesignating paragraphs (2),  
11 (3), and (4) as paragraphs (1), (2), and  
12 (3), respectively;

13 (iii) in paragraph (1), as so redesign-  
14 ated, by striking “paragraph (3)” and in-  
15 serting “paragraph (2)”; and

16 (iv) in paragraph (2), as so redesign-  
17 ated, by striking “paragraph (2)” and in-  
18 serting “paragraph (1)”; and

19 (B) in subsection (e), by striking “(c)(3)”  
20 both places it appears and inserting “(c)(2)”.

21 (3) Section 3307(e)(2) is amended—

22 (A) by striking subparagraph (A);

23 (B) by redesignating subparagraphs (B),  
24 (C), (D), and (E) as subparagraphs (A), (B),  
25 (C), and (D), respectively;

1 (C) in subparagraph (C), as so redesign-  
2 nated—

3 (i) by striking “subparagraph (B)”  
4 and inserting “subparagraph (A)”; and

5 (ii) by striking “subparagraph (C)”  
6 and inserting “subparagraph (B)”; and

7 (D) in subparagraph (D), as so redesign-  
8 nated, by striking “subparagraph (B)” and in-  
9 serting “subparagraph (A)”.

10 (4) Section 3501(a) is amended by striking  
11 paragraph (3).

12 (c) INCORPORATION OF TITLE 41 DEFINITION IN  
13 CHAPTERS 137 AND 140 OF TITLE 10, UNITED STATES  
14 CODE.—

15 (1) DEFINITIONS FOR PURPOSES OF CHAPTER  
16 137.—Section 2302(3) of title 10, United States  
17 Code, is amended by adding at the end the following  
18 new subparagraph:

19 “(N) The term ‘subcontract’.”.

20 (2) DEFINITIONS FOR PURPOSES OF CHAPTER  
21 140.—

22 (A) Section 2375(c) of title 10, United  
23 States Code, is amended—

24 (i) by striking paragraph (3); and

1 (ii) by redesignating paragraph (4) as  
2 paragraph (3).

3 (B) Section 2376(1) of such title is amend-  
4 ed by striking “and ‘commercial component’  
5 have” and inserting “‘commercial component’,  
6 and ‘subcontract’ have”.

7 **SEC. 833. LIMITATION ON APPLICABILITY TO DEPARTMENT**  
8 **OF DEFENSE COMMERCIAL CONTRACTS OF**  
9 **CERTAIN PROVISIONS OF LAW AND CERTAIN**  
10 **EXECUTIVE ORDERS AND REGULATIONS.**

11 (a) INAPPLICABILITY OF CERTAIN PROVISIONS OF  
12 LAW.—

13 (1) SECTION 2375.—Section 2375 of title 10,  
14 United States Code, is amended—

15 (A) in subsection (b)(2), by striking “Jan-  
16 uary 1, 2015” and inserting “October 13,  
17 1994”; and

18 (B) in subsections (b)(2), (c)(2), and  
19 (d)(2), by striking “unless the” and all that fol-  
20 lows and inserting a period.

21 (2) SECTION 2533A.—Section 2533a(i) of such  
22 title is amended—

23 (A) in the subsection heading, by striking  
24 “ITEMS” and inserting “PRODUCTS”; and

1 (B) by striking “commercial items” and in-  
2 serting “commercial products”.

3 (3) SECTION 2533B.—Section 2533b(h) of such  
4 title is amended—

5 (A) the subsection heading, by striking  
6 “ITEMS” and inserting “PRODUCTS”; and

7 (B) by striking “commercial items” each  
8 place it appears and inserting “commercial  
9 products”.

10 (b) INAPPLICABILITY OF CERTAIN EXECUTIVE OR-  
11 DERS AND REGULATIONS.—Chapter 140 of title 10,  
12 United States Code, is amended by inserting after section  
13 2375 the following new section:

14 **“§ 2375a. Applicability of certain Executive orders**  
15 **and regulations**

16 “(a) EXECUTIVE ORDERS.—

17 “(1) COMMERCIAL CONTRACTS.—No Depart-  
18 ment of Defense commercial contract shall be sub-  
19 ject to an Executive order issued after the date of  
20 the enactment of this section unless the Executive  
21 order specifically provides that it is applicable to  
22 contracts for the procurement of commercial prod-  
23 ucts and commercial services by the Department of  
24 Defense.

1           “(2) SUBCONTRACTS UNDER COMMERCIAL CON-  
2           TRACTS.—No subcontract under a Department of  
3           Defense commercial contract shall be subject to an  
4           Executive order issued after the date of the enact-  
5           ment of this section unless the Executive order spe-  
6           cifically provides that it is applicable to subcontracts  
7           under Department of Defense contracts for the pro-  
8           curement of commercial products and commercial  
9           services.

10          “(b) REGULATIONS AND POLICIES.—

11           “(1) COMMERCIAL CONTRACTS.—No Depart-  
12           ment of Defense commercial contract shall be sub-  
13           ject to any Department of Defense regulation or pol-  
14           icy prescribed after the date of the enactment of this  
15           section unless the regulation or policy specifically  
16           provides that it is applicable to contracts for the  
17           procurement of commercial products and commercial  
18           services by the Department of Defense.

19           “(2) SUBCONTRACTS UNDER COMMERCIAL CON-  
20           TRACTS.—No subcontract under a Department of  
21           Defense commercial contract shall be subject to any  
22           Department of Defense regulation or order pre-  
23           scribed after the date of the enactment of this sec-  
24           tion unless the regulation or policy specifically pro-  
25           vides that it is applicable to subcontracts under De-



1       partment of Defense contracts for the procurement  
2       of commercial products and commercial services.

3       “(c) DEPARTMENT OF DEFENSE COMMERCIAL CON-  
4 TRACTS.—In this section, the term ‘Department of De-  
5 fense commercial contract’ means a contract for the pro-  
6 curement of a commercial product or commercial service  
7 entered into by the Secretary of Defense.”.

8       (c) CLERICAL AMENDMENT.—The table of sections  
9 at the beginning of such chapter is amended by inserting  
10 after the item relating to section 2375 the following new  
11 item:

“2375a. Applicability of certain Executive orders and regulations.”.

12 **SEC. 834. MODIFICATIONS TO PROCUREMENT THROUGH**  
13 **COMMERCIAL E-COMMERCE PORTALS.**

14       (a) IN GENERAL.—Section 846 of the National De-  
15 fense Authorization Act for Fiscal Year 2018 (Public Law  
16 115–91; 41 U.S.C. 1901 note) is amended—

17           (1) in subsection (f), by adding at the end the  
18 following new paragraph:

19           “(5) A procurement of a product made through  
20 a commercial e-commerce portal under the program  
21 established pursuant to subsection (a) is deemed to  
22 satisfy requirements for full and open competition  
23 pursuant to section 2304 of title 10, United States  
24 Code, and section 3301 of title 41, United States  
25 Code, if—

1           “(A) there are offers from two or more  
2           suppliers of such a product or similar product  
3           with substantially the same physical, functional,  
4           or performance characteristics on the online  
5           marketplace; and

6           “(B) the Administrator establishes proce-  
7           dures to implement subparagraph (A) and noti-  
8           fies Congress at least 30 days before imple-  
9           menting such procedures.”;

10           (2) in subsection (h), by striking paragraph (3)  
11           and inserting the following:

12           “(3) agree not to use, for pricing, marketing,  
13           competitive, or other purposes, any information, in-  
14           cluding any Government-owned data, such as pur-  
15           chasing trends or spending habits, related to a prod-  
16           uct from a third-party supplier featured on the com-  
17           mercial e-commerce portal or the transaction of such  
18           product, except as necessary to comply with the re-  
19           quirements of the program established in subsection  
20           (a).”;

21           (3) by redesignating subsections (j) and (k) as  
22           subsections (k) and (l), respectively; and

23           (4) by inserting after subsection (i) the fol-  
24           lowing new subsection:

1       “(j)    MICRO-PURCHASE    THRESHOLD.—Notwith-  
2 standing section 2338 of title 10, United States Code, and  
3 section 1902 of title 41, United States Code, the micro-  
4 purchase threshold for a procurement of a product  
5 through a commercial e-commerce portal used under the  
6 program established under subsection (a) is \$25,000.”.

7       (b) SENSE OF CONGRESS.—It is the sense of Con-  
8 gress that—

9           (1) the implementation of any e-commerce por-  
10 tal under such section 846 to procure commercial  
11 products will be done in a manner that will enhance  
12 competition, expedite procurement, and ensure rea-  
13 sonable pricing of commercial products;

14           (2) the implementation of the e-commerce por-  
15 tal will be completed with multiple contracts with  
16 multiple commercial e-commerce portal providers;  
17 and

18           (3) the Administrator of the General Services  
19 Administration should require any e-commerce por-  
20 tal provider to take the necessary precautions to  
21 safeguard data of all other e-commerce portal pro-  
22 viders and any third-party suppliers.

1 **SEC. 835. REVIEW OF FEDERAL ACQUISITION REGULA-**  
2 **TIONS ON COMMERCIAL PRODUCTS, COM-**  
3 **MERCIAL SERVICES, AND COMMERCIALY**  
4 **AVAILABLE OFF-THE-SHELF ITEMS.**

5 (a) REVIEW OF DETERMINATIONS NOT TO EXEMPT  
6 CONTRACTS FOR COMMERCIAL PRODUCTS, COMMERCIAL  
7 SERVICES, AND COMMERCIALY AVAILABLE OFF-THE-  
8 SHELF ITEMS FROM CERTAIN LAWS AND REGULA-  
9 TIONS.—Not later than 1 year after the date of the enact-  
10 ment of this Act, the Federal Acquisition Regulatory  
11 Council shall—

12 (1) review each determination of the Federal  
13 Acquisition Regulatory Council pursuant to section  
14 1906(b)(2), section 1906(c)(3), or section  
15 1907(a)(2) of title 41, United States Code, not to  
16 exempt contracts or subcontracts from laws which  
17 such contracts and subcontracts would otherwise be  
18 exempt from under section 1906(d) of title 41,  
19 United States Code; and

20 (2) propose revisions to the Federal Acquisition  
21 Regulation to provide an exemption from each law  
22 subject to such determination unless the Council de-  
23 termines that there is a specific reason not to pro-  
24 vide the exemptions pursuant to section 1906 of  
25 such title or the Administrator for Federal Procure-  
26 ment Policy determines there is a specific reason not

1 to provide the exemption pursuant to section 1907  
2 of such title.

3 (b) REVIEW OF CERTAIN CONTRACT CLAUSE RE-  
4 QUIREMENTS APPLICABLE TO COMMERCIAL PRODUCTS  
5 AND COMMERCIAL SERVICES CONTRACTS.—Not later  
6 than 1 year after the date of the enactment of this Act,  
7 the Federal Acquisition Regulatory Council shall—

8 (1) review the Federal Acquisition Regulation  
9 to assess all regulations that require a specific con-  
10 tract clause for a contract using commercial product  
11 or commercial services acquisition procedures under  
12 part 12 of the Federal Acquisition Regulation, ex-  
13 cept for regulations required by law or Executive  
14 order; and

15 (2) propose revisions to the Federal Acquisition  
16 Regulation to eliminate regulations reviewed under  
17 paragraph (1) unless the Federal Acquisition Regu-  
18 latory Council determines on a case-by-case basis  
19 that there is a specific reason not to eliminate the  
20 regulation.

21 (c) ELIMINATION OF CERTAIN CONTRACT CLAUSE  
22 REGULATIONS APPLICABLE TO COMMERCIALY AVAIL-  
23 ABLE OFF-THE-SHELF ITEM SUBCONTRACTS.—Not later  
24 than 1 year after the date of the enactment of this Act,  
25 the Federal Acquisition Regulatory Council shall—

1           (1) review the Federal Acquisition Regulation  
2           to assess all regulations that require a prime con-  
3           tractor to include a specific contract clause in a sub-  
4           contract for commercially available off-the-shelf  
5           items unless the inclusion of such clause is required  
6           by law or Executive order; and

7           (2) propose revisions to the Federal Acquisition  
8           Regulation to eliminate regulations reviewed under  
9           paragraph (1) unless the Federal Acquisition Regu-  
10          latory Council determines on a case-by-case basis  
11          that there is a specific reason not to eliminate the  
12          regulation.

## 13           **Subtitle D—Industrial Base** 14           **Matters**

### 15   **SEC. 841. REQUIREMENT THAT CERTAIN SHIP COMPO-** 16           **NENTS BE MANUFACTURED IN THE NA-** 17           **TIONAL TECHNOLOGY AND INDUSTRIAL** 18           **BASE.**

19           (a) **ADDITIONAL PROCUREMENT LIMITATION.**—Sec-  
20          tion 2534(a) of title 10, United States Code, is amended  
21          by adding at the end the following new paragraph:

22                   “(6) **COMPONENTS FOR AUXILIARY SHIPS.**—  
23          Subject to subsection (k), the following components:  
24                   “(A) Auxiliary equipment, including  
25                  pumps, for all shipboard services.

1           “(B) Propulsion system components, in-  
2           cluding engines, reduction gears, and propellers.

3           “(C) Shipboard cranes.

4           “(D) Spreaders for shipboard cranes.”.

5           (b) IMPLEMENTATION.—Such section is further  
6 amended by adding at the end the following new sub-  
7 section:

8           “(k) IMPLEMENTATION OF AUXILIARY SHIP COMPO-  
9 NENT LIMITATION.—Subsection (a)(6) applies only with  
10 respect to contracts awarded by the Secretary of a military  
11 department for new construction of an auxiliary ship after  
12 the date of the enactment of the National Defense Author-  
13 ization Act for Fiscal Year 2019 using funds available for  
14 National Defense Sealift Fund programs or Shipbuilding  
15 and Conversion, Navy. For purposes of this subsection,  
16 the term ‘auxiliary ship’ does not include an icebreaker.”.

17 **SEC. 842. REPORT ON DOMESTIC SOURCING OF SPECIFIC**  
18 **COMPONENTS FOR ALL NAVAL VESSELS.**

19           Not later than March 1, 2019, the Secretary of the  
20 Navy shall submit to the congressional defense committees  
21 a report that provides a market survey and cost assess-  
22 ment associated with limiting competition to domestic  
23 sources for—

24           (1) naval vessel components listed in section  
25           2534(a)(3) of title 10, United States Code;

1           (2) expanding such list to include all ships au-  
2           thorized using funds available for Shipbuilding and  
3           Conversion, Navy and Other Procurement, Navy;  
4           and

5           (3) expanding such list to include waterjet ma-  
6           rine propulsion systems, azimuth thrusters, and bow  
7           thrusters for all ships authorized using funds avail-  
8           able for Shipbuilding and Conversion, Navy and  
9           Other Procurement, Navy.

10 **SEC. 843. REMOVAL OF NATIONAL INTEREST DETERMINA-**  
11 **TION REQUIREMENTS FOR CERTAIN ENTI-**  
12 **TIES.**

13           (a) IN GENERAL.—Effective October 1, 2020, a cov-  
14           ered NTIB entity operating under a special security agree-  
15           ment pursuant to the National Industrial Security Pro-  
16           gram shall not be required to obtain a national interest  
17           determination as a condition for access to proscribed infor-  
18           mation.

19           (b) ACCELERATION AUTHORIZED.—Notwithstanding  
20           the effective date of this section, the Secretary of Defense,  
21           in consultation with the Director of the Information Secu-  
22           rity Oversight Office, may waive the requirement to obtain  
23           a national interest determination for a covered NTIB enti-  
24           ty operating under such a special security agreement that  
25           has—



1           (1) a demonstrated successful record of compli-  
2           ance with the National Industrial Security Program;  
3           and

4           (2) previously been approved for access to pro-  
5           scribed information.

6           (c) DEFINITIONS.—In this section:

7           (1) COVERED NTIB ENTITY.—The term “cov-  
8           ered NTIB entity” means a person that is a sub-  
9           sidiary located in the United States—

10                   (A) for which the ultimate parent company  
11                   and any intermediate parent companies of such  
12                   subsidiary are located in a country that is part  
13                   of the national technology and industrial base  
14                   (as defined in section 2500 of title 10, United  
15                   States Code); and

16                   (B) that is subject to the foreign owner-  
17                   ship, control, or influence requirements of the  
18                   National Industrial Security Program.

19           (2) PROSCRIBED INFORMATION.—The term  
20           “proscribed information” means information that  
21           is—

22                   (A) classified at the level of top secret;

23                   (B) communications security information  
24                   (excluding controlled cryptographic items when  
25                   un-keyed or utilized with unclassified keys);

1 (C) restricted data (as defined in section  
2 11 of the Atomic Energy Act of 1954 (42  
3 U.S.C. 2014));

4 (D) special access program information  
5 under section 4.3 of Executive Order No.  
6 13526 (75 Fed. Reg. 707; 50 U.S.C. 3161  
7 note) or successor order; or

8 (E) designated as sensitive compartmented  
9 information.

10 **SEC. 844. PILOT PROGRAM TO TEST MACHINE-VISION**  
11 **TECHNOLOGIES TO DETERMINE THE AU-**  
12 **THENTICITY AND SECURITY OF MICROELEC-**  
13 **TRONIC PARTS IN WEAPON SYSTEMS.**

14 (a) **PILOT PROGRAM AUTHORIZED.**—The Undersec-  
15 retary of Defense for Research and Engineering, in coordi-  
16 nation with the Defense Microelectronics Activity, shall es-  
17 tablish a pilot program to test the feasibility and reliability  
18 of using machine-vision technologies to determine the au-  
19 thenticity and security of microelectronic parts in weapon  
20 systems.

21 (b) **OBJECTIVES OF PILOT PROGRAM.**—The Under-  
22 secretary of Defense for Research and Engineering, in co-  
23 ordination with the Defense Microelectronics Activity,  
24 shall design any pilot program conducted under this sec-  
25 tion to determine the following:

1           (1) The effectiveness and technology readiness  
2           level of machine-vision technologies to determine the  
3           authenticity of microelectronic parts at the time of  
4           the creation of such part through final insertion of  
5           such part into weapon systems.

6           (2) The best method of incorporating machine-  
7           vision technologies into the process of developing,  
8           transporting, and inserting microelectronics into  
9           weapon systems.

10          (3) The rules, regulations, or processes that  
11          hinder the development and incorporation of ma-  
12          chine-vision technologies, and the application of such  
13          rules, regulations, or processes to mitigate counter-  
14          feit microelectronics proliferation throughout the De-  
15          partment of Defense.

16          (c) CONSULTATION.—To develop the pilot program  
17          under this section, the Undersecretary of Defense for Re-  
18          search and Engineering, in coordination with the Defense  
19          Microelectronics Activity, may consult with the following  
20          entities:

21               (1) Manufacturers of semiconductors or elec-  
22               tronics.

23               (2) Industry associations relating to semi-  
24               conductors or electronics.

1           (3) Original equipment manufacturers of prod-  
2           ucts for the Department of Defense.

3           (4) Nontraditional defense contractors (as de-  
4           fined in section 2302(9) of title 10, United States  
5           Code) that are machine vision companies.

6           (5) Federal laboratories (as defined in section  
7           2500(5) of title 10, United States Code).

8           (6) Other elements of the Department of De-  
9           fense that fall under the authority of the Undersec-  
10          retary of Defense for Research and Engineering.

11          (d) COMMENCEMENT AND DURATION.—The pilot  
12          program established under this section shall be established  
13          not later than April 1, 2019, and all activities under such  
14          pilot program shall terminate not later than December 31,  
15          2020.

16          **SEC. 845. SECURITY OF DEPARTMENT OF DEFENSE TELE-**  
17   **COMMUNICATION SERVICES.**

18          In awarding contracts for telecommunication services  
19          or installation of telecommunication infrastructure on  
20          military installations located in the United States or its  
21          territories, the Secretary of Defense shall give preference  
22          to American-owned and -operated companies.

1 **SEC. 846. SENSE OF CONGRESS ON UNMANNED GROUND**  
2 **VEHICLE TECHNOLOGY.**

3 It is the sense of Congress that design, manufac-  
4 turing, and repair of the technology in unmanned ground  
5 vehicles is critical to national security. To that end, the  
6 national technology and industrial base periodic defense  
7 capability assessments required under section 2505 of title  
8 10, United States Code, as well as the national security  
9 strategy for the national technology and industrial base  
10 required under section 2501 of such title, should include  
11 the unmanned ground vehicles industry.

12 **Subtitle E—Small Business Matters**

13 **SEC. 851. DEPARTMENT OF DEFENSE SMALL BUSINESS**  
14 **STRATEGY.**

15 (a) IN GENERAL.—Chapter 136 of title 10, United  
16 States Code, is amended by adding at the end the fol-  
17 lowing new section:

18 **“§ 2283. Department of Defense small business strat-**  
19 **egy**

20 “(a) IN GENERAL.—The Secretary of Defense shall  
21 implement a small business strategy for the Department  
22 of Defense that meets the requirements of this section.

23 “(b) UNIFIED MANAGEMENT STRUCTURE.—As part  
24 of the small business strategy described in subsection (a),  
25 the Secretary shall ensure that there is a unified manage-

1 ment structure within the Department for the functions  
2 of the Department relating to—

3 “(1) programs and activities related to small  
4 business concerns (as defined in section 3 of the  
5 Small Business Act);

6 “(2) manufacturing and industrial base policy;  
7 and

8 “(3) any procurement technical assistance pro-  
9 gram established under chapter 142 of this title.

10 “(c) PURPOSE OF SMALL BUSINESS PROGRAMS.—

11 The Secretary shall ensure that programs and activities  
12 of the Department of Defense related to small business  
13 concerns are carried out so as to further national defense  
14 programs and priorities and the statements of purpose for  
15 Department of Defense acquisition set forth in section 801  
16 of the National Defense Authorization Act for Fiscal Year  
17 2018 (Public Law 115–91; 131 Stat. 1449).

18 “(d) POINTS OF ENTRY INTO DEFENSE MARKET.—

19 The Secretary shall ensure—

20 “(1) that opportunities for small business con-  
21 cerns to contract with the Department of Defense  
22 are identified clearly; and

23 “(2) that small business concerns are able to  
24 have access to program managers, contracting offi-  
25 cers, and other persons using the products or serv-

1       ices of such concern to the extent necessary to in-  
2       form such persons of emerging and existing capabili-  
3       ties of such concerns.

4       “(e) ENHANCED OUTREACH UNDER PROCUREMENT  
5 TECHNICAL ASSISTANCE PROGRAM MARKET.—The Sec-  
6 retary shall enable and promote activities to provide co-  
7 ordinated outreach to small business concerns through any  
8 procurement technical assistance program established  
9 under chapter 142 of this title to facilitate small business  
10 contracting with the Department of Defense.”.

11       (b) IMPLEMENTATION.—

12               (1) DEADLINE.—The Secretary of Defense shall  
13 develop the small business strategy required by sec-  
14 tion 2283 of title 10, United States Code, as added  
15 by subsection (a), not later than 180 days after the  
16 date of the enactment of this Act.

17               (2) NOTICE TO CONGRESS AND PUBLICATION.—

18       Upon completion of the development of the small  
19 business strategy pursuant to paragraph (1), the  
20 Secretary shall—

21               (A) transmit the strategy to Congress; and

22               (B) publish the strategy on a public  
23 website of the Department of Defense.

1 (c) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of such chapter is amended by adding  
3 at the end the following new item:

“2283. Department of Defense small business strategy.”.

4 **SEC. 852. PROMPT PAYMENTS OF SMALL BUSINESS CON-**  
5 **TRACTORS.**

6 Section 2307(a) of title 10, United States Code, is  
7 amended—

8 (1) by redesignating paragraphs (1) and (2) as  
9 subparagraphs (A) and (B), respectively;

10 (2) by striking “The head of any agency may—  
11 ” and inserting “(1) The head of any agency may”;  
12 and

13 (3) by adding at the end the following new  
14 paragraph:

15 “(2)(A) For a prime contractor (as defined in section  
16 8701 of title 41) that is a small business concern (as de-  
17 fined in section 3 of the Small Business Act (15 U.S.C.  
18 632)), the head of an agency shall, to the fullest extent  
19 permitted by law, establish an accelerated payment date  
20 with a goal of 15 days after receipt of a proper invoice  
21 for the amount due if a specific payment date is not estab-  
22 lished by contract.

23 “(B) For a prime contractor that subcontracts with  
24 a small business concern, the head of an agency shall, to  
25 the fullest extent permitted by law, establish an acceler-



1 ated payment date with a goal of 15 days after receipt  
2 of a proper invoice for the amount due if—

3 “(i) a specific payment date is not established  
4 by contract; and

5 “(ii) the prime contractor agrees to make pay-  
6 ments to the subcontractor in accordance with the  
7 accelerated payment date, to the maximum extent  
8 practicable, without any further consideration from  
9 or fees charged to the subcontractor.”.

10 **SEC. 853. INCREASED PARTICIPATION IN THE SMALL BUSI-**  
11 **NESS ADMINISTRATION MICROLOAN PRO-**  
12 **GRAM.**

13 (a) DEFINITIONS.—In this section—

14 (1) the term “intermediary” has the meaning  
15 given that term in section 7(m)(11) of the Small  
16 Business Act (15 U.S.C. 636(m)(11)); and

17 (2) the term “microloan program” means the  
18 program established under section 7(m) of the Small  
19 Business Act (15 U.S.C. 636(m)).

20 (b) MICROLOAN INTERMEDIARY LENDING LIMIT IN-  
21 CREASED.—Section 7(m)(3)(C) of the Small Business Act  
22 (15 U.S.C. 636(m)(3)(C)) is amended by striking  
23 “\$5,000,000” and inserting “\$6,000,000”.

24 (c) MICROLOAN TECHNICAL ASSISTANCE.—Section  
25 7(m)(4)(E) of the Small Business Act (15 U.S.C.

1 636(m)(4)(E)) is amended by striking “25 percent” each  
2 place such term appears and inserting “50 percent”.

3 (d) SBA STUDY OF MICROENTERPRISE PARTICIPA-  
4 TION.—Not later than 1 year after the date of enactment  
5 of this section, the Administrator of the Small Business  
6 Administration shall conduct a study and submit to the  
7 Committee on Small Business and Entrepreneurship of  
8 the Senate and the Committee on Small Business of the  
9 House of Representatives a report on—

10 (1) the operations (including services provided,  
11 structure, size, and area of operation) of a rep-  
12 resentative sample of—

13 (A) intermediaries that are eligible to par-  
14 ticipate in the microloan program and that do  
15 participate; and

16 (B) intermediaries that are eligible to par-  
17 ticipate in the microloan program and that do  
18 not participate;

19 (2) the reasons why eligible intermediaries de-  
20 scribed in paragraph (1)(B) choose not to partici-  
21 pate in the microloan program;

22 (3) recommendations on how to encourage in-  
23 creased participation in the microloan program by  
24 eligible intermediaries described in paragraph  
25 (1)(B); and

1           (4) recommendations on how to decrease the  
2           costs associated with participation in the microloan  
3           program for eligible intermediaries.

4           (e) GAO STUDY ON MICROLOAN INTERMEDIARY  
5 PRACTICES.—Not later than 1 year after the date of en-  
6 actment of this section, the Comptroller General of the  
7 United States shall submit to the Committee on Small  
8 Business and Entrepreneurship of the Senate and the  
9 Committee on Small Business of the House of Representa-  
10 tives a report evaluating—

11           (1) oversight of the microloan program by the  
12           Small Business Administration, including oversight  
13           of intermediaries participating in the microloan pro-  
14           gram; and

15           (2) the specific processes used by the Small  
16           Business Administration to ensure—

17           (A) compliance by intermediaries partici-  
18           pating in the microloan program; and

19           (B) the overall performance of the  
20           microloan program.

1 **SEC. 854. AMENDMENTS TO SMALL BUSINESS INNOVATION**  
2 **RESEARCH PROGRAM AND SMALL BUSINESS**  
3 **TECHNOLOGY TRANSFER PROGRAM.**

4 (a) USE OF SBIR OR STTR FUNDING FOR ADMINIS-  
5 TRATIVE COSTS.—Section 9 of the Small Business Act (15  
6 U.S.C. 638) is amended—

7 (1) in subsection (f)—

8 (A) in paragraph (2), by striking “shall  
9 not” and all that follows through “make avail-  
10 able” and inserting “shall not make available”;  
11 and

12 (B) by adding at the end the following new  
13 paragraph:

14 “(5) ADMINISTRATIVE COSTS.—A Federal agen-  
15 cy may use up to 3 percent of its SBIR budget es-  
16 tablished pursuant to paragraph (1) for the purpose  
17 of funding administrative costs of the program.”;  
18 and

19 (2) in subsection (n)—

20 (A) in paragraph (2), by striking “shall  
21 not” and all that follows through “make avail-  
22 able” and inserting “shall not make available”;  
23 and

24 (B) by adding at the end the following new  
25 paragraph:

1           “(4) ADMINISTRATIVE COSTS.—A Federal agen-  
2           cy may use up to 3 percent of its SBIR budget es-  
3           tablished pursuant to paragraph (1) for the purpose  
4           of funding administrative costs of the program.”.

5           (b) EXPANSION OF PHASE FLEXIBILITY.—Section  
6           9(cc) of such Act (15 U.S.C. 638(cc)) is amended by strik-  
7           ing “During fiscal years” and all that follows through  
8           “may each provide” and inserting “During fiscal years  
9           2018 through 2022, all agencies participating in the SBIR  
10          program may provide”.

11          (c) IMPROVEMENTS TO TECHNICAL AND BUSINESS  
12          ASSISTANCE.—Section 9(q) of the Small Business Act (15  
13          U.S.C. 638(q)) is amended—

14                 (1) in the subsection heading, by inserting  
15                 “AND BUSINESS” after “TECHNICAL”;

16                 (2) in paragraph (1)—

17                         (A) in the matter preceding subparagraph

18                         (A)—

19                                 (i) by striking “a vendor selected  
20                                 under paragraph (2)” and inserting “1 or  
21                                 more vendors selected under paragraph  
22                                 (2)(A)”;

23                                 (ii) by inserting “and business” before  
24                                 “assistance services”; and

1 (iii) by inserting “assistance with  
2 product sales, intellectual property protec-  
3 tions, market research, market validation,  
4 and development of regulatory plans and  
5 manufacturing plans,” after “tech-  
6 nologies,”; and

7 (B) in subparagraph (D), by inserting “,  
8 including intellectual property protections” be-  
9 fore the period at the end;

10 (3) in paragraph (2)—

11 (A) by striking “Each agency may select a  
12 vendor to assist small business concerns to  
13 meet” and inserting the following:

14 “(A) IN GENERAL.—Each agency may se-  
15 lect 1 or more vendors from which small busi-  
16 ness concerns may obtain assistance in meet-  
17 ing”; and

18 (B) by adding at the end the following:

19 “(B) SELECTION BY SMALL BUSINESS  
20 CONCERN.—A small business concern may, by  
21 contract or otherwise, select 1 or more vendors  
22 to assist the small business concern in meeting  
23 the goals listed in paragraph (1).”; and

24 (4) in paragraph (3)—

1 (A) by inserting “(A)” after “paragraph  
2 (2)” each place it appears;

3 (B) in subparagraph (A), by striking  
4 “\$5,000 per year” each place it appears and in-  
5 serting “\$6,500 per year”;

6 (C) in subparagraph (B)—

7 (i) by striking “\$5,000 per year” each  
8 place it appears and inserting “\$50,000  
9 per project”; and

10 (ii) in clause (ii), by striking “which  
11 shall be in addition to the amount of the  
12 recipient’s award” and inserting “which  
13 may, as determined appropriate by the  
14 head of the agency, be included as part of  
15 the recipient’s award or be in addition to  
16 the amount of the recipient’s award”;

17 (D) in subparagraph (C)—

18 (i) by inserting “or business” after  
19 “technical”;

20 (ii) by striking “the vendor” and in-  
21 serting “a vendor”; and

22 (iii) by adding at the end the fol-  
23 lowing: “Business-related services aimed at  
24 improving the commercialization success of  
25 a small business concern may be obtained

1 from an entity, such as a public or private  
2 organization or an agency of or other enti-  
3 ty established or funded by a State that fa-  
4 cilitates or accelerates the commercializa-  
5 tion of technologies or assists in the cre-  
6 ation and growth of private enterprises  
7 that are commercializing technology.”;

8 (E) in subparagraph (D)—

9 (i) by inserting “or business” after  
10 “technical” each place it appears; and

11 (ii) in clause (i), by striking “the ven-  
12 dor” and inserting “1 or more vendors”;  
13 and

14 (F) by adding at the end the following:

15 “(E) MULTIPLE AWARD RECIPIENTS.—The  
16 Administrator shall establish a limit on the  
17 amount of technical and business assistance  
18 services that may be received or purchased  
19 under subparagraph (B) by a small business  
20 concern that has received multiple Phase II  
21 SBIR or STTR awards for a fiscal year.”.

22 **SEC. 855. CONSTRUCTION CONTRACT ADMINISTRATION.**

23 Section 15 of the Small Business Act (15 U.S.C. 644)  
24 is amended by adding at the end the following new sub-  
25 section:



1       “(w) SOLICITATION NOTICE REGARDING ADMINIS-  
2 TRATION OF CHANGE ORDERS FOR CONSTRUCTION.—

3           “(1) IN GENERAL.—With respect to any solici-  
4 tation for the award of a contract for construction  
5 anticipated to be awarded to a small business con-  
6 cern, the agency administering such contract shall  
7 provide a notice along with the solicitation to pro-  
8 spective bidders and offerors that includes—

9           “(A) information about the agency’s poli-  
10 cies or practices in complying with the require-  
11 ments of the Federal Acquisition Regulation re-  
12 lating to the timely definitization of requests for  
13 an equitable adjustment; and

14           “(B) information about the agency’s past  
15 performance in definitizing requests for equi-  
16 table adjustments in accordance with paragraph  
17 (2).

18       “(2) REQUIREMENTS FOR AGENCIES.—An  
19 agency shall provide the past performance informa-  
20 tion described under paragraph (1)(B) as follows:

21           “(A) For the 3-year period preceding the  
22 issuance of the notice, to the extent such infor-  
23 mation is available.

24           “(B) With respect to an agency that, on  
25 the date of the enactment of this subsection,

1 has not compiled the information described  
2 under paragraph (1)(B)—

3 “(i) beginning 1 year after the date of  
4 the enactment of this subsection, for the 1-  
5 year period preceding the issuance of the  
6 notice;

7 “(ii) beginning 2 years after the date  
8 of the enactment of this subsection, for the  
9 2-year period preceding the issuance of the  
10 notice; and

11 “(iii) beginning 3 years after the date  
12 of the enactment of this subsection and  
13 each year thereafter, for the 3-year period  
14 preceding the issuance of the notice.

15 “(3) FORMAT OF PAST PERFORMANCE INFOR-  
16 MATION.—In the notice required under paragraph  
17 (1), the agency shall ensure that the past perform-  
18 ance information described under paragraph (1)(B)  
19 is set forth separately for each definitization action  
20 that was completed during the following periods:

21 “(A) Not more than 30 days after receipt  
22 of a request for an equitable adjustment.

23 “(B) Not more than 60 days after receipt  
24 of a request for an equitable adjustment.

1           “(C) Not more than 90 days after receipt  
2 of a request for an equitable adjustment.

3           “(D) Not more than 180 days after receipt  
4 of a request for an equitable adjustment.

5           “(E) More than 365 days after receipt of  
6 a request for an equitable adjustment.

7           “(F) After the completion of the perform-  
8 ance of the contract through a contract modi-  
9 fication addressing all undefinitized requests for  
10 an equitable adjustment received during the  
11 term of the contract.”.

12 **SEC. 856. BROADBAND AND EMERGING INFORMATION**  
13 **TECHNOLOGY COORDINATOR.**

14       (a) IN GENERAL.—The Small Business Act (15  
15 U.S.C. 631 et seq.) is amended—

16           (1) by redesignating section 47 as section 48;  
17       and

18           (2) by inserting after section 46 the following:

19 **“SEC. 47. BROADBAND AND EMERGING INFORMATION**  
20 **TECHNOLOGY.**

21       “(a) DEFINITIONS.—In this section—

22           “(1) the term ‘OII Associate Administrator’  
23 means the Associate Administrator for the Office of  
24 Investment and Innovation; and

1           “(2) the term ‘broadband and emerging infor-  
2           mation technology coordinator’ means the employee  
3           designated to carry out the broadband and emerging  
4           information technology coordination responsibilities  
5           of the Administration under subsection (b)(1).

6           “(b) ASSIGNMENT OF COORDINATOR.—

7           “(1) ASSIGNMENT OF COORDINATOR.—The OII  
8           Associate Administrator shall designate a senior em-  
9           ployee of the Office of Investment and Innovation to  
10          serve as the broadband and emerging information  
11          technology coordinator, who—

12                   “(A) shall report to the OII Associate Ad-  
13                   ministrators;

14                   “(B) shall work in coordination with—

15                           “(i) the chief information officer, the  
16                           chief technology officer, and the head of  
17                           the Office of Technology of the Adminis-  
18                           tration; and

19                           “(ii) any other Associate Adminis-  
20                           trator of the Administration determined  
21                           appropriate by the OII Associate Adminis-  
22                           trator;

23                   “(C) has experience developing and imple-  
24                   menting telecommunications policy in the pri-  
25                   vate sector or government; and

1           “(D) has demonstrated significant experi-  
2           ence in the area of broadband or emerging in-  
3           formation technology.

4           “(2) RESPONSIBILITIES OF COORDINATOR.—  
5           The broadband and emerging information technology  
6           coordinator shall—

7           “(A) coordinate programs of the Adminis-  
8           tration that assist small business concerns in  
9           adopting, making innovations in, and using  
10          broadband and other emerging information  
11          technologies;

12          “(B) serve as the primary liaison of the  
13          Administration to other Federal agencies in-  
14          volved in broadband and emerging information  
15          technology policy, including the Department of  
16          Commerce, the Department of Agriculture, and  
17          the Federal Communications Commission;

18          “(C) identify best practices relating to  
19          broadband and emerging information tech-  
20          nology that may benefit small business con-  
21          cerns; and

22          “(D) identify and catalog tools and train-  
23          ing available through the resource partners of  
24          the Administration that assist small business  
25          concerns in adopting, making innovations in,

1           and using broadband and emerging tech-  
2           nologies.

3           “(3) TRAVEL.—Not more than 20 percent of  
4           the hours of service by the broadband and emerging  
5           information technology coordinator during any fiscal  
6           year shall consist of travel outside the United States  
7           to perform official duties.

8           “(c) BROADBAND AND EMERGING TECHNOLOGY  
9 TRAINING.—

10           “(1) TRAINING.—The OII Associate Adminis-  
11           trator shall provide to employees of the Administra-  
12           tion training that—

13                   “(A) familiarizes employees of the Admin-  
14                   istration with broadband and other emerging  
15                   information technologies;

16                   “(B) includes—

17                           “(i) instruction on counseling small  
18                           business concerns regarding adopting,  
19                           making innovations in, and using  
20                           broadband and other emerging information  
21                           technologies; and

22                           “(ii) information on programs of the  
23                           Federal Government that provide assist-  
24                           ance to small business concerns relating to

1 broadband and emerging information tech-  
2 nologies; and

3 “(C) to maximum extent practicable, uses  
4 the tools and training cataloged and identified  
5 under subsection (b)(2)(D).

6 “(2) FUNDING.—The Administrator shall use  
7 funds made available to the Office of Investment  
8 and Innovation to carry out this subsection.

9 “(d) REPORTS.—

10 “(1) BIENNIAL REPORT ON ACTIVITIES.—Not  
11 later than 2 years after the date on which the OII  
12 Associate Administrator makes the first designation  
13 of an employee under subsection (b), and every 2  
14 years thereafter, the broadband and emerging infor-  
15 mation technology coordinator shall submit to the  
16 Committee on Small Business and Entrepreneurship  
17 of the Senate and the Committee on Small Business  
18 of the House of Representatives a report regarding  
19 the programs and activities of the Administration re-  
20 lating to broadband and other emerging information  
21 technologies.

22 “(2) IMPACT OF BROADBAND SPEED AND PRICE  
23 ON SMALL BUSINESSES.—

24 “(A) IN GENERAL.—Subject to appropria-  
25 tions, the Chief Counsel for Advocacy shall con-

1           duct a study evaluating the impact of  
2           broadband speed and price on small business  
3           concerns.

4           “(B) REPORT.—Not later than 3 years  
5           after the date of enactment of the Small Busi-  
6           ness Broadband and Emerging Information  
7           Technology Enhancement Act of 2017, the  
8           Chief Counsel for Advocacy shall submit to the  
9           Committee on Commerce, Science, and Trans-  
10          portation and the Committee on Small Business  
11          and Entrepreneurship of the Senate and the  
12          Committee on Energy and Commerce and the  
13          Committee on Small Business of the House of  
14          Representatives a report on the results of the  
15          study under subparagraph (A), including—

16                 “(i) a survey of broadband speeds  
17                 available to small business concerns;

18                 “(ii) a survey of the cost of broadband  
19                 speeds available to small business con-  
20                 cerns;

21                 “(iii) a survey of the type of  
22                 broadband technology used by small busi-  
23                 ness concerns; and

24                 “(iv) any policy recommendations that  
25                 may improve the access of small business



1 concerns to comparable broadband services  
2 at comparable rates in all regions of the  
3 United States.”.

4 (b) ENTREPRENEURIAL DEVELOPMENT.—Section  
5 21(c)(3)(B) of the Small Business Act (15 U.S.C.  
6 648(c)(3)(B)) is amended—

7 (1) in the matter preceding clause (i), by insert-  
8 ing “accessing broadband and other emerging infor-  
9 mation technology,” after “technology transfer,”;

10 (2) in clause (ii), by striking “and” at the end;

11 (3) in clause (iii), by adding “and” at the end;

12 and

13 (4) by adding at the end the following:

14 “(iv) increasing the competitiveness and  
15 productivity of small business concerns by as-  
16 sisting owners of such concerns in accessing  
17 broadband and other emerging information  
18 technology;”.

19 **SEC. 857. AMENDMENTS TO THE SMALL BUSINESS INVEST-**  
20 **MENT ACT OF 1958.**

21 (a) INVESTMENT IN SMALL BUSINESS INVESTMENT  
22 COMPANIES.—Section 302(b) of the Small Business In-  
23 vestment Act of 1958 (15 U.S.C. 682(b)) is amended—

24 (1) in paragraph (1), by inserting before the pe-  
25 riod the following: “or, subject to the approval of the

1 appropriate Federal banking agency, 15 percent of  
2 such capital and surplus”;

3 (2) in paragraph (2), by inserting before the pe-  
4 riod the following: “or, subject to the approval of the  
5 appropriate Federal banking agency, 15 percent of  
6 such capital and surplus”; and

7 (3) by adding at the end the following:

8 “(3) APPROPRIATE FEDERAL BANKING AGENCY  
9 DEFINED.—For purposes of this subsection, the  
10 term ‘appropriate Federal banking agency’ has the  
11 meaning given that term under section 3 of the Fed-  
12 eral Deposit Insurance Act.”.

13 (b) INCREASE TO MAXIMUM LEVERAGE LIMIT.—Sec-  
14 tion 303(b)(2)(A)(ii) of the Small Business Investment  
15 Act of 1958 (15 U.S.C. 683(b)(2)(A)(ii)) is amended by  
16 striking “\$150,000,000” and inserting “\$175,000,000”.

17 **SEC. 858. CONSOLIDATED BUDGET JUSTIFICATION FOR**  
18 **THE DEPARTMENT OF DEFENSE SMALL BUSI-**  
19 **NESS INNOVATION RESEARCH PROGRAM AND**  
20 **SMALL BUSINESS TECHNOLOGY TRANSFER**  
21 **PROGRAM.**

22 (a) SUBMISSION WITH ANNUAL BUDGET JUSTIFICA-  
23 TION DOCUMENTS.—The Secretary of Defense, acting  
24 through the Under Secretary of Defense for Research and  
25 Engineering, shall include in the materials submitted to

1 Congress by the Secretary of Defense in support of the  
2 budget of the President for each fiscal year (as submitted  
3 to Congress under section 1105 of title 31, United States  
4 Code) a budget justification for all activities conducted  
5 under a Small Business Innovation Research Program or  
6 Small Business Technology Transfer Program (as such  
7 terms are defined, respectively, in section 9(e) of the Small  
8 Business Act (15 U.S.C. 638(e))) of the Department of  
9 Defense during the previous fiscal year.

10 (b) REQUIREMENTS FOR BUDGET DISPLAY.—The  
11 budget justification under subsection (a) shall include—

12 (1) the amount obligated or expended, by ap-  
13 propriation and functional area, for each activity  
14 conducted under a Small Business Innovation Re-  
15 search Program or Small Business Technology  
16 Transfer Program, with supporting narrative de-  
17 scriptions and rationale for the funding levels; and

18 (2) a summary and estimate of funding re-  
19 quired during the period covered by the current fu-  
20 ture-years defense program (as defined under section  
21 221 of title 10, United States Code).

22 (c) TERMINATION.—The requirements of this section  
23 shall terminate on December 31, 2022.

1 **SEC. 859. FUNDING FOR PROCUREMENT TECHNICAL AS-**  
2 **SISTANCE PROGRAM.**

3 (a) AMOUNT OF ASSISTANCE FROM SECRETARY.—  
4 Section 2413(b) of title 10, United States Code, is amend-  
5 ed—

6 (1) by striking “not more than 65 percent” and  
7 inserting “not more than 75 percent”; and

8 (2) in paragraph (1), by striking “more than 65  
9 percent, but not more than 75 percent” and insert-  
10 ing “more than 75 percent, but not more than 85  
11 percent”.

12 (b) FUNDING FOR ELIGIBLE ENTITIES.—Section  
13 2414(a) of such title is amended—

14 (1) in paragraph (1), by striking “\$750,000”  
15 and inserting “\$1,000,000”;

16 (2) in paragraph (2), by striking “\$450,000”  
17 and inserting “\$750,000”;

18 (3) in paragraph (3), by striking “\$300,000”  
19 and inserting “\$450,000”; and

20 (4) in paragraph (4), by striking “\$750,000”  
21 and inserting “\$1,000,000”.

1 **SEC. 860. EXEMPTION OF CERTAIN CONTRACTS FROM THE**  
2 **PERIODIC INFLATION ADJUSTMENTS TO THE**  
3 **ACQUISITION-RELATED DOLLAR THRESH-**  
4 **OLD.**

5 Subparagraph (B) of section 1908(b)(2) of title 41,  
6 United States Code, is amended by inserting “3131 to  
7 3134,” after “sections”.

8 **SEC. 861. SCORE.**

9 (a) SCORE REAUTHORIZATION.—Section 20 of the  
10 Small Business Act (15 U.S.C. 631 note) is amended—

11 (1) by redesignating subsection (j) as sub-  
12 section (f); and

13 (2) by adding at the end the following:

14 “(g) SCORE PROGRAM.—There are authorized to be  
15 appropriated to the Administrator to carry out the  
16 SCORE program authorized by section 8(b)(1) such sums  
17 as are necessary for the Administrator to make grants or  
18 enter into cooperative agreements in a total amount that  
19 does not exceed \$10,500,000 in each of fiscal years 2018  
20 and 2019.”.

21 (b) SCORE PROGRAM.—Section 8 of the Small Busi-  
22 ness Act (15 U.S.C. 637) is amended—

23 (1) in subsection (b)(1)(B), by striking “a Serv-  
24 ice Corps of Retired Executives (SCORE)” and in-  
25 serting “the SCORE program described in sub-  
26 section (c)”; and

1           (2) by striking subsection (c) and inserting the  
2 following:

3           “(c) SCORE PROGRAM.—

4                 “(1) DEFINITION.—In this subsection:

5                     “(A) SCORE ASSOCIATION.—The term  
6 ‘SCORE Association’ means the Service Corps  
7 of Retired Executives Association or any suc-  
8 cessor or other organization who receives a  
9 grant from the Administrator to operate the  
10 SCORE program under paragraph (2)(A).

11                    “(B) SCORE PROGRAM.—The term  
12 ‘SCORE program’ means the SCORE program  
13 authorized by subsection (b)(1)(B).

14                 “(2) MANAGEMENT AND VOLUNTEERS.—

15                     “(A) IN GENERAL.—The Administrator  
16 shall provide a grant to the SCORE Association  
17 to manage the SCORE program.

18                     “(B) VOLUNTEERS.—A volunteer partici-  
19 pating in the SCORE program shall—

20                         “(i) based on the business experience  
21 and knowledge of the volunteer—

22                             “(I) provide at no cost to individ-  
23 uals who own, or aspire to own, small  
24 business concerns personal counseling,  
25 mentoring, and coaching relating to

1 the process of starting, expanding,  
2 managing, buying, and selling a busi-  
3 ness; and

4 “(II) facilitate low-cost education  
5 workshops for individuals who own, or  
6 aspire to own, small business con-  
7 cerns; and

8 “(ii) as appropriate, use tools, re-  
9 sources, and expertise of other organiza-  
10 tions to carry out the SCORE program.

11 “(3) PLANS AND GOALS.—The Administrator,  
12 in consultation with the SCORE Association, shall  
13 ensure that the SCORE program and each chapter  
14 of the SCORE program develop and implement  
15 plans and goals to more effectively and efficiently  
16 provide services to individuals in rural areas, eco-  
17 nomically disadvantaged communities, and other tra-  
18 ditionally underserved communities, including plans  
19 for electronic initiatives, web-based initiatives, chap-  
20 ter expansion, partnerships, and the development of  
21 new skills by volunteers participating in the SCORE  
22 program.

23 “(4) ANNUAL REPORT.—The SCORE Associa-  
24 tion shall submit to the Administrator an annual re-  
25 port that contains—

1           “(A) the number of individuals counseled  
2 or trained under the SCORE program;

3           “(B) the number of hours of counseling  
4 provided under the SCORE program; and

5           “(C) to the extent possible—

6                 “(i) the number of small business con-  
7 cerns formed with assistance from the  
8 SCORE program;

9                 “(ii) the number of small business  
10 concerns expanded with assistance from  
11 the SCORE program; and

12                 “(iii) the number of jobs created with  
13 assistance from the SCORE program.

14           “(5) PRIVACY REQUIREMENTS.—

15                 “(A) IN GENERAL.—Neither the Adminis-  
16 trator nor the SCORE Association may disclose  
17 the name, address, or telephone number of any  
18 individual or small business concern receiving  
19 assistance from the SCORE Association with-  
20 out the consent of such individual or small busi-  
21 ness concern, unless—

22                 “(i) the Administrator is ordered to  
23 make such a disclosure by a court in any  
24 civil or criminal enforcement action initi-  
25 ated by a Federal or State agency; or



1           “(ii) the Administrator determines  
2           such a disclosure to be necessary for the  
3           purpose of conducting a financial audit of  
4           the SCORE program, in which case disclo-  
5           sure shall be limited to the information  
6           necessary for the audit.

7           “(B) ADMINISTRATOR USE OF INFORMA-  
8           TION.—This paragraph shall not—

9                   “(i) restrict the access of the Adminis-  
10                  trator to program activity data; or

11                   “(ii) prevent the Administrator from  
12                  using client information to conduct client  
13                  surveys.

14           “(C) STANDARDS.—

15                   “(i) IN GENERAL.—The Administrator  
16                  shall, after the opportunity for notice and  
17                  comment, establish standards for—

18                           “(I) disclosures with respect to  
19                          financial audits under subparagraph  
20                          (A)(ii); and

21                           “(II) conducting client surveys,  
22                          including standards for oversight of  
23                          the surveys and for dissemination and  
24                          use of client information.

1                   “(ii) MAXIMUM PRIVACY PROTEC-  
2                   TION.—The standards issued under this  
3                   subparagraph shall, to the extent prac-  
4                   ticable, provide for the maximum amount  
5                   of privacy protection.”.

6           (c) ONLINE COMPONENT.—

7                   (1) IN GENERAL.—Section 8(c) of the Small  
8                   Business Act (15 U.S.C. 637(c)), as amended by  
9                   subsection (b), is further amended by adding at the  
10                  end the following:

11                   “(6) ONLINE COMPONENT.—In carrying out  
12                   this subsection, the SCORE Association shall make  
13                   use of online counseling, including by developing and  
14                   implementing webinars and an electronic mentoring  
15                   platform to expand access to services provided under  
16                   this subsection and to further support entre-  
17                   preneurs.”.

18                  (2) ONLINE COMPONENT REPORT.—

19                   (A) IN GENERAL.—At the end of fiscal  
20                   year 2018, the SCORE Association shall issue  
21                   a report to the Committee on Small Business of  
22                   the House of Representatives and the Com-  
23                   mittee on Small Business and Entrepreneurship  
24                   of the Senate on the effectiveness of the online

1 counseling and webinars required as part of the  
2 SCORE program, including—

3 (i) how the SCORE Association deter-  
4 mines electronic mentoring and webinar  
5 needs, develops training for electronic men-  
6 toring, establishes webinar criteria cur-  
7 ricula, and evaluates webinar and elec-  
8 tronic mentoring results;

9 (ii) describing the internal controls  
10 that are used and a summary of the topics  
11 covered by the webinars; and

12 (iii) performance metrics, including  
13 the number of small business concerns  
14 counseled by, the number of small business  
15 concerns created by, the number of jobs  
16 created and retained by, and the funding  
17 amounts directed towards such online  
18 counseling and webinars.

19 (B) DEFINITIONS.—For purposes of this  
20 subsection, the terms “SCORE Association”  
21 and “SCORE program” have the meaning  
22 given those terms, respectively, under section  
23 8(e)(1) of the Small Business Act (15 U.S.C.  
24 637(c)(1)).

1 (d) STUDY AND REPORT ON THE FUTURE ROLE OF  
2 THE SCORE PROGRAM.—

3 (1) STUDY.—The SCORE Association shall  
4 carry out a study on the future role of the SCORE  
5 program and develop a strategic plan for how the  
6 SCORE program will evolve to meet the needs of  
7 small business concerns and potential future small  
8 business concerns over the course of the 5 years fol-  
9 lowing the date of enactment of this Act, with mark-  
10 ers and specific objectives for year 1, year 3, and  
11 year 5.

12 (2) REPORT.—Not later than the end of the 6-  
13 month period beginning on the date of the enact-  
14 ment of this Act, the SCORE Association shall issue  
15 a report to the Committee on Small Business of the  
16 House of Representatives and the Committee on  
17 Small Business and Entrepreneurship of the Senate  
18 containing—

19 (A) all findings and determination made in  
20 carrying out the study required under para-  
21 graph (1);

22 (B) the strategic plan developed under  
23 paragraph (1);

24 (C) an explanation of how the SCORE As-  
25 sociation plans to achieve the strategic plan, as-

1           suming both stagnant and increased funding  
2           levels.

3           (3) DEFINITIONS.—For purposes of this sec-  
4           tion, the terms “SCORE Association” and “SCORE  
5           program” have the meaning given those terms, re-  
6           spectively, under section 8(c)(1) of the Small Busi-  
7           ness Act (15 U.S.C. 637(c)(1)).

8           (e) TECHNICAL AND CONFORMING AMENDMENTS.—

9           (1) SMALL BUSINESS ACT.—The Small Busi-  
10          ness Act (15 U.S.C. 631 et seq.) is amended—

11           (A) in section 7(m)(3)(A)(i)(VIII) (15  
12          U.S.C. 636(m)(3)(A)(i)(VIII)), by striking  
13          “Service Corps of Retired Executives” and in-  
14          serting “SCORE program”; and

15           (B) in section 22 (15 U.S.C. 649)—

16           (i) in subsection (b)—

17           (I) in paragraph (1), by striking  
18          “Service Corps of Retired Executives”  
19          and inserting “SCORE program”;  
20          and

21           (II) in paragraph (3), by striking  
22          “Service Corps of Retired Executives”  
23          and inserting “SCORE program”;  
24          and

1 (ii) in subsection (c)(12), by striking  
2 “Service Corps of Retired Executives” and  
3 inserting “SCORE program”.

4 (2) OTHER LAWS.—

5 (A) CHILDREN’S HEALTH INSURANCE PRO-  
6 GRAM REAUTHORIZATION ACT OF 2009.—Sec-  
7 tion 621 of the Children’s Health Insurance  
8 Program Reauthorization Act of 2009 (15  
9 U.S.C. 657p) is amended—

10 (i) in subsection (a), by striking para-  
11 graph (4) and inserting the following:

12 “(4) the term ‘SCORE program’ means the  
13 SCORE program authorized by section 8(b)(1)(B)  
14 of the Small Business Act (15 U.S.C.  
15 637(b)(1)(B));”; and

16 (ii) in subsection (b)(4)(A)(iv), by  
17 striking “Service Corps of Retired Execu-  
18 tives” and inserting “SCORE program”.

19 (B) ENERGY POLICY AND CONSERVATION  
20 ACT.—Section 337(d)(2)(A) of the Energy Pol-  
21 icy and Conservation Act (42 U.S.C.  
22 6307(d)(2)(A)) is amended by striking “Service  
23 Corps of Retired Executives (SCORE)” and in-  
24 serting “SCORE program”.

1 **SEC. 862. PROCUREMENT TECHNICAL ASSISTANCE CEN-**  
2 **TERS.**

3 (a) AUTHORIZATION TO FORM ASSOCIATION.—Pro-  
4 curement Technical Assistance Centers are authorized to  
5 form an association to pursue matters of common concern.

6 (b) RECOGNITION BY SECRETARY OF DEFENSE.—If  
7 more than half of the Procurement Technical Assistance  
8 Centers which are operating pursuant to agreements with  
9 the Department of Defense are members of such an asso-  
10 ciation, the Secretary of Defense shall—

11 (1) recognize the existence and activities of  
12 such an association; and

13 (2) consult with it and develop documents—

14 (A) announcing the annual scope of activi-  
15 ties pursuant to this section;

16 (B) requesting proposals to deliver assist-  
17 ance as provided in this section; and

18 (C) governing the general operations and  
19 administration of the Procurement Technical  
20 Assistance Program, specifically including the  
21 development of regulations and a uniform nego-  
22 tiated cooperative agreement for use on an an-  
23 nual basis when entering into individual nego-  
24 tiated agreements with Procurement Technical  
25 Assistance Centers.

1 **SEC. 863. COMMERCIALIZATION ASSISTANCE PILOT PRO-**  
2 **GRAM.**

3 Section 9 of the Small Business Act (15 U.S.C. 638)  
4 is amended by adding at the end the following new sub-  
5 section:

6 “(tt) COMMERCIALIZATION ASSISTANCE PILOT PRO-  
7 GRAMS.—

8 “(1) PILOT PROGRAMS IMPLEMENTED.—

9 “(A) IN GENERAL.—Except as provided in  
10 subparagraph (B), not later than one year after  
11 the date of the enactment of this subsection, a  
12 covered agency shall implement a commer-  
13 cialization assistance pilot program, under  
14 which an eligible entity may receive a subse-  
15 quent Phase II SBIR award.

16 “(B) EXCEPTION.—If the Administrator  
17 determines that a covered agency has a pro-  
18 gram that is sufficiently similar to the commer-  
19 cialization assistance pilot program established  
20 under this subsection, such covered agency shall  
21 not be required to implement a commercializa-  
22 tion assistance pilot program under this sub-  
23 section.

24 “(2) PERCENT OF AGENCY FUNDS.—The head  
25 of each covered agency may allocate not more than  
26 5 percent of the funds allocated to the SBIR pro-



1       gram of the covered agency for the purpose of mak-  
2       ing a subsequent Phase II SBIR award under the  
3       commercialization assistance pilot program.

4               “(3) TERMINATION.—A commercialization as-  
5       sistance pilot program established under this sub-  
6       section shall terminate on September 30, 2022.

7               “(4) APPLICATION.—To be selected to receive a  
8       subsequent Phase II SBIR award under a commer-  
9       cialization assistance pilot program, an eligible enti-  
10      ty shall submit to the covered agency implementing  
11      such pilot program an application at such time, in  
12      such manner, and containing such information as  
13      the covered agency may require, including—

14                   “(A) an updated Phase II commercializa-  
15      tion plan; and

16                   “(B) the source and amount of the match-  
17      ing funding required under paragraph (5).

18               “(5) MATCHING FUNDING.—

19                   “(A) IN GENERAL.—The Administrator  
20      shall require, as a condition of any subsequent  
21      Phase II SBIR award made to an eligible entity  
22      under this subsection, that a matching amount  
23      (excluding any fees collected by the eligible enti-  
24      ty receiving such award) equal to the amount of

1           such award be provided from an eligible third-  
2           party investor.

3           “(B) INELIGIBLE SOURCES.—An eligible  
4           entity may not use funding from ineligible  
5           sources to meet the matching requirement of  
6           subparagraph (A).

7           “(6) AWARD.—A subsequent Phase II SBIR  
8           award made to an eligible entity under this sub-  
9           section—

10           “(A) may not exceed the limitation de-  
11           scribed under subsection (aa)(1); and

12           “(B) shall be disbursed during Phase II.

13           “(7) USE OF FUNDS.—The funds awarded to  
14           an eligible entity under this subsection may only be  
15           used for research and development activities that  
16           build on eligible entity’s Phase II program and en-  
17           sure the research funded under such Phase II is  
18           rapidly progressing towards commercialization.

19           “(8) SELECTION.—In selecting eligible entities  
20           to participate in a commercialization assistance pilot  
21           program under this subsection, the head of a covered  
22           agency shall consider—

23           “(A) the extent to which such award could  
24           aid the eligible entity in commercializing the re-

1 search funded under the eligible entity’s Phase  
2 II program;

3 “(B) whether the updated Phase II com-  
4 mercialization plan submitted under paragraph  
5 (4) provides a sound approach for establishing  
6 technical feasibility that could lead to commer-  
7 cialization of such research;

8 “(C) whether the proposed activities to be  
9 conducted under such updated Phase II com-  
10 mercialization plan further improve the likeli-  
11 hood that such research will provide societal  
12 benefits;

13 “(D) whether the small business concern  
14 has progressed satisfactorily in Phase II to jus-  
15 tify receipt of a subsequent Phase II SBIR  
16 award;

17 “(E) the expectations of the eligible third-  
18 party investor that provides matching funding  
19 under paragraph (5); and

20 “(F) the likelihood that the proposed ac-  
21 tivities to be conducted under such updated  
22 Phase II commercialization plan using matching  
23 funding provided by such eligible third-party in-  
24 vestor will lead to commercial and societal ben-  
25 efit.

1           “(9) EVALUATION REPORT.—Not later than 3  
2 years after the date of the enactment of this sub-  
3 section, the Comptroller General of the United  
4 States shall submit to the Committee on Science,  
5 Space, and Technology and the Committee on Small  
6 Business of the House of Representatives, and the  
7 Committee on Small Business and Entrepreneurship  
8 of the Senate, a report including—

9           “(A) a summary of the activities of com-  
10 mercialization assistance pilot programs carried  
11 out under this subsection;

12           “(B) a detailed compilation of results  
13 achieved by such commercialization assistance  
14 pilot programs, including the number of eligible  
15 entities that received awards under such pro-  
16 grams;

17           “(C) the rate at which each eligible entity  
18 that received a subsequent Phase II SBIR  
19 award under this subsection commercialized re-  
20 search of the recipient;

21           “(D) the growth in employment and rev-  
22 enue of eligible entities that is attributable to  
23 participation in a commercialization assistance  
24 pilot program;

1           “(E) a comparison of commercialization  
2 success of eligible entities participating in a  
3 commercialization assistance pilot program with  
4 recipients of an additional Phase II SBIR  
5 award under subsection (ff);

6           “(F) demographic information, such as  
7 ethnicity and geographic location, of eligible en-  
8 tities participating in a commercialization as-  
9 sistance pilot program;

10           “(G) an accounting of the funds used at  
11 each covered agency that implements a commer-  
12 cialization assistance pilot program under this  
13 subsection;

14           “(H) the amount of matching funding pro-  
15 vided by eligible third-party investors, set forth  
16 separately by source of funding;

17           “(I) an analysis of the effectiveness of the  
18 commercialization assistance pilot program im-  
19 plemented by each covered agency; and

20           “(J) recommendations for improvements to  
21 the commercialization assistance pilot program.

22           “(10) DEFINITIONS.—For purposes of this sub-  
23 section:

1           “(A) COVERED AGENCY.—The term ‘cov-  
2           ered agency’ means a Federal agency required  
3           to have an SBIR program.

4           “(B) ELIGIBLE ENTITY.—The term ‘eligi-  
5           ble entity’ means a small business concern that  
6           has received a Phase II award under an SBIR  
7           program and an additional Phase II SBIR  
8           award under subsection (ff) from the covered  
9           agency to which such small business concern is  
10          applying for a subsequent Phase II SBIR  
11          award.

12          “(C) ELIGIBLE THIRD-PARTY INVESTOR.—  
13          The term ‘eligible third-party investor’ means a  
14          small business concern other than an eligible  
15          entity, a venture capital firm, an individual in-  
16          vestor, a non-SBIR Federal, State or local gov-  
17          ernment, or any combination thereof.

18          “(D) INELIGIBLE SOURCES.—The term  
19          ‘ineligible sources’ means the following:

20                 “(i) The eligible entity’s internal re-  
21                 search and development funds.

22                 “(ii) Funding in forms other than  
23                 cash, such as in-kind or other intangible  
24                 assets.

1                   “(iii) Funding from the owners of the  
2                   eligible entity, or the family members or  
3                   affiliates of such owners.

4                   “(iv) Funding attained through loans  
5                   or other forms of debt obligations.

6                   “(E) SUBSEQUENT PHASE II SBIR  
7                   AWARD.—The term ‘subsequent Phase II SBIR  
8                   award’ means an award granted to an eligible  
9                   entity under this subsection to carry out further  
10                  commercialization activities for research con-  
11                  ducted pursuant to an SBIR program.”.

12 **SEC. 864. PUERTO RICO BUSINESSES.**

13                  (a) DEFINITION OF PUERTO RICO BUSINESS.—Sec-  
14                  tion 3 of the Small Business Act (15 U.S.C. 632) is  
15                  amended by adding at the end the following new sub-  
16                  section:

17                  “(ee) PUERTO RICO BUSINESS.—In this Act, the  
18                  term ‘Puerto Rico business’ means a small business con-  
19                  cern that has its principal office located in the Common-  
20                  wealth of Puerto Rico.”.

21                  (b) SMALL BUSINESS CREDIT FOR PUERTO RICO  
22                  BUSINESSES.—Section 15 of the Small Business Act (15  
23                  U.S.C. 644) is amended by adding at the end the following  
24                  new subsection:

1       “(w) SMALL BUSINESS CREDIT FOR PUERTO RICO  
2 BUSINESSES.—

3           “(1) CREDIT FOR MEETING CONTRACTING  
4 GOALS.—If an agency awards a prime contract to  
5 Puerto Rico business during the period beginning on  
6 the date of enactment of this subsection and ending  
7 on the date that is 4 years after such date of enact-  
8 ment, the value of the contract shall be doubled for  
9 purposes of determining compliance with the goals  
10 for procurement contracts under subsection  
11 (g)(1)(A)(i) during such period.

12           “(2) REPORT.—Along with the report required  
13 under subsection (h)(1), the head of each Federal  
14 agency shall submit to the Administrator, and make  
15 publicly available on the scorecard described in sec-  
16 tion 868(b) of the National Defense Authorization  
17 Act for Fiscal Year 2016 (15 U.S.C. 644 note), an  
18 analysis of the number and dollar amount of prime  
19 contracts awarded pursuant to paragraph (1) for  
20 each fiscal year of the period described in such para-  
21 graph.”.

22           “(c) PRIORITY FOR SURPLUS PROPERTY TRANS-  
23 FERS.—Section 7(j)(13)(F) of the Small Business Act (15  
24 U.S.C. 636(j)(13)(F)) is amended by adding at the end  
25 the following new clause:



1           “(iii)(I) In this clause, the term ‘covered period’  
2 means the period beginning on the date of enact-  
3 ment of this clause and ending on the date on which  
4 the Oversight Board established under section 101  
5 of the Puerto Rico Oversight, Management, and  
6 Economic Stability Act (48 U.S.C. 2121) termi-  
7 nates.

8           “(II) The Administrator may transfer tech-  
9 nology or surplus property under clause (i) to a  
10 Puerto Rico business if the Puerto Rico business  
11 meets the requirements for such a transfer, without  
12 regard to whether the Puerto Rico business is a Pro-  
13 gram Participant.”.

14           (d) CONTRACTING INCENTIVES FOR PROTEGE FIRMS  
15 THAT ARE PUERTO RICO BUSINESSES.—

16           (1) IN GENERAL.—Section 45(a) of the Small  
17 Business Act (15 U.S.C. 657r(a)) is amended by  
18 adding at the end the following new paragraph:

19           “(3) PUERTO RICO BUSINESSES.—During the  
20 period beginning on the date of enactment of this  
21 paragraph and ending on the date on which the  
22 Oversight Board established under section 101 of  
23 the Puerto Rico Oversight, Management, and Eco-  
24 nomic Stability Act (48 U.S.C. 2121) terminates,  
25 the Administrator shall identify potential incentives

1 to a covered mentor that awards a subcontract to its  
2 covered protege, including—

3 “(A) positive consideration in any past per-  
4 formance evaluation of the covered mentor;

5 “(B) the application of costs incurred for  
6 providing training to such covered protege to  
7 the subcontracting plan (as required under  
8 paragraph (4) or (5) of section 8(d)) of the cov-  
9 ered mentor; and

10 “(C) such other incentives as the Adminis-  
11 trator determines appropriate.”.

12 (2) DEFINITIONS.—Section 45(d) of the Small  
13 Business Act (15 U.S.C. 657r(d)) is amended by  
14 adding at the end the following new paragraphs:

15 “(4) COVERED MENTOR.—The term ‘covered  
16 mentor’ means a mentor that enters into an agree-  
17 ment under this Act, or under any mentor-protege  
18 program approved under subsection (b)(1), with a  
19 covered protege.

20 “(5) COVERED PROTEGE.—The term ‘covered  
21 protege’ means a protege of a covered mentor that  
22 is a Puerto Rico business.”.

23 (e) ADDITIONAL MENTOR-PROTEGE RELATIONSHIPS  
24 FOR PROTEGE FIRMS THAT ARE PUERTO RICO BUSI-  
25 NESSES.—Section 45(b)(3)(A) of the Small Business Act

1 (15 U.S.C. 657r(b)(3)(A)) is amended by inserting “, ex-  
2 cept that such restrictions shall not apply to up to 2 men-  
3 tor-protege relationships if such relationships are between  
4 a covered protege and covered mentor” after “each partici-  
5 pant”.

6 **SEC. 865. UNITED STATES VIRGIN ISLANDS SMALL BUSI-**  
7 **NESS CONTRACTING ASSISTANCE.**

8 (a) **SHORT TITLE.**—This section may be cited as the  
9 “United States Virgin Islands Small Business Contracting  
10 Assistance Act of 2018”.

11 (b) **DEFINITION OF UNITED STATES VIRGIN IS-**  
12 **LANDS BUSINESS.**—Section 3 of the Small Business Act  
13 (15 U.S.C. 632) is amended by adding at the end the fol-  
14 lowing new subsection:

15 “(ee) **UNITED STATES VIRGIN ISLANDS BUSINESS.**—  
16 In this Act, the term ‘United States Virgin Islands busi-  
17 ness’ means a small business concern that has its principal  
18 office located in the United States Virgin Islands.”.

19 (c) **SMALL BUSINESS CREDIT FOR UNITED STATES**  
20 **VIRGIN ISLANDS BUSINESSES.**—Section 15 of the Small  
21 Business Act (15 U.S.C. 644) is amended by adding at  
22 the end the following new subsection:

23 “(w) **SMALL BUSINESS CREDIT FOR UNITED STATES**  
24 **VIRGIN ISLANDS BUSINESSES.**—

1           “(1) CREDIT FOR MEETING CONTRACTING  
2 GOALS.—If an agency awards a prime contract to  
3 United States Virgin Islands business during the pe-  
4 riod beginning on the date of enactment of this sub-  
5 section and ending on the date that is 4 years after  
6 such date of enactment, the value of the contract  
7 shall be doubled for purposes of determining compli-  
8 ance with the goals for procurement contracts under  
9 subsection (g)(1)(A)(i) during such period.

10           “(2) REPORT.—Along with the report required  
11 under subsection (h)(1), the head of each Federal  
12 agency shall submit to the Administrator, and make  
13 publicly available on the scorecard described in sec-  
14 tion 868(b) of the National Defense Authorization  
15 Act for Fiscal Year 2016 (15 U.S.C. 644 note), an  
16 analysis of the number and dollar amount of prime  
17 contracts awarded pursuant to paragraph (1) for  
18 each fiscal year of the period described in such para-  
19 graph.”.

20           (d) PRIORITY FOR SURPLUS PROPERTY TRANS-  
21 FERS.—Section 7(j)(13)(F) of the Small Business Act (15  
22 U.S.C. 636(j)(13)(F)) is amended by adding at the end  
23 the following new clause:

24           “(iii)(I) In this clause, the term ‘covered period’  
25 means the period beginning on the date of enact-

1 ment of this clause and ending on the date that is  
2 3 years after such date of enactment.

3 “(II) The Administrator may transfer tech-  
4 nology or surplus property under clause (i) to a  
5 United States Virgin Islands business during the  
6 covered period if the such business meets the re-  
7 quirements for such a transfer, without regard to  
8 whether such business is a Program Participant.”.

9 (e) CONTRACTING INCENTIVES FOR PROTEGE FIRMS  
10 THAT ARE UNITED STATES VIRGIN ISLANDS BUSI-  
11 NESSES.—

12 (1) IN GENERAL.—Section 45(a) of the Small  
13 Business Act (15 U.S.C. 657r(a)) is amended by  
14 adding at the end the following new paragraph:

15 “(3) UNITED STATES VIRGIN ISLANDS BUSI-  
16 NESSES.—During the period beginning on the date  
17 of enactment of this paragraph and ending on the  
18 date that is 3 years after such date of enactment,  
19 the Administrator shall identify potential incentives  
20 to a covered mentor that awards a subcontract to its  
21 covered protege, including—

22 “(A) positive consideration in any past per-  
23 formance evaluation of the covered mentor;

24 “(B) the application of costs incurred for  
25 providing training to such covered protege to

1 the subcontracting plan (as required under  
2 paragraph (4) or (5) of section 8(d)) of the cov-  
3 ered mentor; and

4 “(C) such other incentives as the Adminis-  
5 trator determines appropriate.”.

6 (2) DEFINITIONS.—Section 45(d) of the Small  
7 Business Act (15 U.S.C. 657r(d)) is amended by  
8 adding at the end the following new paragraphs:

9 “(4) COVERED MENTOR.—The term ‘covered  
10 mentor’ means a mentor that enters into an agree-  
11 ment under this Act, or under any mentor-protege  
12 program approved under subsection (b)(1), with a  
13 covered protege.

14 “(5) COVERED PROTEGE.—The term ‘covered  
15 protege’ means a protege of a covered mentor that  
16 is a United States Virgin Islands business.”.

17 (f) ADDITIONAL MENTOR-PROTEGE RELATIONSHIPS  
18 FOR PROTEGE FIRMS THAT ARE UNITED STATES VIRGIN  
19 ISLANDS BUSINESSES.—Section 45(b)(3)(A) of the Small  
20 Business Act (15 U.S.C. 657r(b)(3)(A)) is amended by in-  
21 serting “, except that, during the 3-year period beginning  
22 on the date of the enactment of the United States Virgin  
23 Islands Small Business Contracting Assistance Act of  
24 2018, such restrictions shall not apply to up to 2 mentor-  
25 protege relationships if such relationships are between a

1 covered protege and covered mentor” after “each partici-  
2 pant”.

3 **SEC. 866. OPPORTUNITIES FOR EMPLOYEE-OWNED BUSI-**  
4 **NESS CONCERNS THROUGH SMALL BUSINESS**  
5 **ADMINISTRATION LOAN PROGRAMS.**

6 (a) DEFINITIONS.—In this Act—

7 (1) the terms “Administration” and “Adminis-  
8 trator” means the Small Business Administration  
9 and the Administrator thereof, respectively;

10 (2) the term “cooperative” means an entity  
11 that is determined to be a cooperative by the Admin-  
12 istrator, in accordance with applicable Federal and  
13 State laws and regulations;

14 (3) the term “employee-owned business con-  
15 cern” means—

16 (A) a cooperative; and

17 (B) a qualified employee trust;

18 (4) the terms “qualified employee trust” and  
19 “small business concern” have the meanings given  
20 those terms in section 3 of the Small Business Act  
21 (15 U.S.C. 632); and

22 (5) the term “small business development cen-  
23 ter” means a small business development center de-  
24 scribed in section 21 of the Small Business Act (15  
25 U.S.C. 648).

1 (b) EXPANSION OF 7(A) LOANS.—

2 (1) IN GENERAL.—Section 7(a) of the Small  
3 Business Act (15 U.S.C. 636(a)) is amended—

4 (A) in paragraph (15)—

5 (i) in subparagraph (A)—

6 (I) by striking “this subsection to  
7 qualified employee trusts” and insert-  
8 ing “this subsection—

9 “(i) to qualified employee trusts”;

10 (II) in clause (i), as so des-  
11 ignated—

12 (aa) by inserting “, and for  
13 any transaction costs associated  
14 with purchasing,” after “pur-  
15 chasing”;

16 (bb) by striking the period  
17 at the end and inserting “; and”;  
18 and

19 (III) by adding at the end the  
20 following:

21 “(ii) to a small business concern under a  
22 plan approved by the Administrator, if the pro-  
23 ceeds from the loan are only used to make a  
24 loan to a qualified employee trust, and for any  
25 transaction costs associated with making that



1 loan, that results in the qualified employee trust  
2 owning at least 51 percent of the small business  
3 concern.”;

4 (ii) in subparagraph (B)—

5 (I) in the matter preceding clause  
6 (i), by inserting “or by the small busi-  
7 ness concern” after “the trustee of  
8 such trust”;

9 (II) in clause (ii), by striking  
10 “and” at the end;

11 (III) in clause (iii), by striking  
12 the period at the end and inserting “,  
13 and”;

14 (IV) by adding at the end the fol-  
15 lowing:

16 “(iv) with respect to a loan made to a  
17 trust, or to a cooperative in accordance with  
18 paragraph (35)—

19 “(I) a seller of the small business con-  
20 cern may remain involved as an officer, di-  
21 rector, or key employee of the small busi-  
22 ness concern when a qualified employee  
23 trust or cooperative has acquired 100 per-  
24 cent of ownership of the small business  
25 concern; and

1           “(II) any seller of the small business  
2           concern who remains as an owner of the  
3           small business concern, regardless of the  
4           percentage of ownership interest, shall be  
5           required to provide a personal guarantee  
6           by the Administration.”; and

7           (iii) by adding at the end the fol-  
8           lowing:

9           “(F) A small business concern that makes a  
10          loan to a qualified employee trust under subpara-  
11          graph (A)(ii) is not required to contain the same  
12          terms and conditions as the loan made to the small  
13          business concern that is guaranteed by the Adminis-  
14          tration under such subparagraph.

15          “(G) With respect to a loan made to a qualified  
16          employee trust under this paragraph, or to a cooper-  
17          ative in accordance with paragraph (35), the Admin-  
18          istrator may, as deemed appropriate, elect to not re-  
19          quire any mandatory equity to be provided by the  
20          qualified employee trust or cooperative to make the  
21          loan.”; and

22          (B) by adding at the end the following:

23          “(35) LOANS TO COOPERATIVES.—

24                 “(A) DEFINITION.—In this paragraph, the  
25                 term ‘cooperative’ means an entity that is de-

1           terminated to be a cooperative by the Adminis-  
2           trator, in accordance with applicable Federal  
3           and State laws and regulation.

4           “(B) AUTHORITY.—The Administration  
5           shall guarantee loans made to a cooperative for  
6           the purpose described in paragraph (15).”.

7           (2) DELEGATION OF AUTHORITY TO PRE-  
8           ferred LENDERS.—Section 5(b)(7) of the Small  
9           Business Act (15 U.S.C. 634(b)(7)) is amended by  
10          inserting “, including loans guaranteed under para-  
11          graph (15) or (35) of section 7(a)” after “deferred  
12          participation loans”.

13          (c) SMALL BUSINESS INVESTMENT COMPANY PRO-  
14          GRAM OUTREACH.—The Administrator shall provide out-  
15          reach and educational materials to companies licensed  
16          under section 301(c) of the Small Business Investment  
17          Act of 1958 (15 U.S.C. 681(c)) to increase the use of  
18          funds to make investments in company transitions to em-  
19          ployee-owned business concerns.

20          (d) SMALL BUSINESS MICROLOAN PROGRAM OUT-  
21          REACH.—The Administrator shall provide outreach and  
22          educational materials to intermediaries under section 7(m)  
23          of the Small Business Act (15 U.S.C. 636(m)) to increase  
24          the use of funds to make loans to employee-owned busi-

1 ness concerns, including transitions to employee-owned  
2 business concerns.

3 (e) SMALL BUSINESS DEVELOPMENT CENTER OUT-  
4 REACH AND ASSISTANCE.—

5 (1) ESTABLISHMENT.—The Administrator shall  
6 establish a Small Business Employee Ownership and  
7 Cooperatives Promotion Program to offer technical  
8 assistance and training on the transition to employee  
9 ownership through cooperatives and qualified em-  
10 ployee trusts.

11 (2) SMALL BUSINESS DEVELOPMENT CEN-  
12 TERS.—

13 (A) IN GENERAL.—In carrying out the  
14 program established under subsection (a), the  
15 Administrator shall enter into agreements with  
16 small business development centers under which  
17 the centers shall—

18 (i) provide access to information and  
19 resources on employee ownership through  
20 cooperatives or qualified employee trusts as  
21 a business succession strategy;

22 (ii) conduct training and educational  
23 activities; and

24 (iii) carry out the activities described  
25 in subparagraph (U) of section 21(c)(3) of

1           the Small Business Act (15 U.S.C.  
2           648(c)(3)).

3           (B)    ADDITIONAL    SERVICES.—Section  
4           21(c)(3) of the Small Business Act (15 U.S.C.  
5           648(c)(3)) is amended—

6                   (i) in subparagraph (S), by striking  
7                   “and” at the end;

8                   (ii) in subparagraph (T), by striking  
9                   the period at the end and inserting “;  
10                  and”; and

11                  (iii) by adding at the end the fol-  
12                  lowing:

13                  “(U) encouraging and assisting the provision of  
14                  succession planning to small business concerns with  
15                  a focus on transitioning to cooperatives, as defined  
16                  in section 7(a)(35), and qualified employee trusts  
17                  (collectively referred to in this subparagraph as ‘em-  
18                  ployee-owned business concerns’), including by—

19                       “(i) providing training to individuals to  
20                       promote the successful management, govern-  
21                       ance, or operation of a business purchased by  
22                       those individuals in the formation of an em-  
23                       ployee-owned business concern;

24                       “(ii) assisting employee-owned business  
25                       concerns that meet applicable size standards es-

1           tablished under section 3(a) with education and  
2           technical assistance with respect to financing  
3           and contracting programs administered by the  
4           Administration;

5           “(iii) coordinating with lenders on con-  
6           ducting outreach on financing through pro-  
7           grams administered by the Administration that  
8           may be used to support the transition of owner-  
9           ship to employees;

10          “(iv) supporting small business concerns in  
11          exploring or assessing the possibility of  
12          transitioning to an employee-owned business  
13          concern; and

14          “(v) coordinating with the cooperative de-  
15          velopment centers of the Department of Agri-  
16          culture, the land grant extension network, the  
17          Manufacturing Extension Partnership, commu-  
18          nity development financial institutions, em-  
19          ployee ownership associations and service pro-  
20          viders, and local, regional and national coopera-  
21          tive associations.”.

22          (f) INTERAGENCY WORKING GROUP.—

23                 (1) IN GENERAL.—Not later than 90 days after  
24                 the date of enactment of this Act, the Administrator  
25                 (or a designee of the Administrator) shall coordinate

1 and chair an interagency working group, which  
2 shall—

3 (A) develop recommendations on how Fed-  
4 eral programs can promote, support, and in-  
5 crease the number of employee-owned business  
6 concerns;

7 (B) ensure coordination with Federal agen-  
8 cies and national and local employee ownership,  
9 cooperative, and small business organizations;  
10 and

11 (C) publish a report on the activities of the  
12 interagency working group that is indexed and  
13 maintained for public review.

14 (2) MEETINGS.—The interagency working  
15 group shall meet at such times as determined nec-  
16 essary by the, but not less than biannually. Such  
17 meetings may occur in person or via electronic re-  
18 sources.

19 (g) AMENDMENT TO REPORT TO CONGRESS ON STA-  
20 TUS OF EMPLOYEE-OWNED FIRMS.—Section 7(a)(15)(E)  
21 of the Small Business Act (15 U.S.C. 636(a)(15)(E)) is  
22 amended by striking “Administration.” and inserting “Ad-  
23 ministration, which shall include—

24 “(i) the total number of loans made to  
25 employee-owned business concerns that

1           were guaranteed by the Administrator  
2           under section 7(a) of the Small Business  
3           Act (15 U.S.C. 636(a)) or section 502 of  
4           the Small Business Investment Act of  
5           1958 (15 U.S.C. 696), including the num-  
6           ber of loans made—

7                     “(I) to small business concerns  
8                     owned and controlled by socially and  
9                     economically disadvantaged individ-  
10                    uals; and

11                    “(II) to cooperatives;

12                    “(ii) the total number of financings  
13                    made to employee-owned business concerns  
14                    by companies licensed under section 301(c)  
15                    of the Small Business Investment Act of  
16                    1958 (15 U.S.C. 696(c)), including the  
17                    number of financings made—

18                    “(I) to small business concerns  
19                    owned and controlled by socially and  
20                    economically disadvantaged individ-  
21                    uals; and

22                    “(II) to cooperatives; and

23                    “(iii) any outreach and educational  
24                    activities conducted by the Administration



1                   with respect to employee-owned business  
2                   concerns.”.

3           (h) REPORT ON COOPERATIVE LENDING.—

4                   (1) SENSE OF CONGRESS.—It is the sense of  
5           Congress that cooperatives have a unique business  
6           structure and are unable to access the lending pro-  
7           grams of the Administration effectively due to loan  
8           guarantee requirements that are incompatible with  
9           the business structure of cooperatives.

10                   (2) STUDY AND REPORT.—

11                   (A) STUDY.—The Administrator, in coordi-  
12           nation with lenders, stakeholders, and Federal  
13           agencies, shall study and recommend practical  
14           alternatives for cooperatives that will satisfy the  
15           loan guarantee requirements of the Administra-  
16           tion.

17                   (B) REPORT.—Not later than 120 days  
18           after the date of enactment of this Act, the Ad-  
19           ministrator shall submit to Congress the rec-  
20           ommendations developed under paragraph (1)  
21           and a plan to implement such recommenda-  
22           tions.

23                   (i) AMENDMENT TO DEFINITION OF QUALIFIED EM-  
24           PLOYEE TRUST.—Section 3(c)(2)(A)(ii) of the Small

1 Business Act (15 U.S.C. 632(c)(2)(A)(ii)) is amended to  
2 read as follows:

3           “(ii) which provides that each participant  
4           is entitled to direct the plan trustee as to the  
5           manner of how to vote the qualified employer  
6           securities (as defined in section 4975(e)(8) of  
7           the Internal Revenue Code of 1986), which are  
8           allocated to the account of such participant  
9           with respect to a corporate matter which (by  
10          law or charter) must be decided by a vote con-  
11          ducted in accordance with section 409(e) of the  
12          Internal Revenue Code of 1986; and”.

13 **SEC. 867. VETERAN ENTREPRENEURSHIP TRAINING.**

14          (a) SENSE OF CONGRESS.—It is the sense of Con-  
15          gress that the Secretary of Defense should coordinate with  
16          the Administrator of the Small Business Administration  
17          to include relevant aspects of veterans assistance pro-  
18          grams of the Small Business Administration in the Tran-  
19          sition Assistance Program established under section 1144  
20          of title 10, United States Code.

21          (b) BOOTS TO BUSINESS PROGRAM.—Section 32 of  
22          the Small Business Act (15 U.S.C. 657b) is amended—

23                  (1) by redesignating subsection (f) as sub-  
24          section (g); and

1           (2) by inserting after subsection (e) the fol-  
2           lowing new subsection:

3           “(f) **BOOTS TO BUSINESS PROGRAM.**—

4                 “(1) **DEFINITIONS.**—In this subsection—

5                         “(A) the term ‘covered individual’ means—

6                                 “(i) a member of the Armed Forces,  
7                                 including the National Guard or Reserves;

8                                 “(ii) an individual who is participating  
9                                 in the Transition Assistance Program es-  
10                                 tablished under section 1144 of title 10,  
11                                 United States Code;

12                                 “(iii) an individual who—

13   “(I) served on active duty in any  
14   branch of the Armed Forces, includ-  
15   ing the National Guard or Reserves;  
16   and

17   “(II) was discharged or released  
18   from such service under conditions  
19   other than dishonorable; and

20                                 “(iv) a spouse or dependent of an in-  
21                                 dividual described in clause (i), (ii), or (iii);  
22                                 and

23                                 “(B) the term ‘Vet Center’ has the mean-  
24                                 ing given in section 1712A(h) of title 38,  
25                                 United States Code.

1           “(2) ESTABLISHMENT.—The Administrator  
2 shall carry out a program to be known as the ‘Boots  
3 to Business Program’ to provide entrepreneurship  
4 training to covered individuals.

5           “(3) GOALS.—The goals of the Boots to Busi-  
6 ness Program are to—

7                   “(A) provide assistance and in-depth train-  
8 ing to covered individuals interested in business  
9 ownership; and

10                   “(B) provide covered individuals with the  
11 tools, skills, and knowledge necessary to identify  
12 a business opportunity, draft a business plan,  
13 identify sources of capital, connect with local  
14 resources for small business concerns, and  
15 launch a small business concern.

16           “(4) PROGRAM COMPONENTS.—

17                   “(A) IN GENERAL.—The Boots to Busi-  
18 ness Program may include—

19                           “(i) a presentation providing exposure  
20 to the considerations involved in self-em-  
21 ployment and ownership of a small busi-  
22 ness concern;

23                           “(ii) an online, self-study course fo-  
24 cused on the basic skills of entrepreneur-  
25 ship, the language of business, and the

1 considerations involved in self-employment  
2 and ownership of a small business concern;

3 “(iii) an in-person classroom instruc-  
4 tion component providing an introduction  
5 to the foundations of self employment and  
6 ownership of a small business concern; and

7 “(iv) in-depth training delivered  
8 through online instruction, including an  
9 online course that leads to the creation of  
10 a business plan.

11 “(B) COLLABORATION.—The Adminis-  
12 trator may—

13 “(i) collaborate with public and pri-  
14 vate entities to develop course curricula for  
15 the Boots to Business Program; and

16 “(ii) modify program components in  
17 coordination with entities participating in a  
18 Warriors in Transition program, as defined  
19 in section 738(e) of the National Defense  
20 Authorization Act for Fiscal Year 2013  
21 (10 U.S.C. 1071 note).

22 “(C) UTILIZATION OF RESOURCE PART-  
23 NERS.—

24 “(i) IN GENERAL.—The Administrator  
25 shall—

1           “(I) ensure that Veteran Busi-  
2           ness Outreach Centers regularly par-  
3           ticipate, on a nationwide basis, in the  
4           Boots to Business Program; and

5           “(II) to the maximum extent  
6           practicable, use a variety of other re-  
7           source partners and entities in admin-  
8           istering the Boots to Business Pro-  
9           gram.

10          “(ii) GRANT AUTHORITY.—In carrying  
11          out clause (i), the Administrator may make  
12          grants to Veteran Business Outreach Cen-  
13          ters, other resource partners, or other enti-  
14          ties to carry out components of the Boots  
15          to Business Program.

16          “(D) AVAILABILITY TO DEPARTMENT OF  
17          DEFENSE.—The Administrator shall make  
18          available to the Secretary of Defense informa-  
19          tion regarding the Boots to Business Program,  
20          including all course materials created for the  
21          Boots to Business Program, for inclusion on  
22          the website of the Department of Defense relat-  
23          ing to the Transition Assistance Program, in  
24          the Transition Assistance Program manual, and

1 in other relevant materials available for dis-  
2 tribution from the Secretary of Defense.

3 “(E) AVAILABILITY TO VETERANS AF-  
4 FAIRS.—In consultation with the Secretary of  
5 Veterans Affairs, the Administrator shall make  
6 available outreach materials regarding the  
7 Boots to Business Program for distribution and  
8 display at local facilities of the Department of  
9 Veterans Affairs which shall, at a minimum—

10 “(i) describe the Boots to Business  
11 Program and the services provided; and

12 “(ii) include eligibility requirements  
13 for participating in the Boots to Business  
14 Program.

15 “(5) REVIEW.—The Inspector General of the  
16 Administration shall submit to the Committee on  
17 Small Business and Entrepreneurship of the Senate  
18 and the Committee on Small Business of the House  
19 of Representatives an annual report regarding the  
20 awarding of grants to entities under paragraph  
21 (4)(C).

22 “(6) REPORT.—Not later than 180 days after  
23 the date of enactment of this subsection and every  
24 year thereafter, the Administrator shall submit to  
25 the Committee on Small Business and Entrepre-

1       neurship of the Senate and the Committee on Small  
2       Business of the House of Representatives a report  
3       on the performance and effectiveness of the Boots to  
4       Business Program, which may be included as part of  
5       another report submitted to such Committees by the  
6       Administrator, and which shall include—

7               “(A) the number of program participants  
8               using each component of the Boots to Business  
9               Program;

10              “(B) the completion rates for each compo-  
11              nent of the Boots to Business Program;

12              “(C) to the extent possible—

13                      “(i) the demographics of program par-  
14                      ticipants, to include gender, age, race, rela-  
15                      tionship to military, military occupational  
16                      specialty, and years of service of program  
17                      participants;

18                      “(ii) the number of small business  
19                      concerns formed or expanded with assist-  
20                      ance under the Boots to Business Pro-  
21                      gram;

22                      “(iii) the gross receipts of small busi-  
23                      ness concerns receiving assistance under  
24                      the Boots to Business Program;



1           “(iv) the number of jobs created with  
2           assistance under the Boots to Business  
3           Program;

4           “(v) the number of referrals to other  
5           resources and programs of the Administra-  
6           tion;

7           “(vi) the number of program partici-  
8           pants receiving financial assistance under  
9           loan programs of the Administration;

10          “(vii) the type and dollar amount of  
11          financial assistance received by program  
12          participants under any loan program of the  
13          Administration; and

14          “(viii) results of participant satisfac-  
15          tion surveys, including a summary of any  
16          comments received from program partici-  
17          pants;

18          “(D) an evaluation of the effectiveness of  
19          the Boots to Business Program in each region  
20          of the Administration during the most recent  
21          fiscal year;

22          “(E) an assessment of additional perform-  
23          ance outcome measures for the Boots to Busi-  
24          ness Program, as identified by the Adminis-  
25          trator;

1           “(F) any recommendations of the Adminis-  
2           trator for improvement of the Boots to Busi-  
3           ness Program, which may include expansion of  
4           the types of individuals who are covered individ-  
5           uals;

6           “(G) an explanation of how the Boots to  
7           Business Program has been integrated with  
8           other transition programs and related resources  
9           of the Administration and other Federal agen-  
10          cies; and

11          “(H) any additional information the Ad-  
12          ministrators determines necessary.”.

13 **SEC. 868. IMPROVEMENT OF SMALL BUSINESS DEVELOP-**  
14 **MENT CENTERS PROGRAM.**

15          (a) USE OF AUTHORIZED ENTREPRENEURIAL DE-  
16          VELOPMENT PROGRAMS.—The Small Business Act (15  
17          U.S.C. 631 et seq.), as amended by this Act, is amended—

18                 (1) by redesignating section 48 as section 49;

19          and

20                 (2) by inserting after section 47 the following  
21          new section:

22 **“SEC. 48. USE OF AUTHORIZED ENTREPRENEURIAL DEVEL-**  
23 **OPMENT PROGRAMS.**

24          “(a) EXPANDED SUPPORT FOR ENTREPRENEURS.—

1           “(1) IN GENERAL.—Notwithstanding any other  
2           provision of law, the Administrator shall only deliver  
3           entrepreneurial development services, entrepreneurial  
4           education, support for the development and mainte-  
5           nance of clusters, or business training through a  
6           program authorized under—

7                   “(A) section 7(j), 7(m), 8(a), 8(b)(1), 21,  
8                   22, 29, or 32 of this Act; or

9                   “(B) sections 358 or 389 of the Small  
10                  Business Investment Act of 1958.

11           “(2) EXCEPTION.—This section shall not apply  
12           to services provided to assist small business concerns  
13           owned by an Indian tribe (as such term is defined  
14           in section 8(a)(13)).

15           “(b) ANNUAL REPORT.—Beginning on the first De-  
16           cember 1 after the date of the enactment of this sub-  
17           section, the Administrator shall annually report to the  
18           Committee on Small Business of the House of Representa-  
19           tives and the Committee on Small Business and Entrepre-  
20           neurship of the Senate on all entrepreneurial development  
21           activities undertaken in the current fiscal year through a  
22           program described in subsection (a). Such report shall in-  
23           clude—

24                   “(1) a description and operating details for  
25                   each program and activity;

1           “(2) operating circulars, manuals, and standard  
2           operating procedures for each program and activity;

3           “(3) a description of the process used to award  
4           grants under each program and activity;

5           “(4) a list of all awardees, contractors, and ven-  
6           dors (including organization name and location) and  
7           the amount of awards for the current fiscal year for  
8           each program and activity;

9           “(5) the amount of funding obligated for the  
10          current fiscal year for each program and activity;  
11          and

12          “(6) the names and titles for those individuals  
13          responsible for each program and activity.”.

14          (b) **MARKETING OF SERVICES.**—Section 21 of the  
15          Small Business Act (15 U.S.C. 648) is amended by adding  
16          at the end the following:

17          “(o) **NO PROHIBITION OF MARKETING OF SERV-**  
18          **ICES.**—The Administrator shall not prohibit applicants re-  
19          ceiving grants under this section from marketing and ad-  
20          vertising their services to individuals and small business  
21          concerns.”.

22          (c) **DATA COLLECTION.**—

23                  (1) **IN GENERAL.**—Section 21(a)(3)(A) of the  
24          Small Business Act (15 U.S.C. 648(a)(3)(A)) is  
25          amended—

1 (A) by striking “as provided in this section  
2 and” and inserting “as provided in this sec-  
3 tion,”; and

4 (B) by inserting before the period at the  
5 end the following: “, and (iv) governing data  
6 collection activities related to applicants receiv-  
7 ing grants under this section”.

8 (2) ANNUAL REPORT ON DATA COLLECTION.—  
9 Section 21 of the Small Business Act (15 U.S.C.  
10 648), as amended by subsection (b), is further  
11 amended by adding at the end the following:

12 “(p) ANNUAL REPORT ON DATA COLLECTION.—The  
13 Administrator shall report annually to the Committee on  
14 Small Business of the House of Representatives and the  
15 Committee on Small Business and Entrepreneurship of  
16 the Senate on any data collection activities related to the  
17 Small Business Development Center Program.”.

18 (3) WORKING GROUP TO IMPROVE DATA COL-  
19 LECTION.—

20 (A) ESTABLISHMENT AND STUDY.—The  
21 Administrator of the Small Business Adminis-  
22 tration shall establish a group to be known as  
23 the “Data Collection Working Group” con-  
24 sisting of members from entrepreneurial devel-  
25 opment grant recipients associations and orga-

1           nizations and officials from the Small Business  
2           Administration, to carry out a study to deter-  
3           mine the best way to capture data collection  
4           and create or revise existing systems dedicated  
5           to data collection.

6           (B) REPORT.—Not later than the end of  
7           the 180-day period beginning on the date of the  
8           enactment of this Act, the Data Collection  
9           Working Group shall issue a report to the Com-  
10          mittee on Small Business of the House of Rep-  
11          resentatives and the Committee on Small Busi-  
12          ness and Entrepreneurship of the Senate con-  
13          taining the findings and determinations made  
14          in carrying out the study required under para-  
15          graph (1), including—

16                   (i) recommendations for revising exist-  
17                   ing data collection practices; and

18                   (ii) a proposed plan for the Small  
19                   Business Administration to implement  
20                   such recommendations.

21          (d) FEES FROM PRIVATE PARTNERSHIPS AND CO-  
22          SPONSORSHIPS.—Section 21(a)(3) of the Small Business  
23          Act (15 U.S.C. 648(a)(3)(C)), as amended by subsection  
24          (c), is further amended by adding at the end the following:

1       “(D) FEES FROM PRIVATE PARTNERSHIPS AND CO-  
2 SPONSORSHIPS.—A small business development center  
3 that participates in a private partnership or cosponsorship  
4 with the Administration shall not be prohibited from col-  
5 lecting fees or other income related to the operation of  
6 such a private partnership or cosponsorship.”.

7       (e) EQUITY FOR SMALL BUSINESS DEVELOPMENT  
8 CENTERS.—Subclause (I) of section 21(a)(4)(C)(v) of the  
9 Small Business Act (15 U.S.C. 648(a)(4)(C)(v)) is amend-  
10 ed to read as follows:

11                               “(I) IN GENERAL.—Of the  
12                               amounts made available in any fiscal  
13                               year to carry out this section, not  
14                               more than \$600,000 may be used by  
15                               the Administration to pay expenses  
16                               enumerated in subparagraphs (B)  
17                               through (D) of section 20(a)(1).”.

18       (f) CONFIDENTIALITY REQUIREMENTS.—Section  
19 21(a)(7)(A) of the Small Business Act (15 U.S.C.  
20 648(a)(7)(A)) is amended by inserting after “under this  
21 section” the following: “to any State, local, or Federal  
22 agency, or to any third party”.

23       (g) LIMITATION ON AWARD OF GRANTS TO SMALL  
24 BUSINESS DEVELOPMENT CENTERS.—

1           (1) IN GENERAL.—Section 21 of the Small  
2 Business Act (15 U.S.C. 648), as amended by sub-  
3 section (c), is further amended—

4           (A) in subsection (a)(1), by striking “any  
5 women’s business center operating pursuant to  
6 section 29,”; and

7           (B) by adding at the end the following:

8           “(q) LIMITATION ON AWARD OF GRANTS.—Except  
9 for not-for-profit institutions of higher education, and not-  
10 withstanding any other provision of law, the Administrator  
11 may not award grants (including contracts and coopera-  
12 tive agreements) under this section to any entity other  
13 than those that received grants (including contracts and  
14 cooperative agreements) under this section prior to the  
15 date of the enactment of this subsection, and that seek  
16 to renew such grants (including contracts and cooperative  
17 agreements) after such date.”.

18           (2) RULE OF CONSTRUCTION.—The amend-  
19 ments made by this section may not be construed as  
20 prohibiting a women’s business center (as described  
21 under section 29 of the Small Business Act (15  
22 U.S.C. 656)) from receiving a subgrant from an en-  
23 tity receiving a grant under section 21 of the Small  
24 Business Act (15 U.S.C. 648).



## 1                   **Subtitle F—Other Matters**

### 2   **SEC. 871. ADDITIONAL REQUIREMENTS FOR NEGOTIATIONS** 3                   **FOR NONCOMMERCIAL COMPUTER SOFT-** 4                   **WARE.**

5           Section 2322a of title 10, United States Code, is  
6 amended by adding at the end the following new sub-  
7 sections:

8           “(c) RIGHTS TO NONCOMMERCIAL COMPUTER SOFT-  
9 WARE.—As part of any negotiation for the acquisition of  
10 noncommercial computer software, the Secretary of De-  
11 fense may not require a contractor to sell or otherwise re-  
12 linquish to the Federal Government any rights to non-  
13 commercial computer software developed exclusively at  
14 private expense, except for rights related to—

15                   “(1) corrections or changes to such software or  
16                   documentation related to such software furnished to  
17                   the contractor by the Department of Defense;

18                   “(2) such software or documentation related to  
19                   such software that is otherwise publicly available or  
20                   that has been released or disclosed by the contractor  
21                   or subcontractor without restrictions on further use,  
22                   release, or disclosure, other than a release or disclo-  
23                   sure resulting from the sale, transfer, or other as-  
24                   signment of interest in such software or documenta-  
25                   tion to another party.

1           “(3) such software or documentation related to  
2           such software obtained with unlimited rights under  
3           another contract with the Federal Government or as  
4           a result of such a negotiation; or

5           “(4) such software or documentation related to  
6           such software furnished to the Department of De-  
7           fense under a contract or subcontract that in-  
8           cludes—

9                   “(A) restricted rights in such software,  
10                   limited rights in technical data, or government  
11                   purpose rights, where such restricted rights,  
12                   limited rights, or government purpose rights  
13                   have expired; or

14                   “(B) government purpose rights, where the  
15                   contractor’s exclusive right to use such software  
16                   or documentation for commercial purposes has  
17                   expired.

18           “(d) CONSIDERATION OF SPECIALLY NEGOTIATED  
19           LICENSES.—The Secretary of Defense shall, to the max-  
20           imum extent practicable, negotiate and enter into a con-  
21           tract with a contractor for a specially negotiated license  
22           for noncommercial computer software or documentation  
23           related to such software necessary to support the product  
24           support strategy of a major weapon system or subsystem  
25           of a major weapon system.”.

1 **SEC. 872. REMOVAL OF REQUIREMENT FOR RISK AND SEN-**  
2 **SITIVITY ANALYSIS OF BASELINE ESTIMATES**  
3 **IN SELECTED ACQUISITION REPORTS.**

4 Section 2432(c)(1)(B) of title 10, United States  
5 Code, is amended by striking “, along with the associated  
6 risk and sensitivity analysis of that estimate” each place  
7 it appears.

8 **SEC. 873. PROHIBITION ON ACQUISITION OF SENSITIVE MA-**  
9 **TERIALS FROM NON-ALLIED FOREIGN NA-**  
10 **TIONS.**

11 (a) IN GENERAL.—Subchapter V of chapter 148 of  
12 title 10, United States Code, is amended by inserting after  
13 section 2533b the following new section:

14 **“§ 2533c. Prohibition on acquisition of sensitive mate-**  
15 **rials from non-allied foreign nations**

16 “(a) IN GENERAL.—Except as provided in subsection  
17 (c), the Secretary of Defense may not—

18 “(1) procure any end item containing a covered  
19 material from any covered nation, except as provided  
20 by subsection (c); or

21 “(2) sell any covered material from the Na-  
22 tional Defense Stockpile, if the National Defense  
23 Stockpile Manager determines that such a sale is not  
24 in the national interests of the United States, to—

25 “(A) any covered nation; or

1           “(B) any third party that the Secretary  
2           reasonably believes is acting as a broker or  
3           agent for a covered nation or an entity in a cov-  
4           ered nation.

5           “(b) EXTENSION.—Subsection (a) shall apply to  
6 prime contracts and subcontracts at any tier.

7           “(c) EXCEPTIONS.—Subsection (a) does not apply  
8 under the following circumstances:

9           “(1) If the Secretary of Defense determines  
10 that covered materials of satisfactory quality and  
11 quantity, in the required form, cannot be procured  
12 as and when needed.

13           “(2) To the procurement of an end item de-  
14 scribed in subsection (a)(1) or the sale of any cov-  
15 ered material described under subsection (a)(1) by  
16 the Secretary outside of the United States for use  
17 outside of the United States.

18           “(3) To the purchase by the Secretary of an  
19 end item containing a covered material that is—

20           “(A) a commercially available off-the-shelf  
21 item (as defined in section 104 of title 41); or

22           “(B) an electronic device, unless the Sec-  
23 retary of Defense, upon the recommendation of  
24 the Strategic Materials Protection Board pursu-  
25 ant to section 187 of this title, determines that

1 the domestic availability of a particular elec-  
2 tronic device is critical to national security.

3 “(d) DEFINITIONS.—In this section:

4 “(1) COVERED MATERIAL.—The term ‘covered  
5 material’ means—

6 “(A) samarium-cobalt magnets;

7 “(B) neodymium-iron-boron magnets;

8 “(C) tungsten penetrators; and

9 “(D) tungsten or tungsten alloy spheres  
10 and cubes.

11 “(2) COVERED NATION.—The term ‘covered na-  
12 tion’ means—

13 “(A) the Democratic People’s Republic of  
14 North Korea;

15 “(B) the People’s Republic of China;

16 “(C) the Russian Federation; and

17 “(D) the Islamic Republic of Iran.

18 “(3) END ITEM.—The term ‘end item’ has the  
19 meaning given in section 2533b(m) of this title.”.

20 (b) CLERICAL AMENDMENT.—The table of contents  
21 at the beginning of such subchapter is amended by insert-  
22 ing after the item relating to section 2533b the following  
23 item:

“2533c. Prohibition on acquisition of sensitive materials from non-allied foreign  
nations.”.

1 **SEC. 874. TRANSFER OR POSSESSION OF DEFENSE ITEMS**  
2 **FOR NATIONAL DEFENSE PURPOSES.**

3 (a) TRANSFER AND POSSESSION EXCEPTIONS.—Sec-  
4 tion 922(o)(2) of title 18, United States Code, is amend-  
5 ed—

6 (1) in subparagraph (A), by striking “or by”  
7 and inserting “, by, or under the authority of”;

8 (2) by striking “or” at the end of subparagraph  
9 (A);

10 (3) by striking the period at the end of sub-  
11 paragraph (B) and inserting a semicolon; and

12 (4) by inserting after subparagraph (B) the fol-  
13 lowing new subparagraphs:

14 “(C) a transfer to, or possession by, a licensed  
15 manufacturer or licensed importer (if, with respect  
16 to a transfer, such transfer has been approved by  
17 the Attorney General in accordance with law) for  
18 purposes of—

19 “(i) joint production of a weapon, or inte-  
20 gration or incorporation into another article or  
21 device;

22 “(ii) calibration, testing, or research and  
23 development;

24 “(iii) permanent or temporary export, or  
25 temporary import, otherwise in accordance with  
26 law; or

1           “(iv) training of Federal, State, local, or  
2           foreign government personnel;

3           “(D) a transfer to, or possession by, a licensee  
4           for the purpose of repair and return of the same to  
5           a lawful possessor; or

6           “(E) notwithstanding subsection (g)(5)(B), pos-  
7           session by foreign government personnel for official  
8           training purposes under the direct and continuous  
9           supervision of an authorized Federal, State, or local  
10          government official, or a licensee as described in  
11          subparagraph (C), provided that, upon completion of  
12          the training, such foreign government personnel  
13          shall relinquish possession of the same to such offi-  
14          cial or licensee.”.

15          (b) IMPORTATION REQUIREMENTS.—Section 925(d)  
16 of such title is amended—

17           (1) in paragraph (3)—

18           (A) by inserting “except as provided in  
19           paragraph (5),” before “is of”; and

20           (B) by striking “or” at the end;

21           (2) in paragraph (4), by striking the period at  
22           the end and inserting “; or”; and

23           (3) by inserting after paragraph (4) the fol-  
24           lowing new paragraph:

1           “(5) is being imported or brought in by a li-  
2           censed manufacturer or licensed importer in con-  
3           formity with, and solely for a purpose described in  
4           subparagraph (A), (C), (D), or (E) of section  
5           922(o)(2).”.

6           (c) EFFECTIVE DATE.—This section and the amend-  
7           ments made by this section shall take effect 30 days after  
8           the date of the enactment of this Act.

9           **SEC. 875. EXPEDITED HIRING AUTHORITY FOR SHORTAGE**  
10                           **CATEGORY POSITIONS IN THE ACQUISITION**  
11                           **WORKFORCE.**

12           Section 1703(j) of title 41, United States Code, is  
13           amended—

14                   (1) in paragraph (1)—

15                           (A) by striking “sections 3304, 5333, and  
16                           5753 of title 5” and inserting “section 3304 of  
17                           title 5”;

18                           (B) by striking “authorities in those sec-  
19                           tions” and inserting “authority in such sec-  
20                           tion”; and

21                           (C) by striking “certain Federal acquisi-  
22                           tion positions (as described in subsection  
23                           (g)(1)(A))” and inserting “the Federal acquisi-  
24                           tion provisions described in paragraph (2)”; and



1           (2) by redesignating paragraph (2) as para-  
2           graph (3);

3           (3) by inserting after paragraph (1) the fol-  
4           lowing new paragraph:

5           “(2) POSITIONS DESCRIBED.—The Federal ac-  
6           quisition positions described in this paragraph are  
7           the following:

8                   “(A) Any position listed in (g)(1)(A).

9                   “(B) All positions in the General Schedule  
10           Realty series (GS–1170).”; and

11           (4) in paragraph (3) (as so redesignated), by  
12           striking “September 30, 2017” and inserting “Sep-  
13           tember 30, 2021”.

14 **SEC. 876. EXTENSION OF PROHIBITION ON PROVIDING**  
15 **FUNDS TO THE ENEMY.**

16           Section 841(n) of the Carl Levin and Howard P.  
17           “Buck” McKeon National Defense Authorization Act for  
18           Fiscal Year 2015 (Public Law 113–291; 127 Stat. 3455;  
19           10 U.S.C. 2302 note) is amended by striking “December  
20           31, 2019” and inserting “December 31, 2021”.

1 **SEC. 877. REPEAL OF CERTAIN DETERMINATIONS RE-**  
2 **QUIRED FOR GRANTS OF EXCEPTIONS TO**  
3 **COST OR PRICING DATA CERTIFICATION RE-**  
4 **QUIREMENTS AND WAIVERS OF COST AC-**  
5 **COUNTING STANDARDS.**

6 Section 817(b) of the Bob Stump National Defense  
7 Authorization Act for Fiscal Year 2003 (Public Law 107–  
8 314; 10 U.S.C. 2306a note) is amended—

9 (1) by striking paragraph (1); and

10 (2) by redesignating paragraphs (2) and (3) as  
11 paragraphs (1) and (2), respectively.

12 **SEC. 878. REPORTING ON PROJECTS PERFORMED**  
13 **THROUGH TRANSACTIONS OTHER THAN CON-**  
14 **TRACTS, COOPERATIVE AGREEMENTS, AND**  
15 **GRANTS.**

16 (a) **REPORT REQUIRED.**—Not later than December  
17 31, 2018, and each December 31 thereafter through De-  
18 cember 31, 2021, the Secretary of Defense shall submit  
19 to the congressional defense committees a report covering  
20 the preceding fiscal year on projects described in sub-  
21 section (b).

22 (b) **CONTENTS.**—Each report under subsection (a)  
23 shall include—

24 (1) for each project performed through a trans-  
25 action (other than contracts, cooperative agreements,  
26 and grants) entered into pursuant to section 2371 or

1 2371b of title 10, United States Code, for which  
2 payments made by the Department of Defense ex-  
3 ceeded \$5,000,000 for such transaction—

4 (A) an identification of the element of the  
5 Department of Defense and the person or entity  
6 outside of the Department of Defense entering  
7 into such transaction;

8 (B) the date of entry into such transaction;

9 (C) the amount of the payments made by  
10 the Department of Defense for such trans-  
11 action;

12 (D) the goals and status of each project  
13 carried out under such transaction; and

14 (E) the start date and anticipated end date  
15 of each project carried out under such trans-  
16 action; and

17 (2) a description of the mechanisms, including  
18 any policies, guidance, and reporting requirements,  
19 established by the Secretary of Defense to regulate  
20 the use of authority relating to a transaction (other  
21 than contracts, cooperative agreements, and grants)  
22 entered into pursuant to section 2371 or 2371b of  
23 title 10, United States Code.

1 **SEC. 879. STANDARDIZATION OF FORMATTING AND PUBLIC**  
2 **ACCESSIBILITY OF DEPARTMENT OF DE-**  
3 **FENSE REPORTS TO CONGRESS.**

4 (a) BRIEFING REQUIRED.—Not later than March 1,  
5 2019, the Secretary of Defense shall provide a briefing  
6 to the Committee on Armed Services of the House of Rep-  
7 resentatives on a plan to standardize the formatting and  
8 public accessibility of unclassified Department of Defense  
9 reports required by Congress. Such briefing shall include  
10 a description of the method—

11 (1) for ensuring that reports are created in a  
12 platform-independent, machine-readable format that  
13 can be retrieved, downloaded, indexed, and searched  
14 by commonly used web search applications; and

15 (2) for providing a publically accessible online  
16 repository of unclassified reports of the Department  
17 of Defense issued since January 1, 2010, including  
18 protocols for inclusion of unclassified reports that,  
19 as determined by the Secretary, may not be appro-  
20 priate for public release in their entirety.

21 (b) IMPLEMENTATION.—Such plan shall be imple-  
22 mented not later than March 1, 2020.

23 **SEC. 880. DEFENDING UNITED STATES GOVERNMENT COM-**  
24 **MUNICATIONS.**

25 (a) FINDINGS.—Congress makes the following find-  
26 ings:

1           (1) In its 2011 “Annual Report to Congress on  
2 Military and Security Developments Involving the  
3 People’s Republic of China”, the Department of De-  
4 fense stated that, “China’s defense industry has ben-  
5 efitting from integration with a rapidly expanding ci-  
6 vilian economy and science and technology sector,  
7 particularly elements that have access to foreign  
8 technology. Progress within individual defense sec-  
9 tors appears linked to the relative integration of  
10 each, through China’s civilian economy, into the  
11 global production and R&D chain . . . Information  
12 technology companies in particular, including  
13 Huawei, Datang, and Zhongxing, maintain close ties  
14 to the PLA.”.

15           (2) In a 2011 report titled “The National Secu-  
16 rity Implications of Investments and Products from  
17 the People’s Republic of China in the Telecommuni-  
18 cations Sector”, the United States China Commis-  
19 sion stated that “[n]ational security concerns have  
20 accompanied the dramatic growth of China’s telecom  
21 sector. . . . Additionally, large Chinese companies—  
22 particularly those ‘national champions’ prominent in  
23 China’s ‘going out’ strategy of overseas expansion—  
24 are directly subject to direction by the Chinese Com-

1        munist Party, to include support for PRC state poli-  
2        cies and goals.”.

3           (3) The Commission further stated in its report  
4        that “[f]rom this point of view, the clear economic  
5        benefits of foreign investment in the U.S. must be  
6        weighed against the potential security concerns re-  
7        lated to infrastructure components coming under the  
8        control of foreign entities. This seems particularly  
9        applicable in the telecommunications industry, as  
10       Chinese companies continue systematically to ac-  
11       quire significant holdings in prominent global and  
12       U.S. telecommunications and information technology  
13       companies.”.

14           (4) In its 2011 Annual Report to Congress, the  
15       United States China Commission stated that “[t]he  
16       extent of the state’s control of the Chinese economy  
17       is difficult to quantify . . . There is also a category  
18       of companies that, though claiming to be private, are  
19       subject to state influence. Such companies are often  
20       in new markets with no established SOE leaders and  
21       enjoy favorable government policies that support  
22       their development while posing obstacles to foreign  
23       competition. Examples include Chinese telecoms  
24       giant Huawei and such automotive companies as

1 battery maker BYD and vehicle manufacturers  
2 Geely and Chery.”.

3 (5) General Michael Hayden, who served as Di-  
4 rector of the Central Intelligence Agency and Direc-  
5 tor of the National Security Agency, stated in July  
6 2013 that Huawei had “shared with the Chinese  
7 state intimate and extensive knowledge of foreign  
8 telecommunications systems it is involved with.”.

9 (6) The Federal Bureau of Investigation, in a  
10 February 2015 Counterintelligence Strategy Part-  
11 nership Intelligence Note stated that, “[w]ith the ex-  
12 panded use of Huawei Technologies Inc. equipment  
13 and services in U.S. telecommunications service pro-  
14 vider networks, the Chinese Government’s potential  
15 access to U.S. business communications is dramati-  
16 cally increasing. Chinese Government-supported tele-  
17 communications equipment on U.S. networks may be  
18 exploited through Chinese cyber activity, with Chi-  
19 na’s intelligence services operating as an advanced  
20 persistent threat to U.S. networks.”.

21 (7) The Federal Bureau of Investigation fur-  
22 ther stated in its February 2015 counterintelligence  
23 note that, “China makes no secret that its cyber  
24 warfare strategy is predicated on controlling global  
25 communications network infrastructure.”.

1           (8) At a hearing before the Committee on  
2           Armed Services of the House of Representatives on  
3           September 30, 2015, Deputy Secretary of Defense  
4           Robert Work, responding to a question about the  
5           use of Huawei telecommunications equipment, stat-  
6           ed, “In the Office of the Secretary of Defense, abso-  
7           lutely not. And I know of no other—I don’t believe  
8           we operate in the Pentagon, any [Huawei] systems  
9           in the Pentagon.”.

10           (9) At such hearing, the Commander of the  
11           United States Cyber Command, Admiral Mike Rog-  
12           ers, responding to a question about why such  
13           Huawei telecommunications equipment is not used,  
14           stated, “as we look at supply chain and we look at  
15           potential vulnerabilities within the system, that it is  
16           a risk we felt was unacceptable.”.

17           (10) In March 2017, ZTE Corporation pled  
18           guilty to conspiring to violate the International  
19           Emergency Economic Powers Act by illegally ship-  
20           ping United States-origin items to Iran, paying the  
21           United States Government a penalty of  
22           \$892,360,064 dollars for activity between January  
23           2010 and January 2016.

24           (11) The Treasury Department’s Office of For-  
25           eign Assets Control issued a subpoena to Huawei as



1 part of a Federal investigation of alleged violations  
2 of trade restrictions on Cuba, Iran, Sudan, and  
3 Syria.

4 (12) In the bipartisan Permanent Select Com-  
5 mittee on Intelligence of the House of Representa-  
6 tives “Investigative Report on the United States Na-  
7 tional Security Issues Posed by Chinese Tele-  
8 communication Companies Huawei and ZTE” re-  
9 leased in 2012, it was recommended that “U.S. gov-  
10 ernment systems, particularly sensitive systems,  
11 should not include Huawei or ZTE equipment, in-  
12 cluding in component parts. Similarly, government  
13 contractors—particularly those working on contracts  
14 for sensitive U.S. programs—should exclude ZTE or  
15 Huawei equipment in their systems.”.

16 (13) Christopher Wray, who serves as Director  
17 of the Federal Bureau of Investigation, stated in  
18 February 2018 during a hearing of the Select Com-  
19 mittee on Intelligence of the Senate that he was  
20 “deeply concerned about the risks of allowing any  
21 company or entity that is beholden to foreign gov-  
22 ernments that don’t share our values to gain posi-  
23 tions of power inside our telecommunications net-  
24 works. That provides the capacity to exert pressure  
25 or control over our telecommunications infrastruc-

1       ture. It provides the capacity to maliciously modify  
2       or steal information. And it provides the capacity to  
3       conduct undetected espionage.” Admiral Mike Rog-  
4       ers, who served as Director of the National Security  
5       Agency, agreed with Director Wray’s characteriza-  
6       tion, and added that Government programs need “to  
7       look long and hard at companies like this”.

8           (14) Director of National Intelligence Dan  
9       Coats, Federal Bureau of Investigation Director  
10      Christopher Wray, Director of the Defense Intel-  
11      ligence Agency General Robert Ashley, Director of  
12      the National Geospatial-Intelligence Agency Robert  
13      Cardillo, Director of the National Security Agency  
14      Admiral Michael Rogers, and Director of the Central  
15      Intelligence Agency Michael Pompeo all indicated by  
16      show of hands in February 2018 at a hearing of the  
17      Select Committee on Intelligence of the Senate that  
18      they would not “use products or services from  
19      Huawei or ZTE”.

20           (15) General Paul Nakasone, who served as the  
21      Commanding General of United States Army Cyber  
22      Command, stated during his confirmation hearing to  
23      be National Security Agency director in March 2018  
24      before the Select Committee on Intelligence of the  
25      Senate that he “would not” use any Huawei, China

1 Unicom, or China Telecom products nor would he  
2 recommend his family do so.

3 (b) PROHIBITION ON CERTAIN TELECOMMUNI-  
4 CATIONS OR VIDEO SURVEILLANCE SERVICES OR EQUIP-  
5 MENT.—

6 (1) PROHIBITION ON AGENCY USE OR PRO-  
7 CUREMENT.—Except as provided in paragraph (3),  
8 beginning not later than January 1, 2021, the head  
9 of an agency may not procure or obtain, may not ex-  
10 tend or renew a contract to procure or obtain, and  
11 may not enter into a contract (or extend or renew  
12 a contract) with an entity that uses any equipment,  
13 system, or service that uses covered telecommuni-  
14 cations or video surveillance equipment or services as  
15 a substantial or essential component of any system,  
16 or as critical technology as part of any system. The  
17 prohibitions described in this paragraph include the  
18 obligation or expenditure of loans or grant funds to  
19 procure or obtain, extend or renew a contract to pro-  
20 cure or obtain, or enter into a contract (or extend  
21 or renew a contract) to procure or obtain covered  
22 telecommunications equipment or services.

23 (2) IMPLEMENTATION PLAN.—By not later  
24 than 180 days after the date of the enactment of  
25 this Act, each agency shall develop a plan to imple-

1        ment paragraph (1) throughout the agency’s supply  
2        chain and shall submit such plan to the appropriate  
3        congressional committees. Each such plan shall be  
4        submitted in unclassified form, but may contain a  
5        classified annex. The plan for an agency shall in-  
6        clude, but not be limited to, how the agency plans  
7        to deal with the impact of white label technology on  
8        its supply chain whereby the original manufacturer  
9        of technology is not readily apparent to a purchaser  
10       or user.

11            (3) WAIVER.—The head of an agency may, on  
12        a one time basis, waive the requirement under para-  
13        graph (1) with respect to an entity that requests  
14        such a waiver. Such a waiver may be provided for  
15        a period of not more than two years if the entity  
16        seeking the waiver—

17            (A) can demonstrate a compelling justifica-  
18        tion for additional time to implement such  
19        paragraph;

20            (B) submits to the head of the agency, who  
21        then submits to the appropriate congressional  
22        committees within 30 days, a full and complete  
23        laydown of the presence of covered tele-  
24        communications or video surveillance equipment  
25        or services in the entity’s supply chain and a

1 phase-out plan to eliminate such covered tele-  
2 communications or video surveillance equipment  
3 or services from its systems;

4 (C) does not permit real-time access to its  
5 networks to an entity located or substantially  
6 located in a covered foreign country; and

7 (D) provides a written guarantee to the  
8 head of the agency that it will not procure such  
9 covered telecommunications or video surveil-  
10 lance equipment or services again.

11 (4) COVERED COMPONENTS.—With respect to a  
12 covered component of an entity for which such entity  
13 reasonably believes will not need to be replaced dur-  
14 ing the 5-year period beginning on the date of the  
15 enactment of this Act, such entity shall provide a  
16 written assurance to the head of the agency for  
17 which such covered component is in use that such  
18 entity shall replace such covered component, at the  
19 end of such covered component’s reasonable lifecycle,  
20 with a comparable component that is manufactured  
21 by a person other than Huawei Technologies Com-  
22 pany, Hytera Communications Corporation,  
23 Hangzhou Hikvision Digital Technology Company,  
24 Dahua Technology Company, or ZTE Corporation

1 (or any subsidiary, successor entity, or affiliate of  
2 such entities).

3 (5) DEFINITIONS.—In this section:

4 (A) The term “appropriate congressional  
5 committees” means the Committees on Armed  
6 Services of the Senate and House of Represent-  
7 atives, the Permanent Select Committee on In-  
8 telligence of the House of Representatives, the  
9 Select Committee on Intelligence of the Senate,  
10 the Committee on Oversight and Government  
11 Reform of the House of Representatives, and  
12 the Committee on Homeland Security and Gov-  
13 ernmental Affairs of the Senate.

14 (B) The term “agency” has the meaning  
15 given that term in section 551 of title 5, United  
16 States Code.

17 (C) The term “covered foreign country”  
18 means the People’s Republic of China.

19 (D) The term “covered telecommunications  
20 or video surveillance equipment or services”  
21 means any of the following:

22 (i) Telecommunications or video sur-  
23 veillance equipment produced by Huawei  
24 Technologies Company, Hytera Commu-  
25 nications Corporation, Hangzhou Hikvision

1 Digital Technology Company, Dahua Tech-  
2 nology Company, or ZTE Corporation (or  
3 any subsidiary, successor entity, or affiliate  
4 of such entities).

5 (ii) Telecommunications or video sur-  
6 veillance services provided by such entities  
7 or using such equipment.

8 (iii) Telecommunications or video sur-  
9 veillance equipment or services produced or  
10 provided by an entity that the head of the  
11 relevant agency reasonably believes to be  
12 an entity owned or controlled by, or other-  
13 wise connected to, the government of a  
14 covered foreign country.

15 (E) The term “covered component” means  
16 any component that—

17 (i) is part of any equipment, system,  
18 or service that uses covered telecommuni-  
19 cations or video surveillance equipment or  
20 services;

21 (ii) is produced by Huawei Tech-  
22 nologies Company, Hytera Communica-  
23 tions Corporation, Hangzhou Hikvision  
24 Digital Technology Company, Dahua Tech-  
25 nology Company, or ZTE Corporation (or

1 any subsidiary, successor entity, or affiliate  
2 of such entities); and

3 (iii) cannot route or redirect data  
4 traffic or visibility into any data or packets  
5 such equipment, system, or service trans-  
6 mits or manipulates.

7 (c) REPORT.—

8 (1) IN GENERAL.—The Director of National In-  
9 telligence, in coordination with the Director of the  
10 Federal Bureau of Investigation and the Secretaries  
11 of State, Homeland Security, and Defense, shall de-  
12 velop a report outlining the national security risks of  
13 use of Huawei, Hytera, Hikvision, Dahua, and ZTE  
14 technology, especially as it relates to evidence of ma-  
15 licious software or hardware that enables unauthor-  
16 ized network access or control and the type and level  
17 of risk, and a plan to share such report, based on  
18 appropriate access to classified information, with  
19 U.S. allies, partners, and U.S. cleared defense con-  
20 tractors and telecommunications services providers.

21 (2) UNCLASSIFIED VERSION.—In addition to  
22 the classified report required by paragraph (1), an  
23 unclassified version of the report shall be made  
24 available for U.S. allies and partners as well as im-  
25 pacted telecommunication companies State and local



1 governments that do not have access to classified in-  
2 formation.

3 (3) DEADLINE.—The reports required by para-  
4 graph (1) and paragraph (2) of this subsection shall  
5 be submitted to the appropriate congressional com-  
6 mittees (as defined in subsection (b)(4) of this sec-  
7 tion) not later than 180 days after the date of the  
8 enactment of this Act.

9 **SEC. 881. PROMOTION OF THE USE OF GOVERNMENT-WIDE**  
10 **AND OTHER INTERAGENCY CONTRACTS.**

11 Section 865(b)(1) of the Duncan Hunter National  
12 Defense Authorization Act for Fiscal Year 2009 (Public  
13 Law 110-417; 31 U.S.C. 1535 note) is amended—

14 (1) by striking “that all interagency acquisi-  
15 tions—” and inserting “that—”;

16 (2) in subparagraph (A)—

17 (A) by inserting “all interagency assisted  
18 acquisitions” before “include”; and

19 (B) by inserting “and” after the semicolon;

20 (3) by striking subparagraph (B); and

21 (4) by redesignating subparagraph (C) as sub-  
22 subparagraph (B), and in that subparagraph by insert-  
23 ing “all interagency assisted acquisitions” before  
24 “include”.

1 **SEC. 882. INCREASING COMPETITION AT THE TASK ORDER**  
2 **LEVEL.**

3 Section 3306(c) of title 41, United States Code, is  
4 amended—

5 (1) in paragraph (1), by inserting “except as  
6 provided in paragraph (3),” in subparagraphs (B)  
7 and (C) after the subparagraph designation; and

8 (2) by adding at the end the following new  
9 paragraphs:

10 “(3) EXCEPTIONS FOR CERTAIN INDEFINITE  
11 DELIVERY, INDEFINITE QUANTITY MULTIPLE-AWARD  
12 CONTRACTS AND CERTAIN FEDERAL SUPPLY SCHED-  
13 ULE CONTRACTS FOR SERVICES ACQUIRED ON AN  
14 HOURLY RATE.—If an executive agency issues a so-  
15 licitation for one or more contracts for services to be  
16 acquired on an hourly rate basis under the authority  
17 of sections 4103 and 4106 of this title or section  
18 152(3) of this title and section 501(b) of title 40  
19 and the executive agency intends to make a contract  
20 award to each qualifying offeror and the contract or  
21 contracts will feature individually competed task or  
22 delivery orders based on hourly rates—

23 “(A) the contracting officer need not con-  
24 sider price as an evaluation factor for contract  
25 award; and

1           “(B) if, pursuant to subparagraph (A),  
2 price is not considered as an evaluation factor  
3 for contract award—

4           “(i) the disclosure requirement of sub-  
5 paragraph (C) of paragraph (1) shall not  
6 apply; and

7           “(ii) cost or price to the Federal Gov-  
8 ernment shall be considered in conjunction  
9 with the issuance pursuant to sections  
10 4106(c) and 152(3) of this title of any  
11 task or delivery order under any contract  
12 resulting from the solicitation.

13           “(4) DEFINITION.—In paragraph (3), the term  
14 ‘qualifying offeror’ means an offeror that—

15           “(A) is determined to be a responsible  
16 source;

17           “(B) submits a proposal that conforms to  
18 the requirements of the solicitation;

19           “(C) meets all technical requirements; and

20           “(D) is otherwise eligible for award.”.

21 **SEC. 883. INDIVIDUAL ACQUISITION FOR COMMERCIAL**  
22 **LEASING SERVICES.**

23           (a) IN GENERAL.—For the purpose of section 863  
24 of Public Law 110–417, an individual acquisition for com-  
25 mercial leasing services shall not be construed as a pur-

1 chase of property or services if such individual acquisition  
2 is made on a no cost basis and pursuant to a multiple  
3 award contract awarded in accordance with requirements  
4 for full and open competition.

5 (b) AUDIT.—The Comptroller General of the United  
6 States shall—

7 (1) conduct biennial audits of the General Serv-  
8 ices Administration National Broker Contract to de-  
9 termine—

10 (A) whether brokers selected under the  
11 program provide lower lease rental rates than  
12 rates negotiated by General Services Adminis-  
13 tration staff; and

14 (B) the impact of the program on the  
15 length of time of lease procurements;

16 (2) conduct a review of whether the application  
17 of section 863 of Public Law 110–417 to acquisi-  
18 tions for commercial leasing services resulted in  
19 rental cost savings for the Government during the  
20 years in which such section was applicable prior to  
21 the date of enactment of this section; and

22 (3) not later than September 30, 2019, and  
23 September 30, 2021, submit to the Committee on  
24 Transportation and Infrastructure of the House of

1 Representatives and the Committee on Environment  
2 and Public Works of the Senate a report that—

3 (A) summarizes the results of the audit  
4 and review required by paragraphs (1) and (2);

5 (B) includes an assessment of whether the  
6 National Broker Contract provides greater effi-  
7 ciencies and savings than the use of General  
8 Services Administration staff; and

9 (C) includes recommendations for improv-  
10 ing General Services Administration lease pro-  
11 curements.

12 (c) TERMINATION.—This section shall terminate on  
13 December 31, 2022.

14 **SEC. 884. PROCUREMENT ADMINISTRATIVE LEAD TIME**  
15 **DEFINITION AND PLAN.**

16 (a) IN GENERAL.—Not later than 180 days after the  
17 date of the enactment of this Act, the Administrator for  
18 Federal Procurement Policy shall develop, make available  
19 for public comment, and finalize—

20 (1) a definition of the term “Procurement ad-  
21 ministrative lead time” or “PALT”, to be applied  
22 Government-wide, that describes the amount of time  
23 from the date on which a solicitation for a contract  
24 or task order is issued to the date of an initial  
25 award of the contract or task order; and

1           (2) a plan for measuring and publicly reporting  
2           data on PALT for Federal Government contracts  
3           and task orders in amounts greater than the sim-  
4           plified acquisition threshold.

5           (b) REQUIREMENT FOR DEFINITION.—Unless the  
6           Administrator determines otherwise, the amount of time  
7           in the definition of PALT developed under subsection (a)  
8           shall—

9           (1) begin on the date on which an initial solici-  
10          tation is issued by a Federal department or agency  
11          for a contract or task order; and

12          (2) end on the date of the award of the contract  
13          or task order.

14          (c) COORDINATION.—In developing the definition of  
15          PALT, the Administrator shall coordinate with—

16          (1) the senior procurement executives of Fed-  
17          eral agencies;

18          (2) the Secretary of Defense; and

19          (3) the Administrator of the General Services  
20          Administration on modifying the existing data sys-  
21          tem of the Federal Government to determine the  
22          date on which the initial solicitation is issued.

23          (d) USE OF EXISTING PROCUREMENT DATA SYS-  
24          TEM.—In developing the plan for measuring and publicly  
25          reporting data on PALT required by subsection (a), the

1 Administrator shall, to the maximum extent practicable,  
2 rely on the information contained in the Federal procure-  
3 ment data system established pursuant to section  
4 1122(a)(4) of title 41, United States Code, including any  
5 modifications to that system.

6 **SEC. 885. REPORT ON FUNDING OF PRODUCT SUPPORT**  
7 **STRATEGIES.**

8 (a) REPORT REQUIRED.—For each of the fiscal years  
9 2020, 2021, and 2022, the Secretary of Defense shall in-  
10 clude with the budget for the Department of Defense, as  
11 submitted to Congress pursuant to section 1105 of title  
12 31, United States Code, a report regarding the funding  
13 for product support strategies for major weapon systems.  
14 The Secretary may submit this report separately, or as  
15 part of the annex required by section 347 of the National  
16 Defense Authorization Act for Fiscal Year 2018 (Public  
17 Law 115–91).

18 (b) CONTENTS.—The report shall include for each  
19 major weapon system—

20 (1) a current estimate of the total funding re-  
21 quired for the product support strategy for the  
22 lifecycle of the weapon system;

23 (2) a current estimate of the funding required  
24 for the product support strategy per year, by appro-

1        priation and budget activity, over the future years  
2        defense program for the weapon system;

3            (3) a summary of the funding requested for the  
4        product support strategy in the future years defense  
5        program per year, by appropriation and budget ac-  
6        tivity, for the weapon system;

7            (4) should the amounts required pursuant to  
8        paragraph (2) differ from the amounts requested  
9        pursuant to paragraph (3) by more than 5 percent,  
10       an explanation for the variance and a description of  
11       the actions that will be taken to mitigate the risk to  
12       the sustainment of the weapon system;

13           (5) a summary of the amounts expended, by ap-  
14        propriation and budget activity, for the product sup-  
15        port strategy of the weapon system during the prior  
16        fiscal year; and

17           (6) should the amounts expended in the prior  
18        fiscal year pursuant to paragraph (5) differ from the  
19        amounts required for that fiscal year, pursuant to  
20        paragraph (2) by more than 5 percent, an expla-  
21        nation for the variance and a description of the ac-  
22        tions that will be taken to mitigate the risk to the  
23        sustainment of the weapon system.



1 **SEC. 886. USE OF LOWEST PRICE TECHNICALLY ACCEPT-**  
2 **ABLE SOURCE SELECTION PROCESS.**

3 (a) STATEMENT OF POLICY.—It shall be the policy  
4 of the United States Government to avoid using lowest  
5 price technically acceptable source selection criteria in cir-  
6 cumstances that would deny the Government the benefits  
7 of cost and technical tradeoffs in the source selection proc-  
8 ess.

9 (b) REVISION OF FEDERAL ACQUISITION REGULA-  
10 TION.—Not later than 120 days after the date of the en-  
11 actment of this Act, the Federal Acquisition Regulation  
12 shall be revised to require that, for solicitations issued on  
13 or after the date that is 120 days after the date of the  
14 enactment of this Act, lowest price technically acceptable  
15 source selection criteria are used only in situations in  
16 which—

17 (1) an executive agency is able to comprehen-  
18 sively and clearly describe the minimum require-  
19 ments expressed in terms of performance objectives,  
20 measures, and standards that will be used to deter-  
21 mine acceptability of offers;

22 (2) the executive agency would realize no, or  
23 minimal, value from a contract proposal exceeding  
24 the minimum technical or performance requirements  
25 set forth in the request for proposal;

1           (3) the proposed technical approaches will re-  
2           quire no, or minimal, subjective judgment by the  
3           source selection authority as to the desirability of  
4           one offeror's proposal versus a competing proposal;

5           (4) the source selection authority has a high de-  
6           gree of confidence that a review of technical pro-  
7           posals of offerors other than the lowest bidder would  
8           not result in the identification of factors that could  
9           provide value or benefit to the executive agency;

10          (5) the contracting officer has included a jus-  
11          tification for the use of a lowest price technically ac-  
12          ceptable evaluation methodology in the contract file;  
13          and

14          (6) the executive agency has determined that  
15          the lowest price reflects full life-cycle costs, including  
16          for operations and support.

17          (c) AVOIDANCE OF USE OF LOWEST PRICE TECH-  
18          NICALLY ACCEPTABLE SOURCE SELECTION CRITERIA IN  
19          CERTAIN PROCUREMENTS.—To the maximum extent  
20          practicable, the use of lowest price technically acceptable  
21          source selection criteria shall be avoided in the case of a  
22          procurement that is predominately for the acquisition of—

23               (1) information technology services, cybersecu-  
24               rity services, systems engineering and technical as-  
25               sistance services, advanced electronic testing, audit

1 or audit readiness services, or other knowledge-based  
2 professional services;

3 (2) personal protective equipment; or

4 (3) knowledge-based training or logistics serv-  
5 ices in contingency operations or other operations  
6 outside the United States, including in Afghanistan  
7 or Iraq.

8 (d) REPORTING.—Not later than one year after the  
9 date of the enactment of this Act, and annually thereafter  
10 for three years, the Comptroller General of the United  
11 States shall submit to the appropriate congressional com-  
12 mittees a report on the number of instances in which low-  
13 est price technically acceptable source selection criteria is  
14 used for a contract exceeding \$2,000,000, including an ex-  
15 planation of how the situations listed in subsection (b)  
16 were considered in making a determination to use lowest  
17 price technically acceptable source selection criteria.

18 (e) DEFINITIONS.—In this section:

19 (1) EXECUTIVE AGENCY.—The term “executive  
20 agency” has the meaning given that term in section  
21 102 of title 40, United States Code, except that the  
22 term does not include the Department of Defense.

23 (2) CONTINGENCY OPERATION.—The term  
24 “contingency operation” has the meaning given that  
25 term in section 101 of title 10, United States Code.

1           (3) APPROPRIATE CONGRESSIONAL COMMIT-  
2           TEES.—The term “appropriate congressional com-  
3           mittees” means the Committee on Oversight and  
4           Government Reform of the House of Representatives  
5           and the Committee on Homeland Security and Gov-  
6           ernmental Affairs of the Senate.

7   **SEC. 887. SENSE OF CONGRESS REGARDING STEEL PRO-**  
8           **DUCTION IN THE UNITED STATES.**

9           (a) FINDINGS.—Congress finds the following:

10           (1) Frequent surges in unfairly trade steel im-  
11           ports have materially injured the iron ore and steel  
12           industries in the United States, putting our national,  
13           economic, and energy security at risk.

14           (2) High-quality American steel products are  
15           vital to the success of the United States military and  
16           are used in a variety of applications from aircraft  
17           carriers to armor plate for tanks as well as critical  
18           energy infrastructure like the electrical grid and en-  
19           ergy pipelines.

20           (3) Domestic producers of defense-related steel  
21           products are dependent on the overall financial  
22           health of the iron ore and steel industries in the  
23           United States.

24           (4) The loss of a strong domestic iron ore and  
25           steel industry would make the United States dan-

1       gerously dependent upon foreign sources of steel,  
2       such as China.

3       (b) SENSE OF CONGRESS.—It is the sense of Con-  
4       gress that a strong domestic iron ore and steel industry  
5       is vital to the national security of the United States.

6       **TITLE IX—DEPARTMENT OF DE-**  
7       **FENSE ORGANIZATION AND**  
8       **MANAGEMENT**

9       **Subtitle A—Organization and Man-**  
10       **agement of the Department of**  
11       **Defense Generally**

12       **SEC. 901. AUTHORITY OF SECRETARY OF DEFENSE TO DE-**  
13               **TERMINE COMMAND AND CONTROL RELA-**  
14               **TIONSHIPS.**

15       Section 113 of title 10, United States Code, is  
16       amended by inserting after subsection (k) the following:

17       “(1) COMMAND AND CONTROL AUTHORITY.—The  
18       Secretary of Defense shall have the authority to determine  
19       command and control relationships within the military de-  
20       partments, Defense Agencies, and other organizations and  
21       elements of the Department of Defense, including the  
22       United States Fleet Forces Command and the United  
23       States Transportation Command, as necessary to fulfill  
24       the responsibilities of the Secretary under this title.”.

1 **SEC. 902. CIVILIAN PERSONNEL MANAGEMENT.**

2 Section 129 of title 10, United States Code, is  
3 amended—

4 (1) in subsection (a), by striking “Any con-  
5 straint or limitation in terms of man years, end  
6 strength, full-time equivalent positions, or maximum  
7 number of employees shall be developed on the basis  
8 of those factors and shall be subject to adjustment  
9 solely for reasons of changed circumstances.” and  
10 inserting “The cost of the civilian workforce as pre-  
11 scribed by Department of Defense Instruction  
12 7041.04, issued in 2013 or any successor guidance,  
13 shall be compared to the costs of the military and  
14 contract workforces, consistent with the require-  
15 ments of section 129a, 2461, and 2463 of this  
16 title.”; and

17 (2) in subsection (c)(2)—

18 (A) in each of subparagraphs (A) and (B),  
19 by inserting “and associated costs” after “pro-  
20 jected size”; and

21 (B) in subparagraph (B), by striking “that  
22 have been taken to identify offsetting reductions  
23 and avoid unnecessary overall growth in the size  
24 of the civilian workforce” and inserting “to re-  
25 duce the overall costs of the total force of mili-  
26 tary, civilian, and contract workforces con-

1           sistent with sections 129a, 2461, and 2463 of  
2           this title”.

3 **SEC. 903. PERFORMANCE OF CIVILIAN FUNCTIONS BY MILI-**  
4 **TARY PERSONNEL.**

5           Section 129a(g)(1) of title 10, United States Code,  
6 is amended—

7           (1) in subparagraph (A), by striking “or re-  
8           quired by a mission” and inserting “pursuant to De-  
9           partment of Defense Instruction 7041.04, issued on  
10          July 3, 2013, or any successor guidance, and when  
11          required by a mission within the military occupa-  
12          tional specialty for which the military personnel have  
13          been trained”; and

14          (2) in subparagraph (B), by inserting “, and  
15          only if the functions to be performed by military per-  
16          sonnel are consistent with the training requirements  
17          for the military occupational specialty for which such  
18          personnel have been trained” before the period at  
19          the end.

20 **SEC. 904. ROLES OF UNDER SECRETARY OF DEFENSE FOR**  
21 **POLICY AND UNDER SECRETARY OF DE-**  
22 **ENSE FOR INTELLIGENCE.**

23          (a) UNDER SECRETARY OF DEFENSE FOR POLICY.—  
24          Section 134(b) of title 10, United States Code, is amend-  
25          ed—

1           (1) by redesignating paragraphs (3) and (4) as  
2 paragraphs (4) and (5), respectively;

3           (2) by inserting after paragraph (2) the fol-  
4 lowing new paragraph (3):

5           “(3) Subject to the authority, direction, and control  
6 of the Secretary of Defense, the Under Secretary shall be  
7 responsible and have the overall direction and supervision  
8 for—

9           “(A) the development, implementation, and in-  
10 tegration across the Department of Defense of the  
11 National Defense Strategy and strategic policy guid-  
12 ance for the activities of the Department of Defense  
13 across all geographic regions and military functions  
14 and domains; and

15           “(B) the integration of the activities of the De-  
16 partment of Defense into the National Security  
17 Strategy of the United States.”; and

18           (3) in paragraph (4), as redesignated by para-  
19 graph (1) of this subsection, by inserting “policy  
20 making” before “activities”.

21           (b) UNDER SECRETARY OF DEFENSE FOR INTEL-  
22 LIGENCE.—Section 137(b) of title 10, United States Code,  
23 as amended by section 1621, is further amended—

24           (1) in paragraph (3), by striking “; and” and  
25 inserting a semicolon;



1           (2) by redesignating paragraph (4) as para-  
2           graph (5); and

3           (3) by inserting after paragraph (3) the fol-  
4           lowing new paragraph (4):

5           “(4) have responsibility for supervising and di-  
6           recting, and overseeing Department of Defense ac-  
7           tivities, other than policy making activities, with re-  
8           spect to technology protection relating to export con-  
9           trols; and”.

10 **SEC. 905. DESIGNATION OF NAVY COMMANDERS.**

11           Section 5013 of title 10, United States Code, is  
12 amended by adding at the end the following new sub-  
13 sections:

14           “(h) The Secretary of the Navy shall designate a sin-  
15 gle commander within the Department of the Navy who  
16 shall serve as the official with principal responsibility in  
17 such Department for ensuring that forces of the Navy are  
18 available for tasking and deployment, including forces that  
19 may be operating from a forward deployed location.

20           “(i) The Secretary of the Navy shall designate a sin-  
21 gle commander within the Department of the Navy who  
22 shall serve as the official with principal responsibility in  
23 such Department for the oversight and management of the  
24 shipyards of the Navy, including shipyards outside the  
25 United States.”.

1 **Subtitle B—Comprehensive Pen-**  
2 **tagon Bureaucracy Reform and**  
3 **Reduction**

4 **SEC. 911. AUTHORITIES AND RESPONSIBILITIES OF THE**  
5 **CHIEF MANAGEMENT OFFICER OF THE DE-**  
6 **PARTMENT OF DEFENSE.**

7 (a) AUTHORITIES AND RESPONSIBILITIES.—

8 (1) IN GENERAL.—Section 132a(b) of title 10,  
9 United States Code, is amended—

10 (A) by amending paragraph (3) to read as  
11 follows:

12 “(3) Exercising authority, direction, and control  
13 over the Defense Agencies and Department of De-  
14 fense Field Activities with respect to the covered ac-  
15 tivities.”; and

16 (B) by adding at the end the following:

17 “(7) Serving as the official with principal re-  
18 sponsibility in the Department for minimizing the  
19 duplication of efforts and maximizing efficiency and  
20 effectiveness among all organizations and elements  
21 of the Department (other than the military depart-  
22 ments) with respect to the covered activities.”.

23 (2) BUDGET AUTHORITY.—Section 132a of title  
24 10, United States Code (as amended by paragraph  
25 (1)) is further amended—

1           (A) by redesignating subsections (c) and  
2           (d) as subsections (d) and (e) respectively; and  
3           (B) by inserting after subsection (b) the  
4           following:

5           “(c) BUDGET AUTHORITY.—

6           “(1)(A) The Secretary of Defense, acting  
7           through the Under Secretary of Defense (Comp-  
8           troller), shall require the head of each Defense  
9           Agency and Department of Defense Field Activity to  
10          transmit the proposed budget for the covered activi-  
11          ties of such Agency or Activity for a fiscal year and  
12          for the period covered by the future-years defense  
13          program submitted to Congress under section 221 of  
14          this title for that fiscal year to the Chief Manage-  
15          ment Officer for review under subparagraph (B) be-  
16          fore submitting the proposed budget to the Under  
17          Secretary of Defense (Comptroller).

18          “(B) The Chief Management Officer shall re-  
19          view each proposed budget transmitted under sub-  
20          paragraph (A) and, not later than January 31 of the  
21          year preceding the fiscal year for which the budget  
22          is proposed, shall submit to the Secretary of Defense  
23          a report containing the comments of the Chief Man-  
24          agement Officer with respect to all such proposed  
25          budgets, together with the certification of the Chief

1 Management Officer regarding whether each pro-  
2 posed budget achieves an adequate level of efficiency  
3 and effectiveness with respect to the covered activi-  
4 ties.

5 “(C) Not later than March 31 of each year, the  
6 Secretary of Defense shall submit to Congress a re-  
7 port that includes the following:

8 “(i) Each proposed budget for the covered  
9 activities of a Defense Agency or a Department  
10 of Defense Field Activity that was transmitted  
11 to the Chief Management Officer under sub-  
12 paragraph (A).

13 “(ii) Identification of each proposed budget  
14 contained in the most-recent report submitted  
15 under subparagraph (B) that the Chief Man-  
16 agement Officer did not certify as achieving an  
17 adequate level of efficiency and effectiveness  
18 with respect to the covered activities.

19 “(iii) A discussion of the actions that the  
20 Secretary proposes to take, together with any  
21 recommended legislation that the Secretary con-  
22 siders appropriate, to address the inadequate  
23 levels of efficiency and effectiveness achieved by  
24 the proposed budgets identified in the report.

1           “(iv) Any additional comments that the  
2           Secretary considers appropriate regarding the  
3           inadequate levels of efficiency and effectiveness  
4           achieved by the proposed budgets.

5           “(2) None of the funds authorized to be appro-  
6           priated or otherwise made available for any fiscal  
7           year for the covered activities of a Defense Agency  
8           or a Department of Defense Field Activity may be  
9           obligated or expended unless—

10           “(A) the head of the Agency or Activity  
11           submits to the Chief Management Officer a  
12           plan for the obligation and expenditure of such  
13           funds; and

14           “(B) the Chief Management Officer ap-  
15           proves the plan.

16           “(3) Nothing in this subsection shall be con-  
17           strued to modify or interfere with the budget-related  
18           responsibilities of the Director of National Intel-  
19           ligence.”.

20           (3) COVERED ACTIVITIES DEFINED.—Section  
21           132a of title 10, United States Code (as amended by  
22           paragraphs (1) and (2)) is further amended by add-  
23           ing at the end the following:

24           “(f) COVERED ACTIVITIES DEFINED.—In this sec-  
25           tion, the term ‘covered activities’ means any activity relat-

1 ing to civilian resources management, logistics manage-  
2 ment, services contracting, or real estate management.”.

3 (b) STREAMLINING OF CERTAIN FUNCTIONS ACROSS  
4 THE DEPARTMENT OF DEFENSE.—

5 (1) STREAMLINING OF FUNCTIONS.—

6 (A) IN GENERAL.—Except as provided in  
7 subparagraph (B), not later than January 1,  
8 2021, and not less frequently than once every  
9 five years thereafter, the Secretary of Defense,  
10 acting through the Chief Management Officer  
11 of the Department Defense, shall reduce or  
12 eliminate duplicative functions across all organi-  
13 zations and elements of the Department of De-  
14 fense with respect to the covered activities.

15 (B) EXCEPTION.—The military services  
16 shall not be included in any reductions or elimi-  
17 nations carried out under subparagraph (A) on  
18 or before January 1, 2021.

19 (2) CERTIFICATION AND REVIEW OF COST SAV-  
20 INGS.—

21 (A) CERTIFICATION.—Not later January  
22 1, 2021, the Chief Management Officer shall  
23 certify to the congressional defense committees  
24 that the reductions and eliminations carried out  
25 under paragraph (1) accomplished savings with

1           respect to the total amount obligated and ex-  
2           pended for the covered activities in fiscal year  
3           2020 that were not less than 25 percent of the  
4           baseline amount.

5           (B) GAO REVIEW.—Not later than 30  
6           days after the submission of the certification  
7           under subparagraph (A), the Comptroller Gen-  
8           eral of the United States shall submit to the  
9           congressional defense committees a report that  
10          verifies whether the savings reported by the  
11          Chief Management Officer under such subpara-  
12          graph are accurate.

13          (C) BASELINE AMOUNT.—For the pur-  
14          poses of this paragraph, the baseline amount is  
15          the total amount obligated and expended by or-  
16          ganizations and elements of the Department of  
17          Defense other than the military services for fis-  
18          cal year 2018 for the covered activities—

19                 (i) increased by a credit for the  
20                 amount of any reductions in the costs of  
21                 such activities that are documented, as of  
22                 the date that is 90 days after the date of  
23                 the enactment of this Act, as having been  
24                 accomplished in accordance with section  
25                 346 of the National Defense Authorization

1 Act for Fiscal Year 2016 (Public Law  
2 114–92;.10 U.S.C. 111 note); and

3 (ii) decreased by the amount of any  
4 reductions in costs for such activities that  
5 are documented, as of the date that is 90  
6 days after the date of the enactment of  
7 this Act, as having been accomplished in  
8 accordance with other sections of this sub-  
9 title.

10 (D) TREATMENT OF CERTAIN COST SAV-  
11 INGS.—For the purposes of calculating the per-  
12 centage cost savings accomplished by the Chief  
13 Management Officer under subparagraph (A),  
14 any reduction in costs documented, as of the  
15 date that is 90 days after the date of the enact-  
16 ment of this Act, as having been accomplished  
17 in accordance with section 346 of the National  
18 Defense Authorization Act for Fiscal Year 2016  
19 (Public Law 114–92;.10 U.S.C. 111 note) shall  
20 be treated as a reduction accomplished by the  
21 Chief Management Officer under paragraph  
22 (1).

23 (3) PLAN AND REVIEW.—

24 (A) PLAN REQUIRED.—Not later than  
25 March 1, 2020, the Chief Management Officer



1 shall submit to the congressional defense com-  
2 mittees a plan for complying with paragraphs  
3 (1) and (2).

4 (B) GAO REVIEW.—Not later than 30  
5 days after the submission of the plan under  
6 subparagraph (A), the Comptroller General of  
7 the United States shall submit to the congress-  
8 sional defense committees a report that  
9 verifies—

10 (i) whether the plan submitted under  
11 subparagraph (A) is feasible; and

12 (ii) whether any cost savings expected  
13 to result from the plan are accurate.

14 (4) SUBSEQUENT REPORTS AND REVIEWS.—

15 (A) CMO REPORTS.—Not later than Janu-  
16 ary 1 of every fifth calendar year beginning  
17 with January 1, 2026, the Chief Management  
18 Officer shall submit to the congressional de-  
19 fense committees a report that describes the ac-  
20 tivities carried out by the Chief Management  
21 Officer under paragraph (1) during the pre-  
22 ceding five years, including an estimate of any  
23 cost savings achieved as a result of such activi-  
24 ties.

1 (B) GAO REVIEW.—Not later than 30  
2 days after the submission of each report under  
3 subparagraph (A), the Comptroller General of  
4 the United States shall submit to the congress-  
5 sional defense committees a report that  
6 verifies—

7 (i) whether the activities described in  
8 the report under subparagraph (A) were  
9 carried out; and

10 (ii) whether any cost savings esti-  
11 mated in the report are accurate.

12 (5) COVERED ACTIVITIES DEFINED.—In this  
13 subsection, the term “covered activities” has the  
14 meaning given that term in section 132a(f) of title  
15 10, United States Code, as added by subsection (a)  
16 of this section.

17 **SEC. 912. AUTHORITIES AND RESPONSIBILITIES OF THE IN-**  
18 **SPECTOR GENERAL OF THE DEPARTMENT OF**  
19 **DEFENSE.**

20 (a) ADDITIONAL RESPONSIBILITIES AND AUTHORI-  
21 TIES.—Section 141 of title 10, United States Code, is  
22 amended by adding at the end the following:

23 “(c) In addition to the duties, responsibilities, and  
24 powers referred to in subsection (b), the Inspector General  
25 of the Department shall serve as the official with principal

1 responsibility in the Department for minimizing the dupli-  
2 cation of efforts and maximizing efficiency among the In-  
3 spectors General across all organizations and elements of  
4 the Department with respect to the covered activities.

5       “(d)(1)(A) The Secretary of Defense, acting through  
6 the Under Secretary of Defense (Comptroller), shall re-  
7 quire each Inspector General of an organization or element  
8 of the Department of Defense to transmit the proposed  
9 budget for the covered activities of the Office of such In-  
10 spector General for a fiscal year and for the period covered  
11 by the future-years defense program submitted to Con-  
12 gress under section 221 of this title for that fiscal year  
13 to the Inspector General of the Department of Defense  
14 for review under subparagraph (B) before submitting the  
15 proposed budget to the Under Secretary of Defense  
16 (Comptroller).

17       “(B) The Inspector General of the Department of  
18 Defense shall review each proposed budget transmitted  
19 under subparagraph (A) and, not later than January 31  
20 of the year preceding the fiscal year for which the budget  
21 is proposed, shall submit to the Secretary of Defense a  
22 report containing the comments of the Inspector General  
23 with respect to all such proposed budgets, together with  
24 the certification of the Inspector General regarding wheth-  
25 er each proposed budget achieves an adequate level of effi-

1 ciency and effectiveness with respect to the covered activi-  
2 ties.

3 “(C) Not later than March 31 of each year, the Sec-  
4 retary of Defense shall submit to Congress a report that  
5 includes the following:

6 “(i) Each proposed budget for the covered ac-  
7 tivities of an Inspector General of an organization or  
8 element of the Department of Defense that was  
9 transmitted to the Inspector General of the Depart-  
10 ment under subparagraph (A).

11 “(ii) Identification of each proposed budget con-  
12 tained in the most-recent report submitted under  
13 subparagraph (B) that the Inspector General of the  
14 Department did not certify as achieving an adequate  
15 level of efficiency and effectiveness with respect to  
16 the covered activities.

17 “(iii) A discussion of the actions that the Sec-  
18 retary proposes to take, together with any rec-  
19 ommended legislation that the Secretary considers  
20 appropriate, to address the inadequate levels of effi-  
21 ciency and effectiveness achieved by the proposed  
22 budgets identified in the report.

23 “(iv) Any additional comments that the Sec-  
24 retary considers appropriate regarding the inad-

1       equate levels of efficiency and effectiveness achieved  
2       by the proposed budgets.

3       “(2) None of the funds authorized to be appropriated  
4       or otherwise made available for any fiscal year for the cov-  
5       ered activities of an Inspector General of an organization  
6       or element of the Department of Defense may be obligated  
7       or expended unless—

8               “(A) the Inspector General of the organization  
9               or element submits to the Inspector General of the  
10              Department of Defense a plan for the obligation and  
11              expenditure of such funds; and

12              “(B) the Inspector General of the Department  
13              of Defense approves the plan.

14       “(e) In this section, the term ‘covered activities’  
15       means any activity relating to public affairs, human re-  
16       sources, contracting, services contracting, or any other  
17       cross-enterprise activities of the Inspectors General of the  
18       organizations and elements of the Department of Defense,  
19       as determined by the Inspector General of the Depart-  
20       ment.”.

21       (b) STREAMLINING OF FUNCTIONS.—Not later than  
22       January 1, 2021, the Secretary of Defense, acting through  
23       the Inspector General of the Department Defense, shall  
24       reduce or eliminate duplicative functions among the In-

1 inspectors General across all organizations and elements of  
2 the Department with respect to the covered activities.

3 (c) PLAN REQUIRED.—Not later than March 1,  
4 2020, the Inspector General of the Department of Defense  
5 shall submit to the congressional defense committees a  
6 plan for complying with subsection (b).

7 (d) COVERED ACTIVITIES DEFINED.—In this section,  
8 the term “covered activities” has the meaning given that  
9 term in section 141(e) of title 10, United States Code,  
10 as added by subsection (a) of this section.

11 **SEC. 913. TRANSITION OF CERTAIN DEFENSE AGENCIES**  
12 **AND DEPARTMENT OF DEFENSE FIELD AC-**  
13 **TIVITIES.**

14 (a) DEFENSE INFORMATION SYSTEMS AGENCY.—

15 (1) TRANSFER OF FUNCTIONS.—Not later than  
16 January 1, 2021, the Secretary of Defense, acting  
17 through the Chief Management Officer of the De-  
18 partment of Defense, shall—

19 (A) transfer all information technology  
20 contracting and acquisition services of the De-  
21 fense Information Systems Agency to other ele-  
22 ments of the Department of Defense, which  
23 may include the transfer of such services to the  
24 military departments; and

1 (B) transfer all senior leader communica-  
2 tions functions of the Agency to other elements  
3 of the Department of Defense.

4 (2) TRANSITION PLAN.—Not later than March  
5 1, 2020, the Chief Management Officer shall submit  
6 to the congressional defense committees a plan for  
7 the transfers required under paragraph (1).

8 (b) ELIMINATION OF WASHINGTON HEADQUARTERS  
9 SERVICES.—

10 (1) ELIMINATION REQUIRED.—Not later than  
11 January 1, 2021, the Secretary of Defense, acting  
12 through the Chief Management Officer of the De-  
13 partment of Defense, shall eliminate the Washington  
14 Headquarters Services.

15 (2) TRANSFER OR ELIMINATION.—

16 (A) TRANSFER.—The Chief Management  
17 Officer shall transfer to other elements of the  
18 Office of the Secretary of Defense only such  
19 functions of the Washington Headquarters  
20 Services as are necessary to carry out an essen-  
21 tial function not otherwise carried out by such  
22 Office, as determined by the Chief Management  
23 Officer.

24 (B) ELIMINATION.—Any functions of the  
25 Washington Headquarters Services that are not

1 transferred to another element of the Office of  
2 the Secretary of Defense under subparagraph  
3 (A) shall be eliminated.

4 (3) TRANSFER OR DISPOSITION OF ASSETS.—  
5 The Chief Management Officer shall dispose of, or  
6 transfer to other elements of the Office of the Sec-  
7 retary of Defense, any assets of the Washington  
8 Headquarters Services.

9 (4) TRANSITION PLAN.—Not later than March  
10 1, 2020, the Chief Management Officer shall submit  
11 to the congressional defense committees a plan for  
12 the eliminations and transfers required under this  
13 subsection.

14 (c) REVIEW OF DEFENSE AGENCIES AND DEPART-  
15 MENT OF DEFENSE FIELD ACTIVITIES.—

16 (1) REVIEW REQUIRED.—The Chief Manage-  
17 ment Officer of the Department of Defense shall re-  
18 view the efficiency and effectiveness of each Defense  
19 Agency and Department of Defense Field Activity.  
20 As part of the review, the Chief Management Officer  
21 shall identify each function of an Agency or Activity  
22 that is substantially similar to, or duplicative of, a  
23 function carried out by another organization or ele-  
24 ment of the Department of Defense.



1           (2) REPORT.—Not later than March 1, 2020,  
2           the Chief Management Officer shall submit to the  
3           congressional defense committees a report that in-  
4           cludes the results of the review conducted under  
5           paragraph (1).

6           (3) CMO VERIFICATION AND TRANSITION  
7           PLAN.—Together with the submission of the report  
8           under paragraph (2) and based on the results of the  
9           review conducted under paragraph (1), the Chief  
10          Management Officer shall submit to the congress-  
11          sional defense committees—

12                 (A) a list identifying each Defense Agency  
13                 and Department of Defense Field Activity that  
14                 the Chief Management Officer has deter-  
15                 mined—

16                         (i) operates efficiently and effectively;

17                         and

18                         (ii) does not carry out any function  
19                         that is substantially similar to, or duplica-  
20                         tive of, a function carried out by another  
21                         organization or element of the Department  
22                         of Defense; and

23                 (B) with respect to each Agency or Activity  
24                 not included on the list under subparagraph  
25                 (A), a plan for—

- 1 (i) eliminating the Agency or Activity;  
2 or  
3 (ii) transferring some or all of the  
4 functions of the Agency or Activity to an-  
5 other organization or element of the De-  
6 partment of Defense.

7 (d) CLARIFICATION OF AUTHORITIES OF THE SEC-  
8 RETARY OF DEFENSE.—

9 (1) IN GENERAL.—Except as provided in para-  
10 graph (2), the Secretary of Defense shall have the  
11 authority to establish or terminate any Defense  
12 Agency or Department of Defense Field Activity.

13 (2) EXCEPTIONS.—The authority of the Sec-  
14 retary of Defense to establish or terminate a De-  
15 fense Agency or Department of Defense Field Activ-  
16 ity under paragraph (1) does not apply to an Agency  
17 or Activity that is specifically established or termi-  
18 nated by an Act of Congress.

19 (3) REFERENCES.—Any reference in Federal  
20 law, regulations, guidance, instructions, or other  
21 documents of the Federal Government to a Defense  
22 Agency or Department of Defense Field Activity ter-  
23 minated by the Secretary of Defense under para-  
24 graph (1), or to the head of such an Agency or Ac-

1           tivity, shall be deemed to be a reference to the Sec-  
2           retary of Defense.

3           (4) NOTICE REQUIREMENT.—The Secretary of  
4           Defense may not terminate a Defense Agency or De-  
5           partment of Defense Field Activity until a period of  
6           90 days has elapsed following the date on which the  
7           Secretary submits to the congressional defense com-  
8           mittees—

9                   (A) notice of the intent of the Secretary to  
10                   terminate the Agency or Activity; and

11                   (B) recommendations for legislative actions  
12                   that may be required as a result of such termi-  
13                   nation.

14 **SEC. 914. ACTIONS TO INCREASE THE EFFICIENCY AND**  
15 **TRANSPARENCY OF THE DEFENSE LOGISTICS**  
16 **AGENCY.**

17           (a) SYSTEM AND CAPABILITY.—Not later than Janu-  
18           ary 1, 2021, the Director of the Defense Logistics Agency  
19           and the Chief Management Officer of the Department of  
20           Defense shall jointly, in consultation with the customers  
21           served by the Agency, develop and implement—

22                   (1) a comprehensive system that enables cus-  
23                   tomers of the Agency to view—

24                           (A) the inventory of items and materials  
25                           available to customers from the Agency; and

1 (B) the delivery status of items and mate-  
2 rials that are in transit to customers; and

3 (2) a predictive analytics capability designed to  
4 increase the efficiency of the system described in  
5 paragraph (1) by identifying emerging customer  
6 needs with respect to items and materials supplied  
7 by the Agency, including any emerging needs arising  
8 from the use of new weapon systems by customers.

9 (b) ACTIONS TO INCREASE EFFICIENCY.—Not later  
10 than January 1, 2021, the Director of the Defense Logis-  
11 tics Agency and the Chief Management Officer shall joint-  
12 ly—

13 (1) reduce the rates charged to customers, in  
14 aggregate, by not less than 10 percent;

15 (2) eliminate the duplication of services within  
16 the Agency; and

17 (3) establish specific goals and metrics to en-  
18 sure that the Agency is fulfilling its mission of pro-  
19 viding items and materials to customers with suffi-  
20 cient speed and in sufficient quantities to ensure the  
21 lethality and readiness of warfighters.

22 (c) PLAN REQUIRED.—Not later than March 1,  
23 2020, the Director of the Defense Logistics Agency and  
24 the Chief Management Officer shall jointly submit to the  
25 congressional defense committees a plan that describes

1 how the Director and the Chief Management Officer will  
2 achieve compliance with the requirements of subsections  
3 (a) and (b).

4 **SEC. 915. REVIEW OF FUNCTIONS OF DEFENSE CONTRACT**  
5 **AUDIT AGENCY AND DEFENSE CONTRACT**  
6 **MANAGEMENT AGENCY.**

7 (a) REVIEW REQUIRED.—The Secretary of Defense,  
8 acting through the Chief Management Officer of the De-  
9 partment of Defense, shall direct the Under Secretary of  
10 Defense for Acquisition and Sustainment and the Under  
11 Secretary of Defense (Comptroller) to conduct a joint re-  
12 view of the functions of the Defense Contract Audit Agen-  
13 cy and the Defense Contract Management Agency. The  
14 review shall include—

15 (1) a validation of the missions and functions of  
16 each Agency;

17 (2) a determination of whether there are func-  
18 tions performed by either Agency that could more  
19 appropriately be performed by—

20 (A) the other Agency;

21 (B) any other organization or element of  
22 the Department of Defense, including the mili-  
23 tary departments; or

24 (C) commercial providers; and

1           (3) a validation of the continued need for two  
2           separate Agencies with oversight for defense con-  
3           tracting.

4           (b) REPORT REQUIRED.—Not later than March 1,  
5 2020, the Secretary of Defense shall submit to the con-  
6 gressional defense committees a report that includes the  
7 results of the review conducted under subsection (a).

8 **SEC. 916. STREAMLINING OF DEFENSE FINANCE AND AC-**  
9 **COUNTING SERVICES.**

10          (a) IN GENERAL.—Not later than January 1, 2021,  
11 the Chief Management Officer and the Under Secretary  
12 of Defense (Comptroller) shall jointly carry out activities  
13 to streamline, reduce duplication, and make more effective  
14 the operations of the Defense Finance and Accounting  
15 Services.

16          (b) PLAN REQUIRED.— Not later than March 1,  
17 2020, the Chief Management Officer and the Under Sec-  
18 retary of Defense (Comptroller) shall jointly submit to the  
19 congressional defense committees a plan for carrying out  
20 the activities required under subsection (a).

21          (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
22 tion shall be construed to encourage or require the termi-  
23 nation of any personnel or positions within the Defense  
24 Finance and Accounting Services.

1 **SEC. 917. REDUCTION IN NUMBER OF CHIEF INFORMATION**  
2 **OFFICERS IN THE SENIOR EXECUTIVE SERV-**  
3 **ICE.**

4 With respect to the total number of Chief Informa-  
5 tion Officer positions within the Department of Defense,  
6 during calendar year 2021 and each year thereafter not  
7 more than five of such positions may be Senior Executive  
8 Service positions (as that term is described in section  
9 3132(a)(2) of title 5, United States Code).

10 **SEC. 918. GENERAL PROVISIONS.**

11 (a) CONSOLIDATED REPORT.—The plans and reports  
12 required to be submitted to the congressional defense com-  
13 mittees under this subtitle on or before March 1, 2020,  
14 may be combined and submitted in the form of a single,  
15 consolidated document.

16 (b) DEFINITIONS.—In this subtitle:

17 (1) The term “Chief Management Officer”  
18 means the Chief Management Officer of the Depart-  
19 ment of Defense.

20 (2) The terms “Defense Agency”, “Department  
21 of Defense Field Activity”, and “military depart-  
22 ments” have the meanings given the terms in section  
23 101(a) of title 10, United States Code.

24 (c) CONFORMING AMENDMENT.—Section 143(b) of  
25 title 10, United States Code, is amended by striking “and

1 the Washington Headquarters Services of the Department  
2 of Defense”.

3 (d) EFFECTIVE DATE.—The amendment made by  
4 subsection (c) shall take effect on the earlier of—

5 (1) the date on which the Washington Head-  
6 quarters Services is eliminated under section 913; or

7 (2) January 1, 2021.

## 8 **Subtitle C—Other Matters**

### 9 **SEC. 921. ARTIFICIAL INTELLIGENCE AND MACHINE** 10 **LEARNING POLICY AND OVERSIGHT COUN-** 11 **CIL.**

12 (a) ESTABLISHMENT.—In order to fulfill the respon-  
13 sibilities specified in Section 133a of title 10, United  
14 States Code, the Under Secretary of Defense for Research  
15 and Engineering shall establish and lead a team to be  
16 known as the “Artificial Intelligence and Machine Learn-  
17 ing Policy and Oversight Council” (in this section referred  
18 to as the “Council”).

19 (b) PURPOSE.—The purpose of the Council shall be  
20 to—

21 (1) integrate the functional activities of the or-  
22 ganizations and elements of the Department of De-  
23 fense with respect to artificial intelligence and ma-  
24 chine learning;



1           (2) ensure there are efficient and effective arti-  
2           ficial intelligence and machine learning capabilities  
3           throughout Department; and

4           (3) develop and continuously improve research,  
5           innovation, policy, joint processes, and procedures to  
6           facilitate the development, acquisition, integration,  
7           advancement, oversight, and sustainment of artificial  
8           intelligence and machine learning throughout the  
9           Department.

10          (c) MEMBERSHIP.—The membership of the Council  
11 shall include the following:

12           (1) The Under Secretary of Defense for Re-  
13           search and Engineering, or the designee of the  
14           Under Secretary, who shall serve as the leader of the  
15           Council.

16           (2) The following officials of the Department of  
17           Defense, or their designees:

18                   (A) The Under Secretary of Defense for  
19                   Acquisition and Sustainment.

20                   (B) The Chief Management Officer of the  
21                   Department of Defense.

22                   (C) The Under Secretary of Defense  
23                   (Comptroller).

24                   (D) The Under Secretary of Defense for  
25                   Personnel and Readiness.

1 (E) The Under Secretary of Defense for  
2 Intelligence.

3 (F) The General Counsel of the Depart-  
4 ment of Defense.

5 (G) The head of each military service.

6 (H) The Commander of the United States  
7 Special Operations Command.

8 (I) The Director of the Defense Advanced  
9 Research Projects Agency.

10 (3) Any other official of the Department of De-  
11 fense determined to be appropriate by the Under  
12 Secretary of Defense for Research and Engineering.

13 (d) OPERATION.—The Council shall operate continu-  
14 ously.

15 **SEC. 922. LIMITATION ON TRANSFER OF THE CHEMICAL,**  
16 **BIOLOGICAL, AND RADIOLOGICAL DEFENSE**  
17 **DIVISION OF THE NAVY.**

18 (a) FINDINGS.—Congress makes the following find-  
19 ings:

20 (1) The Chemical, Biological, and Radiological  
21 Defense Division of the Navy, currently based at the  
22 Naval Surface Warfare Center in Dahlgren, Vir-  
23 ginia, consists of a highly effective team of scientists  
24 performing critical work for the United States.

1           (2) The Secretary of the Navy has notified Con-  
2           gress of the intent of the Secretary to transfer the  
3           Division to another location.

4           (3) The Secretary has not provided Congress  
5           with a detailed cost benefit analysis or any other in-  
6           formation that adequately justifies the proposed  
7           transfer of the Division.

8           (b) REPORT REQUIRED.—Not later than 90 days  
9           after the date of the enactment of this Act, the Secretary  
10          of the Navy shall submit to the congressional defense com-  
11          mittees a report that includes—

12           (1) a detailed timeline for the proposed transfer  
13          of the Chemical, Biological, and Radiological De-  
14          fense Division of the Navy from Virginia to another  
15          location;

16           (2) a full accounting of the costs associated  
17          with the proposed transfer, including—

18                   (A) all personnel costs;

19                   (B) all equipment costs; and

20                   (C) all facility renovation costs for the ex-  
21          isting facilities of the Division and the facilities  
22          to which the Division is proposed to be trans-  
23          ferred;

24           (3) a risk assessment of the operational impact  
25          of the transfer during the transition period; and

1           (4) an explanation of the operational benefit ex-  
2           pected to be achieved by collocating all Chemical, Bi-  
3           ological, and Radiological elements of the Depart-  
4           ment of the Navy.

5           (c) LIMITATION.—The Secretary of the Navy may not  
6           transfer, or prepare to transfer, the Chemical, Biological,  
7           and Radiological Defense Division of the Navy from Dahl-  
8           gren, Virginia to another location until a period of 45 days  
9           has elapsed following the date on which the report is sub-  
10          mitted to the congressional defense committees under sub-  
11          section (b).

12       **SEC. 923. REVIEW OF FOREIGN CURRENCY EXCHANGE**  
13                       **RATES AND ANALYSIS OF FOREIGN CUR-**  
14                       **RENCY FLUCTUATIONS APPROPRIATION.**

15          With respect to a contract for goods and services paid  
16          for with foreign currency, the Under Secretary of Defense  
17          (Comptroller), in coordination with each Secretary of a  
18          military department, shall conduct a review of the ex-  
19          change rate for such foreign currency used when making  
20          a disbursement pursuant to such a contract to determine  
21          whether cost-savings opportunities exist by more consist-  
22          ently selecting cost-effective rates. Such review shall in-  
23          clude an analysis of realized and projected losses to deter-  
24          mine the necessary balance of the appropriation “Foreign  
25          Currency Fluctuations, Defense”. The Secretary of De-

1 fense may use the results of such analysis to determine  
2 the amount of any transfers to the appropriation “Foreign  
3 Currency Fluctuations, Defense”.

4       **Subtitle D—Designation of the**  
5               **Navy and Marine Corps**

6 **SEC. 931. REDESIGNATION OF THE DEPARTMENT OF THE**  
7                       **NAVY AS THE DEPARTMENT OF THE NAVY**  
8                       **AND MARINE CORPS.**

9       (a) REDESIGNATION OF MILITARY DEPARTMENT.—

10 The military department designated as the Department of  
11 the Navy is redesignated as the Department of the Navy  
12 and Marine Corps.

13       (b) REDESIGNATION OF SECRETARY AND OTHER  
14 STATUTORY OFFICES.—

15               (1) SECRETARY.—The position of the Secretary  
16 of the Navy is redesignated as the Secretary of the  
17 Navy and Marine Corps.

18               (2) OTHER STATUTORY OFFICES.—The posi-  
19 tions of the Under Secretary of the Navy, the four  
20 Assistant Secretaries of the Navy, and the General  
21 Counsel of the Department of the Navy are redesign-  
22 ated as the Under Secretary of the Navy and Ma-  
23 rine Corps, the Assistant Secretaries of the Navy  
24 and Marine Corps, and the General Counsel of the

1 Department of the Navy and Marine Corps, respec-  
2 tively.

3 **SEC. 932. CONFORMING AMENDMENTS TO TITLE 10, UNITED**  
4 **STATES CODE.**

5 (a) DEFINITION OF “MILITARY DEPARTMENT”.—  
6 Paragraph (8) of section 101(a) of title 10, United States  
7 Code, is amended to read as follows:

8 “(8) The term ‘military department’ means the  
9 Department of the Army, the Department of the  
10 Navy and Marine Corps, and the Department of the  
11 Air Force.”.

12 (b) ORGANIZATION OF DEPARTMENT.—The text of  
13 section 5011 of such title is amended to read as follows:  
14 “The Department of the Navy and Marine Corps is sepa-  
15 rately organized under the Secretary of the Navy and Ma-  
16 rine Corps.”.

17 (c) POSITION OF SECRETARY.—Section 5013(a)(1) of  
18 such title is amended by striking “There is a Secretary  
19 of the Navy” and inserting “There is a Secretary of the  
20 Navy and Marine Corps”.

21 (d) CHAPTER HEADINGS.—

22 (1) The heading of chapter 503 of such title is  
23 amended to read as follows:

1       **“CHAPTER 503—DEPARTMENT OF THE**  
2                   **NAVY AND MARINE CORPS”.**

3               (2) The heading of chapter 507 of such title is  
4               amended to read as follows:

5       **“CHAPTER 507—COMPOSITION OF THE DE-**  
6                   **PARTMENT OF THE NAVY AND MARINE**  
7                   **CORPS”.**

8               (e) OTHER AMENDMENTS.—

9               (1) Title 10, United States Code, is amended by  
10              striking “Department of the Navy” and “Secretary  
11              of the Navy” each place they appear other than as  
12              specified in subsections (a), (b), (c), and (d) (includ-  
13              ing in section headings, subsection captions, tables  
14              of chapters, and tables of sections) and inserting  
15              “Department of the Navy and Marine Corps” and  
16              “Secretary of the Navy and Marine Corps”, respec-  
17              tively, in each case with the matter inserted to be in  
18              the same typeface and typestyle as the matter strick-  
19              en.

20              (2)(A) Sections 5013(f), 5014(b)(2), 5016(a),  
21              5017(2), 5032(a), and 5042(a) of such title are  
22              amended by striking “Assistant Secretaries of the  
23              Navy” and inserting “Assistant Secretaries of the  
24              Navy and Marine Corps”.

1           (B) The heading of section 5016 of such title,  
2           and the item relating to such section in the table of  
3           sections at the beginning of chapter 503 of such  
4           title, are each amended by inserting “and Marine  
5           Corps” after “of the Navy”, with the matter in-  
6           serted in each case to be in the same typeface and  
7           typesyle as the matter amended.

8 **SEC. 933. OTHER PROVISIONS OF LAW AND OTHER REF-**  
9 **ERENCES.**

10         (a) TITLE 37, UNITED STATES CODE.—Title 37,  
11 United States Code, is amended by striking “Department  
12 of the Navy” and “Secretary of the Navy” each place they  
13 appear and inserting “Department of the Navy and Ma-  
14 rine Corps” and “Secretary of the Navy and Marine  
15 Corps”, respectively.

16         (b) OTHER REFERENCES.—Any reference in any law  
17 other than in title 10 or title 37, United States Code, or  
18 in any regulation, document, record, or other paper of the  
19 United States, to the Department of the Navy shall be  
20 considered to be a reference to the Department of the  
21 Navy and Marine Corps. Any such reference to an office  
22 specified in section 931(b) shall be considered to be a ref-  
23 erence to that officer as redesignated by that section.



1 **SEC. 934. EFFECTIVE DATE.**

2 This subtitle and the amendments made by this sub-  
3 title shall take effect on the first day of the first month  
4 beginning more than 60 days after the date of the enact-  
5 ment of this Act.

6 **TITLE X—GENERAL PROVISIONS**

7 **Subtitle A—Financial Matters**

8 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

9 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.—**

10 (1) **AUTHORITY.—**Upon determination by the  
11 Secretary of Defense that such action is necessary in  
12 the national interest, the Secretary may transfer  
13 amounts of authorizations made available to the De-  
14 partment of Defense in this division for fiscal year  
15 2019 between any such authorizations for that fiscal  
16 year (or any subdivisions thereof). Amounts of au-  
17 thorizations so transferred shall be merged with and  
18 be available for the same purposes as the authoriza-  
19 tion to which transferred.

20 (2) **LIMITATION.—**Except as provided in para-  
21 graph (3), the total amount of authorizations that  
22 the Secretary may transfer under the authority of  
23 this section may not exceed \$5,000,000,000.

24 (3) **EXCEPTION FOR TRANSFERS BETWEEN**  
25 **MILITARY PERSONNEL AUTHORIZATIONS.—**A trans-  
26 fer of funds between military personnel authoriza-

1 tions under title IV shall not be counted toward the  
2 dollar limitation in paragraph (2).

3 (b) LIMITATIONS.—The authority provided by sub-  
4 section (a) to transfer authorizations—

5 (1) may only be used to provide authority for  
6 items that have a higher priority than the items  
7 from which authority is transferred; and

8 (2) may not be used to provide authority for an  
9 item that has been denied authorization by Con-  
10 gress.

11 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A  
12 transfer made from one account to another under the au-  
13 thority of this section shall be deemed to increase the  
14 amount authorized for the account to which the amount  
15 is transferred by an amount equal to the amount trans-  
16 ferred.

17 (d) NOTICE TO CONGRESS.—The Secretary shall  
18 promptly notify Congress of each transfer made under  
19 subsection (a).

20 **SEC. 1002. EXPERTISE IN AUDIT REMEDIATION.**

21 (a) FINDINGS.—Congress finds the following:

22 (1) The ongoing efforts to produce auditable fi-  
23 nancial statements for the Department of Defense,  
24 its agencies, and the military services enhance readi-

1       ness and accountability by ensuring effective stew-  
2       ardship of taxpayer resources.

3           (2) The transition from audit readiness to audit  
4       performance and remediation are critical phases, de-  
5       manding expertise from accounting firms and finan-  
6       cial management professionals to ensure that the  
7       Department successfully addresses issues identified  
8       in an audit.

9           (3) Support from the private sector enhances  
10      the ability of the Department to conduct audit and  
11      remediation activities, and will enable the Depart-  
12      ment to achieve its strategic objective of improving  
13      business practices with efficiency and accountability.

14      (b) **ADDITIONAL REQUIREMENTS FOR SEMIANNUAL**  
15 **BRIEFING ON THE FINANCIAL IMPROVEMENT AND AUDIT**  
16 **REMEDATION PLAN.**—Section 252(b)(2) of title 10,  
17 United States Code, is amended by adding at the end the  
18 following new sentence: “Such briefing shall include the  
19 amount of auditing and audit remediation services being  
20 performed by professionals meeting the qualifications de-  
21 scribed in section 254(b) of this title, both as an absolute  
22 number and as a percentage of auditing and audit remedi-  
23 ation services then under contract.”.

24      (c) **ADDITIONAL REPORTING REQUIREMENTS.**—Sec-  
25 tion 252(b)(1) of such title is amended—

1           (1) in subparagraph (B), by adding at the end  
2 the following new clauses:

3                   “(vii) If less than 50 percent of the  
4 auditing and audit remediation services  
5 under contract, as described in the briefing  
6 required under paragraph (2), are being  
7 performed by professionals meeting the  
8 qualifications described in section 254(b)  
9 of this title, a detailed description of the  
10 risks associated with the risks of the acqui-  
11 sition strategy of the Department with re-  
12 spect to conducting audits and audit reme-  
13 diation activities and an explanation of  
14 how the strategy complies with the policies  
15 expressed by Congress.

16                   “(viii) If less than 25 percent of the  
17 auditing and audit remediation services  
18 under contract, as described in the briefing  
19 required under paragraph (2), are being  
20 performed by professionals meeting the  
21 qualifications described in section 254(b)  
22 of this title, a written certification that the  
23 staffing ratio complies with commercial  
24 best practices and presents no increased

1 risk of delay in the Department’s ability to  
2 achieve a clean audit opinion”; and

3 (2) by adding at the end the following new sub-  
4 paragraph:

5 “(C) ADDITIONAL REQUIREMENTS.—

6 “(i) UNCLASSIFIED FORM.—A de-  
7 scription submitted pursuant to clause (vii)  
8 of subparagraph (B) or a certification sub-  
9 mitted pursuant to clause (viii) of such  
10 subparagraph shall be submitted in unclas-  
11 sified form, but may contain a classified  
12 annex.

13 “(ii) DELEGATION.—The Secretary  
14 may not delegate the submission of a cer-  
15 tification pursuant to clause (viii) of sub-  
16 paragraph (B) to any official other than  
17 the Deputy Secretary of Defense, the Chief  
18 Management Officer, or the Under Sec-  
19 retary of Defense (Comptroller).”.

20 **SEC. 1003. AUTHORITY TO TRANSFER FUNDS TO DIRECTOR**  
21 **OF NATIONAL INTELLIGENCE FOR CAPNET.**

22 During fiscal year 2019, the Secretary of Defense  
23 may transfer to the Director of National Intelligence,  
24 under the authority in section 1001 of this Act, an amount  
25 that does not exceed \$2,000,000 to provide support for

1 the operation of the classified network known as  
2 CAPNET.

3 **SEC. 1004. INDEPENDENT PUBLIC ACCOUNTANT AUDIT OF**  
4 **FINANCIAL SYSTEMS OF THE DEPARTMENT**  
5 **OF DEFENSE.**

6 The Secretary of Defense shall ensure that each  
7 major implementation of, or modification to, a business  
8 system that contributes to financial information of the De-  
9 partment of Defense is reviewed by an independent public  
10 accountant to validate that such financial system will meet  
11 any applicable Federal requirements.

12 **SEC. 1005. REPORT ON AUDITABLE FINANCIAL STATE-**  
13 **MENTS.**

14 Not later than 30 days after the date of the enact-  
15 ment of this Act, the Secretary of Defense shall submit  
16 to the congressional defense committees a report ranking  
17 all military departments and Defense Agencies in order  
18 of how advanced they are in achieving auditable financial  
19 statements as required by law. The report should not in-  
20 clude information otherwise available in other reports to  
21 Congress.

22 **Subtitle B—Counterdrug Activities**

23 **SEC. 1011. DEPARTMENT OF DEFENSE SUPPORT FOR COM-**  
24 **BATING OPIOID TRAFFICKING AND ABUSE.**

25 (a) FINDINGS; SENSE OF CONGRESS.—

1           (1) FINDINGS.—Congress makes the following  
2 findings:

3           (A) Over the past 15 years, opioid use in  
4 the United States has grown exponentially.

5           (B) According to the Office of National  
6 Drug Control Policy, the number of deaths re-  
7 lated to opioids in the United States in 2016  
8 was 42,269.

9           (C) Addiction and misuse of prescription  
10 opioids continues to rise. According to the Of-  
11 fice of National Drug Control Policy, in 2016,  
12 11,500,000 people misused prescription opioids.

13           (D) The predominant amount of precur-  
14 sors for fentanyl production are illicitly traf-  
15 ficked from China.

16           (E) The Office of National Drug Control  
17 Policy is the lead agency for coordinating the  
18 Federal response to address the opioid epidemic  
19 in the United States.

20           (F) The Department of Homeland Security  
21 is the lead Federal agency in securing United  
22 States borders from illicit trafficking.

23           (G) The Department of Defense plays a  
24 vital supporting role in addressing the opioid  
25 epidemic through intelligence analysis, edu-

1 cation, and assistance to other departments and  
2 agencies in dealing with this challenge.

3 (2) SENSE OF CONGRESS.—It is the sense of  
4 Congress that—

5 (A) the Department of Defense should pro-  
6 vide support for interagency efforts to combat  
7 the national opioid epidemic; and

8 (B) the role of the Department of Defense  
9 is critical to identifying transnational criminal  
10 organizations that allow illicit opioids to enter  
11 the United States.

12 (b) DEPARTMENT OF DEFENSE SUPPORT FOR COM-  
13 BATING OPIOID TRAFFICKING AND ABUSE.—Of the funds  
14 authorized to be appropriated by this Act or otherwise  
15 made available to the Department of Defense for National  
16 Guard counterdrug programs for fiscal year 2019,  
17 \$20,000,000 shall be made available to provide support  
18 for United States interagency efforts to combat opioid  
19 trafficking and abuse in the United States, as specified  
20 in the funding table in division G.



1           **Subtitle C—Naval Vessels and**  
2                           **Shipyards**

3   **SEC. 1021. INCLUSION OF OPERATION AND SUSTAINMENT**  
4                           **COSTS IN ANNUAL NAVAL VESSEL CON-**  
5                           **STRUCTION PLANS.**

6           Section 231(b)(2) of title 10, United States Code, is  
7 amended by adding at the end the following new subpara-  
8 graph:

9                   “(F) The estimated operations and sustainment  
10           costs required to support the vessels delivered under  
11           the naval vessel construction plan.”.

12   **SEC. 1022. PURCHASE OF VESSELS USING FUNDS IN NA-**  
13                           **TIONAL DEFENSE SEALIFT FUND.**

14           (a) IN GENERAL.—Section 2218(f)(3) of title 10,  
15 United States Code, is amended—

16                   (1) in subparagraph (C)—

17                           (A) by striking “two” and inserting “ten”;

18                           and

19                           (B) by striking “ships” and inserting “ves-  
20                           sels”;

21                   (2) by redesignating subparagraph (E) as sub-  
22           paragraph (F); and

23                   (3) by inserting after subparagraph (D) the fol-  
24           lowing new subparagraph (E):

1       “(E) The Secretary may not use the authority under  
2 this paragraph to procure more than two foreign con-  
3 structed vessels unless the Secretary submits to Congress,  
4 by not later than the second week of February of the fiscal  
5 year during which the Secretary plans to use such author-  
6 ity, a certification that—

7               “(i) the Secretary has initiated an acquisition  
8 strategy for the construction in United States ship-  
9 yards of not less than ten new sealift vessels pur-  
10 chased with funds in the National Defense Sealift  
11 Fund; and

12               “(ii) of such new sealift vessels, the lead ship  
13 is anticipated to be delivered by not later than  
14 2026.”.

15       (b) LIMITATION ON USE OF FUNDS.—Of the  
16 amounts authorized to be appropriated or otherwise made  
17 available by this Act for fiscal year 2019 for the Military  
18 Sealift Command, the Secretary of the Navy may not obli-  
19 gate or expend more than 75 percent until the Secretary  
20 submits to the congressional defense committees certifi-  
21 cation that the Navy has—

22               (1) entered into a contract for the procurement  
23 of two used National Defense Reserve Fleet vessels  
24 in accordance with section 2218(f)(3)(C) of title 10,  
25 United States Code; and

1           (2) completed the capability development docu-  
2           ment for the common hull multi-mission platform.

3 **SEC. 1023. PURCHASE OF VESSELS BUILT IN FOREIGN SHIP-**  
4                           **YARDS WITH FUNDS IN NATIONAL DEFENSE**  
5                           **SEALIFT FUND.**

6           Section 2218(f)(3) of title 10, United States Code,  
7 as amended by section 1022, is further amended—

8           (1) in subparagraph (F), as redesignated by  
9           such section 1022—

10                       (A) by striking “30 days after” and insert-  
11                       ing “30 days before”;

12                       (B) in clause (i), by inserting “proposed”  
13                       before “date”;

14                       (C) in clause (ii), by striking “was” and  
15                       inserting “would be”; and

16                       (D) by adding at the end the following new  
17                       clause:

18                       “(viii) A detailed account of the criteria used to  
19                       make the determination under subparagraph (B).”;  
20                       and

21           (2) by inserting after subparagraph (F), as so  
22           redesignated, the following new subparagraph:

23           “(G) The Secretary may not finalize or execute the  
24           final purchase of any vessel using the authority under this  
25           paragraph until 30 days after the date on which a report

1 under subparagraph (E) is submitted with respect to such  
2 purchase.”.

3 **SEC. 1024. TECHNICAL CORRECTIONS AND CLARIFICA-**  
4 **TIONS TO CHAPTER 633 OF TITLE 10, UNITED**  
5 **STATES CODE, AND OTHER PROVISIONS OF**  
6 **LAW REGARDING NAVAL VESSELS.**

7 (a) MODEL BASIN; INVESTIGATION OF HULL DE-  
8 SIGNS.—Section 7303 of title 10, United States Code, is  
9 amended by striking “(a) An office” and all that follows  
10 through “(b) The Secretary” and inserting “The Sec-  
11 retary”.

12 (b) REPEAL OF CERTAIN PROVISIONS OF CHAPTER  
13 633 OF TITLE 10, UNITED STATES CODE.—

14 (1) IN GENERAL.—The following sections of  
15 chapter 633 of title 10, United States Code, are re-  
16 pealed:

17 (A) Section 7294.

18 (B) Section 7295.

19 (C) Section 7300.

20 (D) Section 7306.

21 (E) Section 7306b.

22 (2) CLERICAL AMENDMENTS.—The table of sec-  
23 tions at the beginning of such chapter is amended  
24 by striking the items relating to sections 7294.  
25 7295, 7300, 7306, and 7306b.

1 (c) OTHER PROVISIONS OF LAW.—

2 (1) REPEAL OF METERING OF NAVY PIERS TO  
3 ACCURATELY MEASURE ENERGY CONSUMPTION.—

4 Section 2828 of the National Defense Authorization  
5 Act for Fiscal Year 2012 (Public Law 112–81; 125  
6 Stat. 1694; 10 U.S.C. 7291 note) is repealed.

7 (2) MODIFICATION OF ADVANCE PROCUREMENT  
8 FUNDING.—Section 124 of the National Defense Au-  
9 thorization Act for Fiscal Year 2010 (Public Law  
10 111–84; 123 Stat. 2214; 10 U.S.C. 7291 note) is  
11 amended—

12 (A) by striking subsection (a); and

13 (B) by redesignating subsections (b) and  
14 (c) as subsections (a) and (b), respectively.

15 (3) REPEAL OF POLICY RELATING TO MAJOR  
16 COMBATANT VESSELS OF THE STRIKE FORCES OF  
17 THE UNITED STATES NAVY.—Section 1012 of the  
18 National Defense Authorization Act for Fiscal Year  
19 2008 (Public Law 110–181; 122 Stat. 303; 10  
20 U.S.C. 7291 note) is repealed.

21 (4) REPEAL OF ALTERNATIVE TECHNOLOGIES  
22 FOR FUTURE SURFACE COMBATANTS.—Section 128  
23 of the John Warner National Defense Authorization  
24 Act for Fiscal Year 2007 (Public Law 109–364; 120  
25 Stat. 2109; 10 U.S.C. 7291 note) is repealed.

1           (5) REPEAL OF OBSOLETE PROVISION ON VES-  
2           SEL SCRAPPING PILOT PROGRAM.—Section 8124 of  
3           the Department of Defense Appropriations Act,  
4           1999 (Public Law 105–262; 112 Stat. 2333; 10  
5           U.S.C. 7291 note) is repealed.

6           (6) REPEAL OF PROVISION ON CONSIDERATION  
7           OF VESSEL LOCATION FOR AWARD OF LAYBERTH  
8           CONTRACTS FOR SEALIFT VESSELS.—Section 375 of  
9           the National Defense Authorization Act for Fiscal  
10          Year 1993 (Public Law 102–484; 106 Stat. 2385;  
11          10 U.S.C. 7291 note) is repealed.

12          (7) REPEAL OF PROVISION ON REVITALIZATION  
13          OF UNITED STATES SHIPBUILDING INDUSTRY.—Sec-  
14          tion 1031 of the National Defense Authorization Act  
15          for Fiscal Year 1993 (Public Law 102–484; 106  
16          Stat. 2489; 10 U.S.C. 7291 note) is repealed.

17          (8) REPEAL OF FAST SEALIFT PROGRAM.—

18                 (A) PROCUREMENT OF SHIPS.—Section  
19                 1021 of the National Defense Authorization Act  
20                 for Fiscal Year 1993 (Public Law 102–484;  
21                 106 Stat. 2485; 10 U.S.C. 7291 note) is re-  
22                 pealed.

23                 (B) ESTABLISHMENT OF PROGRAM.—Sec-  
24                 tion 1424 of the National Defense Authoriza-  
25                 tion Act for Fiscal Year 1991 (Public Law

1           101–510; 104 Stat. 1683; 10 U.S.C. 7291  
2           note) is repealed.

3           (9) REPEAL OF REQUIREMENTS RELATING TO  
4           DEPOT-LEVEL MAINTENANCE OF SHIPS.—Section  
5           1614 of the National Defense Authorization Act for  
6           Fiscal Years 1990 and 1991 (Public Law 101–189;  
7           103 Stat. 1601; 10 U.S.C. 7291 note) is amended  
8           by striking subsections (a) and (b).

9           (10) REPEAL OF OBSOLETE REQUIREMENT FOR  
10           REPORTS ON EFFECTS OF NAVAL SHIPBUILDING  
11           PLANS ON MARITIME INDUSTRIES.—Section 1227 of  
12           the National Defense Authorization Act for Fiscal  
13           Year 1989 (Public Law 100–456; 102 Stat. 2055;  
14           10 U.S.C. 7291 note) is repealed.

15           (11) REPEAL OF SIX-HUNDRED-SHIP GOAL FOR  
16           NAVY; SENSE OF CONGRESS.—Section 791 of the  
17           Department of Defense Appropriations Act, 1982  
18           (Public Law 97–114; 95 Stat. 1593; 10 U.S.C. 7291  
19           note) is repealed.

20           (12) REPEAL OF PROHIBITION ON USE OF PUB-  
21           LIC AND PRIVATE SHIPYARDS FOR CONVERSION,  
22           OVERHAUL, OR REPAIR WORK UNDER CERTAIN PRO-  
23           GRAMS.—Section 811 of the Department of Defense  
24           Appropriations Act, 1979 (Public Law 95–485; 92  
25           Stat. 1624; 10 U.S.C. 7291 note) is repealed.

1           (13) REPEAL OF OBSOLETE REQUIREMENT TO  
2           SUBMIT A FIVE-YEAR NAVAL SHIP NEW CONSTRUC-  
3           TION AND CONVERSION PROGRAM.—Section 808 of  
4           the Department of Defense Authorization Act, 1976  
5           (Public Law 94–106; 89 Stat. 539; 10 U.S.C. 7291  
6           note) is repealed.

7 **SEC. 1025. RETENTION OF NAVY HOSPITAL SHIP CAPA-**  
8           **BILITY.**

9           (a) RETENTION OF SHIPS.—The Secretary of the  
10          Navy shall retain two T-AH 19 Mercy-class hospital ships  
11          at a readiness level that provides for the activation and  
12          deployment of each such ship within a period that does  
13          not exceed 5 days.

14          (b) WAIVER AUTHORITY.—The Secretary of the  
15          Navy may waive the requirement under subsection (a) if  
16          the Secretary submits to the congressional defense com-  
17          mittees certification in writing that the Secretary has—

18               (1) for any T-AH 19 Mercy-class hospital ship  
19               to be retired or transferred, identified a replacement  
20               capability to meet the combatant commander afloat  
21               medical capability for medical and surgical care that  
22               is being met by the ship to be retired or transferred;  
23               and



1           (2) achieved the initial operational capability of  
2           the replacement capability described in paragraph  
3           (1).

## 4           **Subtitle D—Counterterrorism**

### 5           **SEC. 1031. DEFINITION OF SENSITIVE MILITARY OPER-** 6           **ATION.**

7           Subsection (d) of section 130f of title 10, United  
8           States Code, is amended to read as follows:

9           “(d) SENSITIVE MILITARY OPERATION DEFINED.—

10          (1) Except as provided in paragraph (2), in this section,  
11          the term ‘sensitive military operation’ means a lethal oper-  
12          ation or capture operation conducted by the armed forces  
13          or conducted by a foreign partner in coordination with the  
14          armed forces that targets a specific individual or individ-  
15          uals.

16          “(2) For purposes of this section, the term ‘sensitive  
17          military operation’ does not include any operation con-  
18          ducted within Afghanistan.”.

### 19          **SEC. 1032. PROHIBITION ON USE OF FUNDS FOR TRANSFER** 20   **OR RELEASE OF INDIVIDUALS DETAINED AT** 21   **UNITED STATES NAVAL STATION, GUANTA-** 22   **NAMO BAY, CUBA, TO THE UNITED STATES.**

23          No amounts authorized to be appropriated or other-  
24          wise made available for the Department of Defense may  
25          be used during the period beginning on the date of the

1 enactment of this Act and ending on December 31, 2019,  
2 to transfer, release, or assist in the transfer of or release  
3 to or within the United States, its territories, or posses-  
4 sions Khalid Sheikh Mohammed or any other detainee  
5 who—

6 (1) is not a United States citizen or a member  
7 of the Armed Forces of the United States; and

8 (2) is or was held on or after January 20,  
9 2009, at United States Naval Station, Guantanamo  
10 Bay, Cuba, by the Department of Defense.

11 **SEC. 1033. PROHIBITION ON USE OF FUNDS TO CONSTRUCT**  
12 **OR MODIFY FACILITIES IN THE UNITED**  
13 **STATES TO HOUSE DETAINEES TRANS-**  
14 **FERRED FROM UNITED STATES NAVAL STA-**  
15 **TION, GUANTANAMO BAY, CUBA.**

16 (a) IN GENERAL.—No amounts authorized to be ap-  
17 propriated or otherwise made available for the Depart-  
18 ment of Defense may be used during the period beginning  
19 on the date of the enactment of this Act and ending on  
20 December 31, 2019, to construct or modify any facility  
21 in the United States, its territories, or possessions to  
22 house any individual detained at Guantanamo for the pur-  
23 poses of detention or imprisonment in the custody or  
24 under the control of the Department of Defense.

1 (b) EXCEPTION.—The prohibition in subsection (a)  
2 shall not apply to any modification of facilities at United  
3 States Naval Station, Guantanamo Bay, Cuba.

4 (c) INDIVIDUAL DETAINED AT GUANTANAMO DE-  
5 FINED.—In this section, the term “individual detained at  
6 Guantanamo” has the meaning given that term in section  
7 1034(f)(2) of the National Defense Authorization Act for  
8 Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10  
9 U.S.C. 801 note).

10 **SEC. 1034. PROHIBITION ON USE OF FUNDS FOR TRANSFER**  
11 **OR RELEASE OF INDIVIDUALS DETAINED AT**  
12 **UNITED STATES NAVAL STATION, GUANTA-**  
13 **NAMO BAY, CUBA, TO CERTAIN COUNTRIES.**

14 No amounts authorized to be appropriated or other-  
15 wise made available for the Department of Defense may  
16 be used during the period beginning on the date of the  
17 enactment of this Act and ending on December 31, 2019,  
18 to transfer, release, or assist in the transfer or release of  
19 any individual detained in the custody or under the control  
20 of the Department of Defense at United States Naval Sta-  
21 tion, Guantanamo Bay, Cuba, to the custody or control  
22 of any country, or any entity within such country, as fol-  
23 lows:

24 (1) Libya.

25 (2) Somalia.

1 (3) Syria.

2 (4) Yemen.

3 **Subtitle E—Miscellaneous**  
4 **Authorities and Limitations**

5 **SEC. 1041. NOTIFICATION ON THE PROVISION OF DEFENSE**  
6 **SENSITIVE SUPPORT.**

7 Section 1055 of the National Defense Authorization  
8 Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.  
9 113 note) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1), by striking “; and”  
12 and inserting a semicolon;

13 (B) in paragraph (2)(B), by striking the  
14 period at the end and inserting a semicolon;  
15 and

16 (C) by adding at the end the following new  
17 paragraphs:

18 “(3) is requested by the non-Department of De-  
19 fense Federal department or agency only after the  
20 department or agency has first reasonably attempted  
21 to use the resources of that department or agency to  
22 accomplish the mission for which the department or  
23 agency is making such request; and

1           “(4) is most appropriately provided by the De-  
2           partment of Defense rather than another depart-  
3           ment or agency of the Federal Government.”; and

4           (2) in subsection (b), by adding at the end the  
5           following new paragraph:

6           “(4) REVERSE DEFENSE SENSITIVE SUPPORT  
7           REQUEST.—The Secretary shall notify the congress-  
8           sional defense committees (and the congressional in-  
9           telligence committees with respect to matters relat-  
10          ing to members of the intelligence community) of re-  
11          quests made by the Secretary to a non-Department  
12          of Defense Federal department or agency for sup-  
13          port that requires special protection from disclosure  
14          in the same manner and containing the same infor-  
15          mation as the Secretary notifies such committees of  
16          defense sensitive support requests under paragraphs  
17          (1) and (3).”.

18 **SEC. 1042. COORDINATING UNITED STATES RESPONSE TO**  
19 **MALIGN FOREIGN INFLUENCE OPERATIONS**  
20 **AND CAMPAIGNS.**

21          (a) IN GENERAL.—Section 101 of the National Secu-  
22          rity Act of 1947 (50 U.S.C. 3021) is amended—

23                 (1) in subsection (b)—

24                         (A) in paragraph (2), by striking “and” at  
25                         the end;

1 (B) in paragraph (3), by striking the pe-  
2 riod and inserting “; and”; and

3 (C) by adding at the end the following new  
4 paragraph:

5 “(4) coordinate, without assuming operational  
6 authority, the United States Government response to  
7 malign foreign influence operations and cam-  
8 paigns.”; and

9 (2) by adding at the end the following new sub-  
10 sections:

11 “(g) COORDINATOR FOR COMBATING MALIGN FOR-  
12 EIGN INFLUENCE OPERATIONS AND CAMPAIGNS.—

13 “(1) IN GENERAL.—The President shall des-  
14 ignate an employee of the National Security Council  
15 to be responsible for the coordination of the inter-  
16 agency process for combating malign foreign influ-  
17 ence operations and campaigns.

18 “(2) CONGRESSIONAL BRIEFING.—

19 “(A) IN GENERAL.—Not less frequently  
20 than twice each year, the employee designated  
21 under this subsection shall provide to the con-  
22 gressional committees specified in subparagraph  
23 (B) a briefing on the responsibilities and activi-  
24 ties of the individual under this subsection.

1           “(B) COMMITTEES SPECIFIED.—The con-  
2           gressional committees specified in this subpara-  
3           graph are the following:

4                   “(i) The Committees on Armed Serv-  
5                   ices, Foreign Affairs, and Oversight and  
6                   Government Reform, and the Permanent  
7                   Select Committee on Intelligence of the  
8                   House of Representatives.

9                   “(ii) The Committees on Armed Serv-  
10                   ices, Foreign Relations, and Homeland Se-  
11                   curity and Governmental Affairs, and the  
12                   Select Committee on Intelligence of the  
13                   Senate.

14           “(h) DEFINITION OF MALIGN FOREIGN INFLUENCE  
15           OPERATIONS AND CAMPAIGNS.—In this section, the term  
16           ‘malign foreign influence operations and campaigns’  
17           means the coordinated, integrated, and synchronized ap-  
18           plication of national diplomatic, informational, military,  
19           economic, business, corruption, educational, and other ca-  
20           pabilities by hostile foreign powers to foster attitudes, be-  
21           haviors, decisions, or outcomes within the United States.”.

22           (b) STRATEGY.—

23                   (1) IN GENERAL.—Not later than 9 months  
24                   after the date of the enactment of this Act, the  
25                   President, acting through the National Security

1 Council, shall submit to the congressional commit-  
2 tees specified in paragraph (2) a strategy to counter  
3 malign foreign influence operations and campaigns  
4 (as such term is defined in section 101(h) of the Na-  
5 tional Security Act of 1947 (50 U.S.C. 3021), as  
6 added by subsection (a)).

7 (2) COMMITTEES SPECIFIED.—The congress-  
8 sional committees specified in this paragraph are the  
9 following:

10 (A) The Committees on Armed Services,  
11 Foreign Affairs, and Oversight and Government  
12 Reform, and the Permanent Select Committee  
13 on Intelligence of the House of Representatives.

14 (B) The Committees on Armed Services,  
15 Foreign Relations, and Homeland Security and  
16 Governmental Affairs, and the Select Com-  
17 mittee on Intelligence of the Senate.

18 **SEC. 1043. WORKFORCE ISSUES FOR MILITARY REALIGN-**  
19 **MENTS IN THE PACIFIC.**

20 Section 6(b)(1) of the Joint Resolution entitled “A  
21 Joint Resolution to approve the ‘Covenant To Establish  
22 a Commonwealth of the Northern Mariana Islands in Po-  
23 litical Union With the United States of America’, and for  
24 other purposes”, approved March 24, 1976 (48 U.S.C.  
25 1806(b)(1)) is amended—



1           (1) in subparagraph (A), by striking “during  
2           the transition program” and inserting “during the  
3           period beginning on the transition program effective  
4           date and ending on the later of September 30, 2020,  
5           or the last day of the transition period”;

6           (2) by amending subparagraph (B) to read as  
7           follows:

8                   “(B) H-2B WORKERS.—In the case of an  
9           alien described in subparagraph (A) who seeks  
10          admission under section 101(a)(15)(H)(ii)(b) of  
11          the Immigration and Nationality Act (8 U.S.C.  
12          1101(a)(15)(H)(ii)(b)), the alien, if otherwise  
13          qualified, may, before the later of December 31,  
14          2023, or the last day of the transition period,  
15          be admitted under such section, notwith-  
16          standing the requirement of such section that  
17          the service or labor be temporary, for a period  
18          of up to 3 years—

19                   “(i) to perform service or labor on  
20          Guam or in the Commonwealth pursuant  
21          to any agreement entered into by a prime  
22          contractor or subcontractor calling for  
23          services or labor required for performance  
24          of a contract or subcontract for construc-  
25          tion, repairs, renovations, or facility serv-

1           ices that is directly connected to, or associ-  
2           ated with, the military realignment occur-  
3           ring on Guam and in the Commonwealth;  
4           or

5           “(ii) to perform service or labor as a  
6           health care worker (such as a nurse, physi-  
7           cian assistant, or allied health professional)  
8           on Guam or in the Commonwealth, subject  
9           to the education, training, licensing, and  
10          other requirements of section 212(a)(5)(C)  
11          of the Immigration and Nationality Act (8  
12          U.S.C. 1182(a)(5)(C)), as applicable, ex-  
13          cept that this clause shall not be construed  
14          to include graduates of medical schools  
15          coming to Guam or the Commonwealth to  
16          perform service or labor as members of the  
17          medical profession.”; and

18          (3) by adding at the end the following:

19                 “(C) RETURNING WORKERS.—After the  
20                 end of the period described in subparagraph  
21                 (A), any alien who was admitted to Guam or  
22                 the Commonwealth pursuant to subparagraph  
23                 (A) or (B) may again seek admission to Guam  
24                 or the Commonwealth under section  
25                 101(a)(15)(H)(ii)(b) of the Immigration and

1           Nationality           Act           (8           U.S.C.  
2           1101(a)(15)(H)(ii)(b)) without being counted  
3           toward the numerical limitation of section  
4           214(g)(1)(B) of such Act (8 U.S.C.  
5           1184(g))(1)(B)). Such an alien shall be consid-  
6           ered to be a returning worker subject to sub-  
7           paragraphs (B) and (C) of section 214(g)(9) of  
8           such Act (8 U.S.C. 1184(g)(9)). An alien may  
9           be considered to be a returning worker under  
10          this subparagraph only once.”.

11 **SEC. 1044. MITIGATION OF OPERATIONAL RISKS POSED TO**  
12                           **CERTAIN MILITARY AIRCRAFT BY AUTO-**  
13                           **MATIC DEPENDENT SURVEILLANCE-BROAD-**  
14                           **CAST EQUIPMENT.**

15          (a) IN GENERAL.—The Secretary of Transportation  
16 may not—

17           (1) directly or indirectly require the installation  
18           of automatic dependent surveillance-broadcast (here-  
19           inafter in this section referred to as “ADS-B”)  
20           equipment on fighter aircraft, bomber aircraft, or  
21           other special mission aircraft owned or operated by  
22           the Department of Defense;

23           (2) deny or reduce air traffic control services in  
24           United States airspace or international airspace del-  
25           egated to the United States to any aircraft described

1 in paragraph (1) on the basis that such aircraft is  
2 not equipped with ADS-B equipment; or

3 (3) restrict or limit airspace access for aircraft  
4 described in paragraph (1) on the basis such aircraft  
5 are not equipped with ADS-B equipment.

6 (b) TERMINATION.—Subsection (a) shall cease to be  
7 effective on the date that the Secretary of Transportation  
8 and the Secretary of Defense jointly submit to the appro-  
9 priate congressional committees notice that the Secre-  
10 taries have entered into a memorandum of agreement or  
11 other similar agreement providing that fighter aircraft,  
12 bomber aircraft, and other special mission aircraft owned  
13 or operated by the Department of Defense that are not  
14 equipped or not yet equipped with ADS-B equipment will  
15 be reasonably accommodated for safe operations in the  
16 National Airspace System and provided with necessary air  
17 traffic control services.

18 (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
19 tion may be construed to—

20 (1) vest in the Secretary of Defense any author-  
21 ity of the Secretary of Transportation or the Admin-  
22 istrator of the Federal Aviation Administration  
23 under title 49, United States Code, or any other  
24 provision of law;

1           (2) vest in the Secretary of Transportation or  
2           the Administrator of the Federal Aviation Adminis-  
3           tration any authority of the Secretary of Defense  
4           under title 10, United States Code, or any other  
5           provision of law; or

6           (3) limit the authority or discretion of the Sec-  
7           retary of Transportation or the Administrator of the  
8           Federal Aviation Administration to operate air traf-  
9           fic control services to ensure the safe minimum separa-  
10          tion of aircraft in flight and the efficient use of  
11          airspace.

12          (d) NOTIFICATION REQUIREMENT.—The Secretary  
13          of Defense shall provide to the Secretary of Transpor-  
14          tation notification of any aircraft the Secretary of Defense  
15          designates as a special mission aircraft pursuant to sub-  
16          section (e)(3).

17          (e) DEFINITIONS.—In this section:

18               (1) The term “appropriate congressional com-  
19               mittees” means the congressional defense commit-  
20               tees, the Committee on Transportation and Infra-  
21               structure of the House of Representatives, and the  
22               Committee on Commerce, Science, and Transpor-  
23               tation of the Senate.

24               (2) The term “air traffic control services”  
25               means services used for the monitoring, directing,

1 control, and guidance of aircraft or flows of aircraft  
2 and for the safe conduct of flight, including commu-  
3 nications, navigation, and surveillance services and  
4 provision of aeronautical information.

5 (3) The term “special mission aircraft” means  
6 an aircraft the Secretary of Defense designates for  
7 a unique mission to which ADS-B equipment creates  
8 a unique risk.

9 **SEC. 1045. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
10 **UNMANNED SURFACE VEHICLES.**

11 (a) LIMITATION.—None of the funds authorized to  
12 be appropriated by this Act or otherwise made available  
13 for fiscal year 2019 for the Department of Defense for  
14 the strategic capabilities office ghost fleet overlord un-  
15 manned surface vehicle program may be obligated or ex-  
16 pended until the Undersecretary of Defense for Research  
17 and Engineering, in coordination with the Secretary of the  
18 Navy, certifies to the congressional defense committees  
19 that—

20 (1) such project accelerates development of the  
21 future unmanned surface vehicle program of the  
22 Navy;

23 (2) the Commander of the Naval Sea Systems  
24 Command has been designated as the contracting of-  
25 ficer for such project; and

1           (3) the desired procurement strategy for the  
2           ghost fleet overlord project is properly coordinated  
3           and not duplicative of the unmanned surface vehicle  
4           sea hunter program of the Navy.

5           (b) **RULE OF CONSTRUCTION.**—The limitation in  
6           subsection (a) shall not be construed to apply to any other  
7           unmanned surface vehicle program of the Department of  
8           Defense other than the program element specified in such  
9           subsection.

10 **SEC. 1046. PROGRAM FOR DEPARTMENT OF DEFENSE CON-**  
11 **TROLLED UNCLASSIFIED INFORMATION IN**  
12 **THE HANDS OF INDUSTRY.**

13           (a) **IN GENERAL.**—The Secretary of Defense shall es-  
14           tablish and implement a foreign ownership, control, or in-  
15           fluence program for Department of Defense controlled un-  
16           classified information in the hands of industry. The Sec-  
17           retary may designate an entity or individual within the  
18           Department to take responsibility for such controlled un-  
19           classified information and the oversight of the program.

20           (b) **PROGRAM REQUIREMENTS.**—Under the program  
21           required by subsection (a), the Secretary shall require that  
22           prior to any company receiving controlled unclassified in-  
23           formation or classified information, or becoming a cleared  
24           defense contractor—

1 (1) the company shall report to the Secretary  
2 any foreign—

3 (A) direction or controlling interest of the  
4 company; or

5 (B) access to intellectual property relating  
6 to classified information or controlled unclassi-  
7 fied information; and

8 (2) the Secretary shall determine if, on the  
9 basis of information reported under paragraph (1),  
10 the company should receive such information, includ-  
11 ing if risk to the national security can be mitigated  
12 and how such mitigation would be enforced.

13 **SEC. 1047. PROTECTION OF EMERGING AND**  
14 **FOUNDATIONAL TECHNOLOGIES.**

15 (a) **LIST.**—The Secretary of Defense shall establish  
16 and maintain a list of emerging and foundational tech-  
17 nologies that are necessary for maintaining the national  
18 security technological advantage of the United States over  
19 foreign countries of special concern, as determined by the  
20 Secretary.

21 (b) **TECHNOLOGY PROTECTION.**—The Secretary  
22 should use the list under subsection (a) to inform activities  
23 carried out by the Secretary relating to technology protec-  
24 tion, including under interagency processes conducted pur-  
25 suant to Federal law.



1 **SEC. 1048. AIRBORNE HAZARDS AND OPEN BURN PIT REG-**  
2 **ISTRY.**

3 (a) EDUCATION CAMPAIGN.—Beginning not later  
4 than one year after the date of the enactment of this Act,  
5 the Secretary of Defense shall carry out an annual edu-  
6 cation campaign to inform individuals who may be eligible  
7 to enroll in the Airborne Hazards and Open Burn Pit Reg-  
8 istry of such eligibility. Each such campaign shall include  
9 at least one electronic method and one physical mailing  
10 method to provide such information.

11 (b) AIRBORNE HAZARDS AND OPEN BURN PIT REG-  
12 ISTRY DEFINED.—In this section, the term “Airborne  
13 Hazards and Open Burn Pit Registry” means the registry  
14 established by the Secretary of Veterans Affairs under sec-  
15 tion 201 of the Dignified Burial and Other Veterans’ Ben-  
16 efits Improvement Act of 2012 (Public Law 112–260; 38  
17 U.S.C. 527 note).

18 **SEC. 1049. EVALUATION OF PILOT SAFETY BY MILITARY**  
19 **AVIATION AND INSTALLATION ASSURANCE**  
20 **SITING CLEARINGHOUSE.**

21 (a) IN GENERAL.—Section 183a of title 10, United  
22 States Code, is amended—

23 (1) by striking “unacceptable risk to the na-  
24 tional security of the United States” each place it  
25 appears and inserting “unacceptable risk to military  
26 operations and readiness”; and

1 (2) in subsection (h)—

2 (A) in paragraph (1), by inserting “pilot  
3 safety,” after “flight operations,”; and

4 (B) by amending paragraph (7) to read as  
5 follows:

6 “(7) The term ‘unacceptable risk to military op-  
7 erations and readiness’ means the construction, al-  
8 teration, establishment, or expansion, or the pro-  
9 posed construction, alteration, establishment, or ex-  
10 pansion, of a structure or sanitary landfill, that the  
11 Secretary of Defense can demonstrate would—

12 “(A) endanger safety in air commerce di-  
13 rectly related to the activities of the Depart-  
14 ment of Defense;

15 “(B) interfere with the efficient use of the  
16 navigable airspace directly related to the activi-  
17 ties of the Department of Defense; or

18 “(C) significantly impair or degrade the  
19 capability of the Department of Defense to—

20 “(i) ensure pilot safety;

21 “(ii) conduct training, research, devel-  
22 opment, testing, and evaluation, and oper-  
23 ations; or

24 “(iii) maintain military readiness.”.

1 (b) CONFORMING AMENDMENT.—Section 44718 of  
2 title 49, United States Code, is amended by striking “un-  
3 acceptable risk to the national security of the United  
4 States” each place it appears and inserting “unacceptable  
5 risk to military operations and readiness”.

6 **SEC. 1050. SALE OF SURPLUS DEPARTMENT OF DEFENSE**  
7 **EQUIPMENT TO ELIGIBLE FARMERS.**

8 Section 2576a of title 10, United States Code, is  
9 amended by adding at the end the following new sub-  
10 section:

11 “(g) SALE OF EQUIPMENT TO FARMERS.—(1) Dur-  
12 ing the three-year period beginning on the date of the en-  
13 actment of the National Defense Authorization Act for  
14 Fiscal Year 2019, the Secretary of Defense, in consulta-  
15 tion with the Secretary of Agriculture, may transfer to eli-  
16 gible farmers equipment of the Department of Defense  
17 that is—

18 “(A) appropriate for use by farmers; and

19 “(B) excess to the needs of the Department of  
20 Defense.

21 “(2) A farmer is eligible to purchase equipment under  
22 this subsection if the farmer is—

23 “(A) a veteran and a new and beginning farm-  
24 er, as determined by the Secretary; and

1           “(B) submits to the Secretary an application  
2           containing such information and assurances as the  
3           Secretary may require.

4           “(3) Equipment made available for transfer to farm-  
5           ers under this subsection shall be made available to such  
6           farmers before such equipment is made available for public  
7           sale.

8           “(4) Not later than 60 days after the termination of  
9           the authority under this subsection, the Secretary shall  
10          submit to Congress a report on this subsection that in-  
11          cludes the recommendations of the Secretary regarding  
12          the extension or expansion of the program.”.

13   **SEC. 1050A. NATIONAL SECURITY COMMISSION ON ARTIFI-**  
14                           **CIAL INTELLIGENCE.**

15          (a) ESTABLISHMENT.—

16               (1) IN GENERAL.—There is established in the  
17               executive branch an independent Commission to re-  
18               view advances in artificial intelligence, related ma-  
19               chine learning developments, and associated tech-  
20               nologies.

21               (2) TREATMENT.—The Commission shall be  
22               considered an independent establishment of the Fed-  
23               eral Government as defined by section 104 of title  
24               5, United States Code, and a temporary organiza-  
25               tion under section 3161 of such title.

1           (3) DESIGNATION.—The Commission estab-  
2           lished under paragraph (1) shall be known as the  
3           “National Security Commission on Artificial Intel-  
4           ligence”.

5           (4) MEMBERSHIP.—

6           (A) COMPOSITION.—The Commission shall  
7           be composed of 15 members appointed as fol-  
8           lows:

9                   (i) The Secretary of Defense shall ap-  
10                  point 2 members.

11                  (ii) The Secretary of Commerce shall  
12                  appoint 1 member.

13                  (iii) The Chairman of the Committee  
14                  on Commerce, Science, and Transportation  
15                  of the Senate shall appoint 1 member.

16                  (iv) The Ranking Member of the  
17                  Committee on Commerce, Science, and  
18                  Transportation of the Senate shall appoint  
19                  1 member.

20                  (v) The Chairman of the Committee  
21                  on Energy and Commerce of the House of  
22                  Representatives shall appoint 1 member.

23                  (vi) The Ranking Member of the  
24                  Committee on Energy and Commerce of

1 the House of Representatives shall appoint  
2 1 member.

3 (vii) The Chairman of the Committee  
4 on Armed Services of the Senate shall ap-  
5 point 1 member.

6 (viii) The Ranking Member of the  
7 Committee on Armed Services of the Sen-  
8 ate shall appoint 1 member.

9 (ix) The Chairman of the Committee  
10 on Armed Services of the House of Rep-  
11 resentatives shall appoint 1 member.

12 (x) The Ranking Member of the Com-  
13 mittee on Armed Services of the House of  
14 Representatives shall appoint 1 member.

15 (xi) The Chairman of the Select Com-  
16 mittee on Intelligence of the Senate shall  
17 appoint 1 member.

18 (xii) The Vice Chairman of the Select  
19 Committee on Intelligence of the Senate  
20 shall appoint 1 member.

21 (xiii) The Chairman of the Permanent  
22 Select Committee on Intelligence of the  
23 House of Representatives shall appoint 1  
24 member.

1                   (xiv) The Ranking Member of the  
2                   Permanent Select Committee Intelligence  
3                   of the House of Representatives shall ap-  
4                   point 1 member.

5                   (B) DEADLINE FOR APPOINTMENT.—Mem-  
6                   bers shall be appointed to the Commission  
7                   under paragraph (1) not later than 90 days  
8                   after the Commission establishment date.

9                   (C) EFFECT OF LACK OF APPOINTMENT  
10                  BY APPOINTMENT DATE.—If one or more ap-  
11                  pointments under paragraph (1) is not made by  
12                  the appointment date specified in paragraph  
13                  (2), the authority to make such appointment or  
14                  appointments shall expire, and the number of  
15                  members of the Commission shall be reduced by  
16                  the number equal to the number of appoint-  
17                  ments so not made.

18                  (5) CHAIR AND VICE CHAIR.—The Commission  
19                  shall elect a Chair and Vice Chair from among its  
20                  members.

21                  (6) TERMS.—Members shall be appointed for  
22                  the life of the Commission. A vacancy in the Com-  
23                  mission shall not affect its powers, and shall be filled  
24                  in the same manner as the original appointment was  
25                  made.

1           (7) STATUS AS FEDERAL EMPLOYEES.—Not-  
2           withstanding the requirements of section 2105 of  
3           title 5, United States Code, including the required  
4           supervision under subsection (a)(3) of such section,  
5           the members of the Commission shall be deemed to  
6           be Federal employees.

7           (b) DUTIES.—

8           (1) IN GENERAL.—The Commission shall carry  
9           out the review described in paragraph (2). In car-  
10          rying out such review, the Commission shall consider  
11          the methods and means necessary to advance the de-  
12          velopment of artificial intelligence, machine learning,  
13          and associated technologies by the United States to  
14          comprehensively address the national security and  
15          defense needs of the United States.

16          (2) SCOPE OF THE REVIEW.—In conducting the  
17          review paragraph (1), the Commission shall consider  
18          the following:

19                 (A) The competitiveness of the United  
20                 States in artificial intelligence, machine learn-  
21                 ing, and other associated technologies, including  
22                 matters related to national security, defense,  
23                 public-private partnerships, and investments.

24                 (B) Means and methods for the United  
25                 States to maintain a technological advantage in



1 artificial intelligence, machine learning, and  
2 other associated technologies related to national  
3 security and defense.

4 (C) Developments and trends in inter-  
5 national cooperation and competitiveness, in-  
6 cluding foreign investments in artificial intel-  
7 ligence, related machine learning, and computer  
8 science fields that are materially related to na-  
9 tional security and defense.

10 (D) Means by which to foster greater em-  
11 phasis and investments in basic and advanced  
12 research to stimulate private, public, academic  
13 and combined initiatives in artificial intel-  
14 ligence, machine learning, and other associated  
15 technologies, to the extent that such efforts  
16 have application materially related to national  
17 security and defense.

18 (E) Workforce and education incentives to  
19 attract and recruit leading talent in artificial  
20 intelligence and machine learning disciplines,  
21 including science, technology, engineering, and  
22 math programs.

23 (F) Risks associated with United States  
24 and foreign country advances in military em-  
25 ployment of artificial intelligence and machine

1 learning, including international law of armed  
2 conflict, international humanitarian law, and es-  
3 calation dynamics.

4 (G) Associated ethical considerations re-  
5 lated to artificial intelligence and machine  
6 learning as it will be used for future applica-  
7 tions related to national security and defense.

8 (H) Means to establish data standards,  
9 and incentivize the sharing of open training  
10 data within related national security and de-  
11 fense data-driven industries.

12 (I) Consideration of the evolution of artifi-  
13 cial intelligence and appropriate mechanism for  
14 managing such technology related to national  
15 security and defense.

16 (J) Any other matters the Commission  
17 deems relevant to the common defense of the  
18 Nation.

19 (c) REPORTS.—

20 (1) INITIAL REPORT.—Not later than 180 days  
21 after the date of the enactment of this Act, the  
22 Commission shall submit to the President and Con-  
23 gress an initial report on the findings of the Com-  
24 mission and such recommendations that the Com-  
25 mission may have for action by the executive branch

1 and Congress related to artificial intelligence, ma-  
2 chine learning, and associated technologies, includ-  
3 ing recommendations to more effectively organize  
4 the Federal Government.

5 (2) ANNUAL COMPREHENSIVE REPORTS.—Not  
6 later than one year after the date of this enactment  
7 of this Act, and every year thereafter annually, until  
8 the date specified in subsection (e), the Commission  
9 shall submit a comprehensive report on the review  
10 required under subsection (b).

11 (3) FORM OF REPORTS.—Reports submitted  
12 under this subsection shall be made publically avail-  
13 able, but may include a classified annex.

14 (d) FUNDING.—Of the amounts authorized to be ap-  
15 propriated by this Act for fiscal year 2019 for the Depart-  
16 ment of Defense, not more than \$10,000,000 shall be  
17 made available to the Commission to carry out its duties  
18 under this subtitle. Funds made available to the Commis-  
19 sion under the preceding sentence shall remain available  
20 until expended.

21 (e) TERMINATION.—The Commission shall terminate  
22 on October 1, 2020.

23 (f) DEFINITION OF ARTIFICIAL INTELLIGENCE.—In  
24 this section, the term “artificial intelligence” includes each  
25 of the following:

1           (1) Any artificial system that performs tasks  
2 under varying and unpredictable circumstances with-  
3 out significant human oversight, or that can learn  
4 from experience and improve performance when ex-  
5 posed to data sets.

6           (2) An artificial system developed in computer  
7 software, physical hardware, or other context that  
8 solves tasks requiring human-like perception, cog-  
9 nition, planning, learning, communication, or phys-  
10 ical action.

11          (3) An artificial system designed to think or act  
12 like a human, including cognitive architectures and  
13 neural networks.

14          (4) A set of techniques, including machine  
15 learning that is designed to approximate a cognitive  
16 task.

17          (5) An artificial system designed to act ration-  
18 ally, including an intelligent software agent or em-  
19 bodied robot that achieves goals using perception,  
20 planning, reasoning, learning, communicating, deci-  
21 sion-making, and acting.

1 **SEC. 1050B. EXPANSION OF DEFINITION OF COVERED FA-**  
2 **CILITY OR ASSET FOR PURPOSES OF PRO-**  
3 **TECTION FROM UNMANNED AIRCRAFT.**

4 Section 130i(j)(3)(C) of title 10, United States Code,  
5 is amended—

6 (1) in clause (viii), by striking “or” at the end;

7 (2) in clause (ix), by striking the period and in-  
8 serting “; or”; and

9 (3) by adding at the end the following new  
10 clause:

11 “(x) mobility airlift.”.

12 **Subtitle F—Studies and Reports**

13 **SEC. 1051. ADDITIONAL MATTER FOR INCLUSION IN AN-**  
14 **NUAL REPORT ON CIVILIAN CASUALTIES IN**  
15 **CONNECTION WITH UNITED STATES MILI-**  
16 **TARY OPERATIONS.**

17 Section 1057(b)(2) of the National Defense Author-  
18 ization Act for Fiscal Year 2018 (Public Law 115–91) is  
19 amended by adding at the end the following new subpara-  
20 graph:

21 “(F) A description of any ex gratia pay-  
22 ments made in connection with such casual-  
23 ties.”.

1 **SEC. 1052. DEPARTMENT OF DEFENSE REVIEW AND AS-**  
2 **SESSMENT ON ADVANCES, OPPORTUNITIES,**  
3 **AND RISKS RELATED TO ARTIFICIAL INTEL-**  
4 **LIGENCE AND MACHINE LEARNING.**

5 (a) REVIEW REQUIRED.—The Secretary of Defense,  
6 acting through the Defense Innovation Board and the  
7 Under Secretary of Defense for Research and Engineer-  
8 ing, shall carry out a review and assessment of the ad-  
9 vances in artificial intelligence, related machine learning  
10 developments, and associated technologies for military ap-  
11 plications. In carrying out such review, the Secretary shall  
12 consider the methods and means necessary to advance the  
13 development of artificial intelligence, machine learning,  
14 and associated technologies within the Department of De-  
15 fense to comprehensively address the national security  
16 needs and requirements of the Department of Defense.

17 (b) SCOPE OF REVIEW.—In conducting the review  
18 under paragraph (a) the Secretary of Defense shall con-  
19 sider—

20 (1) the competitiveness of the Department of  
21 Defense in artificial intelligence, machine learning,  
22 and other associated technologies, including matters  
23 pertaining to public-private partnerships and invest-  
24 ments;

25 (2) means and methods for the Department of  
26 Defense to maintain a technological advantage in ar-

1 artificial intelligence, machine learning, and other as-  
2 sociated technologies, including quantum sciences,  
3 distributed ledger technologies, and high perform-  
4 ance computing;

5 (3) means by which the Department of Defense  
6 can help foster greater emphasis and investments in  
7 basic and advanced research to stimulate private,  
8 public, academic, and combined initiatives in artifi-  
9 cial intelligence, machine learning, and other associ-  
10 ated technologies, including quantum sciences, dis-  
11 tributed ledger technologies, and high performance  
12 computing;

13 (4) Department of Defense workforce and edu-  
14 cation initiatives to attract and recruit leading talent  
15 in artificial intelligence and machine learning, in-  
16 cluding science, technology, engineering, and math  
17 programs;

18 (5) means by which the Department of Defense  
19 may establish data standards and provide incentives  
20 for the sharing of open training data; and

21 (6) any other matters the Secretary of Defense  
22 determines relevant with respect to the approach of  
23 the Department of Defense to artificial intelligence  
24 and machine learning.

25 (c) REPORTS.—

1           (1) INITIAL REPORT.—Not later than 180 days  
2 after the date of the enactment of this Act, the Sec-  
3 retary of Defense shall submit to the congressional  
4 defense committees an initial report on the findings  
5 of the review required under subsection (a) and such  
6 recommendations as the Secretary may have for leg-  
7 islative action related to artificial intelligence, ma-  
8 chine learning, and associated technologies, includ-  
9 ing recommendations to more effectively fund and  
10 organize the Department of Defense.

11           (2) COMPREHENSIVE REPORT.—Not later than  
12 one year after the date of the enactment of this Act,  
13 the Secretary of Defense shall submit to the con-  
14 gressional defense committees a comprehensive re-  
15 port on the review required under subsection (a).

16           (d) DEFINITION OF ARTIFICIAL INTELLIGENCE.—In  
17 this section, the term “artificial intelligence” includes each  
18 of the following:

19           (1) Any artificial system that performs tasks  
20 under varying and unpredictable circumstances with-  
21 out significant human oversight, or that can learn  
22 from experience and improve performance when ex-  
23 posed to data sets.

24           (2) An artificial system developed in computer  
25 software, physical hardware, or other context that



1 solves tasks requiring human-like perception, cog-  
2 nition, planning, learning, communication, or phys-  
3 ical action.

4 (3) An artificial system designed to think or act  
5 like a human, including cognitive architectures and  
6 neural networks.

7 (4) A set of techniques, including machine  
8 learning, that is designed to approximate a cognitive  
9 task.

10 (5) An artificial system designed to act ration-  
11 ally, including an intelligent software agent or em-  
12 bodied robot that achieves goals using perception,  
13 planning, reasoning, learning, communicating, deci-  
14 sionmaking, and acting.

15 **SEC. 1053. REPORT ON JOINT ENTERPRISE DEFENSE IN-**  
16 **FRASTRUCTURE.**

17 (a) **REPORT REQUIRED.**—The Secretary of Defense  
18 shall submit to the congressional defense committees a re-  
19 port on the Joint Enterprise Defense Infrastructure. Such  
20 report shall include each of the following:

21 (1) Information relating to the current composi-  
22 tion of the Cloud Executive Steering Group and its  
23 mission, objectives, goals, and strategy.

24 (2) A description of the characteristics and con-  
25 siderations for accelerating the cloud architecture

1 and services required for a global, resilient, and se-  
2 cure information environment to enable warfighting  
3 and mission command, as validated by the Joint Re-  
4 quirements Oversight Council for the Joint Enter-  
5 prise Defense Infrastructure.

6 (3) Information relating to the approved acqui-  
7 sition strategy and timeline for the Joint Enterprise  
8 Defense Infrastructure, including estimated migra-  
9 tion costs and timelines.

10 (4) A description of how the approved acquisi-  
11 tion strategy referred to in paragraph (3) provides  
12 for a full and open competition, enables the Depart-  
13 ment of Defense to continuously leverage and ac-  
14 quire new cloud computing capabilities, maintains  
15 the ability of the Department to leverage other cloud  
16 computing vendor products and services, incor-  
17 porates elements to maintain security, and provides  
18 for the best performance, cost, and schedule to meet  
19 the cloud architecture and services requirements of  
20 the Department for the duration of such contract.

21 (5) A description of the associated Joint Enter-  
22 prise Defense Infrastructure program office, includ-  
23 ing number of personnel, overhead cost, and organi-  
24 zational structure.

1           (6) A description of the effect of the Joint En-  
2           terprise Defense Infrastructure on and the relation-  
3           ship of such Infrastructure to existing cloud com-  
4           puting infrastructure, platform, and service con-  
5           tracts across the Department of Defense, specifically  
6           the effect and relationship to the private cloud infra-  
7           structure of the Department, MilCloud 2.0 run by  
8           the Defense Information Systems Agency.

9           (7) Information relating to the most recent De-  
10          partment of Defense Cloud Computing Strategy and  
11          description of any initiatives to update such Strat-  
12          egy.

13          (8) Information relating to Department of De-  
14          fense guidance pertaining to cloud computing capa-  
15          bility or platform acquisition and standards, and a  
16          description of any initiatives to update such guid-  
17          ance.

18          (9) Any other matters the Secretary of Defense  
19          determines relevant.

20          (b) LIMITATION ON USE OF FUNDS.—Of the  
21          amounts authorized to be appropriated or otherwise made  
22          available by this Act for fiscal year 2019 for acquisition  
23          of services or associated program office support for the  
24          Joint Enterprise Defense Infrastructure of the enterprise-  
25          wide Cloud Executive Steering Group, not more than 50

1 percent may be obligated or expended until the Secretary  
2 of Defense submits to the congressional defense commit-  
3 tees the report required by subsection (a).

4 **SEC. 1054. REPORT ON PROPOSED CONSOLIDATION OF DE-**  
5 **PARTMENT OF DEFENSE GLOBAL MESSAGING**  
6 **AND COUNTER MESSAGING CAPABILITIES.**

7 (a) REPORT REQUIRED.—The Secretary of Defense  
8 shall submit to the congressional defense committees a re-  
9 port on the proposed consolidation of the global messaging  
10 and counter messaging (GMCM) capabilities of the De-  
11 partment of Defense. Such report shall include each of the  
12 following:

13 (1) The justification of the Secretary for the  
14 proposed consolidation of such capabilities.

15 (2) The justification of the Secretary for the  
16 proposed designation of the United States Special  
17 Operations Command as the entity responsible for  
18 establishing the centralized GMCM capability.

19 (3) A description of the proposed roles and re-  
20 sponsibilities of the United States Special Oper-  
21 ations Command as such entity.

22 (4) A description of the roles and responsibil-  
23 ities of the combatant commanders regarding the  
24 operational use of the GMCM capability.

1           (5) The effect of the proposed consolidation of  
2 such capabilities on existing GMCM contracts and  
3 capabilities.

4           (6) An implementation plan that includes a de-  
5 tailed description of the resources and other require-  
6 ments required for the United States Special Oper-  
7 ations Command to establish the centralized GMCM  
8 capability for the period covered by the current fu-  
9 ture year's defense program.

10          (7) A comprehensive plan for the continual as-  
11 sessment of the effectiveness of the GMCM activities  
12 and programs.

13          (8) An identification of the anticipated effi-  
14 ciencies, cost savings, and operational benefits asso-  
15 ciated with the consolidation of the GMCM capabili-  
16 ties.

17          (9) A description of any actions, activities, and  
18 efforts taken to implement section 1637 of the Na-  
19 tional Defense Authorization Act for Fiscal Year  
20 2018 (Public Law 115–91).

21          (b) LIMITATION ON USE OF FUNDS.—Not more than  
22 50 percent of the amounts authorized to be appropriated  
23 by this Act or otherwise made available for fiscal year  
24 2019 for the Commander of the United States Special Op-  
25 erations Command for global messaging and counter mes-

1 saging may be obligated or expended before the date that  
2 is 30 days after the date on which the Secretary submits  
3 the report required by subsection (a).

4 **SEC. 1055. COMPREHENSIVE REVIEW OF PROFES-**  
5 **SIONALISM AND ETHICS PROGRAMS FOR**  
6 **SPECIAL OPERATIONS FORCES.**

7 (a) REVIEW REQUIRED.—The Secretary of Defense,  
8 in coordination with the Secretaries of each of the military  
9 departments, shall conduct a comprehensive review of the  
10 ethics and professionalism programs of the United States  
11 Special Operations Command and of the military depart-  
12 ments for officers and other military personnel serving in  
13 special operations forces.

14 (b) ELEMENTS OF THE REVIEW.—The review con-  
15 ducted under subsection (a) shall specifically include a de-  
16 scription and assessment of each of the following:

17 (1) The culture of professionalism and ethics of  
18 the United States Special Operations Command and  
19 affiliated component commands.

20 (2) The ethics and professionalism programs of  
21 the military departments available for special oper-  
22 ations forces.

23 (3) The ethics and professionalism programs of  
24 the United States Special Operations Command and  
25 affiliated component commands.

1           (4) The roles and responsibilities of the military  
2 departments and the United States Special Oper-  
3 ations Command and affiliated component com-  
4 mands in administering, overseeing, managing, and  
5 ensuring compliance and participation of special op-  
6 erations forces in ethics and professionalism pro-  
7 grams, including an identification of—

8           (A) gaps in the administration, oversight,  
9 and management of such programs and in en-  
10 suring the compliance and participation in such  
11 programs; and

12           (B) additional guidance that may be re-  
13 quired for a systematic, integrated approach in  
14 administering, overseeing, and managing such  
15 programs and in ensuring compliance with and  
16 participation in such programs in order to ad-  
17 dress issues and improve ethical culture and  
18 professionalism.

19           (5) The management and oversight framework  
20 in place that is designed to ensure that all ethics  
21 and professionalism programs available to special  
22 operations forces meet Department standards.

23           (6) Tools and metrics for identifying and as-  
24 ssuming individual and organizational ethics and pro-

1        professionalism issues with respect to special operations  
2        forces.

3            (7) Tools and metrics for assessing the effec-  
4        tiveness of existing ethics and professionalism pro-  
5        grams in improving or addressing individual and or-  
6        ganizational ethics-related and professionalism issues  
7        with respect to special operations forces.

8            (8) Additional programs or actions that may be  
9        required to address or improve individual and orga-  
10       nizational ethics and professionalism issues with re-  
11       spect to special operations forces.

12           (9) Actions to improve the oversight and ac-  
13        countability by senior leaders of ethics and profes-  
14        sionalism-related issues with respect to special oper-  
15        ations forces.

16        (c) DEFINITIONS.—In this section:

17            (1) The term “ethics program” means a pro-  
18        gram that includes—

19                    (A) compliance-based ethics training, edu-  
20        cation, initiative, or other activity that focuses  
21        on adherence to rules and regulations; and

22                    (B) values-based ethics training, education,  
23        initiative, or other activity that focuses on up-  
24        holding a set of ethical principles in order to  
25        achieve high standards of conduct and incor-



1           porate guiding principles to help foster an eth-  
2           ical culture and inform decision-making where  
3           rules are not clear.

4           (2) The term “professionalism program” means  
5           a program that includes training, education, initia-  
6           tive, or other activity that focuses on values, ethics,  
7           standards, code of conduct, and skills as related to  
8           the military profession.

9           (d) SUBMITTAL OF REVIEW.—The Secretary of De-  
10          fense shall submit the review required by subsection (a)  
11          to the Committees on Armed Services of the Senate and  
12          the House of Representatives by not later than March 1,  
13          2019.

14          **SEC. 1056. MUNITIONS ASSESSMENTS AND FUTURE-YEARS**  
15                                   **DEFENSE PROGRAM REQUIREMENTS.**

16          (a) REQUIRED REPORTS.—Not later than March 1,  
17          2019, and annually thereafter, the Under Secretary of De-  
18          fense for Acquisition and Sustainment, in consultation  
19          with the Chairman of the Joint Chiefs of Staff shall sub-  
20          mit to the congressional defense committees each of the  
21          following:

22                 (1) The most current munitions assessments, as  
23                 defined by Department of Defense Instruction Num-  
24                 ber 3000.04, relating to the Department of Defense  
25                 munitions requirements process.

1           (2) The most current sufficiency assessments,  
2           as defined by such Department of Defense Instruc-  
3           tion.

4           (3) The most current approved memorandum of  
5           the Joint Requirements Oversight Council resulting  
6           from the munitions requirements process.

7           (4) The planned funding and munitions require-  
8           ments required for the first fiscal year beginning  
9           after the date of the submittal of the report and  
10          across the future-years defense program for muni-  
11          tions across all military departments and the Missile  
12          Defense Agency.

13          (5) The planned foreign military sales and for-  
14          eign military financing orders for United States mu-  
15          nitions across the future-years defense program.

16          (b) SUNSET.—The requirement to submit reports  
17          and assessments under this section shall terminate on De-  
18          cember 31, 2021.

19          (c) SUPPLY CHAIN ASSESSMENTS.—Beginning in fis-  
20          cal year 2020, the Under Secretary shall evaluate supply  
21          chain risks, including qualified supplier shortages and sin-  
22          gle source supplier vulnerabilities for munitions produc-  
23          tion. The Under Secretary shall include in the reports re-  
24          quired under subsection (a) for fiscal year 2020 and any  
25          subsequent fiscal year for which such reports are required

1 to be submitted, a list of munitions that are at risk of  
2 production impacts from the loss of qualified suppliers.

3 **SEC. 1057. REPORT ON ESTABLISHMENT OF ARMY FUTURES**  
4 **COMMAND.**

5 (a) REPORT REQUIRED.—Not later than February 1,  
6 2019, the Secretary of the Army shall submit to the con-  
7 gressional defense committees a report on the Army’s plan  
8 for the establishment of Army Futures Command.

9 (b) CONTENTS OF REPORT.—The report required by  
10 subsection (a) shall include each of the following:

11 (1) A description of the mission of Army Fu-  
12 tures Command.

13 (2) A description of the authorities and respon-  
14 sibilities of the Commander of Army Futures Com-  
15 mand.

16 (3) A description of the relationship between  
17 such authorities and the authorities of the Army Ac-  
18 quisition Authority and a description of any changes  
19 to be made to the authorities and missions of other  
20 Army major commands.

21 (4) A detailed description of the structure for  
22 Army Futures Command, including grade require-  
23 ments.

24 (5) A detailed description of any resources or  
25 elements to be realigned from the Army Training

1 and Doctrine Command, Army Materiel Command,  
2 Army Force Command, or Army Test and Evalua-  
3 tion Command to Army Futures Command.

4 (6) An assessment of the number and location  
5 of members of the Armed Forces and Department of  
6 Defense civilian personnel expected to be assigned to  
7 Army Futures Command.

8 (7) A cost estimate for the establishment of  
9 Army Futures Command in fiscal year 2019 and  
10 projected costs for each of fiscal years 2020 through  
11 2023.

12 (8) A description of the headquarters stationing  
13 selection criteria and methodology

14 (9) Any other information relating to the com-  
15 mand, as determined by the Secretary.

16 **SEC. 1058. ASSESSMENT OF DEPARTMENT OF DEFENSE**  
17 **ELECTROMAGNETIC SPECTRUM WARFARE**  
18 **ENTERPRISE.**

19 (a) PLAN REQUIRED.—The Secretary of Defense, in  
20 consultation with the Chairman of the Joint Chiefs of  
21 Staff, shall develop a plan, and the estimated cost and  
22 schedule of implementing the plan, to conduct joint cam-  
23 paign modeling and wargaming for joint electromagnetic  
24 spectrum operations. Such plan shall include each of the  
25 following:

1           (1) The capabilities and capacity, and the asso-  
2           ciated governance and command and control archi-  
3           tecture design, required to effectively employ mili-  
4           tary forces designated to conduct multi-domain elec-  
5           tromagnetic spectrum operations of the Department  
6           of Defense.

7           (2) The fiscal and manpower resources required  
8           to carry out paragraph (1) and to inform the budget  
9           requests of the Department of Defense.

10          (3) The sufficiency of experimentation, testing,  
11          and training infrastructure, ranges, instrumentation,  
12          and threat simulators required to support the devel-  
13          opment of electromagnetic spectrum capabilities.

14          (4) The sufficiency and overall effectiveness of  
15          electromagnetic spectrum operations to inform joint  
16          adaptive planning activities.

17          (5) All level 3 and level 4 contingency plans (as  
18          such plans are described in Joint Publication 5-0 of  
19          the Joint Chiefs of Staff, entitled “Joint Planning”  
20          and dated June 16, 2017).

21          (b) REPORT.—

22               (1) IN GENERAL.—Not later than February 18,  
23               2019, the Secretary of Defense shall submit to the  
24               congressional defense committees a report on the  
25               plan developed under subsection (a).

1           (2) FORM OF REPORT.—The report required by  
2 paragraph (1) shall be submitted in unclassified  
3 form, but may include a classified annex.

4           (c) ANNUAL BRIEFINGS.—

5           (1) IN GENERAL.—Not later than February 5,  
6 2019, and annually thereafter for each of the next  
7 five subsequent years, the Secretary of Defense, in  
8 coordination with the Chairman of the Joint Chiefs  
9 of Staff, shall provide to the Committee on Armed  
10 Services of the House of Representatives a briefing  
11 on the joint electromagnetic spectrum operations of  
12 the Department of Defense. Such briefing shall in-  
13 clude each of the following:

14           (A) An update on the governance, organi-  
15 zational structure, and activities of the Elec-  
16 tronic Warfare Executive Committee of the De-  
17 partment of Defense, as established by memo-  
18 randum of the Deputy Secretary of Defense on  
19 March 17, 2015.

20           (B) An assessment of the progress in  
21 achieving the goals and objectives described  
22 in—

23           (i) the current strategy for the elec-  
24 tromagnetic spectrum warfare enterprise  
25 issued by the Executive Committee; and

1 (ii) Department of Defense Directive  
2 3222.04, dated May 10, 2017.

3 (C) An assessment of the current readi-  
4 ness, sufficiency, unity of effort, and mod-  
5 ernization of the joint military services with re-  
6 spect to joint electromagnetic spectrum capa-  
7 bilities and the ability of the joint military serv-  
8 ices to train and employ effectively in an elec-  
9 tromagnetic spectrum warfare operational envi-  
10 ronment for all level 3 and level 4 contingency  
11 plans (as such plans are described in Joint  
12 Publication 5-0 of the Joint Chiefs of Staff, en-  
13 titled “Joint Planning” and dated June 16,  
14 2017).

15 (D) The same information as is required to  
16 be submitted under section 1053(b) of the Na-  
17 tional Defense Authorization Act for Fiscal  
18 Year 2010 (Public Law 111-84; 123 Stat.  
19 2459).

20 (2) FORM OF BRIEFING.—Each briefing re-  
21 quired by paragraph (1) shall be unclassified, but  
22 may include a classified presentation.

23 (d) ONE-TIME BRIEFING.—

24 (1) IN GENERAL.—Not later than February 25,  
25 2019, the Secretary of Defense, in coordination with

1 the Chairman of the Joint Chiefs of Staff, shall pro-  
2 vide to the Committee on Armed Services of the  
3 House of Representatives a briefing on the joint  
4 electromagnetic spectrum operations of the Depart-  
5 ment of Defense. Such briefing shall include each of  
6 the following:

7 (A) An update on the progress of the De-  
8 partment in implementing the pilot program au-  
9 thorized by section 234 of the National Defense  
10 Authorization Act for Fiscal Year 2017 (Public  
11 Law 114-328; 10 U.S.C. 113 note).

12 (B) The progress of the Department in es-  
13 tablishing and operationalizing joint electro-  
14 magnetic spectrum operations cells at battle-  
15 management and command and control loca-  
16 tions of the combatant commanders and des-  
17 ignated joint task force commanders.

18 (C) The progress of the Department in es-  
19 tablishing a network to connect an electro-  
20 magnetic battle management system to multiple  
21 sensor and intelligence data feeds to implement  
22 electronic warfare battle management for  
23 networked electronic warfare and dynamic re-  
24 programming with automated near real-time ca-  
25 pabilities.



1           (D) The number of personnel assigned to  
2 joint electromagnetic spectrum operations mis-  
3 sion activities, to include officers, enlisted mem-  
4 bers, and civilian personnel, set forth separately  
5 by career field designator and rank for each  
6 military service, combatant command, and de-  
7 fense agency.

8           (E) A comparison of commissioned officer  
9 promotion rates among the personnel described  
10 in paragraph (d), by grade, compared to the av-  
11 erage promotion rates for commissioned offi-  
12 cers, by grade, in each military service, over the  
13 five most recent promotion cycles that have  
14 been completed since the end of fiscal year  
15 2018.

16           (F) An assessment of Department of De-  
17 fense governance, organizational alignment,  
18 human capital, and other applicable resources  
19 responsible for the development, management,  
20 and implementation of joint electromagnetic  
21 spectrum policy, doctrine, concepts, require-  
22 ments, capabilities, and operational activities.

23           (2) FORM OF BRIEFING.—The briefing required  
24 by paragraph (1) shall be unclassified, but may in-  
25 clude a classified presentation.

1 (e) DEFINITIONS.—In this section:

2 (1) The term “electromagnetic battle manage-  
3 ment” means the dynamic monitoring, assessing,  
4 planning, and directing of joint electromagnetic  
5 spectrum operations in support of a military com-  
6 mander’s scheme of maneuver.

7 (2) The term “joint electromagnetic spectrum  
8 operations” means those activities consisting of elec-  
9 tronic warfare and joint electromagnetic spectrum  
10 management operations used to exploit, attack, pro-  
11 tect, and manage the electromagnetic operational en-  
12 vironment to achieve a military commander’s objec-  
13 tives.

14 **SEC. 1059. REPORT ON SUPPORT FOR NON-CONTIGUOUS**  
15 **STATES AND TERRITORIES IN THE EVENT OF**  
16 **THREATS AND INCIDENTS.**

17 (a) REPORT REQUIRED.—Not later than February 1,  
18 2019, the Secretary of Defense shall submit to the Com-  
19 mittees on Armed Services of the Senate and House of  
20 Representatives a report on the preparedness of the De-  
21 partment of Defense in providing support to non-contig-  
22 uous States and territories in the aftermath of a natural  
23 or manmade incident that warrants the Department to as-  
24 sist the State and civil entities with the protection of life  
25 and to provide emergency work.

1 (b) CONTENTS OF REPORT.—For purposes of the re-  
2 port under subsection (a)—

3 (1) the support covered by the report may in-  
4 clude support provided under section 403(c) of the  
5 Robert T. Stafford Disaster Relief and Emergency  
6 Assistance Act (42 U.S.C. 5170b(c)); and

7 (2) the incidents covered by the report shall in-  
8 clude natural disasters, acts of terrorism, and indus-  
9 trial accidents.

10 (c) FORM OF REPORT.—The report required by sub-  
11 section (a) shall be submitted in unclassified form, but  
12 may contain a classified annex.

13 **SEC. 1060. REPORT ON LOW-BOOM FLIGHT DEMONSTRA-**  
14 **TION.**

15 Not later than 90 days after the date of the enact-  
16 ment of this Act, the Administrator of the National Aero-  
17 nautics and Space Administration shall submit to the  
18 Committee on Science, Space, and Technology of the  
19 House of Representatives a report describing the progress  
20 in development of the Low-Boom Flight Demonstration,  
21 including—

22 (1) the plans of the Administrator to coordinate  
23 with other executive agencies to ensure the avail-  
24 ability of developmental and operational testing in-

1        frastructure for low-boom flight demonstrations by  
2        2021; and

3            (2) the strategy of the Administration to ac-  
4        quire chase aircrafts to ensure the availability of  
5        such aircrafts for such demonstrations.

6        **SEC. 1061. REPORT ON CYBER-ENABLED INFORMATION OP-**  
7            **ERATIONS.**

8            Not later than 180 days after the date of the enact-  
9        ment of this Act, the President shall transmit to the Com-  
10       mittees on Armed Services and Foreign Affairs of the  
11       House of Representative and the Committees on Armed  
12       Services and Foreign Relations of the Senate a report on  
13       the effects of cyber-enabled information operations on the  
14       national security of the United States. Such report shall  
15       include each of the following:

16            (1) A summary of actions taken by the Federal  
17        Government to protect the national security of the  
18        United States against cyber-enabled information op-  
19        erations.

20            (2) A description of the resources necessary to  
21        protect the national security of the United States  
22        against cyber-enabled information operations by for-  
23        eign adversaries.

1 **SEC. 1062. BRIEFING ON UNMANNED AIRCRAFT IN ARLING-**  
2 **TON NATIONAL CEMETERY.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that the Administrator of the Federal Aviation Ad-  
5 ministration and the Secretary of Defense should coordi-  
6 nate to—

7 (1) prevent the flight of unmanned aircraft over  
8 Arlington National Cemetery, to the maximum  
9 amount practical, in order to preserve the sacred at-  
10 mosphere of the cemetery as a national shrine; and

11 (2) restrict all flights of unmanned aircraft over  
12 Arlington National Cemetery during the execution of  
13 funeral services, except in emergency situations, the  
14 execution of national security operations, and un-  
15 manned aircraft flown at the request of the family  
16 participating in funeral services.

17 (b) BRIEFING.—Not later than 60 days after the date  
18 of the enactment of this Act, the Secretary of Defense and  
19 the Administrator of the Federal Aviation Administration  
20 shall jointly provide to the Committees on Armed Services,  
21 Transportation and Infrastructure, and Veterans' Affairs  
22 of the House of Representatives and the Committees on  
23 Armed Services, Commerce, Science, and Transportation,  
24 and Veterans' Affairs of the Senate a briefing on whether  
25 legislative action is required to prevent low flying un-

1 manned aircraft from disrupting funerals at Arlington Na-  
2 tional Cemetery.

3 (c) UNMANNED AIRCRAFT DEFINED.—In this sec-  
4 tion, the term “unmanned aircraft” has the meaning given  
5 such term in section 331 of the FAA Modernization and  
6 Reform Act of 2012 (Public Law 112–95).

7 **SEC. 1063. REPORT ON AN UPDATED ARCTIC STRATEGY.**

8 (a) REPORT ON AN UPDATED STRATEGY.—Not later  
9 than June 1, 2019, the Secretary of Defense, in consulta-  
10 tion with the Secretary of the Department in which the  
11 Coast Guard is operating with respect to Coast Guard op-  
12 erations and navigation issues, shall submit to the con-  
13 gressional defense committees a report on an updated Arc-  
14 tic Strategy to improve and enhance joint operations. The  
15 report shall also include an assessment of Russia’s aggres-  
16 sive buildup of military assets and infrastructure in the  
17 Arctic, as well as China’s efforts to influence Arctic policy.

18 (b) ELEMENTS.—The report required by subsection  
19 (a) shall include the following:

20 (1) A description of a joint Arctic strategy for  
21 sea operations, including all military and Coast  
22 Guard vessels available for Arctic operations.

23 (2) A description of a joint Arctic strategy for  
24 air operations, which will include all rotor and fixed

1 wing military aircraft platforms available for Arctic  
2 operations.

3 (3) A description of a joint Arctic strategy for  
4 ground operations, which will include all military  
5 ground forces available for Arctic operations.

6 (4) An assessment of Russia's continued ag-  
7 gressive buildup of military assets and infrastructure  
8 in the Arctic.

9 (5) An assessment of China's efforts to influ-  
10 ence global Arctic policy.

11 **SEC. 1064. REPORT ON DESALINIZATION TECHNOLOGY.**

12 Not later than 180 days after the date of the enact-  
13 ment of this Act, the Secretary of the Navy shall submit  
14 to the congressional defense committees a report on desa-  
15 linization technology's application for defense and national  
16 security purposes to provide drought relief to areas im-  
17 pacted by sharp declines in water resources.

18 **SEC. 1065. REPORT ON IMPLEMENTATION OF REC-**  
19 **COMMENDATIONS IN DEFENSE BUSINESS**  
20 **BOARD STUDY.**

21 (a) REPORT REQUIRED.—Not later than 180 days  
22 after the date of the enactment of this Act, the Secretary  
23 of Defense shall submit to the congressional defense com-  
24 mittees a report on the efforts of the Secretary to imple-  
25 ment the recommendations set forth in the study con-

1 ducted by the Defense Business Board titled “Trans-  
2 forming Department of Defense’s Core Business Processes  
3 for Revolutionary Change”.

4 (b) ELEMENTS.—The report required under sub-  
5 section (a) shall include—

6 (1) a description of the actions carried out by  
7 the Secretary of Defense to implement the rec-  
8 ommendations set forth in the study described in  
9 subsection (a);

10 (2) identification of the specific recommenda-  
11 tions, if any, that have been implemented by the  
12 Secretary;

13 (3) the amount of any cost savings achieved as  
14 a result of implementing such recommendations;

15 (4) identification of any recommendations that  
16 have not been implemented; and

17 (5) alternative recommendations to transform  
18 core business processes that would help the Depart-  
19 ment of Defense to achieve cost savings.

## 20 **Subtitle G—Other Matters**

### 21 **SEC. 1071. TECHNICAL, CONFORMING, AND CLERICAL** 22 **AMENDMENTS.**

23 (a) TITLE 10, UNITED STATES CODE.—Title 10,  
24 United States Code, is amended as follows:



1           (1) Sections 130j and 130k, as added by sec-  
2           tion 1631 of the National Defense Authorization Act  
3           for Fiscal Year 2018 (Public Law 115–91; 131 Stat.  
4           1736), are amended by striking “section 3093 of  
5           title 50, United States Code” both places it appears  
6           and inserting “section 503 of the National Security  
7           Act of 1947 (50 U.S.C. 3093)”.

8           (2) The table of sections at the beginning of  
9           chapter 3 is amended by striking the items relating  
10          to sections 130j and 130k and inserting the fol-  
11          lowing new items:

“130j. Notification requirements for sensitive military cyber operations.  
“130k. Notification requirements for cyber weapons.”.

12          (3) Section 131(b)(9), as amended by section  
13          811, is further amended—

14                 (A) by striking subparagraphs (B), (C),  
15                 and (D); and

16                 (B) by redesignating subparagraphs (E),  
17                 (F), (G), and (H), as subparagraphs (B), (C),  
18                 (D), and (E), respectively.

19          (4) The table of sections at the beginning of  
20          chapter 4 is amended by striking the item relating  
21          to section 261 and inserting the following:

“241. Reference to chapters 1003, 1005, and 1007.”.

22          (5) Section 494(b)(2) is amended in the matter  
23          preceding subparagraph (A) by striking “March 1,

1 2012, and annually thereafter” and inserting  
2 “March 1 of each year”.

3 (6) Section 495(a) is amended by striking “Be-  
4 ginning in fiscal year 2013, the” and inserting  
5 “The”.

6 (7) Section 499a(d), as added by section  
7 1652(a) of the National Defense Authorization Act  
8 for Fiscal Year 2018 (Public Law 115–91; 131 Stat.  
9 1757), is amended by striking “on or after the date  
10 of the enactment of this section” and inserting  
11 “after December 11, 2017,”.

12 (8) Section 637a(d) is amended by striking  
13 “specialities” and inserting “specialties”.

14 (9) Section 664(d)(1) is amended by striking  
15 “the the” and inserting “the”.

16 (10) The table of subchapters at the beginning  
17 of chapter 47A is amended by striking the item re-  
18 lating to subchapter VII and inserting the following:

“VII. POST-TRIAL PROCEDURE AND REVIEW OF MILITARY COMMISSIONS”.

19 (11) The table of sections at the beginning of  
20 subchapter VII of chapter 47A is amended by strik-  
21 ing the item relating to section 950g and inserting  
22 the following:

“950g. Review by United States Court of Appeals for the District of Columbia  
Circuit; writ of certiorari to Supreme Court.”.

23 (12) Section 950t is amended—

1 (A) in paragraph (9), by striking “attack.  
2 or” and inserting “attack, or”;

3 (B) in paragraph (16), by striking “shall  
4 punished” and inserting “shall be punished”;  
5 and

6 (C) in paragraph (22), by adding a period  
7 at the end.

8 (13) The table of sections at the beginning of  
9 chapter 55 is amended by striking the item relating  
10 to section 1077a and inserting the following:

“1077a. Access to military medical treatment facilities and other facilities.”.

11 (14) Section 1415(e) is amended by striking  
12 “concerned”.

13 (15) Section 2006a(b)(3) is amended by strik-  
14 ing “the such programs” and inserting “such pro-  
15 grams”.

16 (16) Section 2279(c) is amended by striking  
17 “subsection (a) and (b)” and inserting “subsections  
18 (a) and (b)”.

19 (17) Section 2279e, as added by section  
20 1601(a)(1) of the National Defense Authorization  
21 Act for Fiscal Year 2018 (Public Law 115–91; 131  
22 Stat. 1718), is amended—

23 (A) in subsection (a)(3), by striking “ the  
24 date of the enactment of this Act” and insert-  
25 ing “December 12, 2017”; and

1 (B) in subsection (b)—

2 (i) in the matter preceding paragraph  
3 (1), by striking “ the date of the enact-  
4 ment of this section” and inserting “De-  
5 cember 12, 2017”; and

6 (ii) in paragraph (3), by striking “on  
7 or after the date that is one year after the  
8 date of the enactment of this section” and  
9 inserting “after December 11, 2018”.

10 (18)(A) The second section 2279c, as added by  
11 section 1602 of the National Defense Authorization  
12 Act for Fiscal Year 2018 (Public Law 115–91; 131  
13 Stat. 1721), is redesignated as section 2279d.

14 (B) The table of sections at the beginning of  
15 chapter 135 is amended by inserting after the item  
16 relating to section 2279c the following new item:

“2279d. Limitation on construction on United States territory of satellite posi-  
tioning ground monitoring stations of certain foreign govern-  
ments.”.

17 (19) Section 2313b(b)(1)(E), as added by sec-  
18 tion 803(a) of the National Defense Authorization  
19 Act for Fiscal Year 2018 (Public Law 115–91; 131  
20 Stat. 1452), is amended by redesignating clauses  
21 (A) and (B) as clauses (i) and (ii), respectively.

22 (20) Section 2324(e)(1) is amended by redesign-  
23 nating the second subparagraph (P) and subpara-

1 graph (Q) as subparagraphs (Q) and (R), respec-  
2 tively.

3 (21) Section 2337a(d), as added by section  
4 836(a)(1) of the National Defense Authorization Act  
5 for Fiscal Year 2018 (Public Law 115–91; 131 Stat.  
6 1473), is amended by striking “title 10, United  
7 States Code” and inserting “this title”.

8 (22) Section 2374a(e) is amended by striking  
9 “,” and inserting “,”.

10 (23) The table of sections at the beginning of  
11 chapter 141 is amended by striking the item relating  
12 to section 2410s and inserting the following new  
13 item:

“2410s. Security clearances for facilities of certain companies.”.

14 (24) The heading of section 2410s is amended  
15 by striking the period at the end.

16 (25)(A) The heading of section 2414, as  
17 amended by section 817(1) of the National Defense  
18 Authorization Act for Fiscal Year 2018 (Public Law  
19 115–91; 131 Stat. 1462), is amended to read as fol-  
20 lows:

21 **“§ 2414. Funding”.**

22 (B) The item relating to such section in  
23 the table of sections at the beginning of chapter  
24 142 is amended to read as follows:

“2414. Funding.”.

1 (26) Section 2613(g) is amended by striking  
2 “(1)”.

3 (27) Section 2679(a)(1) is amended by striking  
4 “Federal government” and inserting “Federal Gov-  
5 ernment”.

6 (28) The heading of section 2691, as amended  
7 by section 2814(b)(1) of the National Defense Au-  
8 thorization Act for Fiscal Year 2018 (Public Law  
9 115–91), is amended to read as follows:

10 **“§ 2691. Restoration of land used by permit or dam-**  
11 **aged by mishap; reimbursement of state**  
12 **costs of fighting wildland fires”.**

13 (29) Section 2879(a)(2)(A), as added by section  
14 2817(a)(1) of the National Defense Authorization  
15 Act for Fiscal Year 2018 (Public Law 115–91), is  
16 amended by striking “on or after the date of the en-  
17 actment of this section” and inserting “after Decem-  
18 ber 11, 2017,”.

19 (30) The heading of section 2914 is amended to  
20 read as follows:

21 **“§ 2914. Energy resilience and conservation construc-**  
22 **tion projects”.**

23 (31) Section 10504 is amended—

24 (A) in subsection (a), by striking “The  
25 Chief” and inserting “(1) The Chief”; and

1 (B) by redesignating the second subsection  
2 (b) as subsection (c).

3 (b) TITLE 32, UNITED STATES CODE.—Title 32,  
4 United States Code, is amended in section 902, by striking  
5 “the Secretary, determines” and inserting “the Secretary  
6 determines”.

7 (c) NDAA FOR FISCAL YEAR 2018.—Effective as of  
8 December 12, 2017, and as if included therein as enacted,  
9 the National Defense Authorization Act for Fiscal Year  
10 2018 (Public Law 115–91; 131 Stat. \_\_\_\_ et seq.) is  
11 amended as follows:

12 (1) Section 834(a)(2) (131 Stat. 1470) is  
13 amended by striking “subchapter I of”.

14 (2) Section 913(b) is amended by striking the  
15 dash after the colon in the matter preceding para-  
16 graph (1).

17 (3) Section 1051(d) is amended by inserting  
18 “National” before “Defense Authorization Act”.

19 (4) Section 1691(i) is amended—

20 (A) by inserting “the” after “Title XIV  
21 of”; and

22 (B) by inserting “as enacted into law by”  
23 before “Public Law 106–398”.

1           (5) Section 2817(a)(2) is amended by striking  
2           “table of sections for” and inserting “table of sec-  
3           tions at the beginning of subchapter IV of”.

4           (6) Section 2831(b) is amended by inserting “of  
5           title 10, United States Code,” after “chapter 173”.

6           (7) Section 2876(d) is amended—

7                 (A) by inserting “In this section:” after  
8                 “DEFINITIONS.—”; and

9                 (B) in paragraph (1)(A), in the matter  
10                preceding clause (i), by inserting open quotation  
11                marks before “beneficial” and close quotation  
12                marks after “owner”.

13          (e) OTHER NDAAS.—

14               (1) FY2016.—Section 828(c) of the National  
15                Defense Authorization Act for Fiscal Year 2016  
16                (Public Law 114–92; 10 U.S.C. 2430 note), as  
17                added by section 825(a)(4) of the National Defense  
18                Authorization Act for Fiscal Year 2018 (Public Law  
19                115–91; 131 Stat. 1466), is amended by inserting  
20                “subsection” before “(b)”.

21               (2) FY2001.—Section 821(e) of the Floyd D.  
22                Spence National Defense Authorization Act for Fis-  
23                cal Year 2001 (as enacted into law by Public Law  
24                106–398; 10 U.S.C. 2302 note) is amended by strik-  
25                ing paragraph (2).



1 (f) OTHER LAWS.—

2 (1) TITLE 31.—Paragraph (1) of section  
3 5112(p) of title 31, United States Code, as amended  
4 by section 885 of the National Defense Authoriza-  
5 tion Act for Fiscal Year 2018 (Public Law 115–91;  
6 131 Stat. 1505), is amended by striking “, United  
7 States Code” each place it appears.

8 (2) TITLE 49.—Subsection (h) of section 44718  
9 of title 49, United States Code, as amended and re-  
10 designated by sections 311(b)(3) and 311(e)(1) of  
11 the National Defense Authorization Act for Fiscal  
12 Year 2018 (Public Law 115–91), is amended—

13 (A) in paragraph (1), by striking “section  
14 183a(g) of title 10” and inserting “section  
15 183a(h)(1) of title 10”; and

16 (B) in paragraph (2), by striking “section  
17 183a(g) of title 10” and inserting “section  
18 183a(h)(7) of title 10”.

19 (3) ATOMIC ENERGY DEFENSE ACT.—Section  
20 4309(c) of the Atomic Energy Defense Act (50  
21 U.S.C. 2575(c)) is amended by redesignating para-  
22 graphs (17) and (18) as paragraphs (16) and (17),  
23 respectively.

1 (g) CONFORMING AMENDMENTS RELATING TO THE  
2 CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF  
3 DEFENSE.—

4 (1) CONFORMING AMENDMENTS.—

5 (A) Each of the following provisions law is  
6 amended by striking “Deputy Chief Manage-  
7 ment Officer” each place it appears and insert-  
8 ing “Chief Management Officer”:

9 (i) Section 192(e)(2) of title 10,  
10 United States Code.

11 (ii) Section 2222 of title 10, United  
12 States Code.

13 (iii) Section 11319(d)(4) of title 40,  
14 United States Code.

15 (iv) Section 881(a) of the National  
16 Defense Authorization Act for Fiscal Year  
17 2016 (Public Law 114–92; 10 U.S.C. 2302  
18 note).

19 (v) Section 217 of the National De-  
20 fense Authorization Act for Fiscal Year  
21 2016 (Public Law 114–92; 10 U.S.C.  
22 2445a note).

23 (B) Section 131(b) of title 10, United  
24 States Code, as amended by subsection (a)(3)  
25 of this section, is further amended—

- 1 (i) by striking paragraph (4); and  
2 (ii) by redesignating paragraphs (5)  
3 through (10) as paragraphs (4) through  
4 (9), respectively.

5 (C) Section 137a(d) of title 10, United  
6 States Code, is amended—

- 7 (i) by striking “the Secretaries of the  
8 military departments,” and inserting “the  
9 Chief Management Officer of the Depart-  
10 ment of Defense, the Secretaries of the  
11 military departments, and”; and

- 12 (ii) by striking “, and the Deputy  
13 Chief Management Officer of the Depart-  
14 ment of Defense”.

15 (D) Section 138(d) of title 10, United  
16 States Code, is amended—

- 17 (i) by inserting “the Chief Manage-  
18 ment Officer of the Department of De-  
19 fense,” after “the Deputy Secretary of De-  
20 fense,”; and

- 21 (ii) by striking “ the Deputy Chief  
22 Management Officer of the Department of  
23 Defense,”.

24 (E) Section 904(b)(4) the National De-  
25 fense Authorization Act for Fiscal Year 2008

1 (Public Law 110–181; 10 U.S.C. 132 note.) is  
2 amended—

3 (i) by striking “and Deputy Chief  
4 Management Officer” and

5 (ii) by striking “as is necessary to as-  
6 sist those officials in the performance of  
7 their duties” and inserting “as is necessary  
8 to assist the Chief Management Officer in  
9 the performance of the duties assigned to  
10 such official”.

11 (F) Section 5314 of title 5, United States  
12 Code, is amended by striking “Deputy Chief  
13 Management Officer of the Department of De-  
14 fense.”.

15 (2) REFERENCES.—

16 (A) IN LAW OR REGULATION.—Any ref-  
17 erence in a law (other than this Act) or regula-  
18 tion in effect on the day before the date of the  
19 enactment of this Act to the Deputy Chief Man-  
20 agement Officer of the Department of Defense  
21 is deemed to be a reference to the Chief Man-  
22 agement Officer of the Department of Defense.

23 (B) IN OTHER DOCUMENTS, PAPERS, OR  
24 RECORDS.—Any reference in a document,  
25 paper, or other record of the United States pre-

1           pared before the date of the enactment of this  
2           Act to the Deputy Chief Management Officer of  
3           the Department of Defense is deemed to be a  
4           reference to the Chief Management Officer of  
5           the Department of Defense.

6           (h) COORDINATION WITH OTHER AMENDMENTS  
7           MADE BY THIS ACT.—For purposes of applying amend-  
8           ments made by provisions of this Act other than this sec-  
9           tion, the amendments made by this section shall be treated  
10          as having been enacted immediately before any such  
11          amendments by other provisions of this Act.

12       **SEC. 1072. PRINCIPAL ADVISOR ON COUNTERING WEAPONS**  
13                               **OF MASS DESTRUCTION.**

14           (a) IN GENERAL.—

15               (1) DESIGNATION OF PRINCIPAL ADVISOR.—

16           Chapter 4 of title 10, United States Code, is amend-  
17           ed by adding at the end the following new section:

18       **“§ 145. Principal Advisor on Countering Weapons of**  
19                               **Mass Destruction**

20           “(a) DESIGNATION.—The Secretary of Defense shall  
21           designate, from among the personnel of the Office of the  
22           Secretary of Defense, a Principal Advisor on Countering  
23           Weapons of Mass Destruction. Such Principal Advisor  
24           shall act as the principal advisor to the Secretary on the  
25           activities of the Department of Defense relating to coun-

1 tering weapons of mass destruction. The individual des-  
2 igned to serve as such Principal Advisor shall be an indi-  
3 vidual who was appointed to the position held by the indi-  
4 vidual by and with the advice and consent of the Senate.

5 “(b) RESPONSIBILITIES.—The Principal Advisor des-  
6 igned under subsection (a) shall carry out the following  
7 responsibilities:

8 “(1) Supervising the activities of the Depart-  
9 ment of Defense relating to countering weapons of  
10 mass destruction, including the oversight of policy  
11 and operational considerations, resources, personnel,  
12 acquisition, and technology.

13 “(2) Carrying out such other responsibilities re-  
14 lating to countering weapons of mass destruction as  
15 the Secretary shall specify.”.

16 (2) CLERICAL AMENDMENT.—The table of sec-  
17 tions at the beginning of such chapter is amended  
18 by adding at the end the following new item:

“145. Principal Advisor on Countering Weapons of Mass Destruction.”.

19 (b) OVERSIGHT PLAN.—Not later than 180 days  
20 after the date of the enactment of this Act, the Secretary  
21 of Defense shall submit to the congressional defense com-  
22 mittees a plan to streamline the oversight framework of  
23 the Office of the Secretary of Defense, including any effi-  
24 ciencies and the potential to reduce, realign, or otherwise  
25 restructure current Assistant Secretary and Deputy As-

1 sistant Secretary positions with responsibilities for over-  
2 seeing countering weapons of mass destruction policy, pro-  
3 grams, and activities.

4 **SEC. 1073. RECEIPT OF FIREARM OR AMMUNITION.**

5 (a) RECEIPT OF FIREARM OR AMMUNITION BY  
6 SPOUSE OF MEMBER OF THE ARMED FORCES AT A DUTY  
7 STATION OF THE MEMBER OUTSIDE THE UNITED  
8 STATES.—Section 925(a)(3) of title 18, United States  
9 Code, is amended—

10 (1) by inserting “, or to the spouse of such a  
11 member,” before “or to”;

12 (2) by striking “members,” and inserting  
13 “members and spouses,”;

14 (3) by striking “members or” and inserting  
15 “members, spouses, or”; and

16 (4) by striking “member or” and inserting  
17 “member, spouse, or”.

18 (b) RESIDENCY OF SPOUSES OF MEMBERS OF THE  
19 ARMED FORCES TO BE DETERMINED ON THE SAME  
20 BASIS AS THE RESIDENCY OF SUCH MEMBERS FOR PUR-  
21 POSES OF FEDERAL FIREARMS LAWS.—Section 921(b) of  
22 title 18, United States Code, is amended to read as fol-  
23 lows:

1       “(b) For purposes of this chapter, a member of the  
2 Armed Forces on active duty, or a spouse of such a mem-  
3 ber, is a resident of—

4               “(1) the State in which the member or spouse  
5 maintains legal residence;

6               “(2) the State in which the permanent duty  
7 station of the member is located; and

8               “(3) the State in which the member maintains  
9 a place of abode from which the member commutes  
10 each day to the permanent duty station of the mem-  
11 ber.”.

12       (c) EFFECTIVE DATE.—The amendments made by  
13 this section shall apply to conduct engaged in after the  
14 6-month period that begins on the date of the enactment  
15 of this Act.

16 **SEC. 1074. FEDERAL CHARTER FOR SPIRIT OF AMERICA.**

17       (a) FEDERAL CHARTER.—Part B of subtitle II of  
18 title 36, United States Code, is amended by inserting after  
19 chapter 2003 the following new chapter:

20       **“CHAPTER 2005—SPIRIT OF AMERICA**

“Sec.

“200501. Organization.

“200502. Purposes.

“200503. Governing body.

“200504. Powers.

“200505. Restrictions.

“200506. Records and inspection.

“200507. Duty to maintain tax-exempt status.

“200508. Quarterly report.



1 **“§ 200501. Organization**

2 “(a) FEDERAL CHARTER.—Spirit of America (in this  
3 chapter ‘the corporation’), a nonprofit corporation, is a  
4 federally chartered corporation.

5 “(b) EXPIRATION OF CHARTER.—If the corporation  
6 does not comply with the provisions of this chapter, the  
7 charter granted by this chapter expires.

8 “(c) SCOPE OF CHARTER.—Nothing in the charter  
9 granted by this chapter shall be construed as conferring  
10 special rights or privileges upon the corporation, or as  
11 placing upon the Department of Defense any obligation  
12 with respect to the corporation.

13 **“§ 200502. Purposes**

14 “The purposes of the corporation are as provided in  
15 its constitution and bylaws and include the following:

16 “(1) To respond to the needs of local popu-  
17 lations abroad, as identified by members of the  
18 Armed Forces and diplomats of the United States  
19 abroad.

20 “(2) To connect the people of the United States  
21 more closely to the members of the Armed Forces  
22 and diplomats of the United States abroad, and to  
23 the missions carried out by such personnel abroad.

24 “(3) To demonstrate the goodwill of the people  
25 of the United States to peoples around the world.

1 **“§ 200503. Governing body**

2 “(a) BOARD OF DIRECTORS.—

3 “(1) The board of directors is the governing  
4 body of the corporation. The powers, duties, and re-  
5 sponsibilities of the board are as provided in the  
6 constitution and bylaws of the corporation.

7 “(2) The number of directors is as provided in  
8 the constitution of the corporation. Their manner of  
9 selection (including the filling of vacancies) and their  
10 term of office are as provided in the constitution and  
11 bylaws.

12 “(b) OFFICERS.—(1) The officers of the corporation  
13 are a chairman of the board of directors, a president, one  
14 or more vice presidents as provided in the constitution and  
15 bylaws, a secretary, a treasurer, and one or more assistant  
16 secretaries and assistant treasurers as provided in the con-  
17 stitution and bylaws.

18 “(2) The manner of election, term of office, and du-  
19 ties of the officers are as provided in the constitution and  
20 bylaws.

21 **“§ 200504. Powers**

22 “The corporation may—

23 “(1) adopt and amend a constitution, by-laws,  
24 and regulations to carry out the purposes of the cor-  
25 poration;

26 “(2) adopt and alter a corporate seal;

1           “(3) establish and maintain offices to conduct  
2 its activities;

3           “(4) enter into contracts;

4           “(5) acquire, own, lease, encumber, and trans-  
5 fer property as necessary and appropriate to carry  
6 out the purposes of the corporation;

7           “(6) establish, regulate, and discontinue subor-  
8 dinate State and territorial subdivisions and local  
9 chapters or posts;

10           “(7) publish a magazine and other publications  
11 (including through the Internet);

12           “(8) sue and be sued;

13           “(9) do any other act necessary and proper to  
14 carry out the purposes of the corporation as pro-  
15 vided in its constitution, by-laws, and regulations;  
16 and

17           “(10) to do any other act necessary and proper  
18 to carry out the purposes stated in section 200502  
19 of this title.

20 **“§ 200505. Restrictions**

21           “(a) PROFIT.—The corporation may not engage in  
22 business activity for profit unless the activity is substan-  
23 tially related to—

24           “(1) the purposes stated in 200502 of this title;

25           or

1           “(2) raising funds to accomplish those pur-  
2           poses.

3           “(b) STOCK AND DIVIDENDS.—The corporation may  
4           not issue stock or declare or pay a dividend.

5           “(c) POLITICAL ACTIVITIES.—The corporation shall  
6           be nonpolitical and may not provide financial aid or assist-  
7           ance to, or otherwise promote the candidacy of, an indi-  
8           vidual seeking elective public office. A substantial part of  
9           the activities of the corporation may not involve carrying  
10          on propaganda or otherwise attempting to influence legis-  
11          lation.

12          “(d) DISTRIBUTION OF INCOME OR ASSETS.—The  
13          income or assets of the corporation may not inure to the  
14          benefit of a governor, officer, member, or employee or be  
15          distributed to any person during the life of the corporation  
16          or on its dissolution or final liquidation. This subsection  
17          does not prevent the payment of reasonable compensation  
18          to an officer, employee, or other person or reimbursement  
19          for actual necessary expenses in amounts approved by the  
20          board of directors.

21          “(e) LOANS.—The corporation may not make a loan  
22          to a governor, officer, member or employee.

23          “(f) NO CLAIM OF GOVERNMENTAL APPROVAL OR  
24          AUTHORITY.—The corporation may not claim approval of

1 Congress, of the authority of the United States, for any  
2 activity of the corporation.

3 **“§ 200506. Records and inspection**

4 “(a) RECORDS.—The corporation shall keep—

5 “(1) correct and complete records of account;

6 “(2) minutes of the proceedings of its members,  
7 board of governors, and committees having any of  
8 the authority of the corporation; and

9 “(3) at its principal office, a record of the  
10 names and addresses of its members entitled to vote.

11 “(b) INSPECTION.—A member, or an agent or attor-  
12 ney of a member, may inspect the records of the corpora-  
13 tion for any proper purpose, at any reasonable time.

14 **“§ 200507. Duty to maintain tax-exempt status**

15 “If the corporation fails to maintain its status as an  
16 organization exempt from taxation under the Internal  
17 Revenue Code of 1986, the charter granted under this  
18 chapter shall terminate.

19 **“§ 200508. Quarterly report**

20 “The corporation shall submit a quarterly report to  
21 Congress on the activities of the corporation during the  
22 prior fiscal year quarter. The report shall be submitted  
23 at the same time as the report of the audit required by  
24 section 10101 of this title.”.

1 (b) DISTRIBUTION OF CORPORATION ASSISTANCE  
2 ABROAD THROUGH DEPARTMENT OF DEFENSE.—

3 (1) ACCEPTANCE AND COORDINATION OF AS-  
4 SISTANCE.—The Secretary of Defense may, subject  
5 to the availability of appropriations for such pur-  
6 pose, and in accordance with guidance reviewed or  
7 issued under section 1088 of the National Defense  
8 Authorization Act for Fiscal Year 2018 (Public Law  
9 115–91) and guidance issued by the Secretary devel-  
10 oped with the concurrence of the Secretary of State  
11 and the Administrator of the United States Agency  
12 for International Development—

13 (A) accept from Spirit of America, a feder-  
14 ally-chartered corporation under chapter 2005 of  
15 title 36, United States Code (as added by sub-  
16 section (a) of this section), humanitarian, eco-  
17 nomic, and other nonlethal assistance funded by  
18 private funds in the carrying out of the pur-  
19 poses of the corporation; and

20 (B) respond to requests from the corpora-  
21 tion for the identification of the needs of local  
22 populations abroad for assistance, and coordi-  
23 nate with the corporation in the provision and  
24 distribution of such assistance, in the carrying  
25 out of such purposes.

1           (2) DISTRIBUTION OF ASSISTANCE TO LOCAL  
2 POPULATIONS.—In accordance with guidance issued  
3 by the Secretary of Defense developed with the con-  
4 currence of the Secretary of State and the Adminis-  
5 trator of the United States Agency for International  
6 Development, members of the Armed Forces abroad  
7 may provide to local populations abroad humani-  
8 tarian, economic, and other nonlethal assistance pro-  
9 vided to the Department by the corporation pursu-  
10 ant to this subsection.

11           (3) SCOPE OF GUIDANCE.—The guidance issued  
12 pursuant to this subsection shall ensure that any as-  
13 sistance distributed pursuant to this subsection shall  
14 be for purposes of supporting the mission or mis-  
15 sions of the Department of Defense and the Armed  
16 Forces for which such assistance is provided by the  
17 corporation.

18           (4) DEPARTMENT OF DEFENSE SUPPORT FOR  
19 CORPORATION ACTIVITIES.—In accordance with  
20 guidance issued by the Secretary of Defense, the De-  
21 partment of Defense and the Armed Forces may,  
22 subject to the availability of appropriations for such  
23 purpose—

24                   (A) provide transportation, lodging, stor-  
25 age, and other logistical support—

1 (i) to personnel of the corporation  
 2 (whether in the United States or abroad)  
 3 who are carrying out the purposes of the  
 4 corporation; and

5 (ii) in connection with the acceptance  
 6 and distribution of assistance provided by  
 7 the corporation; and

8 (B) use assets of the Department and the  
 9 Armed Forces in the provision of support de-  
 10 scribed in subparagraph (A).

11 (c) TABLES OF CHAPTERS.—The table of chapters at  
 12 the beginning of title 36, United States Code, and at the  
 13 beginning of subtitle II of such title, are each amended  
 14 by inserting after the item relating to chapter 2003 the  
 15 following new item:

“2005. Spirit of America .....200501”.

16 **SEC. 1075. TRANSFER OF AIRCRAFT TO OTHER DEPART-**  
 17 **MENTS.**

18 Section 1098 of the National Defense Authorization  
 19 Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat.  
 20 881) is amended—

21 (1) by striking subsections (a) and (f);

22 (2) by redesignating subsections (b) through (e)  
 23 as subsections (a) through (d), respectively;

24 (3) by redesignating subsections (g) and (h) as  
 25 subsections (e) and (f);



1 (4) in subsection (a)(1), as so redesignated, by  
2 striking “and subject to the certification requirement  
3 under subsection (f),”; and

4 (5) in subsection (d), as so redesignated—

5 (A) by striking “Promptly following the  
6 completion of the certification requirement  
7 under subsection (f) and notwithstanding” and  
8 inserting “Notwithstanding”; and

9 (B) by striking “shall begin transfer, with-  
10 out reimbursement, of—” and inserting “shall  
11 transfer, without reimbursement—”.

12 **SEC. 1076. REAUTHORIZATION OF NATIONAL AVIATION**  
13 **HERITAGE AREA.**

14 (a) FINDINGS.—Congress finds as follows:

15 (1) The National Aviation Heritage Area, as it  
16 is currently defined, contains the National Museum  
17 of the United States Air Force and the Huffman  
18 Prairie Flying Field located within the grounds of  
19 Wright-Patterson Air Force Base.

20 (2) The National Aviation Heritage Area con-  
21 tinues to preserve the historical legacy of the Wright  
22 brothers and the birth of aviation, therefore, the Na-  
23 tional Park Service should designate the National  
24 Aviation Heritage Area as a longstanding heritage  
25 area.

1 (b) REAUTHORIZATION.—The National Aviation Her-  
2 itage Area Act (title V of division J of the Consolidated  
3 Appropriations Act, 2005; Public Law 108–447) is  
4 amended—

5 (1) by striking “The Aviation Heritage Founda-  
6 tion, Incorporated,” “the Aviation Heritage Foun-  
7 dation, Incorporated (a nonprofit corporation estab-  
8 lished under the laws of the State of Ohio)”, “the  
9 Aviation Heritage Foundation”, “the Aviation Herit-  
10 age Foundation, Incorporated” and “the Founda-  
11 tion” each place they appear and inserting “Dayton  
12 History”;

13 (2) in section 503, by amending paragraph (1)  
14 to read as follows:

15 “(1) DAYTON HISTORY.—The term ‘Dayton  
16 History’ means Dayton History, an organization in-  
17 corporated in Ohio and described in section  
18 501(c)(3) of the Internal Revenue Code of 1986 and  
19 exempt from tax under section 501(a) of such  
20 Code.”;

21 (3) in section 505, by adding at the end the fol-  
22 lowing new subsection:

23 “(d) ACCEPTANCE OF FUNDS AND SERVICES.—The  
24 management entity may accept funds and services from

1 any Federal or non-Federal source for the purposes of im-  
2 plementing the Management Plan.”; and

3 (4) in section 512, by striking “the date that is  
4 15 years after the date that funds are first made  
5 available for this title” and inserting “September 30,  
6 2025”.

7 (c) MANAGEMENT PLAN.—Dayton History (as such  
8 term is defined in section 503(1) of the National Aviation  
9 Heritage Area Act (title V of division J of the Consoli-  
10 dated Appropriations Act, 2005; Public Law 108–447))  
11 may manage the National Aviation Heritage Area under  
12 the management plan in effect for that heritage area as  
13 of the date of the enactment of this Act.

14 **SEC. 1077. RECOGNITION OF AMERICA’S VETERANS.**

15 (a) AUTHORIZATION OF SUPPORT.—In order to  
16 honor American veterans, including American veterans of  
17 past wars that the Secretary of Defense determines have  
18 not received appropriate recognition, the Secretary may  
19 provide such support as the Secretary determines is appro-  
20 priate for a parade to be carried out in the District of  
21 Columbia. In providing support under this subsection, the  
22 Secretary may expend funds for the display of small arms  
23 and munitions appropriate for customary ceremonial hon-  
24 ors and for the participation of military units that perform  
25 customary ceremonial duties.

1 (b) PROHIBITION.—In providing support for a parade  
2 as described in subsection (a), the Secretary may not ex-  
3 pend funds to provide motorized vehicles, aviation plat-  
4 forms, munitions other than the munitions specifically de-  
5 scribed in subsection (a), operational military units, or  
6 operational military platforms if the Secretary determines  
7 that providing such units, platforms, or equipment would  
8 undermine the readiness of such units, platforms, or  
9 equipment.

10 **SEC. 1078. NATIONAL COMMISSION ON MILITARY AVIATION**  
11 **SAFETY.**

12 (a) ESTABLISHMENT.—There is established the Na-  
13 tional Commission on Military Aviation Safety (in this sec-  
14 tion referred to as the “Commission”).

15 (b) MEMBERSHIP.—

16 (1) COMPOSITION.—The Commission shall be  
17 composed of eight members, of whom—

18 (A) four shall be appointed by the Presi-  
19 dent;

20 (B) one shall be appointed by the Chair-  
21 man of the Committee on Armed Services of  
22 the Senate;

23 (C) one shall be appointed by the Ranking  
24 Member of the Committee on Armed Services of  
25 the Senate;

1           (D) one shall be appointed by the Chair-  
2           man of the Committee on Armed Services of  
3           the House of Representatives; and

4           (E) one shall be appointed by the Ranking  
5           Member of the Committee on Armed Services of  
6           the House of Representatives.

7           (2) APPOINTMENT DATE.—The appointments of  
8           the members of the Commission shall be made not  
9           later than 90 days after the date of the enactment  
10          of this Act.

11          (3) EFFECT OF LACK OF APPOINTMENT BY AP-  
12          POINTMENT DATE.—If one or more appointments  
13          under subparagraph (A) of paragraph (1) is not  
14          made by the appointment date specified in para-  
15          graph (2), the authority to make such appointment  
16          or appointments shall expire, and the number of  
17          members of the Commission shall be reduced by the  
18          number equal to the number of appointments so not  
19          made. If an appointment under subparagraph (B),  
20          (C), (D), or (E) of paragraph (1) is not made by the  
21          appointment date specified in paragraph (2), the au-  
22          thority to make an appointment under such subpara-  
23          graph shall expire, and the number of members of  
24          the Commission shall be reduced by the number

1 equal to the number otherwise appointable under  
2 such subparagraph.

3 (4) EXPERTISE.—In making appointments  
4 under this subsection, consideration should be given  
5 to individuals with expertise in military aviation  
6 training, aviation technology, military aviation oper-  
7 ations, aircraft sustainment and repair, aviation per-  
8 sonnel policy, aerospace physiology, and reserve com-  
9 ponent policy.

10 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-  
11 bers shall be appointed for the life of the Commission. Any  
12 vacancy in the Commission shall not affect its powers, but  
13 shall be filled in the same manner as the original appoint-  
14 ment.

15 (d) CHAIR AND VICE CHAIR.—The Commission shall  
16 select a Chair and Vice Chair from among its members.

17 (e) MEETINGS.—

18 (1) IN GENERAL.—The Commission shall meet  
19 at the call of the Chair.

20 (2) INITIAL MEETING.—Not later than 30 days  
21 after the date on which all members of the Commis-  
22 sion have been appointed, the Commission shall hold  
23 its initial meeting.

1           (3) QUORUM.—A majority of the members of  
2 the Commission shall constitute a quorum, but a  
3 lesser number of members may hold hearings.

4 (f) DUTIES.—

5           (1) STUDY ON MILITARY AVIATION SAFETY.—  
6 The Commission shall undertake a comprehensive  
7 study of United States military aviation mishaps  
8 that occurred between fiscal years 2013 and 2018 in  
9 order—

10           (A) to assess the rates of military aviation  
11 mishaps between fiscal years 2013 and 2018  
12 compared to historic aviation mishap rates;

13           (B) to make an assessment of the under-  
14 lying causes contributing to the unexplained  
15 physiological effects;

16           (C) to make an assessment of causes con-  
17 tributing to delays in aviation maintenance and  
18 limiting operational availability of aircraft;

19           (D) to make an assessment of the causes  
20 contributing to military aviation mishaps; and

21           (E) to make recommendations on the  
22 modifications, if any, of safety, training, main-  
23 tenance, personnel, or other policies related to  
24 military aviation safety.

1           (2) REPORT.—Not later than June 1, 2019, the  
2 Commission shall submit to the President and the  
3 congressional defense committees a report setting  
4 forth a detailed statement of the findings and con-  
5 clusions of the Commission as a result of the study  
6 required by paragraph (1), together with the rec-  
7 ommendations of the Commission for such legislative  
8 and administrative actions as the Commission con-  
9 siders appropriate in light of the results of the  
10 study.

11       (g) POWERS.—

12           (1) HEARINGS.—The Commission may hold  
13 such hearings, sit and act at such times and places,  
14 take such testimony, and receive such evidence as  
15 the Commission considers advisable to carry out its  
16 duties under this subtitle.

17           (2) INFORMATION FROM DEPARTMENT.—The  
18 Commission may secure directly from any element of  
19 the Department of Defense such information as the  
20 Commission considers necessary to carry out its du-  
21 ties under this subtitle. Upon request of the Chair  
22 of the Commission, the head of such element shall  
23 furnish such information to the Commission.



1 (h) TERMINATION.—The Commission shall terminate  
2 90 days after the date on which the Commission submits  
3 the report required under subsection (f)(2).

4 (i) SENSE OF CONGRESS.—It is the sense of Con-  
5 gress that—

6 (1) the Secretary of Defense should take every  
7 immediate action to make necessary repairs to avia-  
8 tion systems and increase pilot training and pro-  
9 ficiency without assuming additional risk to flight  
10 safety; and

11 (2) this Act and the Defense Appropriations  
12 Act for fiscal year 2019 should be enacted into law  
13 by not later than October 1, 2018, at the maximum  
14 amount permitted by the Bipartisan Budget Act of  
15 2018 (Public Law 115–23) without being condi-  
16 tioned on any other issue and without regard to any  
17 issue or difference of opinion.

18 **SEC. 1079. TARGET PRACTICE AND MARKSMANSHIP TRAIN-**  
19 **ING SUPPORT.**

20 (a) FINDINGS; PURPOSE.—

21 (1) FINDINGS.—Congress finds that—

22 (A) the use of firearms and archery equip-  
23 ment for target practice and marksmanship  
24 training activities on Federal land is allowed,

1           except to the extent specific portions of that  
2           land have been closed to those activities;

3           (B) in recent years preceding the date of  
4           enactment of this section, portions of Federal  
5           land have been closed to target practice and  
6           marksmanship training for many reasons;

7           (C) the availability of public target ranges  
8           on non-Federal land has been declining for a  
9           variety of reasons, including continued popu-  
10          lation growth and development near former  
11          ranges;

12          (D) providing opportunities for target  
13          practice and marksmanship training at public  
14          target ranges on Federal and non-Federal land  
15          can help—

16                 (i) to promote enjoyment of shooting,  
17                 recreational, and hunting activities; and

18                 (ii) to ensure safe and convenient lo-  
19                 cations for those activities;

20          (E) Federal law in effect on the date of en-  
21          actment of this section, including the Pittman-  
22          Robertson Wildlife Restoration Act (16 U.S.C.  
23          669 et seq.), provides Federal support for con-  
24          struction and expansion of public target ranges  
25          by making available to States amounts that

1           may be used for construction, operation, and  
2           maintenance of public target ranges; and

3           (F) it is in the public interest to provide  
4           increased Federal support to facilitate the con-  
5           struction or expansion of public target ranges.

6           (2) PURPOSE.—The purpose of this section is  
7           to facilitate the construction and expansion of public  
8           target ranges, including ranges on Federal land  
9           managed by the Forest Service and the Bureau of  
10          Land Management.

11          (b) AMENDMENTS TO PITTMAN-ROBERTSON WILD-  
12          LIFE RESTORATION ACT.—

13           (1) DEFINITIONS.—Section 2 of the Pittman-  
14          Robertson Wildlife Restoration Act (16 U.S.C.  
15          669a) is amended—

16           (A) by redesignating paragraphs (2)  
17           through (8) as paragraphs (3) through (9), re-  
18           spectively; and

19           (B) by inserting after paragraph (1) the  
20           following:

21           “(2) the term ‘public target range’ means a  
22           specific location that—

23           “(A) is identified by a governmental agen-  
24           cy for recreational shooting;

25           “(B) is open to the public;

1                   “(C) may be supervised; and

2                   “(D) may accommodate archery or rifle,  
3                   pistol, or shotgun shooting;”.

4                   (2) EXPENDITURES FOR MANAGEMENT OF  
5                   WILDLIFE AREAS AND RESOURCES.—Section 8(b) of  
6                   the Pittman-Robertson Wildlife Restoration Act (16  
7                   U.S.C. 669g(b)) is amended—

8                   (A) by striking “(b) Each State” and in-  
9                   serting the following:

10                  “(b) EXPENDITURES FOR MANAGEMENT OF WILD-  
11                  LIFE AREAS AND RESOURCES.—

12                  “(1) IN GENERAL.—Except as provided in para-  
13                  graph (2), each State”;

14                  (B) in paragraph (1) (as so designated), by  
15                  striking “construction, operation,” and insert-  
16                  ing “operation”;

17                  (C) in the second sentence, by striking  
18                  “The non-Federal share” and inserting the fol-  
19                  lowing:

20                  “(3) NON-FEDERAL SHARE.—The non-Federal  
21                  share”;

22                  (D) in the third sentence, by striking “The  
23                  Secretary” and inserting the following:

24                  “(4) REGULATIONS.—The Secretary”; and

1           (E) by inserting after paragraph (1) (as  
2           designated by paragraph (1) of this subsection)  
3           the following:

4           “(2) EXCEPTION.—Notwithstanding the limita-  
5           tion described in paragraph (1), a State may pay up  
6           to 90 percent of the cost of acquiring land for, ex-  
7           panding, or constructing a public target range.”.

8           (3) FIREARM AND BOW HUNTER EDUCATION  
9           AND SAFETY PROGRAM GRANTS.—Section 10 of the  
10          Pittman-Robertson Wildlife Restoration Act (16  
11          U.S.C. 669h–1) is amended—

12           (A) in subsection (a), by adding at the end  
13           the following:

14           “(3) ALLOCATION OF ADDITIONAL AMOUNTS.—  
15           Of the amount apportioned to a State for any fiscal  
16           year under section 4(b), the State may elect to allo-  
17           cate not more than 10 percent, to be combined with  
18           the amount apportioned to the State under para-  
19           graph (1) for that fiscal year, for acquiring land for,  
20           expanding, or constructing a public target range.”;

21           (B) by striking subsection (b) and insert-  
22           ing the following:

23           “(b) COST SHARING.—

24           “(1) IN GENERAL.—Except as provided in para-  
25           graph (2), the Federal share of the cost of any activ-

1       ity carried out using a grant under this section shall  
2       not exceed 75 percent of the total cost of the activ-  
3       ity.

4           “(2) PUBLIC TARGET RANGE CONSTRUCTION OR  
5       EXPANSION.—The Federal share of the cost of ac-  
6       quiring land for, expanding, or constructing a public  
7       target range in a State on Federal or non-Federal  
8       land pursuant to this section or section 8(b) shall  
9       not exceed 90 percent of the cost of the activity.”;  
10      and

11           (C) in subsection (c)(1)—

12           (i) by striking “Amounts made” and  
13           inserting the following:

14           “(A) IN GENERAL.—Except as provided in  
15           subparagraph (B), amounts made”; and

16           (ii) by adding at the end the fol-  
17           lowing:

18           “(B) EXCEPTION.—Amounts provided for  
19           acquiring land for, constructing, or expanding a  
20           public target range shall remain available for  
21           expenditure and obligation during the 5-fiscal-  
22           year period beginning on October 1 of the first  
23           fiscal year for which the amounts are made  
24           available.”.

25      (c) LIMITS ON LIABILITY.—

1           (1) DISCRETIONARY FUNCTION.—For purposes  
2 of chapter 171 of title 28, United States Code (com-  
3 monly referred to as the “Federal Tort Claims  
4 Act”), any action by an agent or employee of the  
5 United States to manage or allow the use of Federal  
6 land for purposes of target practice or marksman-  
7 ship training by a member of the public shall be con-  
8 sidered to be the exercise or performance of a discre-  
9 tionary function.

10           (2) CIVIL ACTION OR CLAIMS.—Except to the  
11 extent provided in chapter 171 of title 28, United  
12 States Code, the United States shall not be subject  
13 to any civil action or claim for money damages for  
14 any injury to or loss of property, personal injury, or  
15 death caused by an activity occurring at a public  
16 target range that is—

17                   (A) funded in whole or in part by the Fed-  
18 eral Government pursuant to the Pittman-Rob-  
19 ertson Wildlife Restoration Act (16 U.S.C. 669  
20 et seq.); or

21                   (B) located on Federal land.

22           (d) SENSE OF CONGRESS REGARDING COOPERA-  
23 TION.—It is the sense of Congress that, consistent with  
24 applicable laws and regulations, the Chief of the Forest  
25 Service and the Director of the Bureau of Land Manage-

1 ment should cooperate with State and local authorities and  
2 other entities to carry out waste removal and other activi-  
3 ties on any Federal land used as a public target range  
4 to encourage continued use of that land for target practice  
5 or marksmanship training.

6 (e) DEFINITION OF PUBLIC TARGET RANGE.—In  
7 this section, the term “public target range” means a spe-  
8 cific location that—

9 (1) is identified by a governmental agency for  
10 recreational shooting;

11 (2) is open to the public;

12 (3) may be supervised; and

13 (4) may accommodate archery or rifle, pistol, or  
14 shotgun shooting.

15 **SEC. 1080. SENSE OF CONGRESS ON ADVERSARY AIR CAPA-**  
16 **BILITIES.**

17 It is the sense of Congress that each facility of the  
18 Department of Defense housing an F-22 aircraft squad-  
19 ron should have adversary air capabilities to improve the  
20 training of F-22 aircrews.

21 **SEC. 1081. SENSE OF CONGRESS REGARDING ORGANIC AT-**  
22 **TACK AVIATOR TRAINING CAPABILITY.**

23 It is the sense of Congress that—



1           (1) retaining attack rotary wing aviation assets  
2           in the Army National Guard continues to be impor-  
3           tant;

4           (2) the National Guard should retain organic  
5           attack aviation training capacity; and

6           (3) the Western and Eastern Army Aviation  
7           Training Sites have proven invaluable in maintaining  
8           Army National Guard aviation readiness.

9 **SEC. 1082. SENSE OF CONGRESS ON THE LEGACY, CON-**  
10 **TRIBUTIONS, AND SACRIFICES OF AMERICAN**  
11 **INDIAN AND ALASKA NATIVES IN THE ARMED**  
12 **FORCES.**

13 (a) FINDINGS.—Congress finds the following:

14           (1) The United States celebrates Native Amer-  
15           ican History Month each November to recognize and  
16           honor the history and achievements of Native Ameri-  
17           cans.

18           (2) American Indian and Alaska Natives serve  
19           in all branches of the Armed Forces, attend all serv-  
20           ice academies, and defend our country with valiance,  
21           pride, and honor.

22           (3) More than 30,000 active duty, reserve, and  
23           National Guard members of the Armed Forces iden-  
24           tify as Native American.

1           (4) American Indian and Alaska Natives have  
2 served and continue to serve in the highest propor-  
3 tions to population than any other ethnic group.

4           (5) American Indian and Alaska Natives have  
5 served in every war, from the Revolutionary War to  
6 current overseas conflicts.

7           (6) Native American veterans are Congressional  
8 Medal of Honor, Congressional Gold and Silver Med-  
9 als, Purple Heart, and Bronze Star Medal recipi-  
10 ents.

11          (7) American Indian and Alaska Native women  
12 serve in Armed Forces in higher proportions than  
13 any other ethnic group.

14          (8) Native American Code Talkers and their  
15 languages proved an invaluable asset during World  
16 Wars I and II.

17          (9) Ira Hayes, Akimel O’odham (Pima) helped  
18 to raise the American flag on Iwo Jima;

19          (10) Dr. Joseph Medicine Crow, Apsáalooke  
20 (Crow), served in WWII and became a war chief.

21          (11) Numerous present and past military air-  
22 craft, helicopters, and munitions programs bear the  
23 names of Native American tribes and tribal leaders  
24 to honor their legacy of martial prowess, including  
25 the Apache, Kiowa, Black Hawk, Lakota, Chinook,

1 Huron, Iroquois, Comanche, Cayuse, Chickasaw,  
2 Ute, Gray Eagle, Mescalero, Tomahawk, and more.

3 (12) Native American tribes commonly take  
4 part in ceremonies alongside military units to bless  
5 new aircraft and mark successful inception of new  
6 fleets.

7 (13) More than 140,000 veterans across the  
8 United States identify as Native American.

9 (14) Each November, the Department of De-  
10 fense honors the unique and special relationship with  
11 tribal communities during Native American Heritage  
12 Month.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-  
14 gress that Congress—

15 (1) recognizes and honors the legacy and con-  
16 tributions of American Indian and Alaska Natives  
17 and tribal communities to the military of the United  
18 States; and

19 (2) commits to ensuring progress for American  
20 Indian and Alaska Native members of the Armed  
21 Forces and veterans with regard to representation in  
22 senior military leadership positions, improving access  
23 to culturally competent resources and services, and  
24 supporting families and tribal communities.

1 **SEC. 1083. AMATEUR RADIO PARITY.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) More than 730,000 radio amateurs in the  
4 United States are licensed by the Federal Commu-  
5 nications Commission in the amateur radio services.

6 (2) Amateur radio, at no cost to taxpayers, pro-  
7 vides a fertile ground for technical self-training in  
8 modern telecommunications, electronics technology,  
9 and emergency communications techniques and pro-  
10 tocols.

11 (3) There is a strong Federal interest in the ef-  
12 fective performance of amateur stations established  
13 at the residences of licensees. Such stations have  
14 been shown to be frequently and increasingly pre-  
15 cluded by unreasonable private land use restrictions,  
16 including restrictive covenants.

17 (4) Federal Communications Commission regu-  
18 lations have for three decades prohibited the applica-  
19 tion to stations in the amateur service of State and  
20 local regulations that preclude or fail to reasonably  
21 accommodate amateur service communications, or  
22 that do not constitute the minimum practicable reg-  
23 ulation to accomplish a legitimate State or local pur-  
24 pose. Commission policy has been and is to require  
25 States and localities to permit erection of a station  
26 antenna structure at heights and dimensions suffi-

1       cient to accommodate amateur service communica-  
2       tions.

3           (5) The Commission has sought guidance and  
4       direction from Congress with respect to the applica-  
5       tion of the Commission's limited preemption policy  
6       regarding amateur service communications to private  
7       land use restrictions, including restrictive covenants.

8           (6) There are aesthetic and common property  
9       considerations that are uniquely applicable to private  
10      land use regulations and the community associations  
11      obligated to enforce covenants, conditions, and re-  
12      strictions in deed-restricted communities. These con-  
13      siderations are dissimilar to those applicable to State  
14      law and local ordinances regulating the same resi-  
15      dential amateur radio facilities.

16          (7) In recognition of these considerations, a  
17      separate Federal policy than exists at section  
18      97.15(b) of title 47, Code of Federal Regulations, is  
19      warranted concerning amateur service communica-  
20      tions in deed-restricted communities.

21          (8) Community associations should fairly ad-  
22      minister private land use regulations in the interest  
23      of their communities, while nevertheless permitting  
24      the installation and maintenance of effective outdoor  
25      amateur radio antennas. There exist antenna de-

1 signs and installations that can be consistent with  
2 the aesthetics and physical characteristics of land  
3 and structures in community associations while ac-  
4 commodating communications in the amateur radio  
5 services.

6 (b) APPLICATION OF PRIVATE LAND USE RESTRIC-  
7 TIONS TO AMATEUR STATIONS.—

8 (1) AMENDMENT OF FCC RULES.—Not later  
9 than 120 days after the date of the enactment of  
10 this Act, the Federal Communications Commission  
11 shall amend section 97.15 of title 47, Code of Fed-  
12 eral Regulations, by adding a new paragraph that  
13 prohibits the application to amateur stations of any  
14 private land use restriction, including a restrictive  
15 covenant, that—

16 (A) on its face or as applied, precludes  
17 communications in an amateur radio service;

18 (B) fails to permit a licensee in an ama-  
19 teur radio service to install and maintain an ef-  
20 fective outdoor antenna on property under the  
21 exclusive use or control of the licensee; or

22 (C) does not constitute the minimum prac-  
23 ticable restriction on such communications to  
24 accomplish the lawful purposes of a community  
25 association seeking to enforce such restriction.

1           (2) ADDITIONAL REQUIREMENTS.—In amend-  
2           ing its rules as required by subsection (a), the Com-  
3           mission shall—

4                   (A) require any licensee in an amateur  
5                   radio service to notify and obtain prior approval  
6                   from a community association concerning in-  
7                   stallation of an outdoor antenna;

8                   (B) permit a community association to  
9                   prohibit installation of any antenna or antenna  
10                  support structure by a licensee in an amateur  
11                  radio service on common property not under the  
12                  exclusive use or control of the licensee; and

13                  (C) subject to the standards specified in  
14                  paragraphs (1) and (2) of subsection (a), per-  
15                  mit a community association to establish rea-  
16                  sonable written rules concerning height, loca-  
17                  tion, size, and aesthetic impact of, and installa-  
18                  tion requirements for, outdoor antennas and  
19                  support structures for the purpose of con-  
20                  ducting communications in the amateur radio  
21                  services.

22           (c) AFFIRMATION OF LIMITED PREEMPTION OF  
23           STATE AND LOCAL LAND USE REGULATION.—The Fed-  
24           eral Communications Commission may not change section  
25           97.15(b) of title 47, Code of Federal Regulations, which

1 shall remain applicable to State and local land use regula-  
2 tion of amateur service communications.

3 (d) DEFINITIONS.—In this section:

4 (1) The term “community association” means  
5 any non-profit mandatory membership organization  
6 composed of owners of real estate described in a dec-  
7 laration of covenants or created pursuant to a cov-  
8 enant or other applicable law with respect to which  
9 a person, by virtue of the person’s ownership of or  
10 interest in a unit or parcel, is obligated to pay for  
11 a share of real estate taxes, insurance premiums,  
12 maintenance, improvement, services, or other ex-  
13 penses related to common elements, other units, or  
14 any other real estate other than the unit or parcel  
15 described in the declaration.

16 (2) The terms “amateur radio services”, “ama-  
17 teur service”, and “amateur station” have the mean-  
18 ings given such terms in section 97.3 of title 47,  
19 Code of Federal Regulations.

20 **SEC. 1084. SENSE OF CONGRESS REGARDING THE INTER-**  
21 **NATIONAL BORDERS OF THE UNITED STATES.**

22 It is the sense of Congress that—

23 (1) gaining and maintaining situational aware-  
24 ness and operational control of the international bor-



1 ders of the United States is critical to national secu-  
2 rity;

3 (2) the United States Government must devote  
4 adequate resources to securing the border, both at,  
5 and between, ports of entry, and the agency tasked  
6 with that mission, the Department of Homeland Se-  
7 curity, should be adequately resourced to conduct  
8 such mission; and

9 (3) the Department of Defense must ensure  
10 that when it acts in support of that mission, such  
11 as when mobilized by the President to conduct  
12 homeland defense activities, or when military facili-  
13 ties are adjacent to an international border of the  
14 United States, it has adequate resources, capabili-  
15 ties, and authorities to carry out the mission while  
16 maintaining combat readiness.

17 **SEC. 1085. PROGRAM TO COMMEMORATE 75TH ANNIVER-**  
18 **SARY OF WORLD WAR II.**

19 (a) **COMMEMORATIVE PROGRAM AUTHORIZED.**—The  
20 Secretary of Defense shall conduct a program to com-  
21 memorate the 75th anniversary of World War II. In con-  
22 ducting the commemorative program, the Secretary shall  
23 support and facilitate other programs and activities of the  
24 Federal Government, State and local governments, and

1 not-for-profit organizations in commemoration of the 75th  
2 anniversary of World War II.

3 (b) COMMEMORATIVE ACTIVITIES AND OBJEC-  
4 TIVES.—The commemorative program may include activi-  
5 ties and ceremonies to achieve the following objectives:

6 (1) To thank and honor veterans of World War  
7 II, including personnel who were held as prisoners of  
8 war or listed as missing in action, for their service  
9 and sacrifice on behalf of the United States and to  
10 thank and honor the families of these veterans.

11 (2) To educate the public about the history of  
12 World War II and highlight the service of the Armed  
13 Forces during World War II and the contributions  
14 of Federal agencies and governmental and non-  
15 governmental organizations that served with, or in  
16 support of, the Armed Forces.

17 (3) To pay tribute to the contributions made on  
18 the home front by the people of the United States  
19 during World War II.

20 (4) To recognize the contributions and sac-  
21 rifices made by the allies of the United States dur-  
22 ing World War II.

23 (5) To remember the Holocaust, the annihila-  
24 tion of 6,000,000 Jews by the Nazi regime, and to

1 pay tribute to the Allied troops who liberated Nazi  
2 concentration camps during World War II.

3 (c) NAMES AND SYMBOLS.—The Secretary of De-  
4 fense shall have the sole and exclusive right to use the  
5 name “The United States of America 75th Anniversary  
6 of World War II Commemoration”, and such seal, em-  
7 blems, and badges incorporating such name as the Sec-  
8 retary may lawfully adopt. Nothing in this section may  
9 be construed to supersede rights that are established or  
10 vested before the date of the enactment of this Act.

11 (d) COMMEMORATIVE FUND.—

12 (1) ESTABLISHMENT AND ADMINISTRATION.—

13 Upon the Secretary establishing the commemorative  
14 program under subsection (a), the Secretary of the  
15 Treasury shall establish in the Treasury of the  
16 United States an account to be known as the “De-  
17 partment of Defense World War II Commemoration  
18 Fund” (in this section referred to as the “Fund”).  
19 The Fund shall be administered by the Secretary of  
20 Defense.

21 (2) USE OF FUND.—The Secretary of Defense  
22 shall use the assets of the Fund only for the purpose  
23 of conducting the commemorative program and pro-  
24 viding grants to State and local governments and  
25 not-for-profit organizations for commemorative ac-

1        activities, and shall prescribe such regulations regard-  
2        ing the use of the Fund as the Secretary considers  
3        to be necessary.

4            (3) DEPOSITS.—The following shall be depos-  
5        ited into the Fund:

6            (A) Amounts appropriated to the Fund.

7            (B) Proceeds derived from the Secretary's  
8        use of the exclusive rights described in sub-  
9        section (c).

10          (C) Donations made in support of the com-  
11        memorative program by private and corporate  
12        donors.

13          (D) Funds transferred to the Fund by the  
14        Secretary from funds appropriated for fiscal  
15        year 2019 and subsequent years for the Depart-  
16        ment of Defense.

17          (4) AVAILABILITY.—Subject to subsection  
18        (g)(2), amounts deposited under paragraph (3) shall  
19        constitute the assets of the Fund and remain avail-  
20        able until expended.

21          (5) BUDGET REQUEST.—The Secretary of De-  
22        fense may establish a separate budget line for the  
23        commemorative program. In the budget justification  
24        materials submitted by the Secretary in support of  
25        the budget of the President for any fiscal year for

1 which the Secretary establishes the separate budget  
2 line, the Secretary shall—

3 (A) identify and explain any amounts ex-  
4 pended for the commemorative program in the  
5 fiscal year preceding the budget request;

6 (B) identify and explain the amounts being  
7 requested to support the commemorative pro-  
8 gram for the fiscal year of the budget request;  
9 and

10 (C) present a summary of the fiscal status  
11 of the Fund.

12 (e) ACCEPTANCE OF VOLUNTARY SERVICES.—

13 (1) AUTHORITY TO ACCEPT SERVICES.—Not-  
14 withstanding section 1342 of title 31, United States  
15 Code, the Secretary of Defense may accept from any  
16 person voluntary services to be provided in further-  
17 ance of the commemorative program. The Secretary  
18 of Defense shall prohibit the solicitation of any vol-  
19 untary services if the nature or circumstances of  
20 such solicitation would compromise the integrity or  
21 the appearance of integrity of any program of the  
22 Department of Defense or of any individual involved  
23 in the program.

24 (2) REIMBURSEMENT OF INCIDENTAL EX-  
25 PENSES.—The Secretary may provide for reimburse-

1       ment of incidental expenses incurred by a person  
2       providing voluntary services under this subsection.

3       The Secretary shall determine which expenses are el-  
4       igible for reimbursement under this paragraph.

5       (f) CONSULTATION WITH DIRECTOR OF THE UNITED  
6 STATES HOLOCAUST MEMORIAL MUSEUM.—In designing  
7 the commemorative program conducted under this section,  
8 the Secretary of Defense shall consult with the Director  
9 of the United States Holocaust Memorial Museum.

10       (g) FINAL REPORT.—

11           (1) REPORT REQUIRED.—Not later than 60  
12 days after the end of the commemorative program  
13 established by the Secretary of Defense under sub-  
14 section (a), the Secretary shall submit to Congress  
15 a report containing an accounting of—

16           (A) all of the funds deposited into and ex-  
17 pended from the Fund;

18           (B) any other funds expended under this  
19 section; and

20           (C) any unobligated funds remaining in  
21 the Fund.

22       (2) TREATMENT OF UNOBLIGATED FUNDS.—  
23 Unobligated amounts remaining in the Fund as of  
24 the end of the commemorative period shall be held  
25 in the Fund until transferred by law.

1 (h) LIMITATION ON EXPENDITURES.—Total expendi-  
2 tures from the Fund, using amounts appropriated to the  
3 Department of Defense, may not exceed \$5,000,000 for  
4 fiscal year 2019 or for any subsequent fiscal year to carry  
5 out the commemorative program.

6 (i) FUNDING.—Of the amount authorized to be ap-  
7 propriated by this Act or otherwise made available for fis-  
8 cal year 2019 for operation and maintenance, Defense-  
9 wide activities, \$2,000,000 shall be available for deposit  
10 in the Fund.

11 **SEC. 1086. COMPLIANCE WITH REQUIREMENTS RELATING**  
12 **TO RECIPROCITY OF SECURITY CLEARANCE**  
13 **AND ACCESS DETERMINATIONS.**

14 The Secretary of Defense shall take such steps as  
15 may be necessary to ensure the expedited compliance of  
16 the Department of Defense with section 3001(d) of the  
17 Intelligence Reform and Terrorism Prevention Act of  
18 2004 (Public Law 108–458; 50 U.S.C. 3341(d)).

19 **SEC. 1087. ASSESSMENT REGARDING ELIGIBILITY FOR**  
20 **COMPENSATION FOR COMPENSABLE DIS-**  
21 **EASES UNDER THE RADIATION EXPOSURE**  
22 **COMPENSATION ACT.**

23 (a) ASSESSMENT.—The National Cancer Institute  
24 and the Centers for Disease Control and Prevention shall  
25 assess the application of probability of causation/assigned

1 share (in this section referred to as “PC/AS”) to deter-  
2 mine eligibility for compensation for compensable diseases  
3 under the Radiation Exposure Compensation Act (Public  
4 Law 101–426; 42 U.S.C. 2210 note) in downwind popu-  
5 lations in the continental United States, Alaska, Hawaii,  
6 and the possessions and territories of the United States.  
7 To carry out the assessment, the National Cancer Insti-  
8 tute and the Centers for Disease Control and Prevention  
9 shall, at a minimum—

10 (1) complete the work begun in the late 1990s  
11 to develop dose estimates for downwind populations  
12 in such locations from fallout from nuclear weapons  
13 testing by the United States; and

14 (2) estimate the portions of these downwind  
15 populations that could become eligible for compensa-  
16 tion compensable diseases under such Act for each  
17 of the following PC/AS criteria:

18 (A) Median PC/AS  $> 0.5$ .

19 (B) PC/AS  $> 0.5$  at the 80 percent credi-  
20 bility limit.

21 (C) PC/AS  $> 0.5$  at the 99 percent credi-  
22 bility limit.

23 (b) PROVISION OF INFORMATION.—Not later than 60  
24 days after the date of the enactment of this Act, the Na-  
25 tional Cancer Institute and the Centers for Disease Con-



1 trol and Prevention shall inform Congress of the time and  
2 resources required to carry out the assessment under sub-  
3 section (a).

4 **SEC. 1088. USE OF GI BENEFITS FOR AGRICULTURE-RE-**  
5 **LATED EDUCATION PROGRAMS.**

6 The Secretary, in consultation with the Secretary of  
7 Labor and the Secretary of Veterans Affairs, shall provide  
8 guidance and resources for individuals interested in using  
9 educational benefits under chapter 30, 31, 32, 33, 34, or  
10 35 of title 38, United States Code, or chapter 1606 or  
11 1607 of title 10, United States Code, for agriculture-re-  
12 lated education programs.

13 **SEC. 1089. ARCTIC SURVIVAL TRAINING.**

14 The Secretary of Defense shall ensure that in devel-  
15 oping any Arctic survival curriculum, the Department of  
16 Defense shall engage with local indigenous communities  
17 for their traditional knowledge.

18 **SEC. 1090. PRIVACY PROTECTIONS FOR ELECTRONIC COM-**  
19 **MUNICATIONS INFORMATION THAT IS**  
20 **STORED BY THIRD-PARTY SERVICE PRO-**  
21 **VIDERS.**

22 (a) VOLUNTARY DISCLOSURE CORRECTIONS.—

23 (1) IN GENERAL.—Section 2702 of title 18,  
24 United States Code, is amended—

25 (A) in subsection (a)—

1 (i) in paragraph (1)—

2 (I) by striking “divulge” and in-  
3 sserting “disclose”; and

4 (II) by striking “while in elec-  
5 tronic storage by that service” and in-  
6 sserting “that is in electronic storage  
7 with or otherwise stored, held, or  
8 maintained by that service”;

9 (ii) in paragraph (2)—

10 (I) by striking “to the public”;

11 (II) by striking “divulge” and in-  
12 sserting “disclose”; and

13 (III) by striking “which is car-  
14 ried or maintained on that service”  
15 and inserting “that is stored, held, or  
16 maintained by that service”; and

17 (iii) in paragraph (3)—

18 (I) by striking “divulge” and in-  
19 sserting “disclose”; and

20 (II) by striking “a provider of”  
21 and inserting “a person or entity pro-  
22 viding”;

23 (B) in subsection (b)—

1 (i) in the matter preceding paragraph  
2 (1), by inserting “wire or electronic” be-  
3 fore “communication”;

4 (ii) by amending paragraph (1) to  
5 read as follows:

6 “(1) to an originator, addressee, or intended re-  
7 cipient of such communication, to the subscriber or  
8 customer on whose behalf the provider stores, holds,  
9 or maintains such communication, or to an agent of  
10 such addressee, intended recipient, subscriber, or  
11 customer;”; and

12 (iii) by amending paragraph (3) to  
13 read as follows:

14 “(3) with the lawful consent of the originator,  
15 addressee, or intended recipient of such communica-  
16 tion, or of the subscriber or customer on whose be-  
17 half the provider stores, holds, or maintains such  
18 communication;”;

19 (C) in subsection (c) by inserting “wire or  
20 electronic” before “communications”;

21 (D) in each of subsections (b) and (c), by  
22 striking “divulge” and inserting “disclose”; and

23 (E) in subsection (c), by amending para-  
24 graph (2) to read as follows:

1           “(2) with the lawful consent of the subscriber  
2           or customer;”.

3           (b) AMENDMENTS TO REQUIRED DISCLOSURE SEC-  
4           TION.—Section 2703 of title 18, United States Code, is  
5           amended—

6           (1) by striking subsections (a) through (c) and  
7           inserting the following:

8           “(a) CONTENTS OF WIRE OR ELECTRONIC COMMU-  
9           NICATIONS IN ELECTRONIC STORAGE.—Except as pro-  
10          vided in subsections (i) and (j), a governmental entity may  
11          require the disclosure by a provider of electronic commu-  
12          nication service of the contents of a wire or electronic com-  
13          munication that is in electronic storage with or otherwise  
14          stored, held, or maintained by that service only if the gov-  
15          ernmental entity obtains a warrant issued using the proce-  
16          dures described in the Federal Rules of Criminal Proce-  
17          dure (or, in the case of a State court, issued using State  
18          warrant procedures) that—

19                 “(1) is issued by a court of competent jurisdic-  
20                 tion; and

21                 “(2) may indicate the date by which the pro-  
22                 vider must make the disclosure to the governmental  
23                 entity.

24          In the absence of a date on the warrant indicating the  
25          date by which the provider must make disclosure to the

1 governmental entity, the provider shall promptly respond  
2 to the warrant.

3 “(b) CONTENTS OF WIRE OR ELECTRONIC COMMU-  
4 NICATIONS IN A REMOTE COMPUTING SERVICE.—

5 “(1) IN GENERAL.—Except as provided in sub-  
6 sections (i) and (j), a governmental entity may re-  
7 quire the disclosure by a provider of remote com-  
8 puting service of the contents of a wire or electronic  
9 communication that is stored, held, or maintained by  
10 that service only if the governmental entity obtains  
11 a warrant issued using the procedures described in  
12 the Federal Rules of Criminal Procedure (or, in the  
13 case of a State court, issued using State warrant  
14 procedures) that—

15 “(A) is issued by a court of competent ju-  
16 risdiction; and

17 “(B) may indicate the date by which the  
18 provider must make the disclosure to the gov-  
19 ernmental entity.

20 In the absence of a date on the warrant indicating  
21 the date by which the provider must make disclosure  
22 to the governmental entity, the provider shall  
23 promptly respond to the warrant.

24 “(2) APPLICABILITY.—Paragraph (1) is appli-  
25 cable with respect to any wire or electronic commu-

1        nication that is stored, held, or maintained by the  
2        provider—

3               “(A) on behalf of, and received by means  
4               of electronic transmission from (or created by  
5               means of computer processing of communica-  
6               tion received by means of electronic trans-  
7               mission from), a subscriber or customer of such  
8               remote computing service; and

9               “(B) solely for the purpose of providing  
10              storage or computer processing services to such  
11              subscriber or customer, if the provider is not  
12              authorized to access the contents of any such  
13              communications for purposes of providing any  
14              services other than storage or computer proc-  
15              essing.

16       “(c) RECORDS CONCERNING ELECTRONIC COMMU-  
17       NICATION SERVICE OR REMOTE COMPUTING SERVICE.—

18              “(1) IN GENERAL.—Except as provided in sub-  
19              sections (i) and (j), a governmental entity may re-  
20              quire the disclosure by a provider of electronic com-  
21              munication service or remote computing service of a  
22              record or other information pertaining to a sub-  
23              scriber to or customer of such service (not including  
24              the contents of wire or electronic communications),  
25              only—

1           “(A) if a governmental entity obtains a  
2 warrant issued using the procedures described  
3 in the Federal Rules of Criminal Procedure (or,  
4 in the case of a State court, issued using State  
5 warrant procedures) that—

6                   “(i) is issued by a court of competent  
7 jurisdiction directing the disclosure; and

8                   “(ii) may indicate the date by which  
9 the provider must make the disclosure to  
10 the governmental entity;

11           “(B) if a governmental entity obtains a  
12 court order directing the disclosure under sub-  
13 section (d);

14           “(C) with the lawful consent of the sub-  
15 scriber or customer; or

16           “(D) as otherwise authorized in paragraph  
17 (2).

18           “(2) SUBSCRIBER OR CUSTOMER INFORMA-  
19 TION.—A provider of electronic communication serv-  
20 ice or remote computing service shall, in response to  
21 an administrative subpoena authorized by Federal or  
22 State statute, a grand jury, trial, or civil discovery  
23 subpoena, or any means available under paragraph  
24 (1), disclose to a governmental entity the—

25                   “(A) name;

1 “(B) address;

2 “(C) local and long distance telephone con-  
3 nection records, or records of session times and  
4 durations;

5 “(D) length of service (including start  
6 date) and types of service used;

7 “(E) telephone or instrument number or  
8 other subscriber or customer number or iden-  
9 tity, including any temporarily assigned net-  
10 work address; and

11 “(F) means and source of payment for  
12 such service (including any credit card or bank  
13 account number),

14 of a subscriber or customer of such service.

15 “(3) NOTICE NOT REQUIRED.—A governmental  
16 entity that receives records or information under  
17 this subsection is not required to provide notice to  
18 a subscriber or customer.”;

19 (2) in subsection (d)—

20 (A) by striking “(b) or”;

21 (B) by striking “the contents of a wire or  
22 electronic communication, or”;

23 (C) by striking “sought,” and inserting  
24 “sought”; and



1 (D) by striking “section” and inserting  
2 “subsection”; and

3 (3) by adding at the end the following:

4 “(h) NOTICE.—Except as provided in section 2705,  
5 a provider of electronic communication service or remote  
6 computing service may notify a subscriber or customer of  
7 a receipt of a warrant, court order, subpoena, or request  
8 under subsection (a), (b), (c), or (d) of this section.

9 “(i) RULE OF CONSTRUCTION RELATED TO LEGAL  
10 PROCESS.—Nothing in this section or in section 2702  
11 shall limit the authority of a governmental entity to use  
12 an administrative subpoena authorized by Federal or  
13 State statute, a grand jury, trial, or civil discovery sub-  
14 poena, or a warrant issued using the procedures described  
15 in the Federal Rules of Criminal Procedure (or, in the  
16 case of a State court, issued using State warrant proce-  
17 dures) by a court of competent jurisdiction to—

18 “(1) require an originator, addressee, or in-  
19 tended recipient of a wire or electronic communica-  
20 tion to disclose a wire or electronic communication  
21 (including the contents of that communication) to  
22 the governmental entity;

23 “(2) require a person or entity that provides an  
24 electronic communication service to the officers, di-  
25 rectors, employees, or agents of the person or entity

1 (for the purpose of carrying out their duties) to dis-  
2 close a wire or electronic communication (including  
3 the contents of that communication) to or from the  
4 person or entity itself or to or from an officer, direc-  
5 tor, employee, or agent of the entity to a govern-  
6 mental entity, if the wire or electronic communica-  
7 tion is stored, held, or maintained on an electronic  
8 communications system owned, operated, or con-  
9 trolled by the person or entity; or

10 “(3) require a person or entity that provides a  
11 remote computing service or electronic communica-  
12 tion service to disclose a wire or electronic commu-  
13 nication (including the contents of that communica-  
14 tion) that advertises or promotes a product or serv-  
15 ice and that has been made readily accessible to the  
16 general public.

17 “(j) RULE OF CONSTRUCTION RELATED TO CON-  
18 GRESSIONAL SUBPOENAS.—Nothing in this section or in  
19 section 2702 shall limit the power of inquiry vested in the  
20 Congress by article I of the Constitution of the United  
21 States, including the authority to compel the production  
22 of a wire or electronic communication (including the con-  
23 tents of a wire or electronic communication) that is stored,  
24 held, or maintained by a person or entity that provides

1 remote computing service or electronic communication  
2 service.”.

3 (c) DELAYED NOTICE.—Section 2705 of title 18,  
4 United States Code, is amended to read as follows:

5 **“§ 2705. Delayed notice**

6 “(a) IN GENERAL.—A governmental entity acting  
7 under section 2703 may apply to a court for an order di-  
8 recting a provider of electronic communication service or  
9 remote computing service to which a warrant, order, sub-  
10 poena, or other directive under section 2703 is directed  
11 not to notify any other person of the existence of the war-  
12 rant, order, subpoena, or other directive.

13 “(b) DETERMINATION.—A court shall grant a re-  
14 quest for an order made under subsection (a) for delayed  
15 notification of up to 180 days if the court determines that  
16 there is reason to believe that notification of the existence  
17 of the warrant, order, subpoena, or other directive will  
18 likely result in—

19 “(1) endangering the life or physical safety of  
20 an individual;

21 “(2) flight from prosecution;

22 “(3) destruction of or tampering with evidence;

23 “(4) intimidation of potential witnesses; or

24 “(5) otherwise seriously jeopardizing an inves-  
25 tigation or unduly delaying a trial.

1       “(c) EXTENSION.—Upon request by a governmental  
2 entity, a court may grant one or more extensions, for peri-  
3 ods of up to 180 days each, of an order granted in accord-  
4 ance with subsection (b).”.

5       (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
6 tion or an amendment made by this section shall be con-  
7 strued to preclude the acquisition by the United States  
8 Government of—

9           (1) the contents of a wire or electronic commu-  
10 nication pursuant to other lawful authorities, includ-  
11 ing the authorities under chapter 119 of title 18  
12 (commonly known as the “Wiretap Act”), the For-  
13 eign Intelligence Surveillance Act of 1978 (50  
14 U.S.C. 1801 et seq.), or any other provision of Fed-  
15 eral law not specifically amended by this section; or

16           (2) records or other information relating to a  
17 subscriber or customer of any electronic communica-  
18 tion service or remote computing service (not includ-  
19 ing the content of such communications) pursuant to  
20 the Foreign Intelligence Surveillance Act of 1978  
21 (50 U.S.C. 1801 et seq.), chapter 119 of title 18  
22 (commonly known as the “Wiretap Act”), or any  
23 other provision of Federal law not specifically  
24 amended by this section.

1 **SEC. 1091. LESSONS LEARNED AND BEST PRACTICES ON**  
2 **PROGRESS OF GENDER INTEGRATION IMPLE-**  
3 **MENTATION IN THE ARMED FORCES.**

4 The Secretary of Defense shall direct each component  
5 of the Armed Forces to share lessons learned and best  
6 practices on the progress of their gender integration im-  
7 plementation plans and to communicate strategically that  
8 progress with other components of the Armed Forces as  
9 well as the general public, as recommended by the Defense  
10 Advisory Committee on Women in the Services.

11 **SEC. 1092. REPORT ON READINESS OF NATIONAL GUARD**  
12 **TO RESPOND TO NATURAL DISASTERS.**

13 Not later than 90 days after the date of the enact-  
14 ment of this Act, the Secretary of Defense shall submit  
15 to the congressional defense committees a report analyzing  
16 the readiness of the National Guard and Reserve to re-  
17 spond to natural disasters.

18 **SEC. 1093. REPORT ON USE AND AVAILABILITY OF MILI-**  
19 **TARY INSTALLATIONS FOR DISASTER RE-**  
20 **SPONSE.**

21 (a) REPORT REQUIRED.—Not later than 90 days  
22 after the date of the enactment of this Act, the Secretary  
23 of Defense shall submit to the congressional defense com-  
24 mittees a report that identifies—

25 (1) each military installation that has been  
26 made available to the Department of Homeland Se-

1       curity for disaster response for the past 10 fiscal  
2       years; and

3               (2) military installations assessed to be avail-  
4       able in support of fast response to disasters.

5       (b) ELEMENTS.—The report required under sub-  
6       section (a) shall include the following:

7               (1) For each military installation identified  
8       under subsection (a)(1)—

9                       (A) the name of the installation;

10                      (B) the location of the installation, includ-  
11       ing the State and Congressional District;

12                      (C) a description of the infrastructure and  
13       equipment made available at the installation;  
14       and

15                      (D) a description of personnel made avail-  
16       able for disaster response.

17               (2) For each military installation identified  
18       under subsection (a)(2)—

19                      (A) the name of the installation;

20                      (B) the location of the installation, includ-  
21       ing the State and Congressional District;

22                      (C) a description of the infrastructure and  
23       equipment to be available at the installation;  
24       and

1 (D) a description of personnel to be avail-  
2 able for disaster response.

3 **SEC. 1094. PROMOTING FEDERAL PROCUREMENT WITH**  
4 **HISTORICALLY BLACK COLLEGES AND UNI-**  
5 **VERSITIES AND MINORITY INSTITUTIONS.**

6 (a) IN GENERAL.—The head of an executive agency,  
7 or a contracting officer where applicable, shall—

8 (1) assist historically Black colleges and univer-  
9 sities and minority institutions to develop viable,  
10 self-sustaining businesses capable of competing on  
11 an equal basis in the mainstream of the United  
12 States economy; and

13 (2) promote Federal procurement with histori-  
14 cally Black colleges and universities and minority in-  
15 stitutions by establishing—

16 (A) participation goals of not less than 10  
17 percent for historically Black colleges and uni-  
18 versities and minority institutions;

19 (B) requirements that prime contractors  
20 and other recipients of Federal funds attain  
21 similar participation goals in their procurement;  
22 and

23 (C) other mechanisms that ensure histori-  
24 cally Black colleges and universities and minor-

1           ity institutions have a fair opportunity to par-  
2           ticipate in Federal procurement.

3           (b) DEFINITIONS.—In this section:

4           (1) The term “executive agency” has the mean-  
5           ing given the term in section 133 of title 41, United  
6           States Code.

7           (2) The term “historically Black college and  
8           university” has the meaning given that term in sec-  
9           tion 631 of the Higher Education Act of 1965 (20  
10          U.S.C. 1132).

11          (3) The term “minority institution” has the  
12          meaning given that term in section 365 of the High-  
13          er Education Act of 1965 (20 U.S.C. 1067k).

14 **SEC. 1095. CLARIFICATION OF REIMBURSABLE ALLOWED**  
15 **COSTS OF FAA MEMORANDA OF AGREEMENT.**

16          Section 47504(c)(2) of title 49, United States Code,  
17          is amended—

18          (1) in subparagraph (D) by striking “and” at  
19          the end;

20          (2) in subparagraph (E) by striking the period  
21          at the end and inserting “; and”; and

22          (3) by adding at the end the following:

23          “(F) to an airport operator of a congested air-  
24          port (as defined in section 47175) and a unit of



1 local government referred to in paragraph (1)(B) to  
2 carry out a project to mitigate noise, if the project—

3 “(i) consists of—

4 “(I) replacement windows, doors, and  
5 the installation of through-the-wall air con-  
6 ditioning units; or

7 “(II) acquisition and installation of  
8 the windows, doors, and other noise miti-  
9 gation elements to be used in a school re-  
10 construction if reconstruction is the pre-  
11 ferred local solution;

12 “(ii) is located at a school near the airport;

13 and

14 “(iii) is included in a memorandum of  
15 agreement entered into before September 30,  
16 2002, even if the airport has not met the re-  
17 quirements of part 150 of title 14, Code of Fed-  
18 eral Regulations, and only if the financial limi-  
19 tations of the memorandum are applied.”.

20 **SEC. 1096. DISCLOSURE REQUIREMENTS FOR UNITED**  
21 **STATES-BASED FOREIGN MEDIA OUTLETS.**

22 Title VII of the Communications Act of 1934 (47  
23 U.S.C. 601 et seq.) is amended by adding at the end the  
24 following:

1 **“SEC. 722. DISCLOSURE REQUIREMENTS FOR UNITED**  
2 **STATES-BASED FOREIGN MEDIA OUTLETS.**

3 “(a) **REPORTS BY OUTLETS TO COMMISSION.**—Not  
4 later than 90 days after the date of the enactment of this  
5 section, and not less frequently than every 6 months there-  
6 after, a United States-based foreign media outlet shall  
7 submit to the Commission a report that contains the fol-  
8 lowing information:

9 “(1) The name of such outlet.

10 “(2) A description of the relationship of such  
11 outlet to the foreign principal of such outlet, includ-  
12 ing a description of the legal structure of such rela-  
13 tionship and any funding that such outlet receives  
14 from such principal.

15 “(b) **REPORTS BY COMMISSION TO CONGRESS.**—Not  
16 later than 60 days after the date of the enactment of this  
17 section, and not less frequently than every 6 months there-  
18 after, the Commission shall transmit to Congress a report  
19 that summarizes the contents of the reports submitted by  
20 United States-based foreign media outlets under sub-  
21 section (a) during the preceding 6-month period.

22 “(c) **PUBLIC AVAILABILITY.**—The Commission shall  
23 make publicly available on the internet website of the  
24 Commission each report submitted by a United States-  
25 based foreign media outlet under subsection (a) not later  
26 than the earlier of—

1           “(1) the date that is 30 days after the outlet  
2 submits the report to the Commission; or

3           “(2) the date on which the Commission trans-  
4 mits to Congress under subsection (b) the report  
5 covering the 6-month period during which the report  
6 of the outlet was submitted to the Commission  
7 under subsection (a).

8           “(d) DEFINITIONS.—In this section:

9           “(1) FOREIGN PRINCIPAL.—The term ‘foreign  
10 principal’ has the meaning given such term in sec-  
11 tion 1(b)(1) of the Foreign Agents Registration Act  
12 of 1938 (22 U.S.C. 611(b)(1)).

13           “(2) UNITED STATES-BASED FOREIGN MEDIA  
14 OUTLET.—The term ‘United States-based foreign  
15 media outlet’ means an entity that—

16           “(A) produces or distributes video pro-  
17 gramming that is transmitted, or intended for  
18 transmission, by a multichannel video program-  
19 ming distributor to consumers in the United  
20 States; and

21           “(B) would be an agent of a foreign prin-  
22 cipal (as defined in paragraph (1)) for purposes  
23 of the Foreign Agents Registration Act of 1938  
24 (22 U.S.C. 611 et seq.) but for section 1(d) of  
25 such Act (22 U.S.C. 611(d)).”.

1 **SEC. 1097. SENSE OF CONGRESS HONORING THE DOVER**  
2 **AIR FORCE BASE, DELAWARE, HOME TO THE**  
3 **436TH AIRLIFT WING, THE 512TH AIRLIFT**  
4 **WING, AND THE CHARLES C. CARSON CENTER**  
5 **FOR MORTUARY AFFAIRS.**

6 (a) FINDINGS.—Congress find the following:

7 (1) The Dover Air Force Base is home more  
8 than 4,000 active-duty military and civilian employ-  
9 ees tasked with defending the United States of  
10 America.

11 (2) The Dover Air Force Base supports the  
12 mission of the 436th Airlift Wing, known as “Eagle  
13 Wing” and the 512th Airlift Wing, known as Liberty  
14 Wing.

15 (3) The “Eagle Wing” serves as a unit of the  
16 Eighteenth Air Force headquartered with the Air  
17 Mobility Command at Scott Air Force Base in Illi-  
18 nois.

19 (4) The “Eagle Wing” flies hundreds of mis-  
20 sions throughout the world and provides a quarter of  
21 the United States’ strategic airlift capability and  
22 boasts a global reach to over 100 countries around  
23 the world.

24 (5) The Dover Air Force Base houses incredible  
25 aircrafts utilized by the United States Air Force, in-

1 cluding the C-5M Super Galaxy and C-17A  
2 Globemaster III aircraft.

3 (6) The Dover Air Force Base operates the  
4 largest and busiest air freight terminal in the De-  
5 partment of Defense, fulfilling an important role in  
6 our Nation's military.

7 (7) The Air Mobility Command Museum is lo-  
8 cated on the Dover Air Force base and welcomes  
9 thousands of visitors each year to learn more about  
10 the United States Air Force.

11 (8) The Charles C. Carson Center for Mortuary  
12 Affairs fulfills our Nation's sacred commitment of  
13 ensuring dignity, honor and respect to the fallen and  
14 care service and support to their families.

15 (9) The mortuary mission at Dover Air Force  
16 Base dates back to 1955 and is the only Department  
17 of Defense mortuary in the continental United  
18 States.

19 (10) Service members who serve at the Center  
20 for Mortuary Affairs are often so moved by their  
21 work that they voluntarily elect to serve multiple  
22 tours because they feel called to serve our fallen he-  
23 roes.

24 (b) SENSE OF CONGRESS.—Congress—

1           (1) honors and expresses sincerest gratitude to  
2           the women and men of the Dover Air Force Base for  
3           their distinguished service;

4           (2) acknowledges the incredible sacrifice and  
5           service of the families of active duty members of the  
6           United States military;

7           (3) encourages the people of the United States  
8           to keep in their thoughts and their prayers the  
9           women and men of the United States Armed Forces;  
10          and

11          (4) recognizes the incredibly unique and impor-  
12          tant work of the Air Force Mortuary Affairs Oper-  
13          ations and the role they play in honoring our fallen  
14          heroes.

15 **SEC. 1098. REPORT ON CAPACITY OF DEPARTMENT OF DE-**  
16 **FENSE TO PROVIDE SURVIVORS OF NATURAL**  
17 **DISASTERS WITH EMERGENCY SHORT-TERM**  
18 **HOUSING.**

19          Not later than 220 days after the date of the enact-  
20          ment of this Act, the Secretary of Defense shall submit  
21          to the congressional defense committees a report analyzing  
22          the capacity of the Department of Defense to provide sur-  
23          vivors of natural disasters with emergency short-term  
24          housing.

1 **SEC. 1099. STUDY ON RECRUITMENT OF STUDENTS WITH**  
2 **EXPERIENCE IN CERTAIN TECHNICAL**  
3 **FIELDS.**

4 (a) **STUDY REQUIRED.**—The Secretary of Defense  
5 shall conduct a study to determine how the Department  
6 of Defense can attract and recruit from institutions of  
7 higher education, including the institutions described in  
8 subsection (b), students with educational backgrounds in  
9 science, technology, engineering, and mathematics, includ-  
10 ing the fields of artificial intelligence, machine learning,  
11 and cybersecurity.

12 (b) **INSTITUTIONS DESCRIBED.**—The institutions de-  
13 scribed in this subsection are—

14 (1) Hispanic Serving Institutions (as defined in  
15 section 502 of the Higher Education Act of 1965  
16 (20 U.S.C. 1101a));

17 (2) Historically Black Colleges and Universities  
18 (as defined in section 322 of such Act (20 U.S.C.  
19 1061)); and

20 (3) Asian American and Native American Pa-  
21 cific Islander Serving Institutions (as defined in Sec-  
22 tion 371(c) of such Act (20 U.S.C. 1067q(c)).

23 (c) **REPORT.**—Not later than 180 days after the date  
24 of the enactment of this Act, the Secretary of Defense  
25 shall submit to the congressional defense committees a re-

1 port on the results of the study conducted under sub-  
2 section (a).

3 **SEC. 1099A. SENSE OF CONGRESS ON THE BASING OF KC-**  
4 **46A AIRCRAFT OUTSIDE THE CONTINENTAL**  
5 **UNITED STATES.**

6 (a) FINDING.—Congress finds that the Department  
7 of Defense is continuing its process of permanently sta-  
8 tioning KC-46A aircraft at installations in the continental  
9 United States and forward-basing outside the continental  
10 United States.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-  
12 gress that the Secretary of the Air Force, as part of the  
13 strategic basing process for KC-46A aircraft, should con-  
14 tinue to consider the benefits derived from locations out-  
15 side the continental United States that—

16 (1) support day-to-day air refueling operations,  
17 operations plans of the combatant commands, and  
18 flexibility for contingency operations, and have—

19 (A) a strategic location that is essential to  
20 the defense of the United States and its inter-  
21 ests;

22 (B) receivers for boom or probe-and-drogue  
23 training opportunities with joint and inter-  
24 national partners; and



1 (C) sufficient airfield and airspace avail-  
2 ability and capacity to meet requirements; and

3 (2) possess facilities that—

4 (A) take full advantage of existing infra-  
5 structure to provide—

6 (i) runway, hangars, and aircrew and  
7 maintenance operations; and

8 (ii) sufficient fuels receipt, storage,  
9 and distribution capacities for a 5-day  
10 peacetime operating stock; and

11 (B) minimize overall construction and  
12 operational costs.

13 **SEC. 1099B. SENSE OF CONGRESS REGARDING EXPLOSIVE**  
14 **ORDNANCE DISPOSAL.**

15 It is the sense of Congress that—

16 (1) military intelligence programs should be  
17 provided additional resources, authorities, and direc-  
18 tion with respect to prevention of and response to  
19 bombings using explosive ordnance thereby ensuring  
20 the safety of the United States and its citizens;

21 (2) additional explosive ordnance disposal intel-  
22 ligence personnel are required to improve the ability  
23 of the intelligence community to safeguard the  
24 United States;

1           (3) because of increasing use of explosive ord-  
2 nance, which includes improvised explosive devices,  
3 the Secretary of Defense should make it a priority  
4 to enhance explosive ordnance disposal intelligence  
5 efforts to protect and safeguard the United States;  
6 and

7           (4) Congress should work to develop a com-  
8 prehensive response to the issue of prevention of  
9 bombings in recognition of the contributions made  
10 by the 122-military explosive ordnance disposal per-  
11 sonnel that have died in the line of duty since the  
12 attacks on the World Trade Center and the Pen-  
13 tagon.

14 **SEC. 1099C. AUTHORIZATION OF APPROPRIATIONS FOR RE-**  
15 **SEARCH ON WOMEN'S CONTRIBUTIONS TO**  
16 **SECURITY.**

17       Of the amounts authorized to be appropriated or oth-  
18 erwise made available for the Department of Defense for  
19 fiscal year 2019, \$150,000 shall be made available for re-  
20 search on women's contributions to security at the Na-  
21 tional Defense University Institute for National Strategic  
22 Studies.

1 **SEC. 1099D. NATIONAL STRATEGY FOR COUNTERING VIO-**  
2 **LENT EXTREMISM.**

3 Section 1094(a)(2) of the National Defense Author-  
4 ization Act for Fiscal Year 2018 (Public Law 115–91) is  
5 amended—

6 (1) in subparagraph (A)(iv), by inserting “in-  
7 cluding those led by women or focused on empow-  
8 ering women,” after “groups,”;

9 (2) by redesignating subparagraph (E) as sub-  
10 paragraph (F); and

11 (3) by inserting after subparagraph (D) the fol-  
12 lowing new subparagraph (E):

13 “(E) Goals to—

14 “(i) support women’s leadership and  
15 full participation in preventing and coun-  
16 tering violent extremism;

17 “(ii) reduce gender barriers to peace  
18 and security, such as gender-based violence  
19 and its harmful effects on individuals and  
20 communities; and

21 “(iii) address gender-specific drivers  
22 of radicalization and terrorist recruitment  
23 strategies.”.

1 **SEC. 1099E. INCLUSION OF CERTAIN NAMES ON THE VIET-**  
2 **NAM VETERANS MEMORIAL.**

3 The Secretary of Defense shall provide for the inclu-  
4 sion on the Vietnam Veterans Memorial in the District  
5 of Columbia the names of the seventy-four crew members  
6 of the USS Frank E. Evans killed on June 3, 1969.

7 **TITLE XI—CIVILIAN PERSONNEL**  
8 **MATTERS**

9 **SEC. 1101. DIRECT HIRE AUTHORITY FOR THE DEPART-**  
10 **MENT OF DEFENSE FOR CERTAIN COMPETI-**  
11 **TIVE SERVICE POSITIONS.**

12 (a) IN GENERAL.—Chapter 99 of title 5, United  
13 States Code, is amended by adding at the end the fol-  
14 lowing:

15 **“§ 9905. Direct hire authority for certain personnel of**  
16 **the Department of Defense**

17 “(a) IN GENERAL.—The Secretary of Defense may  
18 appoint, without regard to the provisions of subchapter I  
19 of chapter 33 (other than sections 3303 and 3328 of such  
20 chapter), qualified candidates to any of the following posi-  
21 tions in the competitive service in the Department of De-  
22 fense:

23 “(1) Any position involved with Department  
24 maintenance activities, including depot-level mainte-  
25 nance and repair.

26 “(2) Any position involved with cybersecurity.

1           “(3) Any individual in the acquisition workforce  
2           that manages any services contracts necessary to the  
3           operation and maintenance of programs of the De-  
4           partment.

5           “(4) Any science, technology, or engineering po-  
6           sition, including any such position at the Major  
7           Range and Test Facilities Base, in order to allow de-  
8           velopment of new systems and provide for the main-  
9           tenance of legacy systems.

10          “(b) SUNSET.—Effective on September 30, 2025, the  
11          authority provided under subsection (a) shall expire.”.

12          (b) CLERICAL AMENDMENT.—The table of sections  
13          at the beginning of chapter 99 of such title is amended  
14          by inserting after the item relating to section 9904 the  
15          following new item:

            “9905. Direct hire authority for certain personnel of the Department of De-  
            fense.”.

16      **SEC. 1102. MODIFICATION OF DIRECT HIRE AUTHORITY**  
17                                   **FOR THE DEPARTMENT OF DEFENSE FOR**  
18                                   **POST-SECONDARY STUDENTS AND RECENT**  
19                                   **GRADUATES.**

20          (a) IN GENERAL.—Chapter 99 of title 5, United  
21          States Code, as amended by section 1101(a), is further  
22          amended by adding at the end the following:

1 **“§ 9906. Direct hire authority for the Department of**  
2 **Defense for post-secondary students and**  
3 **recent graduates**

4 “(a) IN GENERAL.—Without regard to sections 3309  
5 through 3318, 3327, and 3330, the Secretary of Defense  
6 may recruit and appoint qualified recent graduates and  
7 current post-secondary students to competitive service po-  
8 sitions in professional and administrative occupations  
9 within the Department of Defense.

10 “(b) REGULATIONS.—

11 “(1) IN GENERAL.—The Secretary shall admin-  
12 ister this section in accordance with regulations pre-  
13 scribed by the Secretary for purposes of this section.

14 “(2) PUBLIC NOTICE AND ADVERTISING.—To  
15 the extent practical, as determined by the Secretary,  
16 the Secretary shall publicly advertise positions avail-  
17 able under this section. In carrying out the pre-  
18 ceding sentence, the Secretary shall—

19 “(A) take into account merit system prin-  
20 ciples, mission requirements, costs, and organi-  
21 zational benefits of any advertising of positions;  
22 and

23 “(B) advertise such positions in the man-  
24 ner the Secretary determines is most likely to  
25 provide diverse and qualified candidates and en-

1           sure potential applicants have appropriate infor-  
2           mation relevant to the positions available.

3           “(c) DEFINITIONS.—In this section—

4           “(1) the term ‘current post-secondary student’  
5           means a person who—

6                   “(A) is currently enrolled in, and in good  
7                   academic standing at, a full-time program at an  
8                   institution of higher education;

9                   “(B) is making satisfactory progress to-  
10                  ward receipt of a baccalaureate or graduate de-  
11                  gree; and

12                  “(C) has completed at least one year of the  
13                  program;

14           “(2) the term ‘institution of higher education’  
15           has the meaning given the term in section 101 of the  
16           Higher Education Act of 1965 (20 U.S.C. 1001);  
17           and

18           “(3) the term ‘recent graduate’, with respect to  
19           appointment of a person under this section, means  
20           a person who was awarded a degree by an institu-  
21           tion of higher education not more than two years be-  
22           fore the date of the appointment of such person, ex-  
23           cept that in the case of a person who has completed  
24           a period of obligated service in a uniformed service  
25           of more than four years, such term means a person

1 who was awarded a degree by an institution of high-  
2 er education not more than four years before the  
3 date of the appointment of such person.

4 “(d) SUNSET.—Effective on September 30, 2025, the  
5 authority provided under this section shall expire.”.

6 (b) CLERICAL AMENDMENT.—The table of sections  
7 at the beginning of chapter 99 of such title, as amended  
8 by section 1101(b), is further amended by inserting after  
9 the item relating to section 9905 the following new item:

“9906. Direct hire authority for the Department of Defense for post-secondary  
students and recent graduates.”.

10 (c) REPEAL.—Section 1106 of the National Defense  
11 Authorization Act for Fiscal Year 2017 (Public Law 114–  
12 328) is repealed.

13 **SEC. 1103. EXTENSION OF OVERTIME RATE AUTHORITY**  
14 **FOR DEPARTMENT OF THE NAVY EMPLOYEES**  
15 **PERFORMING WORK ABOARD OR DOCKSIDE**  
16 **IN SUPPORT OF THE NUCLEAR-POWERED**  
17 **AIRCRAFT CARRIER FORWARD DEPLOYED IN**  
18 **JAPAN.**

19 Section 5542(a)(6)(B) of title 5, United States Code,  
20 is amended by striking “September 30, 2019” and insert-  
21 ing “September 30, 2021”.



1 **SEC. 1104. ONE-YEAR EXTENSION AND EXPANSION OF AU-**  
2 **THORITY TO WAIVE ANNUAL LIMITATION ON**  
3 **PREMIUM PAY AND AGGREGATE LIMITATION**  
4 **ON PAY FOR FEDERAL CIVILIAN EMPLOYEES**  
5 **WORKING OVERSEAS.**

6 (a) IN GENERAL.—Section 1101(a) of the Duncan  
7 Hunter National Defense Authorization Act for Fiscal  
8 Year 2009 (Public Law 110–417; 122 Stat. 4615), as  
9 most recently amended by section 1105 of the National  
10 Defense Authorization Act for Fiscal Year 2018 (Public  
11 Law 115–91), is amended by striking “through 2018” and  
12 inserting “through 2019”.

13 (b) APPLICABILITY OF AGGREGATE LIMITATION ON  
14 PAY.—Section 1101(b) of the Duncan Hunter National  
15 Defense Authorization Act for Fiscal Year 2009 (Public  
16 Law 110–417; 122 Stat. 4615) is amended to read as fol-  
17 lows:

18 “(b) APPLICABILITY OF AGGREGATE LIMITATION ON  
19 PAY.—In applying section 5307 of title 5, United States  
20 Code, any payment in addition to basic pay for a period  
21 of time during which a waiver under subsection (a) is in  
22 effect shall not be counted as part of an employee’s aggre-  
23 gate compensation for the given calendar year.”.

24 (c) EFFECTIVE DATE.—This section and the amend-  
25 ments made by this section shall take effect on January  
26 1, 2019.

1 **SEC. 1105. APPOINTMENT OF RETIRED MEMBERS OF THE**  
2 **ARMED FORCES TO POSITIONS IN OR UNDER**  
3 **THE DEPARTMENT OF DEFENSE.**

4 (a) IN GENERAL.—During fiscal years 2018 through  
5 2021, in addition to the authority provided under para-  
6 graphs (1) and (2) of subsection (b) of section 3326 of  
7 title 5, United States Code, and consistent with the re-  
8 quirements of such section, a retired member of the armed  
9 forces may be appointed under such subsection if—

10 (1) the Department of Defense (including a  
11 nonappropriated fund instrumentality under the ju-  
12 risdiction of the armed forces) has been granted di-  
13 rect hire authority to fill the position;

14 (2) the appointment is to fill an emergency ap-  
15 pointment for which the Secretary concerned or his  
16 designee for the purpose determines competitive ap-  
17 pointment is not appropriate or reasonable due to  
18 the need to fill the emergency need as quickly as  
19 possible; or

20 (3) the appointment is for a highly qualified ex-  
21 pert under section 9903 of such title.

22 (b) BRIEFING.—Not later than 90 days after the end  
23 of each of fiscal years 2018 through 2021, the Secretary  
24 of Defense shall provide a briefing to the Committee on  
25 Armed Services of the House of Representatives and the

1 Committee on Oversight and Government Reform of the  
2 House of Representatives including—

3 (1) with respect to the waiver process under  
4 section 3326(b)(1) of title 5, United States Code—

5 (A) the number of individuals appointed  
6 during the most recently ended fiscal year  
7 under such process; and

8 (B) the Department of Defense’s plan on  
9 the use of such process during the fiscal year  
10 in which the briefing is provided;

11 (2) the number of individuals—

12 (A) appointed under the authority provided  
13 by subsection (a) during the most recently  
14 ended fiscal year; and

15 (B) expected to be appointed under such  
16 subsection during the fiscal year in which the  
17 briefing is provided; and

18 (3) the impact of subsection (a) on the manage-  
19 ment of the Department civilian workforce during  
20 the most recently ended fiscal year.

21 **SEC. 1106. EXTENSION OF AUTHORITY TO CONDUCT**  
22 **TELEWORK TRAVEL EXPENSES TEST PRO-**  
23 **GRAMS.**

24 (a) IN GENERAL.—Section 5711(g) of title 5, United  
25 States Code, is amended by striking “7 years after the

1 date of the enactment of the Telework Enhancement Act  
2 of 2010” and inserting “on December 31, 2020”.

3 (b) EFFECTIVE DATE.—The amendment made by  
4 subsection (a) shall take effect as though enacted on De-  
5 cember 1, 2017.

6 **SEC. 1107. PERSONNEL DEMONSTRATION PROJECTS.**

7 Section 4703 of title 5, United States Code, is  
8 amended—

9 (1) in subsection (d), by striking paragraph (2)  
10 and inserting the following:

11 “(2)(A) Except as provided in subparagraph (B), not  
12 more than 10 active demonstration projects may be in ef-  
13 fect at any time.

14 “(B) Any demonstration project authorized under  
15 this section that is active for a period greater than 10  
16 years shall not count for purposes of applying the limita-  
17 tion in subparagraph (A).”; and

18 (2) by adding at the end the following:

19 “(j) Each agency at which a demonstration project  
20 is ongoing shall submit an annual report to the Office of  
21 Personnel Management, the Office and Management and  
22 Budget, the Committee on Homeland Security and Gov-  
23 ernmental Affairs of the United States Senate, and the  
24 Committee on Oversight and Government Reform of the  
25 United States House of Representatives that includes—

1           “(1) the aggregate performance appraisal rat-  
2           ings and compensation costs for employees under a  
3           demonstration project;

4           “(2) an assessment of the results of the dem-  
5           onstration project, including its impact on mission  
6           goals, employee recruitment, retention, and satisfac-  
7           tion, and which may include the results of the survey  
8           authorized under section 1128 of the National De-  
9           fense Authorization Act for Fiscal Year 2004 (Pub-  
10          lic Law 108–136; 5 U.S.C. 7101 note), commonly  
11          referred to as the Federal Employee Viewpoint Sur-  
12          vey, and performance management for employees;  
13          and

14          “(3) a comparison of the items listed in (1) and  
15          (2) with employees not covered by the demonstration  
16          project.”.

17 **SEC. 1108. EXPANDED FLEXIBILITY IN SELECTING CAN-**  
18 **DIDATES FROM REFERRAL LISTS.**

19          (a) **EXPANDED FLEXIBILITY.**—Subchapter I of chap-  
20          ter 33 of title 5, United States Code, is amended by strik-  
21          ing sections 3317 and 3318 and inserting the following:

22 **“§ 3317. Competitive service; certification using nu-**  
23 **merical ratings**

24          “(a) **CERTIFICATION.**—

1           “(1) IN GENERAL.—The Director of the Office  
2 of Personnel Management, or the head of an agency  
3 to which the Director has delegated examining au-  
4 thority under section 1104(a)(2), shall certify a suf-  
5 ficient number of names from the top of the appro-  
6 priate register or list of eligibles, as determined pur-  
7 suant to regulations prescribed under subsection (c),  
8 and provide a certificate with such names to an ap-  
9 pointing authority that has requested a certificate of  
10 eligibles to consider when filling a job in the com-  
11 petitive service.

12           “(2) MINIMUM NUMBER OF NAMES CER-  
13 TIFIED.—Unless otherwise provided for in regula-  
14 tions prescribed under subsection (c), the number of  
15 names certified under paragraph (1) shall be not  
16 less than three.

17           “(b) DISCONTINUANCE OF CERTIFICATION.—When  
18 an appointing authority, for reasons considered sufficient  
19 by the Director or head of an agency, has three times con-  
20 sidered and passed over a preference eligible who was cer-  
21 tified from a register, the Director or head of any agency  
22 may discontinue certifying the preference eligible for ap-  
23 pointment. The Director or the head of an agency shall  
24 provide to such preference eligible notice of the intent to

1 discontinue certifying such preference eligible prior to the  
2 discontinuance of certification.

3 “(c) REGULATIONS.—The Director shall prescribe  
4 regulations for the administration of this section. Such  
5 regulations shall include the establishment of mechanisms  
6 for identifying the eligibles who will be considered for each  
7 vacancy. Such mechanisms may include cut-off scores.

8 “(d) DEFINITION.—In this section, the term ‘Direc-  
9 tor’ means the Director of the Office of Personnel Man-  
10 agement.

11 **“§ 3318. Competitive service; selections using numer-  
12 ical ratings**

13 “(a) IN GENERAL.—An appointing authority shall se-  
14 lect for appointment from the eligibles certified for ap-  
15 pointment on a certificate furnished under section  
16 3317(a), unless objection to one or more of the individuals  
17 certified is made to, and sustained by, the Director of the  
18 Office of Personnel Management or the head of an agency  
19 to which the Director has delegated examining authority  
20 under section 1104(a)(2), for proper and adequate reason  
21 under regulations prescribed by the Director.

22 “(b) OTHER APPOINTING AUTHORITIES.—

23 “(1) IN GENERAL.—During the 240-day period  
24 beginning on the date of issuance of a certificate of  
25 eligibles under section 3317(a), an appointing au-

1       thority other than the appointing authority request-  
2       ing the certificate (in this subsection referred to as  
3       the ‘other appointing authority’) may select an indi-  
4       vidual from that certificate in accordance with this  
5       subsection for an appointment to a position that  
6       is—

7               “(A) in the same occupational series as the  
8               position for which the certification of eligibles  
9               was issued (in this subsection referred to as the  
10              ‘original position’); and

11              “(B) at a similar grade level as the origi-  
12              nal position.

13              “(2) APPLICABILITY.—An appointing authority  
14              requesting a certificate of eligibles may share the  
15              certificate with another appointing authority only if  
16              the announcement of the original position provided  
17              notice that the resulting list of eligible candidates  
18              may be used by another appointing authority.

19              “(3) REQUIREMENTS.—The selection of an in-  
20              dividual under paragraph (1)—

21              “(A) shall be made in accordance with sub-  
22              section (a); and

23              “(B) subject to paragraph (4), may be  
24              made without any additional posting under sec-  
25              tion 3327.



1           “(4) INTERNAL NOTICE.—Before selecting an  
2 individual under paragraph (1), the other appointing  
3 authority shall—

4           “(A) provide notice of the available posi-  
5 tion to employees of the other appointing au-  
6 thority;

7           “(B) provide up to 10 business days for  
8 employees of the other appointing authority to  
9 apply for the position; and

10           “(C) review the qualifications of employees  
11 submitting an application.

12           “(c) PASS OVER.—

13           “(1) IN GENERAL.—Subject to subparagraph  
14 (2), if an appointing authority proposes to pass over  
15 a preference eligible certified for appointment under  
16 subsection (a) and select an individual who is not a  
17 preference eligible, the appointing authority shall file  
18 written reasons with the Director or the head of the  
19 agency for passing over the preference eligible. The  
20 Director or the head of the agency shall make the  
21 reasons presented by the appointing authority part  
22 of the record of the preference eligible and may re-  
23 quire the submission of more detailed information  
24 from the appointing authority in support of the  
25 passing over of the preference eligible. The Director

1 or the head of the agency shall determine the suffi-  
2 ciency or insufficiency of the reasons submitted by  
3 the appointing authority, taking into account any re-  
4 sponse received from the preference eligible under  
5 paragraph (2). When the Director or the head of the  
6 agency has completed review of the proposed pass-  
7 over of the preference eligible, the Director or the  
8 head of the agency shall send its findings to the ap-  
9 pointing authority and to the preference eligible. The  
10 appointing authority shall comply with the findings.

11 “(2) PREFERENCE ELIGIBLE INDIVIDUALS WHO  
12 HAVE A COMPENSABLE SERVICE-CONNECTED DIS-  
13 ABILITY.—In the case of a preference eligible de-  
14 scribed in section 2108(3)(C) who has a compen-  
15 sable service-connected disability of 30 percent or  
16 more, the appointing authority shall notify the Di-  
17 rector under paragraph (1) and, at the same time,  
18 notify the preference eligible of the proposed pass-  
19 over, of the reasons for the proposed pass-over, and  
20 of the individual’s right to respond to those reasons  
21 to the Director within 15 days of the date of the no-  
22 tification. The Director shall, before completing the  
23 review under paragraph (1), require a demonstration  
24 by the appointing authority that the notification was

1       timely sent to the preference eligible's last known  
2       address.

3           “(3) FURTHER CONSIDERATION NOT RE-  
4       QUIRED.—When a preference eligible, for reasons  
5       considered sufficient by the Director, or in the case  
6       of a preference eligible described in paragraph (1),  
7       by the head of an agency, has been passed over in  
8       accordance with this subsection for the same posi-  
9       tion, the appointing authority is not required to give  
10      further consideration to that preference eligible while  
11      selecting from the same list for a subsequent ap-  
12      pointment to such position.

13          “(4) DELEGATION PROHIBITION.—In the case  
14      of a preference eligible described in paragraph (2),  
15      the functions of the Director under this subsection  
16      may not be delegated to an individual who is not an  
17      officer or employee of the Office of Personnel Man-  
18      agement.

19          “(d) SPECIAL RULE REGARDING REEMPLOYMENT  
20      LISTS.—When the names of preference eligibles are on a  
21      reemployment list appropriate for the position to be filled,  
22      an appointing authority may appoint from a register of  
23      eligibles established after examination only an individual  
24      who qualifies as a preference eligible under subparagraph  
25      (C), (D), (E), (F), or (G) of section 2108(3).

1       “(e) CONSIDERATION NOT REQUIRED.—In accord-  
2       ance with regulations prescribed by the Director, an ap-  
3       pointing officer is not required to consider an eligible who  
4       has been considered by the appointing officer for three  
5       separate appointments from the same or different certifi-  
6       cates for the same position.

7       “(f) REGULATIONS.—The Director shall prescribe  
8       regulations for the administration of this section.

9       “(d) DEFINITION.—In this section, the term ‘Direc-  
10       tor’ means the Director of the Office of Personnel Man-  
11       agement.”.

12       (b) CONFORMING AMENDMENTS.—Such subchapter  
13       is further amended—

14               (1) in section 3319—

15                       (A) by amending the section heading to  
16                       read as follows:

17       **“§ 3319. Competitive service; selection using category**  
18                       **rating”;**

19       and

20                       (B) in subsection (e), by striking para-  
21                       graph (6), redesignating paragraph (7) as para-  
22                       graph (6), and amending paragraph (6) (as so  
23                       redesignated) to read as follows:

24                       “(6) PREFERENCE ELIGIBLES.—

1           “(A) SATISFACTION OF CERTAIN REQUIRE-  
2           MENTS.—Notwithstanding paragraphs (1) and  
3           (2), an appointing official may not pass over a  
4           preference eligible in the same category from  
5           which selection is made, unless the require-  
6           ments of sections 3317(b) and 3318(c), as ap-  
7           plicable, are satisfied.

8           “(B) FURTHER CONSIDERATION NOT RE-  
9           QUIRED.—When a preference eligible, for rea-  
10          sons considered sufficient by the Director, or in  
11          the case of a preference eligible described in  
12          section 3318(c)(1), by the head of an agency,  
13          has been passed over in accordance with section  
14          3318(c) for the same position, the appointing  
15          authority is not required to give further consid-  
16          eration to that preference eligible while select-  
17          ing from the same list for a subsequent ap-  
18          pointment to such position.

19          “(C) LIST OF ELIGIBLES ISSUED FROM A  
20          STANDING REGISTER; DISCONTINUATION OF  
21          CERTIFICATION.—In the case of lists of eligibles  
22          issued from a standing register, when an ap-  
23          pointing authority, for reasons considered suffi-  
24          cient by the Director or the head of an agency,  
25          has three times considered and passed over a

1 preference eligible who was certified from a reg-  
2 ister, certification of the preference eligible for  
3 appointment may be discontinued. However, the  
4 preference eligible is entitled to advance notice  
5 of discontinuance of certification in accordance  
6 with regulations prescribed by the Director.”;  
7 and

8 (2) in the first sentence of section 3320, by  
9 striking “sections 3308–3318” and inserting “sec-  
10 tions 3308 through 3319”.

11 (c) CLERICAL AMENDMENT.—The table of sections  
12 at the beginning of such chapter is amended by striking  
13 the items relating to sections 3317, 3318, and 3319 and  
14 inserting the following:

“3317. Competitive service; certification using numerical ratings

“3318. Competitive service; selection using numerical ratings

“3319. Competitive service; selection using category rating”.

15 (d) EFFECTIVE DATE.—

16 (1) IN GENERAL.—The amendments made by  
17 this section shall take effect on the date on which  
18 the Director of the Office of Personnel Management  
19 issues final regulations to implement sections 3317,  
20 3318, and 3319 of title 5, United States Code, as  
21 amended or added by this section.

22 (2) REGULATIONS REQUIRED.—The Director  
23 shall issue regulations under paragraph (1) not later

1 than one year after the date of enactment of this  
2 section.

3 **SEC. 1109. TEMPORARY AND TERM APPOINTMENTS IN THE**  
4 **COMPETITIVE SERVICE.**

5 (a) TEMPORARY AND TERM APPOINTMENTS.—Sub-  
6 chapter I of chapter 31 of title 5, United States Code,  
7 is amended by adding at the end the following:

8 **“§ 3115. Temporary and term appointments**

9 “(a) DEFINITIONS.—In this section:

10 “(1) DIRECTOR.—The term ‘Director’ means  
11 the Director of the Office of Personnel Management.

12 “(2) TEMPORARY APPOINTMENT.—The term  
13 ‘temporary appointment’ means an appointment in  
14 the competitive service for a period of not more than  
15 1 year.

16 “(3) TERM APPOINTMENT.—The term ‘term  
17 appointment’ means an appointment in the competi-  
18 tive service for a period of more than 1 year and not  
19 more than 5 years.

20 “(b) APPOINTMENT.—

21 “(1) IN GENERAL.—The head of an Executive  
22 agency may make a temporary appointment or term  
23 appointment to a position in the competitive service  
24 when the need for the services of the employee serv-  
25 ices is not permanent.

1           “(2) EXTENSION.—Under conditions prescribed  
2           by the Director, the head of an Executive agency  
3           may—

4                   “(A) extend a temporary appointment  
5                   made under paragraph (1) in increments of not  
6                   more than 1 year, up to a maximum of 3 total  
7                   years of service; and

8                   “(B) extend a term appointment made  
9                   under paragraph (1) in increments determined  
10                  appropriate by the head of the Executive agen-  
11                  cy, up to a maximum of 6 total years of service.

12          “(c) APPOINTMENTS FOR CRITICAL HIRING  
13 NEEDS.—Under conditions prescribed by the Director, the  
14 head of an Executive agency may make a noncompetitive  
15 temporary appointment, or a noncompetitive term ap-  
16 pointment for a period of not more than 18 months, to  
17 a position in the competitive service for which a critical  
18 hiring need exists, without regard to the requirements of  
19 sections 3327 and 3330. An appointment made under this  
20 subsection may not be extended.

21          “(d) REGULATIONS.—The Director may prescribe  
22 regulations to carry out this section, but is not required  
23 to promulgate regulations prior to implementation of this  
24 section.



1       “(e) SPECIAL PROVISION REGARDING THE DEPART-  
2 MENT OF DEFENSE.—Nothing in this section shall pre-  
3 clude the Secretary of Defense from making temporary  
4 and term appointments in the competitive service pursu-  
5 ant to section 1105 of the National Defense Authorization  
6 Act for Fiscal Year 2017 (10 U.S.C. note prec. 1580; Pub-  
7 lic Law 114–328; 130 Stat. 2447), and any regulations  
8 prescribed by the Director for the administration of this  
9 section shall not apply to the Secretary of Defense in the  
10 exercise of the authorities granted under such section  
11 1105.”.

12       (b) CLERICAL AMENDMENT.—The table of sections  
13 for chapter 31 of title 5, United States Code, is amended  
14 by inserting after the item relating to section 3114 the  
15 following:

“3115. Temporary and term appointments.”.

16 **SEC. 1110. EXPEDITED HIRING AUTHORITY FOR COLLEGE**  
17 **GRADUATES AND POST-SECONDARY STU-**  
18 **DENTS.**

19       (a) IN GENERAL.—Subchapter I of chapter 31 of title  
20 5, United States Code, is amended by adding at the end  
21 the following:

22 **“§ 3115. Expedited hiring authority for college grad-**  
23 **uates; competitive service**

24       “(a) DEFINITIONS.—In this section:

1           “(1) DIRECTOR.—The term ‘Director’ means  
2 the Director of the Office of Personnel Management.

3           “(2) INSTITUTION OF HIGHER EDUCATION.—  
4 The term ‘institution of higher education’ has the  
5 meaning given the term in section 101(a) of the  
6 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

7           “(b) APPOINTMENT.—

8           “(1) IN GENERAL.—The head of an agency may  
9 appoint, without regard to any provision of sections  
10 3309 through 3319 and 3330, a qualified individual  
11 to a position in the competitive service classified in  
12 a professional or administrative occupational cat-  
13 egory at the GS–11 level, or an equivalent level, or  
14 below.

15           “(2) RESTRICTIONS.—An appointment under  
16 paragraph (1) shall be made in accordance with reg-  
17 ulations prescribed by the Director.

18           “(c) QUALIFICATIONS FOR APPOINTMENT.—The  
19 head of an agency may make an appointment under sub-  
20 section (b) only if the individual being appointed—

21           “(1) has received a baccalaureate or graduate  
22 degree from an institution of higher education;

23           “(2) applies for the position—

1           “(A) not later than 2 years after the date  
2           on which the individual being appointed re-  
3           ceived the degree described in paragraph (1); or

4           “(B) in the case of an individual who has  
5           completed a period of not less than 4 years of  
6           obligated service in a uniformed service, not  
7           later than 2 years after the date of the dis-  
8           charge or release of the individual from that  
9           service; and

10          “(3) meets each minimum qualification stand-  
11          ard prescribed by the Director for the position to  
12          which the individual is being appointed.

13          “(d) PUBLIC NOTICE AND ADVERTISING.—

14                 “(1) IN GENERAL.—The head of an agency  
15                 making an appointment under subsection (b) shall  
16                 publicly advertise positions under this section.

17                 “(2) REQUIREMENTS.—In carrying out para-  
18                 graph (1), the head of an agency shall—

19                         “(A) adhere to merit system principles;

20                         “(B) advertise positions in a manner that  
21                         provides for diverse and qualified applicants;  
22                         and

23                         “(C) ensure potential applicants have ap-  
24                         propriate information relevant to the positions  
25                         available.

1 “(e) LIMITATION ON APPOINTMENTS.—

2 “(1) IN GENERAL.—Except as provided in para-  
3 graph (2), the total number of employees that the  
4 head of an agency may appoint under this section  
5 during a fiscal year may not exceed the number  
6 equal to 15 percent of the number of individuals  
7 that the agency head appointed during the previous  
8 fiscal year to a position in the competitive service  
9 classified in a professional or administrative occupa-  
10 tional category, at the GS–11 level, or an equivalent  
11 level, or below, under a competitive examining proce-  
12 dure.

13 “(2) EXCEPTIONS.—Under a regulation pre-  
14 scribed under subsection (f), the Director may estab-  
15 lish a lower limit on the number of individuals that  
16 may be appointed under paragraph (1) of this sub-  
17 section during a fiscal year based on any factor the  
18 Director considers appropriate.

19 “(f) REGULATIONS.—Not later than 180 days after  
20 the date of enactment of the Direct Hire of Students and  
21 Recent Graduates Act of 2017, the Director shall issue  
22 interim regulations, with an opportunity for comment, for  
23 the administration of this section.

24 “(g) REPORTING.—

1           “(1) IN GENERAL.—Not later than September  
2           30 of each of the first 3 fiscal years beginning after  
3           the date of enactment of the Direct Hire of Students  
4           and Recent Graduates Act of 2017, the head of an  
5           agency that makes an appointment under this sec-  
6           tion shall submit to Congress a report assessing the  
7           impact of the use of the authority provided under  
8           this section during the fiscal year in which the re-  
9           port is submitted.

10           “(1) IN GENERAL.—Not later than September  
11           30 of each of the first 3 fiscal years beginning after  
12           the date of enactment of the Direct Hire of Students  
13           and Recent Graduates Act of 2017, the head of an  
14           agency that makes an appointment under this sec-  
15           tion shall submit a report to—

16                   “(A) Congress that assesses the impact of  
17                   the use of the authority provided under this  
18                   section during the fiscal year in which the re-  
19                   port is submitted; and

20                   “(B) the Director that contains data that  
21                   the Director considers necessary for the Direc-  
22                   tor to assess the impact and effectiveness of the  
23                   authority described in subparagraph (A).

24           “(2) CONTENT.—The head of an agency shall  
25           include in each report under paragraph (1)—

1           “(A) the total number of individuals ap-  
2           pointed by the agency under this section, as  
3           well as the number of such individuals who  
4           are—

5                   “(i) minorities or members of other  
6                   underrepresented groups; or

7                   “(ii) veterans;

8           “(B) recruitment sources;

9           “(C) the total number of individuals ap-  
10          pointed by the agency during the applicable fis-  
11          cal year to a position in the competitive service  
12          classified in a professional or administrative oc-  
13          cupational category at the GS–11 level, or an  
14          equivalent level, or below; and

15          “(D) any additional data specified by the  
16          Director.

17          “(h) SPECIAL PROVISION REGARDING THE DEPART-  
18          MENT OF DEFENSE.—

19                   “(1) AUTHORITY.—Nothing in this section shall  
20          preclude the Secretary of Defense from exercising  
21          any authority to appoint a recent graduate under  
22          section 1106 of the National Defense Authorization  
23          Act for Fiscal Year 2017 (10 U.S.C. note prec.  
24          1580), or any applicable successor statute.

1           “(2) REGULATIONS.—Any regulations pre-  
2           scribed by the Director for the administration of this  
3           section shall not apply to the Department of Defense  
4           during the period ending on the date on which the  
5           appointment authority of the Secretary of Defense  
6           under section 1106 of the National Defense Author-  
7           ization Act for Fiscal Year 2017 (10 U.S.C. note  
8           prec. 1580), or any applicable successor statute, ter-  
9           minates.

10 **“§ 3116. Expedited hiring authority for post-sec-**  
11 **ondary students; competitive service**

12           “(a) DEFINITIONS.—In this section:

13           “(1) DIRECTOR.—The term ‘Director’ means  
14           the Director of the Office of Personnel Management.

15           “(2) INSTITUTION OF HIGHER EDUCATION.—  
16           The term ‘institution of higher education’ has the  
17           meaning given the term in section 101(a) of the  
18           Higher Education Act of 1965 (20 U.S.C. 1001(a)).

19           “(3) STUDENT.—The term ‘student’ means an  
20           individual enrolled or accepted for enrollment in an  
21           institution of higher education who is pursuing a  
22           baccalaureate or graduate degree on at least a part-  
23           time basis as determined by the institution of higher  
24           education.

25           “(b) APPOINTMENT.—

1           “(1) IN GENERAL.—The head of an agency may  
2           make a time-limited appointment of a student, with-  
3           out regard to any provision of sections 3309 through  
4           3319 and 3330, to a position in the competitive  
5           service at the GS–11 level, or an equivalent level, or  
6           below for which the student is qualified.

7           “(2) RESTRICTIONS.—An appointment under  
8           paragraph (1) shall be made in accordance with reg-  
9           ulations prescribed by the Director.

10          “(c) PUBLIC NOTICE.—

11           “(1) IN GENERAL.—The head of an agency  
12           making an appointment under subsection (b) shall  
13           publicly advertise positions available under this sec-  
14           tion.

15           “(2) REQUIREMENTS.—In carrying out para-  
16           graph (1), the head of an agency shall—

17                   “(A) adhere to merit system principles;

18                   “(B) advertise positions in a manner that  
19           provides for diverse and qualified applicants;  
20           and

21                   “(C) ensure potential applicants have ap-  
22           propriate information relevant to the positions  
23           available.

24          “(d) LIMITATION ON APPOINTMENTS.—



1           “(1) IN GENERAL.—Except as provided in para-  
2           graph (2), the total number of students that the  
3           head of an agency may appoint under this section  
4           during a fiscal year may not exceed the number  
5           equal to 15 percent of the number of students that  
6           the agency head appointed during the previous fiscal  
7           year to a position in the competitive service at the  
8           GS–11 level, or an equivalent level, or below.

9           “(2) EXCEPTIONS.—Under a regulation pre-  
10          scribed under subsection (g), the Director may es-  
11          tablish a lower limit on the number of students that  
12          may be appointed under paragraph (1) of this sub-  
13          section during a fiscal year based on any factor the  
14          Director considers appropriate.

15          “(e) CONVERSION.—The head of an agency may,  
16          without regard to any provision of chapter 33 or any other  
17          provision of law relating to the examination, certification,  
18          and appointment of individuals in the competitive service,  
19          convert a student serving in an appointment under sub-  
20          section (b) to a permanent appointment in the competitive  
21          service within the agency without further competition if  
22          the student—

23                 “(1) has completed the course of study leading  
24                 to the baccalaureate or graduate degree;

1           “(2) has completed not less than 640 hours of  
2           current continuous employment in an appointment  
3           under subsection (b); and

4           “(3) meets the qualification standards for the  
5           position to which the student will be converted.

6           “(f) TERMINATION.—The head of an agency shall,  
7           without regard to any provision of chapter 35 or 75, termi-  
8           nate the appointment of a student appointed under sub-  
9           section (b) upon completion of the designated academic  
10          course of study unless the student is selected for conver-  
11          sion under subsection (e).

12          “(g) REGULATIONS.—Not later than 180 days after  
13          the date of enactment of the Direct Hire of Students and  
14          Recent Graduates Act of 2017, the Director shall issue  
15          interim regulations, with an opportunity for comment, for  
16          the administration of this section.

17          “(h) REPORTING.—

18                  “(1) IN GENERAL.—Not later than September  
19                  30 of each of the first 3 fiscal years beginning after  
20                  the date of enactment of the Direct Hire of Students  
21                  and Recent Graduates Act of 2017, the head of an  
22                  agency that makes an appointment under this sec-  
23                  tion shall submit a report to—

24                          “(A) Congress that assesses the impact of  
25                          the use of the authority provided under this

1 section during the fiscal year in which the re-  
2 port is submitted; and

3 “(B) the Director that contains data that  
4 the Director considers necessary for the Direc-  
5 tor to assess the impact and effectiveness of the  
6 authority described in subparagraph (A).

7 “(2) CONTENT.—The head of an agency shall  
8 include in each report under paragraph (1)—

9 “(A) the total number of individuals ap-  
10 pointed by the agency under this section, as  
11 well as the number of such individuals who  
12 are—

13 “(i) minorities or members of other  
14 underrepresented groups; or

15 “(ii) veterans;

16 “(B) recruitment sources;

17 “(C) the total number of individuals ap-  
18 pointed by the agency during the applicable fis-  
19 cal year to a position in the competitive service  
20 at the GS–11 level, or an equivalent level, or  
21 below; and

22 “(D) any additional data specified by the  
23 Director.

24 “(i) SPECIAL PROVISION REGARDING THE DEPART-  
25 MENT OF DEFENSE.—

1           “(1) **AUTHORITY.**—Nothing in this section shall  
2           preclude the Secretary of Defense from exercising  
3           any authority to appoint a post-secondary student  
4           under section 1106 of the National Defense Author-  
5           ization Act for Fiscal Year 2017 (10 U.S.C. note  
6           prec. 1580), or any applicable successor statute.

7           “(2) **REGULATIONS.**—Any regulations pre-  
8           scribed by the Director for the administration of this  
9           section shall not apply to the Department of Defense  
10          during the period ending on the date on which the  
11          appointment authority of the Secretary of Defense  
12          under section 1106 of the National Defense Author-  
13          ization Act for Fiscal Year 2017 (10 U.S.C. note  
14          prec. 1580), or any applicable successor statute, ter-  
15          minates.”.

16          (b) **TABLE OF SECTIONS AMENDMENTS.**—The table  
17          of sections for subchapter I of chapter 31 of title 5, United  
18          States Code, is amended by adding at the end the fol-  
19          lowing:

          “3115. Expedited hiring authority for college graduates; competitive service.

          “3116. Expedited hiring authority for post-secondary students; competitive serv-  
          ice.”.

20          **SEC. 1111. PRESIDENTIAL ALLOWANCE MODERNIZATION.**

21          (a) **FORMER PRESIDENTS.**—The first section of the  
22          Act entitled “An Act to provide retirement, clerical assist-  
23          ants, and free mailing privileges to former Presidents of  
24          the United States, and for other purposes”, approved Au-

1 gust 25, 1958 (commonly known as the “Former Presi-  
2 dents Act of 1958”) (3 U.S.C. 102 note), is amended—

3 (1) by redesignating subsections (f) and (g) as  
4 subsections (h) and (i), respectively;

5 (2) by striking the matter preceding subsection  
6 (e) and inserting the following:

7 “(a) ANNUITIES AND ALLOWANCES.—

8 “(1) ANNUITY.—Each former President shall  
9 be entitled to receive from the United States an an-  
10 nuity, subject to subsections (b) and (c)—

11 “(A) at the rate of \$200,000 per year; and

12 “(B) which shall commence on the day  
13 after the date on which an individual becomes  
14 a former President.

15 “(2) ALLOWANCE.—The General Services Ad-  
16 ministration is authorized to provide each former  
17 President a monetary allowance, subject to appro-  
18 priations and subsections (b), (c), and (d), at the  
19 rate of—

20 “(A) \$500,000 per year for 5 years begin-  
21 ning on the day after the last day of the period  
22 described in the first sentence of section 5 of  
23 the Presidential Transition Act of 1963 (3  
24 U.S.C. 102 note);

1           “(B) \$350,000 per year for the 5 years fol-  
2           lowing the 5-year period under subparagraph  
3           (A); and

4           “(C) \$250,000 per year thereafter.

5           “(b) DURATION; FREQUENCY.—

6           “(1) IN GENERAL.—The annuity and monetary  
7           allowance under subsection (a) shall—

8           “(A) terminate on the date that is 30 days  
9           after the date on which the former President  
10          dies; and

11          “(B) be payable by the Secretary of the  
12          Treasury on a monthly basis.

13          “(2) APPOINTIVE OR ELECTIVE POSITIONS.—

14          The annuity and monetary allowance under sub-  
15          section (a) shall not be payable for any period dur-  
16          ing which a former President holds an appointive or  
17          elective position in or under the Federal Government  
18          to which is attached a rate of pay other than a  
19          nominal rate.

20          “(c) COST-OF-LIVING INCREASES.—Effective Decem-

21          ber 1 of each year, each annuity and monetary allowance  
22          under subsection (a) that commenced before that date  
23          shall be increased by the same percentage by which benefit  
24          amounts under title II of the Social Security Act (42  
25          U.S.C. 401 et seq.) are increased, effective as of that date,

1 as a result of a determination under section 215(i) of that  
2 Act (42 U.S.C. 415(i)).

3 “(d) LIMITATION ON MONETARY ALLOWANCE.—

4 “(1) IN GENERAL.—Notwithstanding any other  
5 provision of this section, the monetary allowance  
6 payable under subsection (a)(2) to a former Presi-  
7 dent for any 12-month period—

8 “(A) except as provided in subparagraph  
9 (B), may not exceed the amount by which—

10 “(i) the monetary allowance that (but  
11 for this subsection) would otherwise be so  
12 payable for the 12-month period, exceeds  
13 (if at all)

14 “(ii) the applicable reduction amount  
15 for the 12-month period; and

16 “(B) shall not be less than the amount de-  
17 termined under paragraph (4).

18 “(2) DEFINITION.—

19 “(A) IN GENERAL.—For purposes of para-  
20 graph (1), the term ‘applicable reduction  
21 amount’ means, with respect to any former  
22 President and in connection with any 12-month  
23 period, the amount by which—

24 “(i) the earned income (as defined in  
25 section 32(c)(2) of the Internal Revenue

1 Code of 1986) of the former President for  
2 the most recent taxable year for which a  
3 tax return is available, exceeds (if at all)

4 “(ii) \$400,000, subject to subpara-  
5 graph (C).

6 “(B) JOINT RETURNS.—In the case of a  
7 joint return, subparagraph (A)(i) shall be ap-  
8 plied by taking into account both the amounts  
9 properly allocable to the former President and  
10 the amounts properly allocable to the spouse of  
11 the former President.

12 “(C) COST-OF-LIVING INCREASES.—The  
13 dollar amount specified in subparagraph (A)(ii)  
14 shall be adjusted at the same time that, and by  
15 the same percentage by which, the monetary al-  
16 lowance of the former President is increased  
17 under subsection (c) (disregarding this sub-  
18 section).

19 “(3) DISCLOSURE REQUIREMENT.—

20 “(A) DEFINITIONS.—In this paragraph—

21 “(i) the terms ‘return’ and ‘return in-  
22 formation’ have the meanings given those  
23 terms in section 6103(b) of the Internal  
24 Revenue Code of 1986; and



1           “(ii) the term ‘Secretary’ means the  
2           Secretary of the Treasury or the Secretary  
3           of the Treasury’s delegate.

4           “(B) REQUIREMENT.—A former President  
5           may not receive a monetary allowance under  
6           subsection (a)(2) unless the former President  
7           discloses to the Secretary, upon the request of  
8           the Secretary, any return or return information  
9           of the former President or spouse of the former  
10          President that the Secretary determines is nec-  
11          essary for purposes of calculating the applicable  
12          reduction amount under paragraph (2) of this  
13          subsection.

14          “(C) CONFIDENTIALITY.—Except as pro-  
15          vided in section 6103 of the Internal Revenue  
16          Code of 1986 and notwithstanding any other  
17          provision of law, the Secretary may not, with  
18          respect to a return or return information dis-  
19          closed to the Secretary under subparagraph  
20          (B)—

21                  “(i) disclose the return or return in-  
22                  formation to any entity or person; or

23                  “(ii) use the return or return informa-  
24                  tion for any purpose other than to cal-

1           culate the applicable reduction amount  
2           under paragraph (2).

3           “(4) INCREASED COSTS DUE TO SECURITY  
4           NEEDS.—With respect to the monetary allowance  
5           that would be payable to a former President under  
6           subsection (a)(2) for any 12-month period but for  
7           the limitation under paragraph (1) of this sub-  
8           section, the Administrator of General Services, in co-  
9           ordination with the Director of the United States  
10          Secret Service, shall determine the amount of the  
11          monetary allowance that is needed to pay the in-  
12          creased cost of doing business that is attributable to  
13          the security needs of the former President.”;

14          (3) by inserting after subsection (e) the fol-  
15          lowing:

16          “(f) OFFICE STAFF.—

17                 “(1) IN GENERAL.—The Administrator of Gen-  
18                 eral Services shall, without regard to the civil service  
19                 and classification laws, provide for each former  
20                 President an office staff of not more than 13 indi-  
21                 viduals, at the request of the former President, on  
22                 a reimbursable basis.

23                 “(2) COMPENSATION.—The annual rate of com-  
24                 pensation payable to any individual under paragraph  
25                 (1) shall not exceed the highest annual rate of basic

1 pay for positions at level II of the Executive Sched-  
2 ule under section 5313 of title 5, United States  
3 Code.

4 “(3) SELECTION; RESPONSIBILITY.—An indi-  
5 vidual employed under this subsection—

6 “(A) shall be selected by the former Presi-  
7 dent; and

8 “(B) shall be responsible only to the  
9 former President for the performance of duties.

10 “(g) OFFICE SPACE AND RELATED FURNISHINGS  
11 AND EQUIPMENT.—

12 “(1) OFFICE SPACE.—The Administrator of  
13 General Services (referred to in this subsection as  
14 the ‘Administrator’) shall, at the request of a former  
15 President, on a reimbursable basis provide for the  
16 former President suitable office space, as determined  
17 by the Administrator, at a place within the United  
18 States specified by the former President.

19 “(2) FURNISHINGS AND EQUIPMENT.—

20 “(A) REIMBURSABLE.—The Administrator  
21 may, at the request of a former President, pro-  
22 vide the former President with suitable office  
23 furnishings and equipment on a reimbursable  
24 basis.

25 “(B) WITHOUT REIMBURSEMENT.—

1                   “(i) GRANDFATHERED FORMER  
2                   PRESIDENTS.—In the case of any indi-  
3                   vidual who is a former President on the  
4                   date of enactment of the Presidential Al-  
5                   lowance Modernization Act of 2017, the  
6                   former President may retain without reim-  
7                   bursement any furniture and equipment in  
8                   the possession of the former President.

9                   “(ii) PRESIDENTIAL TRANSITION  
10                  ACT.—A former President may retain with-  
11                  out reimbursement any furniture or equip-  
12                  ment acquired under section 5 of the Pres-  
13                  idential Transition Act of 1963 (3 U.S.C.  
14                  102 note).

15                  “(iii) EXCESS FURNITURE AND EQUIP-  
16                  MENT.—The Administrator may provide  
17                  excess furniture and equipment to the of-  
18                  fice of a former President at no cost other  
19                  than necessary transportation costs.”; and  
20                  (4) by adding at the end the following:

21                  “(j) APPLICABILITY.—Subsections (f), (g) (other  
22                  than paragraph (2)(B)(i) of that subsection), and (i) shall  
23                  apply with respect to a former President on and after the  
24                  day after the last day of the period described in the first

1 sentence of section 5 of the Presidential Transition Act  
2 of 1963 (3 U.S.C. 102 note).”.

3 (b) SURVIVING SPOUSES OF FORMER PRESI-  
4 DENTS.—

5 (1) INCREASE IN AMOUNT OF MONETARY AL-  
6 LOWANCE.—Subsection (e) of the first section of the  
7 Former Presidents Act of 1958 is amended—

8 (A) in the first sentence, by striking  
9 “\$20,000 per annum,” and inserting “\$100,000  
10 per year (subject to paragraph (4)),”; and

11 (B) in the second sentence—

12 (i) in paragraph (2), by striking  
13 “and” at the end;

14 (ii) in paragraph (3)—

15 (I) by striking “or the govern-  
16 ment of the District of Columbia”;  
17 and

18 (II) by striking the period and  
19 inserting “; and”; and

20 (iii) by inserting after paragraph (3)  
21 the following:

22 “(4) shall, after its commencement date, be in-  
23 creased at the same time that, and by the same per-  
24 centage by which, annuities of former Presidents are  
25 increased under subsection (c).”.

1           (2) COVERAGE OF WIDOWER OF A FORMER  
2           PRESIDENT.—Subsection (e) of the first section of  
3           the Former Presidents Act of 1958, as amended by  
4           paragraph (1), is amended—

5                   (A) by striking “widow” each place it ap-  
6                   pears and inserting “widow or widower”; and

7                   (B) by striking “she” and inserting “she  
8                   or he”.

9           (c) SUBSECTION HEADINGS.—The first section of the  
10          Former Presidents Act of 1958 is amended—

11                   (1) in subsection (e), by inserting after the sub-  
12                   section enumerator the following: “WIDOWS AND  
13                   WIDOWERS.—”;

14                   (2) in subsection (h) (as redesignated by sub-  
15                   section (a)(1)), by inserting after the subsection enu-  
16                   merator the following: “DEFINITION.—”; and

17                   (3) in subsection (i) (as redesignated by sub-  
18                   section (a)(1)), by inserting after the subsection enu-  
19                   merator the following: “AUTHORIZATION OF APPRO-  
20                   PRIATIONS.—”.

21          (d) CONFORMING AMENDMENTS.—

22                   (1) TITLE 5.—Subpart G of part III of title 5,  
23                   United States Code, is amended—

24                           (A) in section 8101(1)(E), by striking  
25                           “1(b)” and inserting “1(f)”;

1 (B) in section 8331(1)(I), by striking  
2 “1(b)” and inserting “1(f)”;

3 (C) in section 8701(a)(9), by striking  
4 “1(b)” and inserting “1(f)”; and

5 (D) in section 8901(1)(H) by striking  
6 “1(b)” and inserting “1(f)”.

7 (2) PRESIDENTIAL TRANSITION ACT OF 1963.—  
8 Section 5 of the Presidential Transition Act of 1963  
9 (3 U.S.C. 102 note) is amended by striking the last  
10 sentence.

11 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
12 tion or an amendment made by this section shall be con-  
13 strued to affect—

14 (1) any provision of law relating to the security  
15 or protection of a former President or a member of  
16 the family of a former President;

17 (2) funding, under the Former Presidents Act  
18 of 1958 or any other law, to carry out any provision  
19 of law described in paragraph (1); or

20 (3) funding for any office space lease in effect  
21 on the day before the date of enactment of this Act  
22 under subsection (c) of the first section of the  
23 Former Presidents Act of 1958 (as in effect on the  
24 day before the date of enactment of this Act) until  
25 the expiration date contained in the lease, if the

1 lease was submitted to the Committee on Oversight  
2 and Government Reform of the House of Represent-  
3 atives on April 12, 2017.

4 (f) TRANSITION RULES.—

5 (1) FORMER PRESIDENTS.—In the case of any  
6 individual who is a former President on the date of  
7 enactment of this Act, the amendments made by  
8 subsection (a) shall be applied as if the commence-  
9 ment date referred in subsections (a)(1)(B) and  
10 (a)(2)(A) of the first section of the Former Presi-  
11 dents Act of 1958, as amended by subsection (a),  
12 coincided with the date that is 180 days after the  
13 date of enactment of this Act.

14 (2) WIDOWS.—In the case of any individual  
15 who is the widow of a former President on the date  
16 of enactment of this Act, the amendments made by  
17 subsection (b)(1) shall be applied as if the com-  
18 mencement date referred to in subsection (e)(1) of  
19 the first section of the Former Presidents Act of  
20 1958, as amended by subsection (b)(1), coincided  
21 with the date that is 180 days after the date of en-  
22 actment of this Act.

23 (g) APPLICABILITY.—For a former President receiv-  
24 ing a monetary allowance under the Former Presidents  
25 Act of 1958 on the day before the date of enactment of



1 this Act, the limitation under subsection (d)(1) of the first  
2 section of that Act, as amended by subsection (a), shall  
3 apply to the monetary allowance of the former President,  
4 except to the extent that the application of the limitation  
5 would prevent the former President from being able to pay  
6 the cost of a lease or other contract that is in effect on  
7 the day before the date of enactment of this Act and under  
8 which the former President makes payments using the  
9 monetary allowance, as determined by the Administrator  
10 of General Services.

11 **SEC. 1112. REPORTING REQUIREMENT.**

12 (a) IN GENERAL.—Section 7131 of title 5, United  
13 States Code, is amended by adding at the end the fol-  
14 lowing:

15 “(e)(1)(A) Not later than March 31 of each calendar  
16 year, the Office of Personnel Management, in consultation  
17 with the Office of Management and Budget, shall submit  
18 to each House of Congress a report on the operation of  
19 this section during the fiscal year last ending before the  
20 start of such calendar year.

21 “(B) Not later than December 31 of each calendar  
22 year, each agency (as defined by section 7103(a)(3)) shall  
23 furnish to the Office of Personnel Management the infor-  
24 mation which such Office requires, with respect to such

1 agency, for purposes of the report which is next due under  
2 subparagraph (A).

3 “(2) Each report by the Office of Personnel Manage-  
4 ment under this subsection shall include, with respect to  
5 the fiscal year described in paragraph (1)(A), at least the  
6 following information:

7 “(A) The total amount of official time granted  
8 to employees.

9 “(B) The average amount of official time ex-  
10 pended per bargaining unit employee.

11 “(C) The specific types of activities or purposes  
12 for which official time was granted, and the impact  
13 which the granting of such official time for such ac-  
14 tivities or purposes had on agency operations.

15 “(D) The total number of employees to whom  
16 official time was granted, and, of that total, the  
17 number who were not engaged in any activities or  
18 purposes except activities or purposes involving the  
19 use of official time.

20 “(E) The total amount of compensation (includ-  
21 ing fringe benefits) afforded to employees in connec-  
22 tion with activities or purposes for which they were  
23 granted official time.

24 “(F) The total amount of official time spent by  
25 employees representing Federal employees who are

1 not union members in matters authorized by this  
2 chapter.

3 “(G) A description of any room or space des-  
4 ignated at the agency (or its subcomponent) where  
5 official time activities will be conducted, including  
6 the square footage of any such room or space.

7 “(3) All information included in a report by the Of-  
8 fice of Personnel Management under this subsection with  
9 respect to a fiscal year—

10 “(A) shall be shown both agency-by-agency and  
11 for all agencies; and

12 “(B) shall be accompanied by the corresponding  
13 information (submitted by the Office in its report  
14 under this subsection) for the fiscal year before the  
15 fiscal year to which such report pertains, together  
16 with appropriate comparisons and analyses.

17 “(4) For purposes of this subsection, the term ‘offi-  
18 cial time’ means any period of time, regardless of agency  
19 nomenclature—

20 “(A) which may be granted to an employee  
21 under this chapter (including a collective bargaining  
22 agreement entered into under this chapter) to per-  
23 form representational or consultative functions; and

24 “(B) during which the employee would other-  
25 wise be in a duty status.”.

1 (b) APPLICABILITY.—The amendment made by sub-  
2 section (a) shall be effective beginning with the report  
3 which, under the provisions of such amendment, is first  
4 required to be submitted by the Office of Personnel Man-  
5 agement to each House of Congress by a date which oc-  
6 curs at least 6 months after the date of the enactment  
7 of this Act.

8 **TITLE XII—MATTERS RELATING**  
9 **TO FOREIGN NATIONS**  
10 **Subtitle A—Assistance and**  
11 **Training**

12 **SEC. 1201. REPORT ON THE USE OF SECURITY COOPERA-**  
13 **TION AUTHORITIES.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-  
15 gress that the Secretary of Defense should utilize appro-  
16 priate security cooperation authorities to counter malign  
17 influence campaigns that are directed at allied and partner  
18 countries and that pose a significant threat to the national  
19 security of the United States.

20 (b) REPORT ON FUNDING.—The Secretary of De-  
21 fense shall include with the consolidated budget materials  
22 submitted to Congress as required by section 381 of title  
23 10, United States Code, for fiscal year 2020, and for each  
24 subsequent fiscal year through fiscal year 2025, a report  
25 on the use of security cooperation funding to counter the

1 malign influence directed at allied and partner countries  
2 and that pose a significant threat to the national security  
3 of the United States.

4 **SEC. 1202. CLARIFICATION OF AUTHORITY TO WAIVE CER-**  
5 **TAIN EXPENSES FOR ACTIVITIES OF THE RE-**  
6 **GIONAL CENTERS FOR SECURITY STUDIES.**

7 Section 342 of title 10, United States Code, is  
8 amended—

9 (1) in subsection (f)(3)—

10 (A) in subparagraph (A) in the first sen-  
11 tence, by inserting “, including travel, transpor-  
12 tation, and subsistence expenses,” after “activi-  
13 ties of the Regional Centers”; and

14 (B) in subparagraph (B)(i), by inserting “,  
15 including travel, transportation, and subsistence  
16 expenses,” after “activities of the Regional Cen-  
17 ters”;

18 (2) in subsection (h)(3)(A), by inserting “, in-  
19 cluding travel, transportation, and subsistence ex-  
20 penses,” after “Marshall Center”; and

21 (3) in subsection (i)(1), by inserting “, includ-  
22 ing travel, transportation, and subsistence ex-  
23 penses,” after “Daniel K. Inouye Center for Security  
24 Studies”.

1 **SEC. 1203. NATO STRATEGIC COMMUNICATIONS CENTER**  
2 **OF EXCELLENCE.**

3 (a) **AUTHORIZATION.**—The Secretary of Defense  
4 shall provide funds for the NATO Strategic Communica-  
5 tions Center of Excellence (in this section referred to as  
6 the “Center”) to—

7 (1) enhance the ability of military forces and ci-  
8 vilian personnel of the countries participating in the  
9 Center to engage in joint strategic communications  
10 exercises or coalition or international military oper-  
11 ations; and

12 (2) improve interoperability between the armed  
13 forces and the military forces of friendly foreign na-  
14 tions in the areas of strategic communications.

15 (b) **CERTIFICATION.**—Not later than 180 days after  
16 the date of the enactment of this Act, the Secretary of  
17 Defense shall certify to the Committees on Armed Services  
18 of the House of Representatives and the Senate that the  
19 Secretary has assigned executive agent responsibility for  
20 the Center to an appropriate organization within the De-  
21 partment of Defense, and detail the steps being under-  
22 taken to strengthen the role of the Center in fostering  
23 strategic communications and information operations  
24 within NATO.

25 (c) **BRIEFING REQUIREMENT.**—The Secretary of De-  
26 fense shall periodically brief the Committee on Armed

1 Services and the Committee on Foreign Relations of the  
2 Senate and the Committee on Armed Services and the  
3 Committee on Foreign Affairs of the House of Representa-  
4 tives on the efforts of the Department of Defense to  
5 strengthen the role of the Center in fostering strategic  
6 communications and information operations within  
7 NATO.

8 **SEC. 1204. NATO COOPERATIVE CYBER DEFENSE CENTER**  
9 **OF EXCELLENCE.**

10 (a) AUTHORIZATION.—The Secretary of Defense  
11 shall provide funds for the NATO Cooperative Cyber De-  
12 fense Center of Excellence (in this section referred to as  
13 the “Center”) to—

14 (1) enhance the ability of military forces and ci-  
15 vilian personnel of the countries participating in the  
16 Center to engage in joint cyber exercises or coalition  
17 or international military operations; and

18 (2) improve interoperability between the armed  
19 forces and the military forces of friendly foreign  
20 countries in the areas of cyber and cybersecurity.

21 (b) CERTIFICATION.—Not later than 180 days after  
22 the date of the enactment of this Act, the Secretary of  
23 Defense shall certify to the Committees on Armed Services  
24 of the House of Representatives and the Senate that the  
25 Secretary has assigned executive agent responsibilities for

1 the Center to an appropriate organization within the De-  
2 partment of Defense, and detail the steps being under-  
3 taken to strengthen the role of the Center in fostering  
4 cyber defense and cyber warfare capabilities within  
5 NATO.

6 (c) BRIEFING REQUIREMENT.—The Secretary of De-  
7 fense shall periodically brief the Committee on Armed  
8 Services and the Committee on Foreign Relations of the  
9 Senate and the Committee on Armed Services and the  
10 Committee on Foreign Affairs of the House of Representa-  
11 tives on the efforts of the Department of Defense to  
12 strengthen the role of the Center in fostering cyber de-  
13 fense and cyber warfare capabilities within NATO.

14 **SEC. 1205. PARTICIPATION IN AND SUPPORT OF THE**  
15 **INTER-AMERICAN DEFENSE COLLEGE.**

16 (a) IN GENERAL.—Subchapter V of chapter 16 of  
17 title 10, United States Code, is amended by adding at the  
18 end the following new section:

19 **“§ 351. Inter-American Defense College**

20 “(a) AUTHORITY TO SUPPORT.—The Secretary of  
21 Defense may authorize members of the armed forces and  
22 civilian personnel of the Department of Defense to partici-  
23 pate in the operation of and the provision of support to  
24 the Inter-American Defense College and provide logistic  
25 support, supplies, and services to the Inter-American De-



1 fense College, including the use of Department of Defense  
2 facilities and equipment, as the Secretary considers nec-  
3 essary to—

4           “(1) assist the Inter-American Defense College  
5           in its mission to develop and offer to military offi-  
6           cers and civilian officials from member states of the  
7           Organization of American States advanced academic  
8           courses on matters related to military and defense  
9           issues, the inter-American system, and related dis-  
10          ciplines; and

11           “(2) ensure that the Inter-American Defense  
12          College provides an academic program of a level of  
13          quality, rigor, and credibility that is commensurate  
14          with the standards of Department of Defense senior  
15          service colleges and that includes the promotion of  
16          security cooperation, human rights, humanitarian  
17          assistance and disaster response, peacekeeping, and  
18          democracy in the Western Hemisphere.

19          “(b) MEMORANDUM OF UNDERSTANDING.—(1) The  
20          Secretary of Defense, with the concurrence of the Sec-  
21          retary of State, shall enter into a memorandum of under-  
22          standing with the Inter-American Defense Board for the  
23          participation of members of the armed forces and civilian  
24          personnel of the Department of Defense in the operation

1 of and provision of host nation support to the Inter-Amer-  
2 ican Defense College under subsection (a).

3           “(2) If Department of Defense facilities, equip-  
4           ment, or funds will be used to support the Inter-  
5           American Defense College under subsection (a), a  
6           memorandum of understanding entered into under  
7           paragraph (1) shall include a description of any  
8           cost-sharing arrangement or other funding arrange-  
9           ment relating to the use of such facilities, equip-  
10          ment, or funds.

11          “(3) A memorandum of understanding entered  
12          into under paragraph (1) shall also include a cur-  
13          riculum and a plan for academic program develop-  
14          ment.

15          “(c) USE OF FUNDS.—(1) Funds appropriated to the  
16          Department of Defense for operation and maintenance  
17          may be used to pay costs that the Secretary determines  
18          are necessary for the participation of members of the  
19          armed forces and civilian personnel of the Department of  
20          Defense in the operation of and provision of host nation  
21          support to the Inter-American Defense College, includ-  
22          ing—

23                  “(A) the costs of expenses of such partici-  
24                  pants;

1           “(B) the cost of hiring and retaining quali-  
2           fied professors, instructors, and lecturers;

3           “(C) curriculum support costs, including  
4           administrative costs, academic outreach, and  
5           curriculum support personnel;

6           “(D) the cost of translation and interpreta-  
7           tion services;

8           “(E) the cost of information and edu-  
9           cational technology;

10          “(F) the cost of utilities; and

11          “(G) the cost of maintenance and repair of  
12          facilities.

13          “(2) No funds may be used under this section  
14          to provide for the pay of members of the armed  
15          forces or civilian personnel of the Department of De-  
16          fense who participate in the operation of and the  
17          provision of host nation support to the Inter-Amer-  
18          ican Defense College under this section.

19          “(3) Funds available to carry out this section  
20          for a fiscal year may be used for activities that begin  
21          in such fiscal year and end in the next fiscal year.

22          “(d) WAIVER OF REIMBURSEMENT.—The Secretary  
23          of Defense may waive reimbursement for developing coun-  
24          tries (as such term is defined in section 301 of this title)  
25          of the costs of funding and other host nation support pro-

1 vided to the Inter-American Defense College under this  
2 section if the Secretary determines that the provision of  
3 such funding or support without reimbursement is in the  
4 national security interest of the United States.

5 “(e) LOGISTIC SUPPORT, SUPPLIES, AND SERVICES  
6 DEFINED.—In this section, the term ‘logistic support,  
7 supplies, and services’ has the meaning given that term  
8 in section 2350 of this title.”.

9 (b) CLERICAL AMENDMENT.—The table of sections  
10 at the beginning of subchapter V of chapter 16 of such  
11 title is amended by adding at the end the following new  
12 item:

“Sec. 351. Inter-American Defense College.”.

13 **SEC. 1206. INCREASE IN COST LIMITATION FOR SMALL**  
14 **SCALE CONSTRUCTION RELATED TO SECU-**  
15 **RITY COOPERATION.**

16 Section 301(8) of title 10, United States Code, is  
17 amended by striking “\$750,000” and inserting  
18 “\$2,000,000”.

19 **SEC. 1207. REPORT ON SECURITY COOPERATION WITH**  
20 **HAITI.**

21 Not later than 90 days after the date of the enact-  
22 ment of this Act, and every 180 days thereafter for 3  
23 years, the Secretary of Defense, with the concurrence of  
24 the Secretary of State, shall submit to the appropriate  
25 committees of Congress (as such term is defined in section

1 301 of title 10, United States Code) a report on coopera-  
2 tion between the Department of Defense and the Govern-  
3 ment of Haiti.

4 **SEC. 1208. REVIEW AND REPORT ON PROCESSES AND PRO-**  
5 **CEDURES USED TO CARRY OUT SECTION 362**  
6 **OF TITLE 10, UNITED STATES CODE.**

7 (a) REVIEW.—The Secretary of Defense, with the  
8 concurrence of the Secretary of State, shall conduct a re-  
9 view of the processes and procedures used to carry out  
10 section 362 of title 10, United States Code.

11 (b) REPORT.—

12 (1) IN GENERAL.—Not later than 180 days  
13 after the date of the enactment of this Act, the Sec-  
14 retary of Defense, with the concurrence of the Sec-  
15 retary of State, shall submit to the appropriate con-  
16 gressional committees a report that contains a sum-  
17 mary and evaluation of the review required by sub-  
18 section (a).

19 (2) MATTERS TO BE INCLUDED.—The report  
20 required by this subsection shall include the fol-  
21 lowing:

22 (A) A description of the procedures used to  
23 obtain and verify information regarding the vet-  
24 ting of partner units for gross violation of

1 human rights required under section 362 of  
2 title 10, United States Code.

3 (B) A description of the procedures re-  
4 quired under subsection (d) of such section 362.

5 (C) A description of the procedures used to  
6 conduct remediation of units for determined or  
7 alleged of gross violation of human rights.

8 (D) A list of units completing the process  
9 of remediation for gross violation of human  
10 rights as described in subparagraph (C).

11 (E) A summary of reports submitted to  
12 Congress as required under subsection (e) of  
13 such section 362.

14 (F) An analysis of the impact of such sec-  
15 tion 362 to achieving the objectives of the Na-  
16 tional Defense Strategy.

17 (G) A description of the processes and pro-  
18 cedures used to implement section 1206 of the  
19 Carl Levin and Howard P. “Buck” McKeon  
20 National Defense Authorization Act for Fiscal  
21 Year 2015 (Public Law 113–291; 128 Stat.  
22 3538), to include the process of obtaining the  
23 concurrence of the Secretary of State, as re-  
24 quired under subsection (c)(1) of such section.

1 (H) Recommendations to revise authorities  
2 to improve the processes and procedures related  
3 to the vetting of foreign partner units for gross  
4 violations of human rights.

5 (I) Any other matters the Secretary con-  
6 siders appropriate.

7 (3) FORM.—The report required by this sub-  
8 section shall be submitted in unclassified form but  
9 may include a classified annex.

10 (4) DEFINITION.—In this subsection, the term  
11 “appropriate congressional committees” means—

12 (A) the congressional defense committees;  
13 and

14 (B) the Committee on Foreign Relations of  
15 the Senate and the Committee on Foreign Af-  
16 fairs of the House of Representatives.

17 (c) AMENDMENTS TO EXISTING LAW.—(1) Para-  
18 graph (1) of section 362(a) of title 10, United States  
19 Code, is amended in paragraph (1), by striking “none may  
20 be used for any training, equipment, or other assistance”  
21 and inserting “none may be used for any training, defense  
22 articles, or defense services”.

23 (2) Subsection (b)(3) of section 1206 of the Carl  
24 Levin and Howard P. “Buck” McKeon National Defense  
25 Authorization Act for Fiscal Year 2015 (Public Law 113–

1 291; 10 U.S.C. 2282 note) is amended by striking “sub-  
2 section (b) of section 2249e of title 10, United States Code  
3 (as added by section 1204(a) of this Act)” and inserting  
4 “subsection (b) of section 362 of title 10, United States  
5 Code”.

6 **SEC. 1209. REPORT ON ALLIED CONTRIBUTIONS TO THE**  
7 **COMMON DEFENSE.**

8 (a) SENSE OF CONGRESS.—It is the sense of Con-  
9 gress that—

10 (1) in recognition of the growth in the economic  
11 and military strength of United States allies which  
12 has occurred since the commencement of applicable  
13 treaties or other mutual security arrangements—

14 (A) the burdens of mutual defense now as-  
15 sumed by some countries allied with the United  
16 States are not commensurate with their eco-  
17 nomic resources or security environments;

18 (B) many United States allies have failed  
19 to consistently meet their commitments and re-  
20 sponsibilities;

21 (C) progress towards developing the nec-  
22 essary self-defense capabilities to fulfill commit-  
23 ments and contribute to the common defense  
24 has been disappointing at times; and



1 (D) the continued unwillingness of certain  
2 allied countries to increase their contributions  
3 to the common defense to more appropriate lev-  
4 els will endanger the vitality, effectiveness, and  
5 cohesion of the alliances and partnerships be-  
6 tween those countries and the United States  
7 and increase risks to shared peace and pros-  
8 perity; and

9 (2) the President should seek from each ally or  
10 partner country of the United States acceptance of  
11 international security responsibilities and agree-  
12 ments to make contributions to the common defense  
13 that are commensurate with the economic resources  
14 and security environment of such country, including,  
15 when appropriate, an increase in host nation sup-  
16 port.

17 (b) REPORT ON CONTRIBUTIONS BY ALLIES.—

18 (1) IN GENERAL.—Chapter 16 of title 10,  
19 United States Code, is amended by adding at the  
20 end the following new section:

21 **“§ 387. Report on annual defense spending by ally**  
22 **and partner countries**

23 “(a) IN GENERAL.—Not later than March 1, 2019,  
24 and annually thereafter, the Secretary of Defense shall  
25 submit to the appropriate congressional committees and

1 to the Committee on Oversight and Government Reform  
2 of the House of Representatives a report that includes a  
3 description of—

4           “(1) the annual defense spending of each mu-  
5 tual defense treaty ally and major non-NATO ally,  
6 including the nominal budget figure and the share of  
7 such spending as a percentage of the ally’s gross do-  
8 mestic product, for the fiscal year immediately pre-  
9 ceeding the fiscal year in which the report is sub-  
10 mitted;

11           “(2) the activities of each such ally in contrib-  
12 uting to military or stability operations in which the  
13 armed forces participate;

14           “(3) any limitations that each such ally places  
15 on the use of the armed forces of such ally for such  
16 military or stability operations; and

17           “(4) any actions undertaken by the United  
18 States or other countries to minimize or modify such  
19 limitations.

20           “(b) FORM.—The report required by subsection (a)  
21 shall be submitted in unclassified form but may contain  
22 a classified annex.

23           “(c) DEFINITIONS.—In this section:

24           “(1) MUTUAL DEFENSE TREATY ALLY.—The  
25 term ‘mutual defense treaty ally’ means a country

1 that is a party to a treaty of mutual defense with  
2 the United States.

3 “(2) MAJOR NON-NATO ALLY.—The term  
4 ‘major non-NATO ally’ means a country so des-  
5 ignated pursuant to section 2350a or section 517 of  
6 the Foreign Assistance Act of 1961.”.

7 (2) CLERICAL AMENDMENT.—The table of sec-  
8 tions at the beginning of chapter 16 of such title is  
9 amended by inserting after the item relating to sec-  
10 tion 386 the following new item:

“387. Report on annual defense spending by ally and partner countries.”.

11 **SEC. 1210. ENHANCED MILITARY ACTIVITIES.**

12 (a) NATO EXERCISES.—The Secretary of Defense,  
13 in consultation with appropriate officials of other member  
14 countries of the North Atlantic Treaty Organization, shall  
15 seek opportunities to conduct more NATO naval exercises  
16 in the Baltic and Black Seas, as well as in the northern  
17 Atlantic Ocean, to defend the seas around Europe and  
18 deter Russian aggression in those regions.

19 (b) JOINT RESEARCH PROJECTS.—The Secretary of  
20 Defense, in coordination with the Secretary of State, may  
21 conduct joint research projects with NATO allies pursuant  
22 to the authorities under chapter 138 of title 10, United  
23 States Code, including projects through NATO Centers of  
24 Excellence, to—

1           (1) improve NATO reconnaissance capabilities  
2           to track Russian military exercises;

3           (2) enhance NATO anti-submarine warfare ca-  
4           pabilities against Russia;

5           (3) increase the numbers of modern sensors  
6           placed on NATO aircraft, submarines, and surface  
7           ships; or

8           (4) enhance NATO capabilities to detect and  
9           deter Russian information operations.

10 **SEC. 1210A. REPORT ON SECURITY COOPERATION PRO-**  
11 **GRAMS AND ACTIVITIES OF THE DEPART-**  
12 **MENT OF DEFENSE IN CERTAIN FOREIGN**  
13 **COUNTRIES.**

14           (a) IN GENERAL.—Not later than one year after the  
15 date of the enactment of this Act, the Secretary of Defense  
16 shall submit to appropriate congressional committees a re-  
17 port on security cooperation programs and activities of the  
18 Department of Defense in the foreign countries specified  
19 in subsection (b) that were carried out at any time during  
20 the period beginning on September 11, 2001, and ending  
21 on such date of enactment.

22           (b) FOREIGN COUNTRIES SPECIFIED.—The foreign  
23 countries specified in this subsection are the following:

24           (1) Afghanistan.

25           (2) Iraq.

1 (3) Yemen.

2 (4) Nigeria.

3 (5) Mali.

4 (6) Chad.

5 (7) Somalia.

6 (8) The Philippines.

7 (9) Any other country as determined by the  
8 Secretary of Defense.

9 (c) MATTERS TO BE INCLUDED.—The report re-  
10 quired under subsection (a) shall include the following:

11 (1) Lessons learned and best practices with re-  
12 spect to such security cooperation programs and ac-  
13 tivities of the Department of Defense.

14 (2) Relevant recommendations for future secu-  
15 rity cooperation programs and activities of the De-  
16 partment of Defense.

17 (3) Recommendations for monitoring and eval-  
18 uation metrics for future security cooperation pro-  
19 grams and activities of the Department of Defense.

20 (4) Evaluation of the efficacy of the assessment  
21 tools used by the Department of Defense and other  
22 relevant security cooperation agencies with respect  
23 to such security cooperation programs and activities  
24 of the Department of Defense for purposes of meas-

1       uring improvements made by the forces of the for-  
2       eign countries specified in subsection (b).

3       (d) DEFINITIONS.—In this section:

4               (1) APPROPRIATE CONGRESSIONAL COMMIT-  
5       TEES.—The term “appropriate congressional com-  
6       mittees” means—

7               (A) the congressional defense committees;

8               and

9               (B) the Committee on Foreign Relations of  
10       the Senate and the Committee on Foreign Af-  
11       fairs of the House of Representatives.

12              (2) SECURITY COOPERATION PROGRAMS AND  
13       ACTIVITIES OF THE DEPARTMENT OF DEFENSE.—

14       The term “security cooperation programs and activi-  
15       ties of the Department of Defense” has the meaning  
16       given such term in section 301(7) of title 10, United  
17       States Code.

18   **SEC. 1210B. MODIFICATIONS TO CONGRESSIONAL NOTIFI-**  
19                   **CATION REQUIREMENTS REGARDING SUP-**  
20                   **PORT FOR OPERATIONS AND CAPACITY**  
21                   **BUILDING.**

22       (a) AUTHORITY TO PROVIDE SUPPORT FOR CON-  
23       DUCT OF OPERATIONS.—Section 331(d)(2) of title 10,  
24       United States Code, is amended—

1           (1) by redesignating subparagraph (E) as sub-  
2           paragraph (H); and

3           (2) by inserting after subparagraph (D) the fol-  
4           lowing new subparagraphs:

5                   “(E) An evaluation of political, social, eco-  
6                   nomic, diplomatic, and historical factors, if any,  
7                   of the participating country that may impair or  
8                   inhibit the effectiveness of support to be pro-  
9                   vided to the participating country.

10                   “(F) An assessment of the sustainability of  
11                   support to be provided to the participating  
12                   country by the United States.

13                   “(G) A description of measures being  
14                   taken to ensure the participating country does  
15                   not become dependent on United States assist-  
16                   ance to be provided under this section.”.

17           (b) DEFENSE INSTITUTION CAPACITY BUILDING.—  
18           Section 332(b)(2) of title 10, United States Code, is  
19           amended by adding at the end the following new subpara-  
20           graphs:

21                   “(D) An assessment of the objectives of  
22                   the United States and foreign countries partici-  
23                   pating in the program.

24                   “(E) An evaluation of political, social, eco-  
25                   nomic, diplomatic, and historical factors, if any,

1 of foreign countries participating in the pro-  
2 gram that may impair or inhibit the effective-  
3 ness of the program.

4 “(F) An assessment of the sustainability of  
5 support to be provided to foreign countries par-  
6 ticipating in the program.

7 “(G) A description of measures being  
8 taken to ensure foreign countries participating  
9 in the program do not become dependent on  
10 United States assistance to be provided under  
11 the program.”.

12 (c) FOREIGN SECURITY FORCES CAPACITY BUILD-  
13 ING.—Section 333(e) of title 10, United States Code, is  
14 amended by adding at the end the following new para-  
15 graph:

16 “(8) An evaluation of political, social, economic,  
17 diplomatic, and historical factors, if any, of the for-  
18 eign country that may impair or inhibit the effective-  
19 ness of the program.”.



1           **Subtitle B—Matters Relating to**  
2                           **Afghanistan and Pakistan**

3   **SEC. 1211. EXTENSION OF AUTHORITY TO TRANSFER DE-**  
4                           **FENSE ARTICLES AND PROVIDE DEFENSE**  
5                           **SERVICES TO THE MILITARY AND SECURITY**  
6                           **FORCES OF AFGHANISTAN.**

7           (a) **EXTENSION OF EXPIRATION.**—Subsection (h) of  
8 section 1222 of the National Defense Authorization Act  
9 for Fiscal Year 2013 (Public Law 112–239; 126 Stat.  
10 1992), as most recently amended by section 1211 of the  
11 National Defense Authorization Act for Fiscal Year 2018  
12 (Public Law 115–91; 131 Stat. 1648), is further amended  
13 by striking “December 31, 2018” and inserting “Decem-  
14 ber 31, 2020”.

15           (b) **EXCESS DEFENSE ARTICLES.**—Subsection (i)(2)  
16 of such section 1222, as so amended, is further amended  
17 by striking “December 31, 2018,” each place it appears  
18 and inserting “December 31, 2020”.

19   **SEC. 1212. EXTENSION OF AUTHORITY FOR REIMBURSE-**  
20                           **MENT OF CERTAIN COALITION NATIONS FOR**  
21                           **SUPPORT PROVIDED TO UNITED STATES**  
22                           **MILITARY OPERATIONS.**

23           (a) **EXTENSION OF AUTHORITY.**—Subsection (a) of  
24 section 1233 of the National Defense Authorization Act  
25 for Fiscal Year 2008 (Public Law 110–181; 122 Stat.

1 393), as most recently amended by section 1212 of the  
2 National Defense Authorization Act for Fiscal Year 2018  
3 (Public Law 115–91; 131 Stat. 1648), is further amended  
4 by striking “the period beginning on October 1, 2017, and  
5 ending on December 31, 2018” and inserting “the period  
6 beginning on October 1, 2018, and ending on December  
7 31, 2019”.

8 (b) EXTENSION OF LIMITATIONS.—Subsection (d)(1)  
9 of such section 1233, as so amended, is further amend-  
10 ed—

11 (1) in the first sentence, by striking “the period  
12 beginning on October 1, 2017, and ending on De-  
13 cember 31, 2018” and inserting “the period begin-  
14 ning on October 1, 2018, and ending on December  
15 31, 2019”; and

16 (2) in the second sentence, by striking “to  
17 Pakistan during” and all that follows through “De-  
18 cember 31, 2018” and inserting “to Pakistan during  
19 the period beginning on October 1, 2018, and ending  
20 on December 31, 2019”.

21 (c) EXTENSION OF ADDITIONAL LIMITATIONS WITH  
22 RESPECT TO PAKISTAN.—

23 (1) EXTENSION OF NOTICE REQUIREMENT RE-  
24 LATING TO REIMBURSEMENT OF PAKISTAN FOR SUP-  
25 PORT PROVIDED BY PAKISTAN.—Section 1232(b)(6)

1 of the National Defense Authorization Act for Fiscal  
2 Year 2008 (122 Stat. 393), as most recently amend-  
3 ed by section 1212(d) of the National Defense Au-  
4 thorization Act for Fiscal Year 2018, is further  
5 amended by striking “December 31, 2018” and in-  
6 serting “December 31, 2019”.

7 (2) EXTENSION OF LIMITATION ON REIMBURSE-  
8 MENT OF PAKISTAN PENDING CERTIFICATION ON  
9 PAKISTAN.—Section 1227(d)(1) of the National De-  
10 fense Authorization Act for Fiscal Year 2013 (Pub-  
11 lic Law 112–239; 126 Stat. 2001), as most recently  
12 amended by section 1212(e) of the National Defense  
13 Authorization Act for Fiscal Year 2018, is further  
14 amended by striking “for any period prior to Decem-  
15 ber 31, 2018” and inserting “for any period prior to  
16 December 31, 2019”.

17 (3) ADDITIONAL LIMITATION ON REIMBURSE-  
18 MENT OF PAKISTAN PENDING CERTIFICATION ON  
19 PAKISTAN.—Of the total amount of reimbursements  
20 and support authorized for Pakistan during fiscal  
21 year 2019 pursuant to the second sentence of sec-  
22 tion 1233(d)(1) of the National Defense Authoriza-  
23 tion Act for Fiscal Year 2008 (as amended by sub-  
24 section (b)(2)), \$350,000,000 shall not be eligible  
25 for the waiver under section 1227(d)(2) of the Na-

1 tional Defense Authorization Act for Fiscal Year  
2 2013 (126 Stat. 2001) unless the Secretary of De-  
3 fense certifies to the congressional defense commit-  
4 tees that—

5 (A) Pakistan continues to conduct military  
6 operations that are contributing to significantly  
7 disrupting the safe havens, fundraising and re-  
8 cruiting efforts, and freedom of movement of  
9 the Haqqani Network in Pakistan;

10 (B) Pakistan has taken steps to dem-  
11 onstrate its commitment to prevent the  
12 Haqqani Network from using any Pakistan ter-  
13 ritory as a safe haven and for fundraising and  
14 recruiting efforts;

15 (C) the Government of Pakistan is making  
16 an attempt to actively coordinate with the Gov-  
17 ernment of Afghanistan to restrict the move-  
18 ment of militants, such as the Haqqani Net-  
19 work, along the Afghanistan-Pakistan border;  
20 and

21 (D) Pakistan has shown progress in arrest-  
22 ing and prosecuting senior leaders and mid-level  
23 operatives of the Haqqani Network.

1 **SEC. 1213. EXTENSION AND MODIFICATION OF COM-**  
2 **MANDERS' EMERGENCY RESPONSE PRO-**  
3 **GRAM.**

4 (a) EXTENSION.—Section 1201 of the National De-  
5 fense Authorization Act for Fiscal Year 2012 (Public Law  
6 112–81; 125 Stat. 1619), as most recently amended by  
7 section 1211 of the National Defense Authorization Act  
8 for Fiscal Year 2017 (Public Law 114–328; 130 Stat.  
9 2477), is further amended—

10 (1) in subsection (a), by striking “December  
11 31, 2018” and inserting “December 31, 2020”;

12 (2) in subsection (b), by striking “fiscal year  
13 2017 and fiscal year 2018” and inserting “fiscal  
14 years 2017 through 2020”; and

15 (3) in subsection (f), by striking “December 31,  
16 2018” and inserting “December 31, 2020”.

17 (b) MODIFICATION.—Subsection (b) of section 1211  
18 of the National Defense Authorization Act for Fiscal Year  
19 2017 (Public Law 114–328; 130 Stat. 2477) is amend-  
20 ed—

21 (1) in the heading, by striking “AND SYRIA”  
22 and inserting “SYRIA, SOMALIA, LIBYA, AND  
23 YEMEN”; and

24 (2) in paragraph (1), by striking “or Syria”  
25 and inserting “Syria, Somalia, Libya, or Yemen”.

1 **SEC. 1214. REPORT ON ASSISTANCE TO PAKISTAN.**

2 Not later than 90 days after the date of the enact-  
3 ment of this Act, the Secretary of Defense shall submit  
4 to the congressional defense committees an unclassified re-  
5 port, which may include a classified annex, describing the  
6 manner in which the Department of Defense provides as-  
7 sistance to the Government of Pakistan.

8 **SEC. 1215. SENSE OF CONGRESS RELATING TO DR. SHAKIL**  
9 **AFRIDI.**

10 (a) FINDINGS.—Congress finds the following:

11 (1) The attacks of September 11, 2001, killed  
12 approximately 3,000 people, most of whom were  
13 Americans, but also included hundreds of individuals  
14 with foreign citizenships, nearly 350 New York Fire  
15 Department personnel, and about 50 law enforce-  
16 ment officers.

17 (2) Downed United Airlines flight 93 was re-  
18 portedly intended, under the control of the al-Qaeda  
19 high-jackers, to crash into the White House or the  
20 Capitol in an attempt to kill the President of the  
21 United States or Members of the United States Con-  
22 gress.

23 (3) The September 11, 2001, attacks were  
24 largely planned and carried out by the al-Qaeda ter-  
25 rorist network led by Osama bin Laden and his dep-  
26 uty Ayman al Zawahiri, after which Osama bin

1 Laden enjoyed safe haven in Pakistan from where he  
2 continued to plot deadly attacks against the United  
3 States and the world.

4 (4) Since 2001, the United States has provided  
5 more than \$30 billion in security and economic aid  
6 to Pakistan.

7 (5) The United States very generously and  
8 swiftly responded to the 2005 Kashmir Earthquake  
9 in Pakistan with more than \$200 million in emer-  
10 gency aid and the support of several United States  
11 military aircraft, approximately 1,000 United States  
12 military personnel, including medical specialists,  
13 thousands of tents, blankets, water containers and a  
14 variety of other emergency equipment.

15 (6) The United States again generously and  
16 swiftly contributed approximately \$150 million in  
17 emergency aid to Pakistan following the 2010 Paki-  
18 stan flood, in addition to the service of nearly twenty  
19 United States military helicopters, their flight crews,  
20 and other resources to assist the Pakistan Army's  
21 relief efforts.

22 (7) The United States continues to work tire-  
23 lessly to support Pakistan's economic development,  
24 including millions of dollars allocated towards the

1 development of Pakistan's energy infrastructure,  
2 health services and education system.

3 (8) The United States and Pakistan continue to  
4 have many critical shared interests, both economic  
5 and security related, which could be the foundation  
6 for a positive and mutually beneficial partnership.

7 (9) Dr. Shakil Afridi, a Pakistani physician, is  
8 a hero to whom the people of the United States,  
9 Pakistan and the world owe a debt of gratitude for  
10 his help in finally locating Osama bin Laden before  
11 more innocent American, Pakistani and other lives  
12 were lost to this terrorist leader.

13 (10) Pakistan, the United States and the inter-  
14 national community had failed for nearly 10 years  
15 following attacks of September 11, 2001, to locate  
16 and bring Osama bin Laden, who continued to kill  
17 innocent civilians in the Middle East, Asia, Europe,  
18 Africa and the United States, to justice without the  
19 help of Dr. Afridi.

20 (11) The Government of Pakistan's imprison-  
21 ment of Dr. Afridi presents a serious and growing  
22 impediment to the United States' bilateral relations  
23 with Pakistan.



1           (12) The Government of Pakistan has leveled  
2           and allowed baseless charges against Dr. Afridi in a  
3           politically motivated, spurious legal process.

4           (13) Dr. Afridi is currently imprisoned by the  
5           Government of Pakistan, a deplorable and uncon-  
6           scionable situation which calls into question Paki-  
7           stan’s actual commitment to countering terrorism  
8           and undermines the notion that Pakistan is a true  
9           ally in the struggle against terrorism.

10          (b) SENSE OF CONGRESS.—It is the sense of Con-  
11         gress that Dr. Shakil Afridi is an international hero and  
12         that the Government of Pakistan should release him im-  
13         mediately from prison.

14           **Subtitle C—Matters Relating to**  
15           **Syria, Iraq, and Iran**

16         **SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY**  
17                         **TO PROVIDE ASSISTANCE TO COUNTER THE**  
18                         **ISLAMIC STATE OF IRAQ AND SYRIA.**

19          (a) AUTHORITY.—Subsection (a) of section 1236 of  
20         the Carl Levin and Howard P. “Buck” McKeon National  
21         Defense Authorization Act for Fiscal Year 2015 (Public  
22         Law 113–291; 128 Stat. 3559), as most recently amended  
23         by section 1222 of the National Defense Authorization Act  
24         for Fiscal Year 2018 (Public Law 115–91; 131 Stat.

1 1690), is further amended by striking “December 31,  
2 2019” and inserting “December 31, 2020”.

3 (b) FUNDING.—Subsection (g) of such section, as so  
4 amended, is further amended—

5 (1) by striking “fiscal year 2018” and inserting  
6 “fiscal year 2019”; and

7 (2) by striking “\$1,269,000,000” and inserting  
8 “\$850,000,000”.

9 (c) SENSE OF CONGRESS.—It is the sense of the Con-  
10 gress that—

11 (1) the Peshmerga forces of the Kurdistan Re-  
12 gion of Iraq have made, and continue to make, sig-  
13 nificant contributions to the United States-led cam-  
14 paign to degrade, dismantle, and ultimately defeat  
15 the Islamic State of Iraq and Syria (ISIS) in Iraq;

16 (2) a lasting defeat of ISIS is critical to main-  
17 taining a stable and tolerant Iraq in which all faiths,  
18 sects, and ethnicities are afforded equal protection  
19 and full integration into the Government and society  
20 of Iraq; and

21 (3) in support of counter-ISIS operations and  
22 in conjunction with the Central Government of Iraq,  
23 the United States should provide the Ministry of  
24 Peshmerga forces of the Kurdistan Region of Iraq  
25 \$290,000,000 in operational sustainment, so that

1 the Peshmerga forces can more effectively partner  
2 with the Iraqi Security Forces, the United States,  
3 and other international Coalition members to con-  
4 solidate gains, hold territory, and protect infrastruc-  
5 ture from ISIS and its affiliates in an effort to deal  
6 a lasting defeat to ISIS and prevent its reemergence  
7 in Iraq.

8 (d) QUARTERLY PROGRESS REPORT.—

9 (1) IN GENERAL.—The Secretary of Defense, in  
10 coordination with the Secretary of State, shall sub-  
11 mit to the appropriate congressional committees and  
12 leadership of the House of Representatives and the  
13 Senate a progress report under section 1236 of the  
14 Carl Levin and Howard P. “Buck” McKeon Na-  
15 tional Defense Authorization Act for Fiscal Year  
16 2015, which shall be provided in unclassified form  
17 with a classified annex if necessary. Such progress  
18 report shall, based on the most recent quarterly in-  
19 formation, include an assessment of the following:

20 (A) The incorporation of violent extremist  
21 organizations and organizations with associa-  
22 tion to the Iran’s Revolutionary Guard Corps  
23 (IRGC) into the Iraq military.

24 (B) The level of access violent extremist  
25 organizations and organizations with associa-

1           tion to the IRGC have to United States-pro-  
2           vided equipment and training.

3           (C) United States-provided equipment that  
4           is controlled by unauthorized end users, deter-  
5           mined by vetting required in subsection (e) of  
6           section 1236 of the Carl Levin and Howard P.  
7           “Buck” McKeon National Defense Authoriza-  
8           tion Act for Fiscal Year 2015, or is not ac-  
9           counted for by the Government of Iraq, includ-  
10          ing a detailed inventory of each equipment type  
11          provided to the Government of Iraq.

12          (D) Actions taken by the Government of  
13          Iraq to repossess United States-provided equip-  
14          ment from unauthorized end users.

15          (2) DEFINITION.—In this subsection, the term  
16          “appropriate congressional committees” means—

17                 (A) the congressional defense committees;

18                 and

19                 (B) the Committee on Foreign Relations of  
20                 the Senate and the Committee on Foreign Af-  
21                 fairs of the House of Representatives.

22         **SEC. 1222. EXTENSION OF AUTHORITY TO PROVIDE ASSIST-**  
23                 **ANCE TO THE VETTED SYRIAN OPPOSITION.**

24                 (a) IN GENERAL.—Subsection (a) of section 1209 of  
25         the Carl Levin and Howard P. “Buck” McKeon National

1 Defense Authorization Act for Fiscal Year 2015 (Public  
2 Law 113–291; 128 Stat. 3541), as most recently amended  
3 by section 1223 of the National Defense Authorization Act  
4 for Fiscal Year 2018 (Public Law 115–91; 131 Stat.  
5 1653), is further amended by striking “December 31,  
6 2018” and inserting “December 31, 2019”.

7 (b) REPROGRAMMING REQUIREMENT.—

8 (1) IN GENERAL.—Subsection (f) of such sec-  
9 tion 1209, as most recently amended by section  
10 1221 of the National Defense Authorization Act for  
11 Fiscal Year 2017 (Public Law 114–328; 130 Stat.  
12 2485), is further amended by striking “December  
13 31, 2018” and inserting “December 31, 2019”.

14 (2) LIMITATION ON THE USE OF FUNDS.—Be-  
15 ginning on the date of the enactment of this section,  
16 no funds may be requested to be reprogrammed pur-  
17 suant to such subsection (f), as amended by para-  
18 graph (1), until the date that is 30 days after the  
19 date on which the President submits to the congres-  
20 sional defense committees a plan that includes the  
21 following:

22 (A) A description of the efforts the United  
23 States will undertake to train and build appro-  
24 priately vetted Syrian opposition forces.

1           (B) An assessment of the nature of the  
2 forces receiving such assistance, including the  
3 origins and affiliations of such forces and any  
4 previous history of collaboration with the Syrian  
5 Democratic Forces.

6           (C) An assessment of the current oper-  
7 ational effectiveness of such forces.

8           (D) The conditions to be met for a deter-  
9 mination that ISIS has been adequately neu-  
10 tralized.

11           (E) A description of the roles and con-  
12 tributions of partner countries to such assist-  
13 ance, if any.

14           (F) The concept of operations, timelines,  
15 and types of training, equipment, stipends,  
16 sustainment, and supplies to be provided by the  
17 United States, including measures for end-use  
18 accountability with respect to resources, equip-  
19 ment, and supplies after the resources, equip-  
20 ment, and supplies are provided to such forces.

21           (G) A description of the force posture and  
22 roles of the United States Armed Forces in-  
23 volved in providing such assistance.

1           (3) FORM.—The plan described in paragraph  
2           (2) shall be submitted in unclassified form but may  
3           include a classified annex.

4 **SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY**  
5                           **TO SUPPORT OPERATIONS AND ACTIVITIES**  
6                           **OF THE OFFICE OF SECURITY COOPERATION**  
7                           **IN IRAQ.**

8           (a) EXTENSION OF AUTHORITY.—Subsection (f)(1)  
9           of section 1215 of the National Defense Authorization Act  
10           for Fiscal Year 2012 (Public Law 112–81; 125 Stat.  
11           1631; 10 U.S.C. 113 note), as most recently amended by  
12           section 1224 of the National Defense Authorization Act  
13           for Fiscal Year 2018 (Public Law 115–91; 131 Stat.  
14           1654), is further amended by striking “fiscal year 2018”  
15           and inserting “fiscal year 2019”.

16           (b) LIMITATION ON AMOUNT.—Subsection (c) of  
17           such section is amended—

18                   (1) by striking “fiscal year 2018” and inserting  
19                   “fiscal year 2019”; and

20                   (2) by striking “\$42,000,000” and inserting  
21                   “\$45,000,000”.

22           (c) SOURCE OF FUNDS.—Subsection (d) of such sec-  
23           tion is amended by striking “fiscal year 2018” and insert-  
24           ing “fiscal year 2019”.

1 **SEC. 1224. SENSE OF CONGRESS ON BALLISTIC MISSILE CO-**  
2 **OPERATION TO COUNTER IRAN.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) At the 2014 Strategic Cooperation Forum  
5 in New York of the Gulf Cooperation Council, the  
6 Foreign Ministers of member countries agreed in a  
7 Joint Communique to “[e]nhance GCC-US security  
8 coordination, particularly on Ballistic Missile De-  
9 fense, by continuing to move forward on develop-  
10 ment of a Gulf-Wide, interoperable missile defense  
11 architecture.”.

12 (2) At the 2015 Strategic Cooperation Forum  
13 in New York, the Foreign Ministers issued a Joint  
14 Communique that “reaffirmed commitment to \* \* \*  
15 establishing a GCC interoperable ballistic missile de-  
16 fense architecture”.

17 (3) The White House Office of the Press Sec-  
18 retary released a statement on May 14, 2015, that  
19 at the 2015 United States—GCC Summit at Camp  
20 David, “leaders discussed a new U.S.-GCC strategic  
21 partnership to enhance their work to improve secu-  
22 rity cooperation on \* \* \* ballistic missile defense”.

23 (4) The White House Office of the Press Sec-  
24 retary subsequently released a statement on April  
25 21, 2016, that at the 2016 United States—GCC  
26 Summit at Riyadh, “leaders affirmed need to remain



1 vigilant about addressing Iran’s destabilizing actions  
2 in the region, including its ballistic missile pro-  
3 gram”.

4 (b) SENSE OF CONGRESS.—It is the sense of Con-  
5 gress that—

6 (1) member countries of the Gulf Cooperation  
7 Council should take meaningful steps to develop and  
8 implement an interoperable ballistic missile defense  
9 architecture to defend against Iran’s ballistic missile  
10 threat that emphasizes information sharing and in-  
11 cludes early warning and tracking data, to enhance  
12 the security of citizens, protect critical infrastruc-  
13 ture, and deter Iran; and

14 (2) the United States should continue bilateral  
15 and multilateral missile defense exercises in the re-  
16 gion and, when practicable, increase the capacity of  
17 United States partners through foreign military  
18 sales.

19 **SEC. 1225. STRATEGY TO COUNTER DESTABILIZING ACTIVI-**  
20 **TIES OF IRAN.**

21 (a) STRATEGY AUTHORIZED.—

22 (1) IN GENERAL.—The Secretary of Defense,  
23 with the concurrence of the Secretary of State, is  
24 authorized to develop and implement a strategy with

1 foreign partners to counter the destabilizing activi-  
2 ties of Iran.

3 (2) ELEMENTS.—The strategy described in  
4 paragraph (1)—

5 (A) should identify specific countries in  
6 which Iran and Iranian-backed entities are op-  
7 erating;

8 (B) should establish a cooperative frame-  
9 work that includes—

10 (i) investing in intelligence, surveil-  
11 lance, and reconnaissance platforms;

12 (ii) investing in mine countermeasures  
13 resources and platforms;

14 (iii) investing in integrated air and  
15 missile defense platforms and technologies;

16 (iv) sharing intelligence and data with  
17 United States and such foreign countries;

18 (v) investing in cyber security and  
19 cyber defense capabilities;

20 (vi) engaging in combined planning;

21 (vii) engaging in defense education,  
22 institution building, doctrinal development,  
23 and reform; and

24 (viii) assessing Iran's destabilizing ac-  
25 tivities in the countries identified under

1           subparagraph (A) and the implications  
2           thereof; and

3           (C) should provide for designation of a ci-  
4           vilian or military officer or employee of the De-  
5           partment of Defense and designation of a sen-  
6           ior employee of the Department of State to im-  
7           plement the cooperative framework described in  
8           subparagraph (B).

9           (b) MULTILATERAL COORDINATION.—To enhance  
10          cooperation and encourage military-to-military engage-  
11          ment between the United States and foreign partners de-  
12          scribed in subsection (a), the Secretary of Defense and  
13          the Secretary of State should take appropriate actions to  
14          ensure that exchanges between senior military officers and  
15          senior civilian defense officials of the governments of such  
16          foreign partners—

17               (1) are at a level appropriate to enhance en-  
18               gagement between the militaries of such partners for  
19               threat analysis, military doctrine, force planning,  
20               mutual security interests, logistical support, and in-  
21               telligence cooperation;

22               (2) enhance security cooperation, including  
23               maritime security, special operations collaboration,  
24               cyber cooperation, and integrated air and missile de-

1 fense and domain awareness, in the Middle East and  
2 Southwest Asia regions; and

3 (3) accelerate the development of combined  
4 military planning for missions to counter Iran that  
5 may arise within the contours of shared national se-  
6 curity interests.

7 (c) UNITED STATES POLICY.—It shall be the policy  
8 of the United States to provide foreign countries that are  
9 willing to materially assist United States efforts to counter  
10 Iran in the Middle East with support under the strategy  
11 authorized under subsection (a) including, as appropriate,  
12 with partner benefits commensurate with such support.

13 (d) REPORT.—Not later than 180 days after the date  
14 of the enactment of this Act, and annually thereafter  
15 through December 31, 2021, the Secretary of Defense, in  
16 consultation with the Secretary of State, should submit  
17 to the congressional defense committees and the Com-  
18 mittee on Foreign Relations of the Senate and the Com-  
19 mittee on Foreign Affairs of the House of Representatives  
20 a report on—

21 (1) the strategy described in subsection (a), in-  
22 cluding a description of contributions of foreign  
23 partners to the strategy; and

24 (2) the actions taken under subsection (b).

1 **SEC. 1226. REPORT ON COMPLIANCE OF IRAN UNDER THE**  
2 **CHEMICAL WEAPONS CONVENTION.**

3 (a) FINDING.—In the annual report submitted to  
4 Congress in March 2018, consistent with condition  
5 (10)(C) of the Resolution of Advice and Consent to Ratifi-  
6 cation of the Convention on the Prohibition of the Devel-  
7 opment, Production, Stockpiling and Use of Chemical  
8 Weapons and on their Destruction (“Chemical Weapons  
9 Convention”), entered into force on April 29, 1997, the  
10 Secretary of State concluded that “(b)ased on available  
11 information, the United States cannot certify Iran has met  
12 its obligations under the Convention for declaration of: (1)  
13 its chemical weapons production facility (CWPF); (2)  
14 transfer of chemical weapons (CW); and (3) retention of  
15 an undeclared CW stockpile”.

16 (b) REPORT REQUIRED.—Not later than February 1,  
17 2019, the Secretary of Defense and the Secretary of State  
18 shall submit to the appropriate congressional committees  
19 a report assessing the extent to which Iran is complying  
20 with its obligations under the Chemical Weapons Conven-  
21 tion that includes the following:

22 (1) A description, assessment, and verification,  
23 to the extent practicable, of any credible information  
24 that Iran has assisted the Government of Syria in  
25 committing actions that violate such treaty.

1           (2) A description of any dual-use technologies  
2 that could advance Iran’s capability to produce  
3 chemical weapons for offensive use.

4           (3) The implications of any activities or tech-  
5 nologies described pursuant to paragraphs (1) and  
6 (2) for Iran’s compliance with other international  
7 obligations relating to nonproliferation.

8           (4) Any other matters the Secretaries deter-  
9 mines to be relevant.

10          (c) FORM.—The report required under subsection (b)  
11 shall be submitted in unclassified form but may include  
12 a classified annex.

13          (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—  
14 In this section, the term “appropriate congressional com-  
15 mittees” means the Committee on Armed Services and the  
16 Committee on Foreign Affairs of the House of Representa-  
17 tives.

18 **SEC. 1227. REPORT ON POTENTIAL RELEASE OF CHEMICAL**  
19 **WEAPONS OR CHEMICAL WEAPONS PRECUR-**  
20 **SORS FROM BARZEH RESEARCH AND DEVEL-**  
21 **OPMENT CENTER AND HIM SHINSHAR CHEM-**  
22 **ICAL WEAPONS STORAGE AND BUNKER FA-**  
23 **CILITIES IN HOMS PROVINCE OF SYRIA.**

24          (a) IN GENERAL.—Not later than 30 days after the  
25 date of the enactment of this Act, the Secretary of Defense

1 shall submit to the congressional defense committees a re-  
2 port that contains a review and analysis of the potential  
3 for release of chemical weapons or chemical weapons pre-  
4 cursors from the Barzeh Research and Development Cen-  
5 ter and the Him Shinshar chemical weapons storage and  
6 bunker facilities in Homs province of Syria that were tar-  
7 gets of strikes by the United States and partner forces  
8 on April 13, 2018.

9 (b) REQUIREMENTS RELATING TO REVIEW AND  
10 ANALYSIS.—The review and analysis described in sub-  
11 section (a) shall include the following:

12 (1) The methodology the Secretary of Defense  
13 used prior to such strikes to determine the likelihood  
14 of a release of chemical weapons or chemical weap-  
15 ons precursors affecting local residents.

16 (2) The methodology the Secretary of Defense  
17 used prior to such strikes to determine the potential  
18 for chemical agents to enter into the aquifer, air,  
19 soil, or other aspects of the environment.

20 (c) FORM.—The report required under this section  
21 shall be submitted in unclassified form, but may contain  
22 a classified annex.

1 **SEC. 1228. REPORT ON COOPERATION BETWEEN IRAN AND**  
2 **THE RUSSIAN FEDERATION.**

3 (a) REPORT REQUIRED.—Not later than 120 days  
4 after the date of the enactment of this Act, and annually  
5 thereafter for 5 years, the President shall transmit to the  
6 appropriate congressional committees a report on coopera-  
7 tion between Iran and the Russian Federation and the ex-  
8 tent to which such cooperation affects United States na-  
9 tional security and strategic interests, particularly with re-  
10 spect to Syria.

11 (b) MATTERS TO BE INCLUDED.—The report re-  
12 quired by subsection (a) shall include the following:

13 (1) A detailed description of Iranian-Russian  
14 cooperation on matters relating to Syria, including  
15 the following:

16 (A) Mutual defense assistance to the Assad  
17 regime.

18 (B) Establishment of forward operating  
19 bases in Syria.

20 (C) Deployment of air defense systems.

21 (D) Assistance to Assad's chemical weap-  
22 ons program, including research, development,  
23 and deployment of such weapons.

24 (2) A detailed description of Iranian-Russian  
25 cooperation on matters relating to Iran's space pro-  
26 gram, including how and to what extent such co-



1 operation strengthens Iran’s ballistic missile pro-  
2 gram.

3 (3) A description and analysis of the intel-  
4 ligence-sharing center established by Iran, Russia,  
5 and Syria in Baghdad, Iraq, and whether such cen-  
6 ter is being used for purposes other than the pur-  
7 poses of the joint mission of such countries in Syria.

8 (4) A description and analysis of—

9 (A) naval cooperation between Iran and  
10 Russia, including joint naval exercises between  
11 the two countries; and

12 (B) the long-term consequences of—

13 (i) a robust Russian naval presence in  
14 the Eastern Mediterranean;

15 (ii) an Iranian naval presence in the  
16 Persian Gulf; and

17 (iii) Iranian and Russian naval  
18 strength in the Caspian Sea.

19 (5) A description of nuclear cooperation be-  
20 tween Iran and Russia, both with respect to the  
21 Joint Comprehensive Plan of Action and outside of  
22 the parameters of such nuclear agreement with Iran.

23 (6) The likelihood that Iran might adopt the  
24 Russian model of hybrid warfare.

1           (7) The extent of Russian cooperation with  
2           Hezbollah in Syria, Lebanon, and Iraq, including co-  
3           operation with respect to training, equipping, and  
4           joint operations.

5           (c) FORM.—Each report required by subsection (a)  
6           shall be submitted in unclassified form, but may contain  
7           a classified annex.

8           (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
9           DEFINED.—In this section, the term “appropriate con-  
10          gressional committees” means—

11           (1) the congressional defense committees; and

12           (2) the Committee on Foreign Relations of the  
13          Senate and the Committee on Foreign Affairs of the  
14          House of Representatives.

15   **SEC. 1229. REPORT ON IRANIAN SUPPORT OF PROXY**  
16                           **FORCES IN SYRIA AND LEBANON.**

17           (a) REPORT.—Not later than 180 days after the date  
18          of the enactment of this Act, the President shall submit  
19          to Congress a report that describes Iranian support of  
20          proxy forces in Syria and Lebanon and assesses the in-  
21          creased threat posed to Israel, other United States re-  
22          gional allies, and other specified interests of the United  
23          States as a result of such support.

24           (b) MATTERS TO BE INCLUDED.—The report re-  
25          quired under subsection (a) shall include, at a minimum,

1 information relating to the following matters with respect  
2 to both the strategic and tactical implications for the  
3 United States and its allies:

4 (1) A description of arms or related material  
5 transferred by Iran to Hizballah since March 2011,  
6 including the number of such arms or related mate-  
7 rial and whether such transfer was by land, sea, or  
8 air, as well as financial and additional technological  
9 capabilities transferred by Iran to Hizballah.

10 (2) A description of Iranian and Iranian-con-  
11 trolled personnel, including Hizballah, Shiite mili-  
12 tias, and Iran's Revolutionary Guard Corps forces,  
13 operating within Syria, including the number and  
14 geographic distribution of such personnel operating  
15 within 30 kilometers of the Israeli borders with  
16 Syria and Lebanon.

17 (3) An assessment of Hizballah's operational  
18 lessons learned based on its recent experiences in  
19 Syria.

20 (4) A description of the threat posed to Israel  
21 and other United States partners in the Middle East  
22 by the transfer of arms or related material or other  
23 support offered to Hizballah and other proxies from  
24 Iran.

1 (c) DEFINITION.—In this section, the term “arms or  
2 related material” means—

3 (1) nuclear, biological, chemical, or radiological  
4 weapons or materials or components of such weap-  
5 ons;

6 (2) ballistic or cruise missile weapons or mate-  
7 rials or components of such weapons;

8 (3) destabilizing numbers and types of ad-  
9 vanced conventional weapons;

10 (4) defense articles or defense services, as those  
11 terms are defined in paragraphs (3) and (4), respec-  
12 tively, of section 47 of the Arms Export Control Act  
13 (22 U.S.C. 2794);

14 (5) defense information, as that term is defined  
15 in section 644 of the Foreign Assistance Act of 1961  
16 (22 U.S.C. 2403); or

17 (6) items designated by the President for pur-  
18 poses of the United States Munitions List under sec-  
19 tion 38(a)(1) of the Arms Export Control Act (22  
20 U.S.C. 2778(a)(1)).

1 **SEC. 1230. SENSE OF CONGRESS ON THE LACK OF AUTHOR-**  
2 **IZATION FOR THE USE OF THE ARMED**  
3 **FORCES AGAINST IRAN.**

4 It is the sense of Congress that the use of the Armed  
5 Forces against Iran is not authorized by this Act or any  
6 other Act.

7 **SEC. 1230A. RULE OF CONSTRUCTION.**

8 Nothing in this Act may be construed to authorize  
9 the use of the Armed Forces of the United States against  
10 Iran.

11 **SEC. 1230B. AFGHANISTAN SECURITY.**

12 (a) IN GENERAL.—Not later than 90 days after the  
13 date of the enactment of this Act, and by January 15 of  
14 every year thereafter through 2020, the Secretary of De-  
15 fense, in coordination with the Secretary of State, shall  
16 submit to the Committee on Armed Services and the Com-  
17 mittee on Foreign Affairs of the House of Representatives  
18 and the Committee on Armed Services and the Committee  
19 on Foreign Relations of the Senate a report on the  
20 progress made by the Government of Afghanistan in  
21 achieving the security-sector benchmarks as outlined by  
22 the United States-Afghan Compact, otherwise known as  
23 the Kabul Compact.

24 (b) FORM.—The report required under subsection (a)  
25 shall be submitted in unclassified form, but may include  
26 a classified annex.

1 **SEC. 1230C. SENSE OF CONGRESS ON BALLISTIC MISSILE**  
2 **PROGRAM OF IRAN.**

3 It is the sense of Congress that—

4 (1) the ballistic missile program of Iran rep-  
5 resents a serious threat to allies of the United States  
6 in the Middle East and Europe, members of the  
7 Armed Forces deployed in the those regions, and ul-  
8 timately the United States;

9 (2) the testing and production by Iran of bal-  
10 listic missiles capable of carrying a nuclear device is  
11 a clear violation of multiple United Nations Security  
12 Council resolutions, which were unanimously adopt-  
13 ed by the international community;

14 (3) Iran currently maintains the largest inven-  
15 tory of ballistic missiles in the Middle East;

16 (4) according to the Director of National Intel-  
17 ligence, Dan Coats, Iran’s ballistic missiles are in-  
18 herently capable of delivering weapons of mass de-  
19 struction and the Office of the Director of National  
20 Intelligence judges they would be used as Iran’s  
21 “preferred method of delivering nuclear weapons, if  
22 it builds them”;

23 (5) Director of National Intelligence Coats ad-  
24 ditionally asserts “Tehran’s desire to deter the  
25 United States might drive it to field an interconti-  
26 nental ballistic missile (ICBM)” and “progress on

1 Iran’s space program could shorten a pathway to an  
2 ICBM because space launch vehicles use similar  
3 technologies’; and

4 (6) the Government of the United States should  
5 impose tough primary and secondary sanctions  
6 against any sector of the economy of Iran or any  
7 Iranian person that directly or indirectly supports  
8 the ballistic missile program of Iran as well as any  
9 foreign person or financial institution that engages  
10 in transactions or trade that support that program.

11 **SEC. 1230D. LIMITATION ON ASSISTANCE TO THE MINISTRY**  
12 **OF THE INTERIOR OF THE GOVERNMENT OF**  
13 **IRAQ.**

14 (a) IN GENERAL.—None of the funds authorized to  
15 be appropriated by this Act for assistance to the Ministry  
16 of the Interior of the Government of Iraq may be obligated  
17 or expended until the Secretary of Defense and the Sec-  
18 retary of State jointly certify to the appropriate congres-  
19 sional committees that such funds, including funds for the  
20 provision of intelligence sharing, will not be disbursed by  
21 the United States to any group that is, or that is known  
22 to be affiliated with, the Iranian Revolutionary Guard  
23 Corps—Quds Force or other state sponsor of terrorism.

24 (b) REPORT.—Not later than 90 days after the date  
25 of the enactment of this Act, and annually thereafter until

1 the Iraq Train and Equip Fund is no longer in effect, the  
2 Secretary of State should submit to the appropriate con-  
3 gressional committees a report on the implementation of  
4 this section.

5 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
6 FINED.—In this section, the term “appropriate congres-  
7 sional committees” means—

- 8 (1) the congressional defense committees; and
- 9 (2) the Committee on Foreign Relations of the  
10 Senate and the Committee on Foreign Affairs of the  
11 House of Representatives.

12 **SEC. 1230E. REPORT ON IRANIAN EXPENDITURES SUP-**  
13 **PORTING FOREIGN MILITARY AND TER-**  
14 **RORIST ACTIVITIES.**

15 (a) IN GENERAL.—Not later than 90 days after the  
16 date of the enactment of this Act, and annually thereafter  
17 until the date described in subsection (c), the Secretary  
18 of State, in consultation with the Director of National In-  
19 telligence, shall submit to Congress a report describing  
20 Iranian expenditures in the previous calendar year on mili-  
21 tary and terrorist activities outside the country, including  
22 each of the following:

- 23 (1) The amount spent in such calendar year on  
24 activities by the Islamic Revolutionary Guard Corps,  
25 including activities providing support for—



- 1 (A) Hezbollah;
- 2 (B) Houthi rebels in Yemen;
- 3 (C) Hamas;
- 4 (D) proxy forces in Iraq and Syria; or
- 5 (E) any other entity or country the Sec-
- 6 retary determines to be relevant.

7 (2) The amount spent in such calendar year for

8 ballistic missile research and testing or other activi-

9 ties that the Secretary of State determines are de-

10 stabilizing to the Middle East region.

11 (b) FORM.—

12 (1) IN GENERAL.—The report required under

13 subsection (a) shall be submitted in unclassified

14 form, but may include a classified annex.

15 (2) INCLUSION IN ANNUAL COUNTRY REPORTS

16 ON TERRORISM.—The Secretary of State may issue

17 the reports required under subsection (a) by includ-

18 ing such reports in the annual reports required by

19 section 140 of the Foreign Relations Authorization

20 Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f).

21 (c) EXPIRATION DATE.—The date described in this

22 subsection is the date on which the Secretary of State de-

23 termines that the Government of Iran no longer provides

24 support for international terrorism pursuant to the fol-

25 lowing:

1           (1) Section 6(j) of the Export Administration  
2 Act of 1979 (as continued in effect under the Inter-  
3 national Emergency Economic Powers Act (50  
4 U.S.C. 1701 et seq.)).

5           (2) Section 620A of the Foreign Assistance Act  
6 of 1961 (22 U.S.C. 2371).

7           (3) Section 40 of the Arms Export Control Act  
8 (22 U.S.C. 2780).

9 **SEC. 1230F. IMPOSITION OF SANCTIONS.**

10 (a) IMPOSITION OF SANCTIONS.—

11           (1) IN GENERAL.—Beginning on the date that  
12 is 90 days after the date of the enactment of this  
13 Act, the President shall impose the sanctions de-  
14 scribed in paragraph (2) with respect to As-Saib Ahl  
15 al-Haq and Harakat Hizballah al-Nujaba and for-  
16 eign persons that are officials, agents, affiliates of,  
17 or owned or controlled by As-Saib Ahl al-Haq or  
18 Harakat Hizballah al-Nujaba, as the case may be.

19           (2) SANCTIONS DESCRIBED.—The sanctions de-  
20 scribed in this paragraph are sanctions applicable  
21 with respect to a foreign person pursuant to Execu-  
22 tive Order 13224 (50 U.S.C. 1701 note; relating to  
23 blocking property and prohibiting transactions with  
24 persons who commit, threaten to commit, or support  
25 terrorism).

1           (3) EXCEPTION.—The authorities and require-  
2           ments to impose sanctions under this section shall  
3           not include the authority or requirement to impose  
4           sanctions on the importation of goods (as such term  
5           is defined in section 16 of the Export Administration  
6           Act of 1979 (50 U.S.C. 4618) (as continued in ef-  
7           fect pursuant to the International Emergency Eco-  
8           nomic Powers Act (50 U.S.C. 1701 et seq.)).

9           (b) ADDITIONAL REPORTING.—

10           (1) IN GENERAL.—Not later than 180 days  
11           after the date of the enactment of this Act, the  
12           President shall transmit to the Committee on For-  
13           eign Affairs of the House of Representatives and the  
14           Committee on Foreign Relations of Senate a report  
15           that includes a detailed list of global entities with re-  
16           spect to which there is a reasonable basis to deter-  
17           mine that Iran’s Islamic Revolutionary Guard Corps  
18           has an ownership interest in such entity of not less  
19           than 33 percent.

20           (2) FORM.—The report required under para-  
21           graph (1) shall be submitted in unclassified form but  
22           may contain a classified annex.

1 **SEC. 1230G. REPORT ON UNITED STATES STRIKES AGAINST**  
2 **SYRIA.**

3 Not later than 30 days after the date of the enact-  
4 ment of this Act, the Secretary of Defense shall submit  
5 to the Committee on Armed Services of the House of Rep-  
6 resentatives and the Committee on Armed Services of the  
7 Senate a report providing a detailed explanation of the  
8 legal basis under both domestic and international law for  
9 the strikes conducted by the United States against Syrian  
10 regime targets on April 6, 2017, and April 13, 2018, in-  
11 cluding a detailed legal analysis of relevant authorities and  
12 precedents. Such report shall be unclassified, but may in-  
13 clude a classified annex.

14 **SEC. 1230H. REPORT ON UNITED STATES MILITARY**  
15 **STRIKES AGAINST SYRIA.**

16 Not later than 180 days after the date of the enact-  
17 ment of this Act, the Secretary of Defense shall submit  
18 to the congressional defense committees and the Com-  
19 mittee on Foreign Affairs of the House of Representatives  
20 and the Committee on Foreign Relations of the Senate  
21 a report regarding the United States military strikes on  
22 Syria on April 13, 2018. Such report should address the  
23 following:

- 24 (1) An identification of the objectives of such  
25 strikes.

1           (2) An examination of whether such objectives  
2           were achieved.

3           (3) An examination of any tactical advantages  
4           gained by such strikes.

5           (4) An assessment of the extent to which Syr-  
6           ian military operations were affected by such strikes,  
7           including if such strikes had any lasting impact on  
8           such operations.

9           (5) An identification of the legal justification  
10          for such strikes.

11 **SEC. 1230I. REPORT ON EVOLVING FINANCING MECHA-**  
12 **NISMS LEVERAGED BY THE ISLAMIC STATE**  
13 **AND AFFILIATE ENTITIES.**

14          Not later than 180 days after the date of the enact-  
15          ment of this Act, the Secretary of Defense, the Secretary  
16          of the Treasury, and the Secretary of State, in coordina-  
17          tion with other appropriate Federal officials, shall jointly  
18          submit to Congress a report that contains an assessment  
19          regarding—

20                 (1) the current funding mechanisms used by  
21                 the Islamic State and affiliated entities;

22                 (2) the most likely future financing mechanisms  
23                 available to the Islamic State and affiliated entities;  
24                 and

1 (3) United States efforts to deny access to such  
2 funding mechanisms.

3 **Subtitle D—Matters Relating to the**  
4 **Russian Federation**

5 **SEC. 1231. PROHIBITION ON AVAILABILITY OF FUNDS RE-**  
6 **LATING TO SOVEREIGNTY OF THE RUSSIAN**  
7 **FEDERATION OVER CRIMEA.**

8 (a) PROHIBITION.—None of the funds authorized to  
9 be appropriated by this Act or otherwise made available  
10 for fiscal year 2019 for the Department of Defense may  
11 be obligated or expended to implement any activity that  
12 recognizes the sovereignty of the Russian Federation over  
13 Crimea.

14 (b) WAIVER.—The Secretary of Defense, with the  
15 concurrence of the Secretary of State, may waive the re-  
16 striction on the obligation or expenditure of funds required  
17 by subsection (a) if the Secretary—

18 (1) determines that to do so is in the national  
19 security interest of the United States; and

20 (2) submits a notification of the waiver, at the  
21 time the waiver is invoked, to the Committee on  
22 Armed Services and the Committee on Foreign Rela-  
23 tions of the Senate and the Committee on Armed  
24 Services and the Committee on Foreign Affairs of  
25 the House of Representatives.

1 **SEC. 1232. LIMITATION ON AVAILABILITY OF FUNDS RELAT-**  
2 **ING TO IMPLEMENTATION OF THE OPEN**  
3 **SKIES TREATY.**

4 (a) PROHIBITION ON ACTIVITIES TO MODIFY  
5 UNITED STATES AIRCRAFT.—

6 (1) IN GENERAL.—None of the funds author-  
7 ized to be appropriated by this Act or otherwise  
8 made available for fiscal year 2019 for research, de-  
9 velopment, test, and evaluation, Air Force, for arms  
10 control implementation (PE 0305145F), Aircraft  
11 Procurement, Air Force (line item C135B0/C-  
12 135B), or procurement, Air Force, for digital visual  
13 imaging system (BA-05, Line Item #1900) may be  
14 obligated or expended to carry out any activities to  
15 modify any United States aircraft for purposes of  
16 implementing the Open Skies Treaty until the Presi-  
17 dent submits to the appropriate congressional com-  
18 mittees the certification described in paragraph (2).

19 (2) CERTIFICATION.—

20 (A) IN GENERAL.—The certification de-  
21 scribed in this paragraph is a certification of  
22 the President that—

23 (i) the President has imposed treaty  
24 violations responses and legal counter-  
25 measures on the Russian Federation for its  
26 violations of the Open Skies Treaty; and

1 (ii) the President has fully informed  
2 the appropriate congressional committees  
3 of such responses and countermeasures.

4 (B) DELEGATION.—The President may  
5 delegate the responsibility for making a certifi-  
6 cation under subparagraph (A) to the Secretary  
7 of the State.

8 (3) APPROPRIATE CONGRESSIONAL COMMIT-  
9 TEES DEFINED.—In this subsection, the term “ap-  
10 propriate congressional committees” means—

11 (A) the congressional defense committees;

12 and

13 (B) the Committee on Foreign Relations of  
14 the Senate and the Committee on Foreign Af-  
15 fairs of the House of Representatives.

16 (b) LIMITATION ON USE OF FUNDS TO VOTE OR AP-  
17 PROVE CERTAIN IMPLEMENTING DECISIONS OF THE  
18 OPEN SKIES CONSULTATIVE COMMISSION.—

19 (1) IN GENERAL.—None of the funds author-  
20 ized to be appropriated or otherwise made available  
21 by this Act or any other Act for fiscal year 2019  
22 may be used to vote to approve or otherwise adopt  
23 any implementing decision of the Open Skies Con-  
24 sultative Commission pursuant to Article X of the  
25 Open Skies Treaty to authorize approval of requests



1 by state parties to the Treaty to certify infra-red or  
2 synthetic aperture radar sensors pursuant to Article  
3 IV of the Treaty unless and until the following re-  
4 quirements are met:

5 (A) The Secretary of Defense, jointly with  
6 the relevant United States Government officials,  
7 submits to the appropriate congressional com-  
8 mittees the following:

9 (i) A certification that the imple-  
10 menting decision would not be detrimental  
11 or otherwise harmful to the national secu-  
12 rity of the United States.

13 (ii) A report on the Open Skies Trea-  
14 ty that includes the following:

15 (I) The annual costs to the  
16 United States associated with counter-  
17 measures to mitigate potential abuses  
18 of observation flights by the Russian  
19 Federation carried out under the  
20 Treaty over European and United  
21 States territories involving infra-red  
22 or synthetic aperture radar sensors.

23 (II) A plan, and its estimated  
24 comparative cost, to replace the Trea-  
25 ty architecture with an increased

1 sharing of overhead commercial im-  
2 agery, consistent with United States  
3 national security, with covered state  
4 parties, excluding the Russian Federa-  
5 tion.

6 (III) An evaluation by the Direc-  
7 tor of National Intelligence of matters  
8 concerning how an observation flight  
9 described in clause (i) could implicate  
10 intelligence activities of the Russian  
11 Federation in the United States and  
12 United States counterintelligence ac-  
13 tivities and vulnerabilities.

14 (IV) An assessment of how such  
15 information is used by the Russian  
16 Federation, for what purpose, and  
17 how the information fits into the Rus-  
18 sian Federation's overall collection  
19 posture.

20 (B) Not later than 90 days before the date  
21 on which the United States votes to approve or  
22 otherwise adopt any such implementing deci-  
23 sion, the President shall submit to the appro-  
24 priate congressional committees a certification  
25 that—

1 (i) the Russian Federation—

2 (I) is in complete compliance  
3 with its obligations under the Open  
4 Skies Treaty;

5 (II) is not exceeding the imagery  
6 limits set forth in the Treaty; and

7 (III) is allowing observation  
8 flights by covered state parties over  
9 all of Moscow, Chechnya, Kaliningrad,  
10 and within 10 kilometers of its border  
11 with Georgia's occupied territories of  
12 Abkhazia and South Ossetia without  
13 restriction and without inconsistency  
14 to requirements under the Treaty;

15 (ii) covered state parties have been  
16 notified and briefed on concerns of the in-  
17 telligence community (as defined in section  
18 3 of the National Security Act of 1947 (50  
19 U.S.C. 3003)) regarding infra-red or syn-  
20 thetic aperture radar sensors used under  
21 the Open Skies Treaty; and

22 (iii) the Russian Federation has  
23 agreed to—

24 (I) extradite the 13 Russian citi-  
25 zens indicted on February 16, 2018,

1 by the Department of Justice for un-  
2 dertaking unlawful activities against  
3 the United States;

4 (II) remove illegally stationed  
5 Russian troops and materiel from  
6 Ukraine's autonomous Republic of  
7 Crimea and the city of Sevastopol;

8 (III) cease all material financial  
9 support for Russian proxies in East-  
10 ern Ukraine; and

11 (IV) cease all military or finan-  
12 cial support to any state that uses or  
13 has used against its own civilian pop-  
14 ulation any agent or substance banned  
15 by the Chemical Weapons Convention.

16 (2) WAIVER.—

17 (A) IN GENERAL.—The President may  
18 waive the application of paragraph (1) if the  
19 President determines that—

20 (i) the waiver is in the national secu-  
21 rity of the United States; and

22 (ii) the Russian Federation has taken  
23 clear and verifiable action to return to full  
24 and complete compliance with the Open  
25 Skies Treaty.

1 (B) LIMITATION ON DELEGATION.—The  
2 authority of the President under subparagraph  
3 (A) to waive the application of paragraph (1)  
4 may not be delegated.

5 (3) OPERATION OF OC-135 AIRCRAFT.—

6 (A) IN GENERAL.—It is the sense of Con-  
7 gress that—

8 (i) the United States continues to con-  
9 duct observation flights under the Open  
10 Skies Treaty using OC-135 aircraft, a fleet  
11 now in its 57th year of service; and

12 (ii) advances in commercial surveil-  
13 lance technology have surpassed the value  
14 of aerial observation under the terms of  
15 the Open Skies Treaty and brings into  
16 questions the continued use of the OC-135  
17 fleet for this purpose.

18 (B) REPORT.—

19 (i) IN GENERAL.—Not later than Jan-  
20 uary 31, 2019, the Secretary of Defense  
21 shall submit to the appropriate congres-  
22 sional committees a report on the state of  
23 United States OC-135 aircraft with respect  
24 to airworthiness, safety of flight, and  
25 maintenance reliability. The report shall

1 also include a recommendation as to the  
2 prospective date of retirement of the OC-  
3 135 fleet.

4 (ii) DEFINITION.—In this subpara-  
5 graph, the term “appropriate congressional  
6 committees” means—

7 (I) the congressional defense  
8 committees; and

9 (II) the Committee on Foreign  
10 Relations of the Senate and the Com-  
11 mittee on Foreign Affairs of the  
12 House of Representatives.

13 (C) SUSPENSION OF OPERATION OF OC-135  
14 AIRCRAFT.—The Secretary of Defense is au-  
15 thorized to cease operation of United States  
16 OC-135 aircraft under the Open Skies Treaty if  
17 continued operation of these aircraft would im-  
18 pose undue risk to personnel or excessive cost.

19 (c) FORM.—Each certification and report required  
20 under this section shall be submitted in unclassified form,  
21 but may contain a classified annex if necessary.

22 (d) DEFINITIONS.—Except as otherwise provided, in  
23 this section:

1           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
2           TEES.—The term “appropriate congressional com-  
3           mittees” means—

4                   (A) the Committee on Armed Services, the  
5                   Committee on Foreign Relations, and the Select  
6                   Committee on Intelligence of the Senate; and

7                   (B) the Committee on Armed Services, the  
8                   Committee on Foreign Affairs, and the Perma-  
9                   nent Select Committee on Intelligence of the  
10                  House of Representatives.

11          (2) CHEMICAL WEAPONS CONVENTION.—The  
12          term “Chemical Weapons Convention” means the  
13          Convention on the Prohibition of the Development,  
14          Production, Stockpiling and Use of Chemical Weap-  
15          ons and on Their Destruction, entered into force on  
16          April 29, 1997.

17          (3) COVERED STATE PARTY.—The term “cov-  
18          ered state party” means a foreign country that—

19                   (A) is a state party to the Open Skies  
20                   Treaty; and

21                   (B) is a United States ally.

22          (4) INFRA-RED OR SYNTHETIC APERTURE  
23          RADAR SENSOR.—The term “infra-red or synthetic  
24          aperture radar sensor” means a sensor that is classi-  
25          fied as—

1 (A) an infra-red line-scanning device under  
2 category C of paragraph 1 of Article IV of the  
3 Open Skies Treaty; or

4 (B) a sideways-looking synthetic aperture  
5 radar under category D of paragraph 1 of Arti-  
6 cle IV of the Open Skies Treaty.

7 (5) OBSERVATION FLIGHT.—The term “obser-  
8 vation flight” has the meaning given such term in  
9 Article II of the Open Skies Treaty.

10 (6) OPEN SKIES TREATY; TREATY.—The term  
11 “Open Skies Treaty” or “Treaty” means the Treaty  
12 on Open Skies, done at Helsinki March 24, 1992,  
13 and entered into force January 1, 2002.

14 (7) RELEVANT UNITED STATES GOVERNMENT  
15 OFFICIALS.—The term “relevant United States Gov-  
16 ernment officials” means the following:

17 (A) The Secretary of Energy.

18 (B) The Secretary of Homeland Security.

19 (C) The Director of the Federal Bureau of  
20 Investigation.

21 (D) The Director of National Intelligence.

22 (E) The Commander of U.S. Strategic  
23 Command and the Commander of U.S. North-  
24 ern Command in the case of an observation  
25 flight over the territory of the United States.



1 (F) The Commander of U.S. European  
2 Command in the case of an observation flight  
3 other than an observation flight described in  
4 subparagraph (E).

5 (8) SENSOR.—The term “sensor” has the  
6 meaning given such term in Article II of the Open  
7 Skies Treaty.

8 **SEC. 1233. COMPREHENSIVE RESPONSE TO THE RUSSIAN**  
9 **FEDERATION’S MATERIAL BREACH OF THE**  
10 **INF TREATY.**

11 (a) FINDINGS.—Congress finds the following:

12 (1) James Mattis, Secretary of Defense, testi-  
13 fied before the House Armed Services Committee on  
14 March 22, 2018, that “we have very modest expecta-  
15 tions that they [Russia] would return to [INF] com-  
16 pliance. As a result, in the Nuclear Posture Review,  
17 we are looking for a way, at the lowest possible cost,  
18 to checkmate them and make it in their best interest  
19 to return to compliance.”.

20 (2) The Honorable Daniel Coats, Director of  
21 National Intelligence, testified before the Senate  
22 Armed Services Committee on March 6, 2018, that  
23 the Russian Federation is violating the INF Treaty  
24 because “Moscow probably believes that the new

1 GLCM provides sufficient advantages that make it  
2 worth the risk of violating the INF Treaty.”.

3 (3) General Hyten, Commander of the United  
4 States Strategic Command, also testified before the  
5 Senate Armed Services Committee on March 20,  
6 2018, about potential strategic advantages for China  
7 stemming from their lack of participation in the  
8 INF Treaty by saying that “they do not have any  
9 limitations in the INF [Treaty], and they have built  
10 significant numbers of intermediate-range ballistic  
11 missiles that if they were in the INF [Treaty], they  
12 would be contrary to the treaty”.

13 (4) General Joseph Dunford, Chairman of the  
14 Joint Chiefs of Staff, testified before the House  
15 Armed Services Committee on April 12, 2018, that  
16 “we’re not only looking for operational concepts and  
17 ways to deal with the Russian violation, but we’re  
18 also at least posturing ourselves to develop weapons  
19 should they be required”. Secretary of Defense  
20 Mattis also stated in that same hearing “our effort  
21 will be matched at State Department by movement  
22 on arms control and nonproliferation. There are two  
23 thrusts to our nuclear strategy. . .and that’s why  
24 those funds have been requested.”.

1 (b) STATEMENT OF POLICY.—It is the policy of the  
2 United States as follows:

3 (1) The actions undertaken by the Russian  
4 Federation in violation of the INF Treaty, including  
5 the flight-test, production, and possession of prohib-  
6 ited systems, have defeated the object and purpose  
7 of the INF Treaty, and thus constitute a material  
8 breach of the INF Treaty.

9 (2) In light of the Russian Federation’s mate-  
10 rial breach of the INF Treaty, the United States is  
11 legally entitled to suspend the operation of the INF  
12 Treaty in whole or in part for so long as the Russian  
13 Federation continues to be in material breach of the  
14 INF Treaty.

15 (3) For so long as the Russian Federation re-  
16 mains in noncompliance with the INF Treaty, the  
17 United States should take actions to encourage the  
18 Russian Federation to return to compliance with the  
19 INF Treaty, including by—

20 (A) providing additional funds for the ca-  
21 pabilities identified in section 1243(d) of the  
22 National Defense Authorization Act for Fiscal  
23 Year 2016 (Public Law 114–92; 129 Stat.  
24 1062) and the Intermediate-Range Nuclear

1 Forces Treaty Preservation Act of 2017 (Public  
2 Law 115–91; 131 Stat. 1671); and

3 (B) seeking additional missile defense as-  
4 sets in the European theater needed to fill mili-  
5 tary capability gaps to protect United States  
6 and NATO forces from ground-launched missile  
7 systems of the Russian Federation that are in  
8 noncompliance with the INF Treaty.

9 (c) IMPOSITION OF ARMS CONTROL SANCTIONS.—

10 (1) IN GENERAL.—An amount equal to not less  
11 than 25 percent of the amount authorized to be ap-  
12 propriated or otherwise made available to the De-  
13 partment of Defense for fiscal year 2019 to provide  
14 support services to the Executive Office of the Presi-  
15 dent, other than support services that are required  
16 for senior leader communications services, shall be  
17 withheld from obligation or expenditure until the  
18 date on which the President has submitted to the  
19 appropriate congressional committees the certifi-  
20 cation described in paragraph (2).

21 (2) CERTIFICATION DESCRIBED.—The certifi-  
22 cation described in this paragraph is a certification  
23 of the President that—

24 (A) each requirement of section 1290 of  
25 the National Defense Authorization Act for Fis-

1 cal Year 2017 (Public Law 114–328; 130 Stat.  
2 2555; 22 U.S.C. 2593e) has been fully imple-  
3 mented and is continuing to be fully imple-  
4 mented;

5 (B) the President has notified the appro-  
6 priate congressional committees under such sec-  
7 tion 1290 of the imposition of measures de-  
8 scribed in subsection (c) of such section with re-  
9 spect to each person identified in a report  
10 under subsection (a) of such section, including  
11 a detailed description of the imposition of all  
12 such measures; and

13 (C) the President has submitted the report  
14 required by section 1244(e) of the National De-  
15 fense Authorization Act for Fiscal Year 2018  
16 (Public Law 115–91; 131 Stat. 1674) (relating  
17 to report on plan to impose additional sanctions  
18 with respect to the Russian Federation).

19 (d) DEFINITIONS.—In this section:

20 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
21 TEES.—The term “appropriate congressional com-  
22 mittees” means—

23 (A) the Select Committee on Intelligence,  
24 the Committee on Foreign Relations, the Com-

1           committee on Armed Services, and the Committee  
2           on Appropriations of the Senate; and

3           (B) the Permanent Select Committee on  
4           Intelligence, the Committee on Foreign Affairs,  
5           the Committee on Armed Services, and the  
6           Committee on Appropriations of the House of  
7           Representatives.

8           (2) INF TREATY.—The term “INF Treaty”  
9           means the Treaty between the United States of  
10          America and the Union of Soviet Socialist Republics  
11          on the Elimination of Their Intermediate-Range and  
12          Shorter-Range Missiles, signed at Washington De-  
13          cember 8, 1987, and entered into force June 1,  
14          1988.

15          (3) NEW START TREATY.—The term “New  
16          START Treaty” means the Treaty between the  
17          United States of America and the Russian Federa-  
18          tion on Measures for the Further Reduction and  
19          Limitation of Strategic Offensive Arms, signed at  
20          Prague April 8, 2010, and entered into force Feb-  
21          ruary 5, 2011.

22          (4) OPEN SKIES TREATY.—The term “Open  
23          Skies Treaty” means the Treaty on Open Skies,  
24          done at Helsinki March 24, 1992, and entered into  
25          force January 1, 2002.

1 **SEC. 1234. MODIFICATION AND EXTENSION OF UKRAINE SE-**  
2 **CURITY ASSISTANCE INITIATIVE.**

3 Section 1250 of the National Defense Authorization  
4 Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.  
5 1068), as most recently amended by section 1234 of the  
6 National Defense Authorization Act for Fiscal Year 2018  
7 (Public Law 115–91; 131 Stat. 1659), is further amend-  
8 ed—

9 (1) in subsection (c)—

10 (A) in paragraph (1), by striking “50 per-  
11 cent of the funds available for fiscal year 2018  
12 pursuant to subsection (f)(3)” and inserting  
13 “50 percent of the funds available for fiscal  
14 year 2019 pursuant to subsection (f)(4)”;

15 (B) in paragraph (3), by striking “fiscal  
16 year 2018” and inserting “fiscal year 2019”;  
17 and

18 (C) by adding at the end the following new  
19 paragraph:

20 “(5) LETHAL ASSISTANCE.—Of the funds avail-  
21 able for fiscal year 2019 pursuant to subsection  
22 (f)(4), \$50,000,000 shall be available only for lethal  
23 assistance described in paragraphs (2) and (3) of  
24 subsection (b).”;

25 (2) in subsection (f), by adding at the end the  
26 following:

1           “(4) For fiscal year 2019, \$250,000,000.”; and  
2           (3) in subsection (h), by striking “December  
3           31, 2020” and inserting “December 31, 2021”.

4 **SEC. 1235. STATEMENT OF POLICY ON UNITED STATES**  
5 **MILITARY INVESTMENT IN EUROPE.**

6           (a) FINDINGS.—Congress finds the following:

7           (1) Both the 2017 National Security Strategy  
8           and the 2018 National Defense Strategy highlight  
9           the Russian Federation as a long-term strategic  
10          competitor to the United States.

11          (2) The Russian Federation uses a whole-of-so-  
12          ciety approach to influence and attempt to shape the  
13          information space, weaken American resolve and  
14          confidence in its democracy, and undermine the  
15          power and international standing of the United  
16          States.

17          (3) Through the National Defense Authoriza-  
18          tion Act for Fiscal Year 2015 (Public Law 113–  
19          291), the National Defense Authorization Act for  
20          Fiscal Year 2016 (Public Law 114–92), the Na-  
21          tional Defense Authorization Act for Fiscal Year  
22          2017 (Public Law 114–328), and the National De-  
23          fense Authorization Act for Fiscal Year 2018 (Pub-  
24          lic Law 115–91), Congress has authorized, in total,  
25          approximately \$9,800,000,000 for the European Re-



1 assurance Initiative, now the European Deterrence  
2 Initiative, to reassure partners and allies and build  
3 a credible deterrent and defense against the Russian  
4 Federation.

5 (b) STATEMENT OF POLICY.—It is the policy of the  
6 United States to develop, implement, and sustain a cred-  
7 ible deterrent against aggression and long-term strategic  
8 competition by the Government of the Russian Federation  
9 in order to enhance regional and global security and sta-  
10 bility, including by the following:

11 (1) Increased United States presence in Europe  
12 through additional permanently stationed forces, in-  
13 cluding logistics enablers and a combat aviation bri-  
14 gade.

15 (2) Continued United States presence in Eu-  
16 rope through rotational forces.

17 (3) Increased United States pre-positioned mili-  
18 tary equipment, including munitions, logistics  
19 enablers, and a division headquarters.

20 (4) Sufficient and necessary infrastructure ad-  
21 ditions and improvements throughout Europe.

22 (5) Increased investment and prioritization to  
23 counter indirect action (such as information oper-  
24 ations intended to influence), including sufficient

1 cyber, counter-propaganda, and intelligence re-  
2 sources.

3 (6) Sufficient security cooperation resources  
4 and opportunities with partners and allies, including  
5 with member countries of the North Atlantic Treaty  
6 Organization.

7 **SEC. 1236. IMPOSITION OF SANCTIONS WITH RESPECT TO**  
8 **CERTAIN PERSONS PROVIDING SOPHISTI-**  
9 **CATED GOODS, SERVICES, OR TECH-**  
10 **NOLOGIES FOR USE IN THE PRODUCTION OF**  
11 **MAJOR DEFENSE EQUIPMENT OR ADVANCED**  
12 **CONVENTIONAL WEAPONS.**

13 (a) REPORT ON SANCTIONED PERSONS RELATING TO  
14 RUSSIAN FEDERATION'S NOTED VIOLATION OF THE INF  
15 TREATY.—

16 (1) REPORT.—

17 (A) IN GENERAL.—Not later than 120  
18 days after the date of enactment of this Act,  
19 the President shall submit to the appropriate  
20 congressional committees a report that contains  
21 a list of persons described in section 1290(a)(1)  
22 of the National Defense Authorization Act for  
23 Fiscal Year 2017 related to the Russian Fed-  
24 eration's noted violation of the INF Treaty, as  
25 noted in the 2016 Report on Adherence to and

1 Compliance With Arms Control, Nonprolifera-  
2 tion, and Disarmament Agreements and Com-  
3 mitments.

4 (B) FORM.—The report required by sub-  
5 paragraph (A) shall be provided in unclassified  
6 form, but may contain a classified annex.

7 (C) APPROPRIATE CONGRESSIONAL COM-  
8 MITTEES DEFINED.—In this paragraph, the  
9 term “appropriate congressional committees”  
10 has the meaning given such term in section  
11 1290(h) of the National Defense Authorization  
12 Act for Fiscal Year 2017.

13 (2) INF TREATY DEFINED.—In this subsection,  
14 the term “INF Treaty” means the Treaty Between  
15 the United States of America and the Union of So-  
16 viet Socialist Republics on the Elimination of Their  
17 Intermediate-Range and Shorter-Range Missiles,  
18 commonly referred to as the “Intermediate- Range  
19 Nuclear Forces (INF) Treaty”, signed at Wash-  
20 ington December 8, 1987, and entered into force  
21 June 1, 1988.

22 (b) REPORT ON SUPPLY CHAINS FOR RUSSIAN ARMS  
23 SALES PROGRAMS.—

24 (1) IN GENERAL.—Not later than 180 days  
25 after the date of the enactment of this Act, the

1 President shall submit to the appropriate congres-  
2 sional committees a report that contains the fol-  
3 lowing:

4 (A) An analysis of the foreign and domes-  
5 tic supply chains in the Russian Federation  
6 that directly or indirectly significantly facili-  
7 tates, supports, or otherwise aids the Govern-  
8 ment of the Russian Federation's development,  
9 export, sale, or transfer of major defense equip-  
10 ment or advanced conventional weapons.

11 (B) A description of the geographic dis-  
12 tribution of the foreign and domestic supply  
13 chains described in subparagraph (A), including  
14 sources of sophisticated goods, services, or tech-  
15 nologies used for or by Russia for the develop-  
16 ment, export, sale, or transfer of such equip-  
17 ment or weapons.

18 (C) An assessment of the ability of the  
19 Russian Government to domestically manufac-  
20 ture or otherwise produce the goods, services, or  
21 technology necessary to support the develop-  
22 ment, export, sale, or transfer of such equip-  
23 ment or weapons.

1           (2) FORM.—The report required under para-  
2 graph (1) shall be submitted in unclassified form,  
3 but may contain a classified annex.

4           (3) APPROPRIATE CONGRESSIONAL COMMIT-  
5 TEES DEFINED.—In this subsection, the term “ap-  
6 propriate congressional committees” means—

7                   (A) the Committee on Foreign Relations  
8 and the Select Committee on Intelligence of the  
9 Senate; and

10                   (B) the Committee on Foreign Affairs and  
11 the Permanent Select Committee on Intelligence  
12 of the House of Representatives.

13           (c) IMPOSITION OF SANCTIONS WITH RESPECT TO  
14 CERTAIN PERSONS PROVIDING SOPHISTICATED GOODS,  
15 SERVICES, OR TECHNOLOGIES FOR USE IN THE PRODUC-  
16 TION OF MAJOR DEFENSE EQUIPMENT OR ADVANCED  
17 CONVENTIONAL WEAPONS.—

18                   (1) IDENTIFICATION.—

19                           (A) IN GENERAL.—Not later than 60 days  
20 after the date of the submission of the report  
21 under subsection (b), and annually thereafter  
22 for 5 years, the President shall submit to the  
23 appropriate congressional committees a report  
24 that identifies each foreign person and each  
25 agency or instrumentality of a foreign state

1 that the President determines is a foreign per-  
2 son or an agency or instrumentality of a foreign  
3 state described in subparagraph (B).

4 (B) FOREIGN PERSON OR AGENCY OR IN-  
5 STRUMENTALITY OF A FOREIGN STATE DE-  
6 SCRIBED.—A foreign person or an agency or in-  
7 strumentality of a foreign state described in  
8 this subparagraph is a foreign person or an  
9 agency or instrumentality of a foreign state  
10 that—

11 (i) knowingly sells, leases, or other-  
12 wise provides significant sophisticated  
13 goods, services, or technology, to any enti-  
14 ties owned or controlled by the Govern-  
15 ment of the Russian Federation; or

16 (ii) engages in a significant trans-  
17 action or transactions to sell, lease, or oth-  
18 erwise provide such sophisticated goods,  
19 services, or technologies, to entities bene-  
20 ficially owned by the Russian Federation,  
21 if such activity under clause (i) or transaction  
22 under clause (ii) materially contributes to the  
23 ability of Russia to develop or produce major  
24 defense equipment or advanced conventional  
25 weapons.

1 (C) FORM.—The report required under  
2 subparagraph (A) shall be submitted in unclas-  
3 sified form, but may contain a classified annex.

4 (D) EXCEPTION.—

5 (i) IN GENERAL.—The President shall  
6 not be required to identify a foreign person  
7 or an agency or instrumentality of a for-  
8 eign state in a report pursuant to subpara-  
9 graph (A) if—

10 (I) the foreign person or the  
11 agency or instrumentality of a foreign  
12 state notifies the United States Gov-  
13 ernment in advance that it proposes  
14 to engage in an activity under sub-  
15 paragraph (B)(i) or a transaction  
16 under subparagraph (B)(ii); and

17 (II) the President determines and  
18 notifies the appropriate congressional  
19 committees in classified form prior to  
20 the foreign person or agency or in-  
21 strumentality of a foreign state engag-  
22 ing in the activity under subparagraph  
23 (B)(i) or transaction under subpara-  
24 graph (B)(ii) that such activity or

1 transaction is in the national interests  
2 of the United States.

3 (ii) NON-APPLICABILITY.—The excep-  
4 tion under clause (i) shall not apply with  
5 respect to—

6 (I) an agency or instrumentality  
7 of a foreign state the government of  
8 which the Secretary of State deter-  
9 mines has repeatedly provided support  
10 for acts of international terrorism  
11 pursuant to section 6(j) of the Export  
12 Administration Act of 1979 (as con-  
13 tinued in effect pursuant to the Inter-  
14 national Emergency Economic Powers  
15 Act), section 40 of the Arms Export  
16 Control Act, section 620A of the For-  
17 eign Assistance Act of 1961, or any  
18 other relevant provision of law; or

19 (II) any activity under subpara-  
20 graph (B)(i) or transaction under sub-  
21 paragraph (B)(ii) that involves, di-  
22 rectly or indirectly, a foreign state de-  
23 scribed in subclause (I).

24 (2) SANCTIONS IMPOSED.—



1 (A) IN GENERAL.—Except as provided in  
2 subparagraph (C), not later than 180 days  
3 after the date of the submission of the report  
4 under subsection (b), and annually thereafter  
5 for 8 years, the President shall impose one or  
6 more of the sanctions described in subpara-  
7 graph (B) with respect to any foreign person or  
8 agency or instrumentality of a foreign state  
9 identified pursuant to paragraph (1).

10 (B) SANCTIONS DESCRIBED.—The sanc-  
11 tions described in this subparagraph are the fol-  
12 lowing:

13 (i) No sales of any defense articles,  
14 defense services, or design and construc-  
15 tion services under the Arms Export Con-  
16 trol Act (22 U.S.C. 2751 et seq.) may be  
17 made to the foreign person or agency or  
18 instrumentality of the foreign state.

19 (ii) No licenses for export of any item  
20 on the United States Munitions List that  
21 include the foreign person or agency or in-  
22 strumentality of the foreign state as a  
23 party to the license may be granted.

24 (iii) No exports may be permitted to  
25 the foreign person or agency or instrumen-

1 tality of the foreign state of any goods or  
2 technologies controlled for national security  
3 reasons under the Export Administration  
4 Regulations, except that such prohibition  
5 shall not apply to any transaction subject  
6 to the reporting requirements of title V of  
7 the National Security Act of 1947 (50  
8 U.S.C. 413 et seq.; relating to congress-  
9 sional oversight of intelligence activities).

10 (iv)(I) The President may exercise of  
11 all powers granted to the President by the  
12 International Emergency Economic Powers  
13 Act (50 U.S.C. 1701 et seq.) (except that  
14 the requirements of section 202 of such  
15 Act (50 U.S.C. 1701) shall not apply) to  
16 the extent necessary to block and prohibit  
17 all transactions in all property and inter-  
18 ests in property of a foreign person or  
19 agency or instrumentality of the foreign  
20 state if such property and interests in  
21 property are in the United States, come  
22 within the United States, or are or come  
23 within the possession or control of a  
24 United States person.

1           (II)(aa) The authority to impose sanc-  
2           tions under subclause (I) shall not include  
3           the authority to impose sanctions relating  
4           to the importation of goods.

5           (bb) In item (aa), the term “good”  
6           has the meaning given such term in section  
7           16 of the Export Administration Act of  
8           1979 (50 U.S.C. App. 2415) (as continued  
9           in effect pursuant to the International  
10          Emergency Economic Powers Act (50  
11          U.S.C. 1701 et seq.)).

12          (cc) The penalties provided for in sub-  
13          sections (b) and (c) of section 206 of the  
14          International Emergency Economic Powers  
15          Act (50 U.S.C. 1705) shall apply to a per-  
16          son that violates, attempts to violate, con-  
17          spires to violate, or causes a violation of  
18          regulations promulgated under this section  
19          to carry out subclause (I) to the same ex-  
20          tent that such penalties apply to a person  
21          that commits an unlawful act described in  
22          section 206(a) of that Act.

23          (dd) Except as provided in subpara-  
24          graph (I), the President may exercise all  
25          authorities provided to the President under

1 sections 203 and 205 of the International  
2 Emergency Economic Powers Act (50  
3 U.S.C. 1702 and 1704) for purposes of  
4 carrying out subclause (I).

5 (C) EXCEPTIONS.—The President shall not  
6 be required to apply sanctions with respect to  
7 a foreign person or an agency or instrumen-  
8 tality of a foreign state identified pursuant to  
9 paragraph (1)—

10 (i)(I) if the President certifies to the  
11 appropriate congressional committees that  
12 the foreign person or agency or instrumen-  
13 tality of the foreign state—

14 (aa) is no longer carrying out ac-  
15 tivities or transactions for which the  
16 sanctions were imposed pursuant to  
17 this paragraph; or

18 (bb) has taken and is continuing  
19 to take significant verifiable steps to-  
20 ward terminating the activities or  
21 transactions for which the sanctions  
22 were imposed pursuant to this para-  
23 graph; and

24 (II) the President has received reliable  
25 assurances from the foreign person or the

1 agency or instrumentality of the foreign  
2 state that it will not carry out any activi-  
3 ties or transactions for which sanctions  
4 may be imposed pursuant to this para-  
5 graph in the future;

6 (ii) in the case of procurement of de-  
7 fense articles or defense services by the  
8 United States Government under existing  
9 contracts or subcontracts, including the ex-  
10 ercise of options for production quantities  
11 to satisfy requirements essential to the na-  
12 tional security of the United States, if the  
13 President determines in writing to the ap-  
14 propriate congressional committees that—

15 (I) the foreign person or agency  
16 or instrumentality of a foreign state  
17 to which the sanctions would other-  
18 wise be applied is a sole source sup-  
19 plier of the defense articles or serv-  
20 ices, that the defense articles or serv-  
21 ices are essential, and that alternative  
22 sources are not readily or reasonably  
23 available; and

24 (II) it is in the national interest  
25 and the President certifies such deter-

1                   mination in writing to the appropriate  
2                   congressional committees; or

3                   (iii) if the President certifies in writ-  
4                   ing to the appropriate congressional com-  
5                   mittees that the identification of the for-  
6                   eign person or agency or instrumentality of  
7                   a foreign state would impede the supply by  
8                   any entity of the Russian Federation of a  
9                   product or service, or the procurement of  
10                  such product or service, by the Govern-  
11                  ment of the United States—

12                   (I) for purposes of civil aviation  
13                   safety; or

14                   (II) in connection with any space  
15                   launch conducted for the Government  
16                   of the United States.

17                  (3) WAIVER.—The President may waive the ap-  
18                  plication of paragraph (2) for renewable periods not  
19                  to exceed 180 days with respect to a foreign person  
20                  or foreign persons, or agency or instrumentality of  
21                  a foreign state, if the President—

22                   (A) determines that the waiver is impor-  
23                   tant to the national security of the United  
24                   States; and

1 (B) before the waiver takes effect, briefs  
2 the appropriate congressional committees on the  
3 waiver and the reason for the waiver.

4 (4) DEFINITIONS.—In this subsection:

5 (A) ADVANCED CONVENTIONAL WEAP-  
6 ONS.—The term “advanced conventional weap-  
7 ons” includes—

8 (i) such long-range precision-guided  
9 munitions, fuel air explosives, cruise mis-  
10 siles, low observability aircraft, other radar  
11 evading aircraft, advanced military air-  
12 craft, military satellites, electromagnetic  
13 weapons, and laser weapons that the Presi-  
14 dent determines enhance offensive capabili-  
15 ties in destabilizing ways;

16 (ii) such advanced command, control,  
17 and communications systems, electronic  
18 warfare systems, or intelligence collection  
19 systems that the President determines en-  
20 hance offensive capabilities in destabilizing  
21 ways;

22 (iii) the S–300 and S–400 missile de-  
23 fense systems and air superiority fighters;  
24 and

1 (iv) such other items or systems as  
2 the President may, by regulation, deter-  
3 mine necessary for purposes of this sub-  
4 section.

5 (B) AGENCY OR INSTRUMENTALITY OF A  
6 FOREIGN STATE.—The term “agency or instru-  
7 mentality of a foreign state” has the meaning  
8 given such term in section 1603(b) of title 28,  
9 United States Code.

10 (C) APPROPRIATE CONGRESSIONAL COM-  
11 MITTEES.—The term “appropriate congres-  
12 sional committees” means—

13 (i) the Committee on Foreign Rela-  
14 tions, the Committee on Armed Services,  
15 the Committee on Banking, Housing, and  
16 Urban Affairs, and the Committee on Fi-  
17 nance of the Senate; and

18 (ii) the Committee on Foreign Affairs,  
19 the Committee on Armed Services, the  
20 Committee on Financial Services, and the  
21 Committee on Ways and Means of the  
22 House of Representatives.

23 (D) FOREIGN PERSON.—The term “foreign  
24 person” means—



1 (i) an individual who is not a United  
2 States person; or

3 (ii) a corporation, partnership, or  
4 other nongovernmental entity which is not  
5 a United States person.

6 (E) MAJOR DEFENSE EQUIPMENT.—The  
7 term “major defense equipment” has the mean-  
8 ing given such term under section 120.8 of title  
9 22, Code of Federal Regulations (as in effect on  
10 the date of the enactment of this Act).

11 (F) PERSON.—The term “person”  
12 means—

13 (i) a natural person;

14 (ii) a corporation, business associa-  
15 tion, partnership, society, trust, financial  
16 institution, insurer, underwriter, guar-  
17 antor, and any other business organization,  
18 any other nongovernmental entity, organi-  
19 zation, or group, and any governmental en-  
20 tity operating as a business enterprise; and

21 (iii) any successor to any entity de-  
22 scribed in clause (ii).

23 (G) UNITED STATES PERSON.—The term  
24 “United States person” means—

1 (i) a United States citizen or an alien  
2 lawfully admitted for permanent residence  
3 to the United States;

4 (ii) an entity organized under the laws  
5 of the United States or of any jurisdiction  
6 within the United States, including a for-  
7 eign branch of such an entity; or

8 (iii) any person in the United States.

9 (5) DETERMINATION OF SOPHISTICATED.—The  
10 Secretary of State, with the concurrence of the Sec-  
11 retary of Defense and in coordination with the heads  
12 of other relevant Federal agencies, shall promulgate  
13 regulations to determine if a good, service, or tech-  
14 nology is sophisticated for purposes of this section.

15 (6) DETERMINATION OF BENEFICIAL OWNER-  
16 SHIP.—Not later than 90 days after the date of the  
17 enactment of this Act, the President shall promul-  
18 gate regulations for determining beneficial ownership  
19 of an entity described in paragraph (1)(B)(ii) to be  
20 less than fifty percent ownership.

21 (7) COOPERATION.—The Secretary of State  
22 shall seek to consult and cooperate with United  
23 States allies and partners to impose sanctions as re-  
24 quired under this subsection and to maximize the ef-  
25 fect of these sanctions.

1           (8) EFFECTIVE DATE.—This subsection takes  
2 effect on the date of the enactment of this Act and  
3 applies with respect to activities and transactions de-  
4 scribed in paragraph (1) that are carried out on or  
5 after such date of enactment.

6           (d) ADDITIONAL MEASURES FOR THE PURCHASE OF  
7 CERTAIN DEFENSE ARTICLES OR DEFENSE SERVICES  
8 FROM RUSSIA.—

9           (1) IN GENERAL.—In the case of an agency or  
10 instrumentality of the Islamic Republic of Iran or of  
11 any other state sponsor of terrorism that engages in  
12 the activities described in paragraph (2), the Presi-  
13 dent shall, pursuant to section 6 of the Export Ad-  
14 ministration Act of 1979 (as continued in effect pur-  
15 suant to the International Emergency Economic  
16 Powers Act (50 U.S.C. 1701 et seq.)), require a li-  
17 cense under the Export Administration Regulations  
18 to export, re-export, or transfer to that foreign state,  
19 or specific sectors of that foreign state, any item  
20 subject to the Export Administration Regulations  
21 other than food, medicine, or medical devices.

22           (2) ACTIVITIES DESCRIBED.—The activities de-  
23 scribed in this paragraph are the purchase, lease, or  
24 acquisition, on or after March 6, 2014, of major de-

1 fense equipment or advanced conventional weapons  
2 from the Russian Federation.

3 (3) SUSPENSION OF APPLICATION.—The Presi-  
4 dent may suspend the application of the measures  
5 described in paragraph (1) for renewable periods not  
6 to exceed 180 days if the President determines and  
7 reports to the appropriate congressional committees  
8 that it is in the national security interest of the  
9 United States to do so.

10 (4) RULE OF CONSTRUCTION.—Nothing in this  
11 subsection shall be construed to apply to reexports  
12 of foreign manufactured items by non-United States  
13 persons that contain less than 10 percent United  
14 States-origin content, or previously licensed exports,  
15 reexports, or transfers.

16 (5) DEFINITIONS.—In this subsection:

17 (A) ADVANCED CONVENTIONAL WEAP-  
18 ONS.—The term “advanced conventional weap-  
19 ons” has the meaning given such term in sub-  
20 section (c).

21 (B) APPROPRIATE CONGRESSIONAL COM-  
22 MITTEES.—The term “appropriate congress-  
23 sional committees” means the Committee on  
24 Foreign Relations of the Senate and the Com-

1           committee on Foreign Affairs of the House of Rep-  
2           representatives.

3           (C) EXPORT ADMINISTRATION REGULA-  
4           TIONS.—The term “Export Administration  
5           Regulations” means subchapter C of chapter  
6           VII of title 15, Code of Federal Regulations (as  
7           in effect on the date of the enactment of this  
8           Act).

9           (D) MAJOR DEFENSE EQUIPMENT.—The  
10          term “major defense equipment” has the mean-  
11          ing given such term in subsection (c).

12          (E) STATE SPONSOR OF TERRORISM.—The  
13          term “state sponsor of terrorism” means a  
14          country the government of which the Secretary  
15          of State determines has repeatedly provided  
16          support for acts of international terrorism pur-  
17          suant to section 6(j) of the Export Administra-  
18          tion Act of 1979 (as continued in effect pursu-  
19          ant to the International Emergency Economic  
20          Powers Act), section 40 of the Arms Export  
21          Control Act, section 620A of the Foreign As-  
22          sistance Act of 1961, or any other relevant pro-  
23          vision of law.

24          (6) EFFECTIVE DATE.—The licensing require-  
25          ment under paragraph (1) shall take effect not later

1 than 90 days after the date of the enactment of this  
2 Act.

3 (e) SPECIAL RULE TO ALLOW FOR TERMINATION OF  
4 SANCTIONS WITH RESPECT TO PERSONS ENGAGING IN  
5 TRANSACTIONS WITH THE INTELLIGENCE OR DEFENSE  
6 SECTORS OF THE GOVERNMENT OF THE RUSSIAN FED-  
7 ERATION.—Section 231 of the Countering America’s Ad-  
8 versaries Through Sanctions Act (Public Law 115–44; 22  
9 U.S.C. 9525) is amended—

10 (1) by redesignating subsections (d) and (e) as  
11 subsection (e) and (f), respectively; and

12 (2) by inserting after subsection (c), as amend-  
13 ed, the following new subsection:

14 “(d) SPECIAL RULE TO ALLOW FOR TERMINATION  
15 OF SANCTIONABLE ACTIVITY.—

16 “(1) CERTIFICATION.—The President shall not  
17 be required to apply sanctions to a person described  
18 in subsection (a) for renewable periods not to exceed  
19 180 days with respect to the person if the President  
20 certifies in writing to the appropriate congressional  
21 committees that—

22 “(A) the person—

23 “(i) is no longer engaging in the activ-  
24 ity described in subsection (a);

1           “(ii) has taken and is continuing to  
2           take significant verifiable steps toward ter-  
3           minating the activity described in that sub-  
4           section; or

5           “(iii) has agreed to reduce reliance  
6           upon Russian defense or intelligence sec-  
7           tors of the Government of the Russian  
8           Federation trade over a specified period;

9           “(B) the person is taking specified actions  
10          to further the enforcement of this section; and

11          “(C) the President has received reliable as-  
12          surances from the government with primary ju-  
13          risdiction over the person that the person will  
14          not engage in any activity described in sub-  
15          section (a) in the future outside of the param-  
16          eters of any actions specified in subparagraph  
17          (A)(ii) or (iii) of such certification.

18          “(2) FORM.—The certification described in  
19          paragraph (1) shall be transmitted in an unclassified  
20          form, and may contain a classified annex.”.

21          (f) EXCEPTION RELATING TO IMPORTATION OF  
22          GOODS.—No provision affecting sanctions under this sec-  
23          tion or an amendment made by this section shall apply  
24          to any portion of a sanction that affects the importation  
25          of goods.

1 (g) TERMINATION.—This section, including the au-  
2 thority to impose sanctions under this section and any  
3 sanctions so imposed, and any amendment made by this  
4 section shall terminate on the date that is 5 years after  
5 the date of the enactment of this Act.

6 **SEC. 1237. EXTENSION OF LIMITATION ON MILITARY CO-**  
7 **OPERATION BETWEEN THE UNITED STATES**  
8 **AND THE RUSSIAN FEDERATION.**

9 Section 1232(a) of the National Defense Authoriza-  
10 tion Act for Fiscal Year 2017 (Public Law 114–328; 130  
11 Stat. 2488), as amended by section 1231 of the National  
12 Defense Authorization Act for Fiscal Year 2018 (Public  
13 Law 115–91), is further amended by striking “or 2018”  
14 and inserting “, 2018, or 2019”.

15 **SEC. 1238. SENSE OF CONGRESS REGARDING RUSSIA’S VIO-**  
16 **LATIONS OF THE CHEMICAL WEAPONS CON-**  
17 **VENTION.**

18 (a) FINDINGS.—Congress finds the following:

19 (1) The United States ratified the Convention  
20 on the Prohibition of the Development, Production,  
21 Stockpiling and Use of Chemical Weapons and on  
22 their Destruction, known as the “Chemical Weapons  
23 Convention”, on April 24, 1997.

24 (2) The Russian Federation ratified the Chem-  
25 ical Weapons Convention on November 5, 1997.



1           (3) Article 1 of the Chemical Weapons Conven-  
2           tion requires all signatories to “never under any cir-  
3           cumstances \* \* \* use chemical weapons”.

4           (4) Russia’s stock of chemical weapons has  
5           been implicated in the assassination or injuries of  
6           the following individuals:

7                   (A) Sergei Skripal, Yulia Skripal, and  
8           Wiltshire Police Detective Sergeant Nicholas  
9           Bailey, poisoned using the nerve agent  
10          “novichok” in Salisbury, England, in March  
11          2018.

12                   (B) Alexander Litvinenko, poisoned using  
13          polonium, in London, England, in November  
14          2006, about whose death a January 2016 in-  
15          quest ordered by the British Parliament con-  
16          cluded “the FSB operation to kill Mr  
17          Litvinenko was probably approved by Mr  
18          Patrushev [then-director of the FSB] and also  
19          by President Putin”.

20          (5) Russia has also demonstrated its disregard  
21          for the obligations imposed by the Chemical Weap-  
22          ons Convention by—

23                   (A) continuing to provide military and dip-  
24          lomatic support for Syrian President Bashar al-  
25          Assad, who has used chemical weapons includ-

1           ing chlorine gas and sarin against Syrian citi-  
2           zens;

3           (B) actively working to hinder the efforts  
4           of inspectors of the Organization for the Prohi-  
5           bition of Chemical Weapons in Syria; and

6           (C) consistently using its veto power at the  
7           United Nations Security Council to prevent ef-  
8           fective international action against Assad for  
9           such activities.

10          (6) The Condition 10(C) Report on Compliance  
11          with the Convention on the Prohibition of the Devel-  
12          opment, Production, Stockpiling and Use of Chem-  
13          ical Weapons and on Their Destruction published by  
14          the Department of State in March 2018 asserts that  
15          “Based on available information, the United States  
16          cannot certify that Russia has met its obligations  
17          under the Chemical Weapons Convention for dec-  
18          laration of its: (1) [chemical weapons production fa-  
19          cilities]; (2) [chemical weapons] development facili-  
20          ties; and (3) [chemical weapons] stockpiles. In fact,  
21          due to Russia’s March 4, 2018, use of a military-  
22          grade nerve agent to attack two individuals in the  
23          United Kingdom, the United States certifies that the  
24          Russian Federation is in non-compliance with its ob-

1       ligations under the [Chemical Weapons Conven-  
2       tion].”.

3       (b) SENSE OF CONGRESS.—It is the sense of Con-  
4       gress that the Russia’s actions constitute violations of  
5       Russia’s obligations under the Chemical Weapons Conven-  
6       tion.

7       **SEC. 1239. UNITED STATES ACTIONS REGARDING MATE-**  
8                   **RIAL BREACH OF INF TREATY BY THE RUS-**  
9                   **SIAN FEDERATION.**

10       (a) UNITED STATES ACTIONS.—If the President does  
11       not certify to the appropriate congressional committees  
12       that the Russian Federation has returned to full and  
13       verifiable compliance with the INF Treaty within one year  
14       of the date of the enactment of this Act, the prohibitions  
15       set forth in Article VI of the INF Treaty shall no longer  
16       be binding on the United States as a matter of United  
17       States law.

18       (b) DEFINITIONS.—In this section:

19               (1) APPROPRIATE CONGRESSIONAL COMMIT-  
20       TEES.—The term “appropriate congressional com-  
21       mittees” means—

22                   (A) the congressional defense committees;

23                   and

1 (B) the Committee on Foreign Relations of  
2 the Senate and the Committee on Foreign Af-  
3 fairs of the House of Representatives.

4 (2) INF TREATY.—The term “INF Treaty”  
5 means the Treaty Between the United States of  
6 America and the Union of Soviet Socialist Republics  
7 on the Elimination of Their Intermediate-Range and  
8 Shorter-Range Missiles, commonly referred to as the  
9 “Intermediate-Range Nuclear Forces (INF) Trea-  
10 ty”, signed at Washington December 8, 1987, and  
11 entered into force June 1, 1988.

12 **SEC. 1240. LIMITATION ON AVAILABILITY OF FUNDS TO EX-**  
13 **TEND THE IMPLEMENTATION OF THE NEW**  
14 **START TREATY.**

15 (a) FINDINGS.—Congress finds the following:

16 (1) The New START Treaty provides that,  
17 “[w]hen a Party believes that a new kind of stra-  
18 tegic offensive arm is emerging, that Party shall  
19 have the right to raise the question of such a stra-  
20 tegic offensive arm for consideration in the Bilateral  
21 Consultative Commission”.

22 (2) Russian Federation President Vladimir  
23 Putin stated in a March 1, 2018, public speech  
24 that—

1 (A) “I will speak about the newest systems  
2 of Russian strategic weapons that we are cre-  
3 ating \* \* \* we have embarked on the develop-  
4 ment of the next generation of missiles.”;

5 (B) “We started to develop new types of  
6 strategic arms that do not use ballistic trajec-  
7 tories at all when moving toward a target.”;

8 (C) “One of them is a small-scale heavy-  
9 duty nuclear energy unit that can be installed  
10 in a missile like our latest X-101 air-launched  
11 missile \* \* \* In late 2017, Russia successfully  
12 launched its latest nuclear-powered missile at  
13 the central training ground. During its flight,  
14 the nuclear-powered engine reached its design  
15 capacity and provided the necessary propul-  
16 sion.”;

17 (D) “[i]n December 2017, an innovative  
18 nuclear power unit for this unmanned under-  
19 water vehicle completed a test cycle that lasted  
20 many years \* \* \* [t]he tests that were con-  
21 ducted enabled us to begin developing a new  
22 type of strategic weapon that would carry mas-  
23 sive nuclear ordnance”;

24 (E) “[b]y the way, we have yet to choose  
25 names for these two new strategic weapons, the

1 global range cruise missile and the unmanned  
2 underwater vehicle. We are waiting for sugges-  
3 tions from the Defence Ministry”;

4 (F) “A real technological breakthrough is  
5 the development of a strategic missile system  
6 with fundamentally new combat equipment—a  
7 gliding wing unit, which has also been success-  
8 fully tested \* \* \* [w]e called it the Avangard”;  
9 and

10 (G) “I want to specifically emphasise that  
11 the newly developed strategic arms—in fact,  
12 new types of strategic weapons—are not the re-  
13 sult of something left over from the Soviet  
14 Union. Of course, we relied on some ideas from  
15 our ingenious predecessors. But everything I  
16 have described today is the result of the last  
17 several years, the product of dozens of research  
18 organisations, design bureaus and institute.”.

19 (3) During the House Armed Services Com-  
20 mittee hearing on April 12, 2018, Secretary of De-  
21 fense James Mattis was asked whether Russia  
22 should honor the terms of the treaty and limit its  
23 new strategic offensive arms under the New START  
24 Treaty as it requires and he stated “Sir, I believe  
25 they should.”.

1 (b) LIMITATION.—None of the funds authorized to  
2 be appropriated or otherwise made available for fiscal year  
3 2019 for the Department of Defense may be obligated or  
4 expended to extend the implementation of the New  
5 START Treaty unless and until the President—

6 (1) certifies to the appropriate congressional  
7 committees that—

8 (A) the President has raised the issue of  
9 covered Russian systems in the appropriate fora  
10 with the Russian Federation under Article V of  
11 the New START Treaty or otherwise; and

12 (B) the Russian Federation has responded  
13 in writing to the United States as to whether  
14 they will agree to declare the covered Russian  
15 systems as strategic offensive arms or otherwise  
16 pursuant to the New START Treaty;

17 (2) submits a copy of the written response of  
18 the Russian Federation described in paragraph  
19 (1)(B) to the appropriate congressional committees;  
20 and

21 (3) notifies the appropriate congressional com-  
22 mittees as to whether the position of the Russian  
23 Federation threatens the viability of the New  
24 START Treaty or requires appropriate United  
25 States political, economic, or military responses.

1 (c) DEFINITIONS.—In this section:

2 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
3 TEES.—The term “appropriate congressional com-  
4 mittees” means—

5 (A) the congressional defense committees;  
6 and

7 (B) the Committee on Foreign Relations of  
8 the Senate and the Committee on Foreign Af-  
9 fairs of the House of Representatives.

10 (2) COVERED RUSSIAN SYSTEMS.—The term  
11 “covered Russian systems” means the following:

12 (A) The heavy intercontinental missile sys-  
13 tem known as “Sarmat” or otherwise identified.

14 (B) An air-launched nuclear-powered  
15 cruise missile known as “X-101” or otherwise  
16 identified.

17 (C) An unmanned underwater vehicle  
18 known as “Status 6” or otherwise identified.

19 (D) The long-distance guided flight  
20 hypersonic weapons system known by  
21 “Avanguard” or otherwise identified.

22 (3) NEW START TREATY.—The term “New  
23 START Treaty” means the Treaty between the  
24 United States of America and the Russian Federa-  
25 tion on Measures for the Further Reduction and



1 Limitation of Strategic Offensive Arms, signed at  
2 Prague April 8, 2010, and entered into force Feb-  
3 ruary 5, 2011.

4 **SEC. 1241. REPORT ON KREMLIN-LINKED CORRUPTION.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-  
6 gress that—

7 (1) the intelligence community should dedicate  
8 resources to further expose key networks which the  
9 corrupt political class in Russia uses to hide the  
10 money it steals; and

11 (2) the President should pursue efforts to stifle  
12 Russian use of hidden financial channels, including  
13 anonymous shell companies and real estate invest-  
14 ments, in a manner similar to the efforts undertaken  
15 to tighten banking regulations after the terrorist at-  
16 tacks on September 11, 2001.

17 (b) REPORT.—Not later than 60 days after the date  
18 of the enactment of this Act, the Secretary of the Treas-  
19 ury, in coordination with the Secretary of State and in  
20 consultation with the Director of National Intelligence,  
21 shall submit a report to Congress on assets owned by  
22 Vladimir Putin, Russian oligarchs, and senior officials of  
23 the Russian Government, including—

24 (1) with respect to bank accounts, real estate  
25 holdings, and other financial assets, including those

1 outside of Russia, that are owned by or accessible to  
2 Putin—

3 (A) the location of such accounts, holdings,  
4 or assets; and

5 (B) the contents of such accounts or the  
6 amount held through such holdings or assets;

7 (2) the location, size, and contents of any assets  
8 of any oligarch listed pursuant to section 241 of the  
9 Countering America’s Adversaries Through Sanc-  
10 tions Act (Public Law 115–44; 131 Stat. 922); and

11 (3) any “front” or shell companies, or other  
12 intermediaries, used by senior officials of the Rus-  
13 sian Government to hide assets from public disclo-  
14 sure.

15 (c) FORM.—The report required under subsection (b)  
16 shall be submitted in classified form.

17 (d) REASONABLE ATTEMPT TO ISSUE UNCLASSIFIED  
18 REPORT.—Not later than 60 days after the date of the  
19 submission of the report required under subsection (b), the  
20 Secretary of the Treasury shall—

21 (1) publish an unclassified version of such re-  
22 port on a publicly available website of the Depart-  
23 ment of the Treasury; or

1           (2) submit a notification to Congress describing  
2           the reasons for which the Secretary has determined  
3           that such release is not possible.

4 **SEC. 1242. REPORT ON RUSSIA'S SUPPORT FOR THE**  
5                           **TALIBAN AND OTHER DESTABILIZING ACTIVI-**  
6                           **TIES IN AFGHANISTAN.**

7           The Secretary of State and the Secretary of Defense  
8           shall jointly submit to the congressional defense commit-  
9           tees and the Committee on Foreign Affairs of the House  
10          of Representatives and the Committee on Foreign Rela-  
11          tions a report on Russia's support for the Taliban and  
12          other destabilizing activities in Afghanistan.

13 **Subtitle E—Matters Relating to the**  
14                           **Indo-Pacific Region**

15 **SEC. 1251. SUPPORT FOR INDO-PACIFIC STABILITY INITIA-**  
16                           **TIVE.**

17          (a) SENSE OF CONGRESS.—It is the sense of Con-  
18          gress that—

19               (1) the Initiative established pursuant to sub-  
20               section (b) of section 1251 of the National Defense  
21               Authorization Act for Fiscal Year 2018 (Public Law  
22               115–91; 131 Stat. 1676) bolsters the efforts of the  
23               United States and its allies and partners in the  
24               Indo-Pacific region to deter aggression by providing  
25               resources to—

1           (A) increase the presence and capabilities  
2           and enhance the posture of the United States  
3           Armed Forces in the region;

4           (B) improve military and defense infra-  
5           structure, basing, logistics, and access in the  
6           Indo-Pacific region in order to enhance the re-  
7           sponsiveness and capabilities of the United  
8           States Armed Forces; and

9           (C) increase bilateral and multilateral  
10          training and exercises with regional allies and  
11          partners; and

12          (2) the United States should develop a multi-  
13          year strategic plan that specifies resource priorities  
14          to meet the objectives and the activities of the Initia-  
15          tive described in subsection (c) of such section 1251.

16          (b) REQUIREMENT AND RESOURCE PLAN.—Not later  
17          than March 1, 2019, the Secretary of Defense, in con-  
18          sultation with the Secretary of State, shall submit to the  
19          appropriate congressional committees a requirement and  
20          resource plan that includes the following:

21               (1) An analysis of the challenges faced by the  
22               United States to meet the objectives and activities  
23               outlined in subsection (c) of such section 1251.

1           (2) The plan, resource requirements, and any  
2           additional authorities needed through fiscal year  
3           2024 to address such challenges.

4           (c) FORM.—The report required by subsection (b)  
5           shall be submitted in unclassified form but may include  
6           a classified annex.

7           (d) INCLUSION IN BUDGET MATERIALS.—The Sec-  
8           retary of Defense shall also include the requirement and  
9           resource plan required by subsection (b) in the budget ma-  
10          terials submitted by the Secretary in support of the budget  
11          of the President for fiscal year 2020 (submitted to Con-  
12          gress pursuant to section 1105 of title 31, United States  
13          Code).

14          (e) CONFORMING AMENDMENT.—Section 1251 of the  
15          National Defense Authorization Act for Fiscal Year 2018  
16          is amended by striking “Indo-Asia-Pacific” and inserting  
17          “Indo-Pacific” each place it appears.

18          (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
19          FINED.—In this section, the term “appropriate congres-  
20          sional committees” means—

- 21                   (1) the congressional defense committees; and  
22                   (2) the Committee on Foreign Relations of the  
23          Senate and the Committee on Foreign Affairs of the  
24          House of Representatives.

1 **SEC. 1252. UNITED STATES STRATEGY ON CHINA.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The United States has a national strategic  
4 interest in ensuring that the United States main-  
5 tains political, diplomatic, economic, military, and  
6 technological advantages over competitive adver-  
7 saries.

8 (2) The 2018 National Defense Strategy states  
9 that “the central challenge to the U.S. prosperity  
10 and security is the reemergence of long-term, stra-  
11 tegic competition by what the National Security  
12 Strategy classifies as revisionist powers. It is in-  
13 creasingly clear that China and Russia want to  
14 shape a world consistent with their authoritarian  
15 model—gaining veto authority over other nations’  
16 economic, diplomatic, and security decisions”.

17 (3) The 2018 National Defense Strategy fur-  
18 ther states that “China is leveraging military mod-  
19 ernization, influence operations, and predatory eco-  
20 nomics to coerce neighboring countries to reorder  
21 the Indo-Pacific region to their advantage. As China  
22 continues its economic and military ascendance, as-  
23 serting power through an all-of-nation long term  
24 strategy, it will continue to pursue a military mod-  
25 ernization program that seeks Indo-Pacific regional  
26 hegemony in the near-term and displacement of the

1 United States to achieve global preeminence in the  
2 future”.

3 (4) Statements by officials of the United States  
4 and leading experts have emphasized that the  
5 United States requires a whole-of-government re-  
6 sponse, across the full spectrum of capabilities, to  
7 address the challenges posed by China.

8 (b) STATEMENT OF POLICY.—Congress declares that  
9 long-term strategic competition with China is a principal  
10 priority for the United States that requires the integration  
11 of multiple elements of national power, including diplo-  
12 matic, economic, intelligence, law enforcement, and mili-  
13 tary elements, to protect and strengthen national security.

14 (c) STRATEGY REQUIRED.—

15 (1) IN GENERAL.—Not later than March 1,  
16 2019, the President shall submit to the appropriate  
17 congressional committees a report containing a  
18 whole-of-government strategy with respect to the  
19 People’s Republic of China.

20 (2) ELEMENTS OF STRATEGY.—The strategy  
21 required by paragraph (1) shall include the fol-  
22 lowing:

23 (A) Strategic assessments of and planned  
24 responses to address the following activities by  
25 the Chinese Communist Party:

1 (i) The use of political influence, in-  
2 formation operations, censorship, and  
3 propaganda to undermine democratic insti-  
4 tutions and processes, and the freedoms of  
5 speech, expression, press, and academic  
6 thought.

7 (ii) The use of intelligence networks  
8 to exploit open research and development.

9 (iii) The use of economic tools, includ-  
10 ing market access and investment to gain  
11 access to sensitive United States indus-  
12 tries.

13 (iv) Malicious cyber activities.

14 (v) The use of investment, infrastruc-  
15 ture, and development projects, such as  
16 China's Belt and Road Initiative, in Africa,  
17 Europe, Central Asia, South America, and  
18 the Indo-Pacific region, and the Polar Silk  
19 Road in the Arctic, as a means to gain ac-  
20 cess and influence.

21 (vi) The use of military activities, ca-  
22 pabilities, and defense installations, and  
23 hybrid warfare methods, short of tradi-  
24 tional armed conflict, against the United  
25 States or its allies and partners.



1           (vii) The abuse of employment and  
2           student visa programs to enter the United  
3           States in order to conduct political, aca-  
4           demic, or social influence efforts, or for the  
5           purposes of establishing Chinese Com-  
6           munist Party cells or other entities under  
7           the control or coordination of the Chinese  
8           Communist Party.

9           (viii) The Chinese Communist Party's  
10          coercion or intimidation of Chinese nation-  
11          als studying or working in the United  
12          States or outside China.

13          (B) Available or planned methods to en-  
14          hance strategic communication to counter Chi-  
15          nese influence and promote United States inter-  
16          ests.

17          (C) An identification of the key diplomatic,  
18          development, intelligence, military, and eco-  
19          nomic resources necessary to implement the  
20          strategy.

21          (D) A plan to maximize the coordination  
22          and effectiveness of such resources to counter  
23          the threats posed by the activities described in  
24          subparagraph (A).

1           (E) Available or planned interagency mech-  
2           anisms for the coordination and implementation  
3           of the strategy.

4           (3) FORM.—The report required by paragraph  
5           (1) shall be submitted in unclassified form, but may  
6           include a classified annex.

7           (4) ANNUAL BUDGET SUBMISSION.—The Presi-  
8           dent shall ensure that the annual budget submitted  
9           to Congress pursuant to section 1105 of title 31,  
10          United States Code, clearly highlights the programs  
11          and projects proposed to be funded that relate to the  
12          strategy required by paragraph (1).

13          (5) APPROPRIATE CONGRESSIONAL COMMIT-  
14          TEES.—In this section, the term “appropriage con-  
15          gressional committees” means—

16                (A) the Committee on Armed Services, the  
17                Committee on Foreign Relations, the Select  
18                Committee on Intelligence, the Committee on  
19                Finance, the Committee on Homeland Security  
20                and Governmental Affairs, the Committee on  
21                the Judiciary, the Committee on Commerce,  
22                Science, and Transportation, and the Com-  
23                mittee on the Budget of the Senate; and

24                (B) the Committee on Armed Services, the  
25                Committee on Foreign Affairs, the Permanent

1           Select Committee on Intelligence, the Com-  
2           mittee on Financial Services, the Committee on  
3           Homeland Security, the Committee on the Judi-  
4           ciary, the Committee on Energy and Commerce,  
5           and the Committee on the Budget of the House  
6           of Representatives.

7 **SEC. 1253. STRENGTHENING TAIWAN'S FORCE READINESS.**

8           (a) DEFENSE ASSESSMENT.—The Secretary of De-  
9           fense shall, in consultation with appropriate counterparts  
10          of Taiwan, conduct a comprehensive assessment of Tai-  
11          wan's military forces, particularly Taiwan's reserves. The  
12          assessment shall provide recommendations to improve the  
13          efficiency, effectiveness, readiness, and resilience of Tai-  
14          wan's self-defense capability in the following areas:

15               (1) Personnel management and force develop-  
16               ment, particularly reserve forces.

17               (2) Recruitment, training, and military pro-  
18               grams.

19               (3) Command, control, communications and in-  
20               telligence.

21               (4) Technology research and development.

22               (5) Defense article procurement and logistics.

23               (6) Strategic planning and resource manage-  
24               ment.

25           (b) REPORT REQUIRED.—

1           (1) IN GENERAL.—Not later than 1 year after  
2 the date of the enactment of this Act, the Secretary  
3 of Defense, in consultation with the Secretary of  
4 State, shall submit to the appropriate congressional  
5 committees a report containing each of the following:

6                   (A) A summary of the assessment con-  
7 ducted pursuant to subsection (a).

8                   (B) A list of any recommendations result-  
9 ing from such assessment.

10                  (C) A plan for the United States, including  
11 by using appropriate security cooperation au-  
12 thorities, to—

13                           (i) facilitate any relevant rec-  
14 ommendations from such list;

15                           (ii) expand senior military-to-military  
16 engagement and joint training by the  
17 United States Armed Forces with the mili-  
18 tary of Taiwan; and

19                           (iii) support United States foreign  
20 military sales and other equipment trans-  
21 fers to Taiwan, particularly for developing  
22 asymmetric warfare capabilities.

23           (2) APPROPRIATE SECURITY COOPERATION AU-  
24 THORITIES.—For purposes of the plan described in

1 paragraph (1)(C), the term “appropriate security co-  
2 operation authorities” means—

3 (A) section 311 of title 10, United States  
4 Code (relating to exchange of defense per-  
5 sonnel);

6 (B) section 332 such title (relating to de-  
7 fense institution building); and

8 (C) other security cooperation authorities  
9 under chapter 16 of such title.

10 (3) APPROPRIATE CONGRESSIONAL COMMIT-  
11 TEES.—In this subsection, the term “appropriate  
12 congressional committees” means—

13 (A) the congressional defense committees;  
14 and

15 (B) the Committee on Foreign Relations of  
16 the Senate and the Committee on Foreign Af-  
17 fairs of the House of Representatives.

18 **SEC. 1254. MODIFICATION, REDESIGNATION, AND EXTEN-**  
19 **SION OF SOUTHEAST ASIA MARITIME SECU-**  
20 **RITY INITIATIVE.**

21 (a) MODIFICATION AND REDESIGNATION.—

22 (1) IN GENERAL.—Subsection (a) of section  
23 1263 of the National Defense Authorization Act for  
24 Fiscal Year 2016 (Public Law 114–92; 129 Stat.  
25 1073; 10 U.S.C. 2282 note), as amended by section

1 1289 of the National Defense Authorization Act for  
2 Fiscal Year 2017 (Public Law 114–328; 130 Stat.  
3 2555), is further amended—

4 (A) in paragraph (1), by striking “South  
5 China Sea” and inserting “South China Sea  
6 and Indian Ocean”; and

7 (B) in paragraph (2), by striking “the  
8 ‘Southeast Asia Maritime Security Initiative’ ”  
9 and inserting “the ‘Indo-Pacific Maritime Secu-  
10 rity Initiative’ ”.

11 (2) CONFORMING AMENDMENT.—The heading  
12 of such section is amended to read as follows:

“Sec. 1263. Indo-Pacific Maritime Security Initiative.”.

13 (b) COVERED COUNTRIES.—Subsection (e)(2) of  
14 such section is amended by adding at the end the fol-  
15 lowing:

16 “(D) India.”.

17 (c) DESIGNATION OF ADDITIONAL COUNTRIES.—  
18 Such section is further amended—

19 (1) in subsection (e)(1), by striking “subsection  
20 (f)” and inserting “subsection (g)”;

21 (2) by redesignating subsections (f), (g), and  
22 (h) as subsections (g), (h), and (i), respectively; and

23 (3) by inserting after subsection (e) the fol-  
24 lowing:

1       “(f) INCLUSION OF ADDITIONAL COUNTRIES.—The  
2 Secretary of Defense, with the concurrence of the Sec-  
3 retary of State, is authorized to include additional foreign  
4 countries under subsection (b) for purposes of providing  
5 assistance and training under subsection (a) and addi-  
6 tional foreign countries under subsection (e)(2) for pur-  
7 poses of providing payment of incremental expenses in  
8 connection with training described in subsection (a)(1)(B)  
9 if, with respect to each such additional foreign country,  
10 the Secretary determines and certifies to the appropriate  
11 committees of Congress that it is important for increasing  
12 maritime security and maritime domain awareness in the  
13 Indo-Pacific region.”.

14       (d) EXTENSION.—Subsection (i) of such section, as  
15 redesignated, is amended by striking “September 30,  
16 2020” and inserting “September 30, 2023”.

17 **SEC. 1255. MISSILE DEFENSE EXERCISES IN THE INDO-PA-**  
18 **CIFIC REGION WITH UNITED STATES RE-**  
19 **GIONAL ALLIES AND PARTNERS.**

20       (a) FINDINGS.—Congress finds the following:

21           (1) The Democratic People’s Republic of Korea  
22 (North Korea) continues to develop, test, and threat-  
23 en the use of intercontinental ballistic missiles and  
24 nuclear weapons that threaten the United States  
25 and United States allies and partners.

1           (2) The People’s Republic of China and the  
2           Russian Federation continue to develop and deploy  
3           advanced counter-intervention technologies, includ-  
4           ing fielding and testing highly maneuverable reentry  
5           vehicles and warheads (such as hypersonic weapons),  
6           and cruise missiles and small-unmanned aircraft sys-  
7           tems (UAS) that challenge United States strategic,  
8           operational, and tactical freedom of movement and  
9           maneuver.

10          (b) SENSE OF CONGRESS.—It is the sense of Con-  
11       gress that the United States should—

12           (1) continue to develop and deploy a robust  
13           missile defense in the Indo-Pacific region;

14           (2) increase the capacity of interceptors, sen-  
15           sors, and operational concepts in the region;

16           (3) continue bilateral and multilateral oper-  
17           ationally realistic missile defense exercises in the re-  
18           gion;

19           (4) increase coordination with United States re-  
20           gional allies and partners, including Japan, South  
21           Korea, Australia, India, and other countries, as ap-  
22           propriate;

23           (5) begin planning for military exercises in  
24           2020 with United States regional allies and partners  
25           that is specifically focused on interoperability;



1           (6) integrate radar information from United  
2 States and allied Patriot, Terminal High Altitude  
3 Area Defense, Aegis, and other systems for region-  
4 wide command and control capabilities;

5           (7) increase the capacity of United States allies  
6 and partners through foreign military sales;

7           (8) seek increased areas of co-production for  
8 components of missile defense systems; and

9           (9) develop new capabilities to address threats  
10 to the region.

11       (c) MISSILE DEFENSE EXERCISES IN THE INDO-PA-  
12 CIFIC REGION.—The Secretary of Defense may conduct  
13 missile defense exercises in the Indo-Pacific region with  
14 United States regional allies and partners to improve  
15 interoperability.

16       (d) BRIEFING.—Not later than 120 days after the  
17 date of the enactment of this Act, the Secretary of Defense  
18 shall provide to the appropriate congressional committees  
19 a briefing on plans for missile defense exercises as de-  
20 scribed in subsection (c).

21       (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
22 FINED.—In this section, the term “appropriate congress-  
23 sional committees” means—

24           (1) the congressional defense committees; and

1           (2) the Committee on Foreign Relations of the  
2       Senate and the Committee on Foreign Affairs of the  
3       House of Representatives.

4 **SEC. 1256. QUADRILATERAL COOPERATION AND EXERCISE.**

5       (a) SENSE OF CONGRESS.—It is the sense of Con-  
6       gress that the United States, Japan, India, and Australia  
7       should—

8           (1) promote security and stability in the Indo-  
9       Pacific region;

10          (2) increase quadrilateral meetings to discuss  
11       and strengthen interoperability of their respective  
12       military and naval forces;

13          (3) plan joint quadrilateral military patrols and  
14       exercises;

15          (4) promote the values of a free and open Indo-  
16       Pacific region and address themes such as respect  
17       for international law, maritime security, non-  
18       proliferation, and terrorism in the region;

19          (5) explore joint regional infrastructure initia-  
20       tives in the region;

21          (6) engage in maritime capacity building among  
22       smaller Indo-Pacific countries;

23          (7) develop new capabilities to deter and defend  
24       against threats to the region; and

1 (8) support regional institutions and bodies, in-  
2 cluding the Association of Southeast Asian Nations  
3 Regional Forum, to increase regional cooperation  
4 with respect to maritime security and domain aware-  
5 ness and to promote internationally accepted rules  
6 and norms.

7 (b) EXERCISE.—The Secretary of Defense may con-  
8 duct a quadrilateral naval military exercise.

9 (c) BRIEFING.—Not later than 120 days after the  
10 date of the enactment of this Act, the Secretary of Defense  
11 shall provide to the appropriate congressional committees  
12 a briefing on the matters contained in this section.

13 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
14 DEFINED.—In this section, the term “appropriate con-  
15 gressional committees” means—

16 (1) the congressional defense committees; and

17 (2) the Committee on Foreign Relations of the  
18 Senate and the Committee on Foreign Affairs of the  
19 House of Representatives.

20 **SEC. 1257. NAME OF UNITED STATES INDO-PACIFIC COM-**  
21 **MAND.**

22 (a) IN GENERAL.—The combatant command known  
23 as the United States Pacific Command shall, beginning  
24 on January 1, 2020, be known as the “United States  
25 Indo-Pacific Command”. Any reference to such combatant

1 command in any law, regulation, map, document, record,  
2 or other paper of the United States shall be considered  
3 to be a reference to the United States Indo-Pacific Com-  
4 mand.

5 (b) CONFORMING AMENDMENTS.—

6 (1) ANNUAL REPORT ON NON-FEDERALIZED  
7 SERVICE NATIONAL GUARD PERSONNEL, TRAINING,  
8 AND EQUIPMENT REQUIREMENTS.—Section 10504  
9 of title 10, United States Code, as amended by sec-  
10 tion 1071(a)(31), is further amended in subsection  
11 (c), as redesignated by such section, in paragraph  
12 (3)(H) by striking “United States Pacific Com-  
13 mand” and inserting “United States Indo-Pacific  
14 Command”.

15 (2) CONTRACTING WITH THE ENEMY.—Section  
16 843(4) of the Carl Levin and Howard P. “Buck”  
17 McKeon National Defense Authorization Act for  
18 Fiscal Year 2015 (Public Law 113–291; 10 U.S.C.  
19 2302 note) is amended by striking “United States  
20 Pacific Command” and inserting “United States  
21 Indo-Pacific Command”.

1 **SEC. 1258. REQUIREMENT FOR CRITICAL LANGUAGES AND**  
2 **EXPERTISE IN CHINESE, KOREAN, AND RUS-**  
3 **SIAN.**

4 Not later than 180 days after the date of the enact-  
5 ment of this Act, the Secretary of Defense shall—

6 (1) evaluate the operational requirements for  
7 members of the Armed Forces possessing foreign  
8 language expertise in critical East Asian languages,  
9 including Chinese, Korean, and Russian; and

10 (2) submit to the congressional defense commit-  
11 tees a plan to address any shortfalls in these critical  
12 areas.

13 **SEC. 1259. MODIFICATION OF REPORT REQUIRED UNDER**  
14 **ENHANCING DEFENSE AND SECURITY CO-**  
15 **OPERATION WITH INDIA.**

16 Subsection (a)(2) of section 1292 of the National De-  
17 fense Authorization Act for Fiscal Year 2017 (Public Law  
18 114–328; 130 Stat. 2559; 22 U.S.C. 2751 note) is amend-  
19 ed—

20 (1) by striking “Not later than” and inserting  
21 the following:

22 “(1) IN GENERAL.—Not later than”;

23 (2) by striking “The report shall also include a  
24 forward-looking strategy” and inserting the fol-  
25 lowing:

1           “(2) CONTENTS.—The report shall also in-  
2       clude—

3                   “(A) a forward-looking strategy”;

4           (3) by striking the period at the end and insert-  
5       ing a semicolon; and

6           (4) by adding at the end the following:

7                   “(B) a description of any limitations that  
8       hinder or slows progress in implementing the  
9       actions described in subparagraphs (A) through  
10      (L) of paragraph (1);

11                  “(C) a description of actions India is tak-  
12      ing, or the actions the Secretary of Defense or  
13      the Secretary of State believe India should take,  
14      to advance the relationship between the United  
15      States and in regards to subparagraphs (A)  
16      through (L) of paragraph (1); and

17                  “(D) a description of—

18                          “(i) measures that can be taken by  
19      the United States and India to improve  
20      interoperability; and

21                          “(ii) progress in enabling agreements  
22      between the United States and India.”.

1 **SEC. 1260. STATEMENT OF POLICY ON NAVAL VESSEL**  
2 **TRANSFERS TO JAPAN.**

3 It shall be the policy of the United States to support  
4 maritime defense cooperation with Japan, including  
5 through the transfer of excess United States naval vessels  
6 to the Japanese Maritime Self-Defense Force. Such trans-  
7 fers should include capabilities such as those represented  
8 by the Tarawa class amphibious assault ship, the Austin  
9 class amphibious transport dock, and the Charleston class  
10 amphibious cargo ship.

11 **SEC. 1261. REPORT AND PUBLIC NOTIFICATION ON CHINA'S**  
12 **MILITARY, MARITIME, AND AIR ACTIVITIES IN**  
13 **THE INDO-PACIFIC REGION.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-  
15 gress that greater transparency of China's provocative  
16 military, maritime, and air activities in the Indo-Pacific  
17 region would—

18 (1) aid in raising awareness of these activities  
19 in regional and international forums;

20 (2) enable regional security partners to more ef-  
21 fectively protect their sovereignty and defend their  
22 rights under international law; and

23 (3) maintain stability within the region to en-  
24 able constructive relations with China.

25 (b) REPORT.—

1           (1) IN GENERAL.—The Secretary of Defense, in  
2           consultation with the Director of National Intel-  
3           ligence and the Secretary of State, shall submit to  
4           the appropriate congressional committees on a quar-  
5           terly basis a report describing China’s provocative  
6           military, maritime, and air activities in the Indo-Pa-  
7           cific region.

8           (2) ELEMENTS.—The report shall, at minimum,  
9           address China’s provocative military, maritime, and  
10          air activities, military deployments, and operations  
11          and infrastructure construction in the East China  
12          Sea, South China Sea, Taiwan Strait, and Indian  
13          Ocean.

14          (3) DISSEMINATION TO REGIONAL ALLIES.—  
15          The report shall be disseminated to regional allies  
16          and partners, as appropriate, in the Indo-Pacific re-  
17          gion.

18          (4) IMAGERY AND SUPPORTING ANALYSIS.—  
19          The report may include imagery from military air-  
20          craft and other sources with supporting analysis to  
21          describe China’s provocative maritime and air activi-  
22          ties.

23          (5) FORM.—The report shall be available to the  
24          public and shall be submitted or carried out in un-  
25          classified form.



1 (c) PUBLIC NOTIFICATION.—

2 (1) IN GENERAL.—The Secretary of Defense, in  
3 consultation with the Director of National Intel-  
4 ligence and the Secretary of State, shall provide no-  
5 tice to the public of any activities described in para-  
6 graph (2) immediately after the initiation of any  
7 such activities.

8 (2) ACTIVITIES DESCRIBED.—The activities de-  
9 scribed in this paragraph are any significant desta-  
10 bilizing or deceptive activities of China, including  
11 reclamation or militarization activity in the Indo-Pa-  
12 cific region, use of military, government, or commer-  
13 cial aircraft or maritime vessels to intimidate re-  
14 gional neighbors.

15 (3) WRITTEN SUMMARY.—As soon as prac-  
16 ticable after the notification to the public under  
17 paragraph (1) of any activities described in para-  
18 graph (2), the Secretary of Defense shall distribute  
19 to the appropriate congressional committees and  
20 United States allies and security partners in the  
21 Indo-Pacific region a written summary to include  
22 imagery and supporting analysis describing such ac-  
23 tivities.

24 (d) REQUIREMENTS RELATING TO NATIONAL SECU-  
25 RITY AND PROTECTION OF CLASSIFIED NATIONAL SECU-

1 RITY INFORMATION.—The dissemination and availability  
2 of the report under subsection (b) and the notification to  
3 the public under subsection (c) shall be made in a manner  
4 consistent with national security and the protection of  
5 classified national security information.

6 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
7 FINED.—In this section, the term “appropriate congres-  
8 sional committees” means—

- 9 (1) the congressional defense committees; and
- 10 (2) the Committee on Foreign Relations and  
11 the Select Committee on Intelligence of the Senate  
12 and the Committee on Foreign Affairs and the Per-  
13 manent Select Committee on Intelligence of the  
14 House of Representatives.

15 **SEC. 1262. SENIOR DEFENSE ENGAGEMENT WITH TAIWAN.**

16 (a) FINDING.—The Taiwan Travel Act (Public Law  
17 115–135; 132 Stat. 341) states that it should be the policy  
18 of the United States to allow officials at all levels of the  
19 United States government, including Cabinet-level na-  
20 tional security officials, general officers, and other execu-  
21 tive branch officials, to travel to Taiwan to meet their Tai-  
22 wan counterparts.

23 (b) SENSE OF CONGRESS.—Pursuant to the policy  
24 described in the Taiwan Travel Act, the Secretary of De-  
25 fense should send a Secretary of a military department

1 or a member of the Joint Chiefs of Staff to Taiwan for  
2 the purpose of senior-level defense engagement.

3 (c) BRIEFING.—Not later than 60 days after the date  
4 of the enactment of this Act, the Secretary of Defense,  
5 in consultation with the Secretary of State, shall brief the  
6 congressional defense committees, the Committee on For-  
7 eign Relations of the Senate, and the Committee on For-  
8 eign Affairs of the House of Representatives on any plans  
9 of the Department to carry out senior-level defense en-  
10 gagement.

11 **SEC. 1263. LIMITATION ON USE OF FUNDS TO REDUCE THE**  
12 **TOTAL NUMBER OF MEMBERS OF THE**  
13 **ARMED FORCES SERVING ON ACTIVE DUTY**  
14 **WHO ARE DEPLOYED TO THE REPUBLIC OF**  
15 **KOREA.**

16 None of the funds authorized to be appropriated by  
17 this Act may be used to reduce the total number of mem-  
18 bers of the Armed Forces serving on active duty who are  
19 deployed to the Republic of Korea below 22,000 unless the  
20 Secretary of Defense first certifies to the congressional de-  
21 fense committees that such a reduction is in the national  
22 security interest of the United States and will not signifi-  
23 cantly undermine the security of United States allies in  
24 the region.

1 **SEC. 1264. ENHANCING MISSILE DEFENSE COOPERATION**  
2 **WITH PARTNERS.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that the Secretary of Defense should seek opportuni-  
5 ties to increase defense coordination and cooperation with  
6 United States partners with respect to missile defense.

7 (b) MODIFICATION OF DEFENSE COOPERATION AU-  
8 THORITY WITH INDIA.—Section 1292(a)(1) of the Na-  
9 tional Defense Authorization Act for Fiscal Year 2017  
10 (Public Law 114–328; 130 Stat. 2559; 22 U.S.C. 2751  
11 note), as amended by section 1258(a) of the National De-  
12 fense Authorization Act for Fiscal Year 2018 (Public Law  
13 115–91; 131 Stat. 1683), is further amended—

14 (1) in subparagraph (K), by striking “and” at  
15 the end;

16 (2) in subparagraph (L), by striking the period  
17 at the end and inserting “; and”; and

18 (3) by adding at the end the following new sub-  
19 paragraph:

20 “(M) develop closer defense cooperation  
21 with India on matters relating to missile de-  
22 fense.”.

1 **SEC. 1265. REINSTATEMENT OF REPORTING REQUIRE-**  
2 **MENTS WITH RESPECT TO UNITED STATES-**  
3 **HONG KONG RELATIONS.**

4 Section 301 of the United States-Hong Kong Policy  
5 Act of 1992 (22 U.S.C. 5731) is amended—

6 (1) in the matter preceding paragraph (1)—

7 (A) by striking “Not later than” and in-  
8 serting “(a) IN GENERAL.— Not later than”;

9 (B) by striking “March 31, 1993” and all  
10 that follows through “March 31, 2006” and in-  
11 serting “March 31, 2019, and annually there-  
12 after through 2024”; and

13 (C) by striking “the Speaker of the House  
14 of Representatives” and inserting “the chair of  
15 the Committee on Foreign Affairs of the House  
16 of Representatives”; and

17 (2) by adding at the end the following new sub-  
18 section:

19 “(b) FORM.—The report required by subsection (a)  
20 shall be submitted in unclassified form and shall be pub-  
21 lished on a publicly available website of the Department  
22 of State.”.

23 **SEC. 1266. REPORT ON NORTH KOREA.**

24 (a) IN GENERAL.—Not later than 120 days after the  
25 date of the enactment of this Act, the Secretary of State,  
26 in consultation with the heads of other relevant Federal

1 departments and agencies, shall submit to the appropriate  
2 congressional committees a report that includes a descrip-  
3 tion of any ongoing or planned efforts of the Department  
4 of State with respect to each of the following:

5 (1) Resuming the repatriation from North  
6 Korea of members of the United States Armed  
7 Forces missing or unaccounted for during the Ko-  
8 rean War.

9 (2) Reuniting Korean Americans with their rel-  
10 atives in North Korea.

11 (3) Assessing the security risks posed by travel  
12 to North Korea for United States citizens.

13 (b) FORM.—The report required under subsection (a)  
14 shall be submitted in unclassified form.

15 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—  
16 In this section, the term “appropriate congressional com-  
17 mittees” means—

18 (1) the congressional defense committees; and

19 (2) the Committee on Foreign Relations of the  
20 Senate and the Committee on Foreign Affairs of the  
21 House of Representatives.

22 **SEC. 1267. RULE OF CONSTRUCTION REGARDING USE OF**  
23 **FORCE AGAINST NORTH KOREA.**

24 Nothing in this Act may be construed as authorizing  
25 the use of force against North Korea.

1 **SEC. 1268. REVIEW OF CONTROLLED ITEMS WITH RESPECT**  
2 **TO CHINA.**

3 Not later than 180 days after the date of the enact-  
4 ment of this Act, the Secretary of Defense shall submit  
5 to Congress a report listing each technology included on  
6 the Commerce Control List maintained under Supplement  
7 No. 1 to part 774 of the Export Administration Regula-  
8 tions (subchapter C of chapter VII of title 15, Code of  
9 Federal Regulations) and exempted for export to China,  
10 and each item removed from such List, designated as  
11 “EAR99” by the Bureau of Industry and Security, and  
12 exported to China, during the 15-year period ending on  
13 such date of enactment that the Secretary determines cur-  
14 rently poses an unacceptable national security risk.

15 **SEC. 1269. HUMANITARIAN ASSISTANCE AND DISASTER RE-**  
16 **LIEF EXERCISES CONDUCTED BY THE DE-**  
17 **PARTMENT OF DEFENSE IN THE INDO-PA-**  
18 **CIFIC REGION.**

19 (a) FINDINGS.—Congress finds the following:

20 (1) The Indo-Pacific region is home to over 60  
21 percent of the world’s population and is prone to  
22 natural disasters particularly due to its proximity to  
23 a geological vulnerable region.

24 (2) The multilateral Pacific Partnership exer-  
25 cise, first conducted in 2006 in response to the hu-  
26 manitarian and disaster relief operations for the De-

1 cember 2004 Indian Ocean earthquake and tsunami,  
2 involved the participation of 22 partner nations to  
3 improve the ability of each country to conduct hu-  
4 manitarian assistance and disaster relief efforts.

5 (3) The Pacific Partnership is the largest an-  
6 nual multilateral disaster preparedness mission con-  
7 ducted in the Indo-Pacific region.

8 (4) The United States Agency for International  
9 Development, including through its Office of Foreign  
10 Disaster Assistance, leads and coordinates United  
11 States humanitarian efforts in foreign countries and  
12 often partners with the Department of Defense in  
13 responding to disasters.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-  
15 gress that—

16 (1) the Pacific Partnership, a civic and humani-  
17 tarian mission which the United States Navy's Pa-  
18 cific Fleet, in conjunction with partner nations, non-  
19 governmental organizations, and other United States  
20 and international governmental agencies conducts to  
21 strengthen alliances, improves United States and  
22 partner capacity to deliver humanitarian assistance  
23 and disaster relief and improves security cooperation  
24 among the partner nations in the Indo-Pacific re-  
25 gion;



1           (2) the Department of Defense should continue  
2           to play a role in response to requests for support in  
3           international humanitarian assistance and disaster  
4           response drawing on its unique capabilities, man-  
5           power, and forward-deployed resources; and

6           (3) the Secretary of Defense should assess the  
7           United States force posture in the Indo-Pacific re-  
8           gion for future Pacific Partnerships and work to ex-  
9           pand engagements in the entirety of the Indo-Pacific  
10          region if appropriate and if applicable renaming the  
11          program as the “Indo-Pacific Partnership”.

12          (c) BRIEFING.—Not later than the end of the first  
13          full fiscal year beginning after the date of enactment of  
14          this Act, the Secretary of Defense shall provide to the ap-  
15          propriate congressional committees a briefing on the fol-  
16          lowing:

17               (1) A description of humanitarian assistance  
18               and disaster relief exercises conducted by the De-  
19               partment of Defense in the Indo-Pacific region in  
20               the previous year that also identifies the partner  
21               countries and militaries involved in any such oper-  
22               ations and exercises.

23               (2) A description of any planned humanitarian  
24               assistance and disaster relief exercises for the fol-  
25               lowing fiscal year in the Indo-Pacific region.

1           (3) A description of any constraints on the abil-  
2           ity of the Department of Defense to conduct human-  
3           itarian assistance and disaster relief exercises, in-  
4           cluding in resources.

5           (4) A description of any efforts undertaken by  
6           the Secretary of Defense to ease operational burdens  
7           on the Armed Forces of the United States to partici-  
8           pate in humanitarian assistance or disaster relief ex-  
9           ercises, such as the pre-positioning of equipment, in-  
10          clusion of additional partners, and inclusion of exer-  
11          cises that may ordinarily be conducted independently  
12          of any humanitarian assistance operation or exer-  
13          cise.

14          (d) APPROPRIATE CONGRESSIONAL COMMITTEE DE-  
15          FINED.—In subsection (c), the term “appropriate congres-  
16          sional committees” means—

17               (1) the Committee on Armed Services and the  
18               Committee on Foreign Relations of the Senate; and

19               (2) the Committee on Armed Services and the  
20               Committee on Foreign Affairs of the House of Rep-  
21               resentatives.

## 1                   **Subtitle F—Other Matters**

### 2   **SEC. 1271. REPORT ON STATUS OF THE UNITED STATES RE-** 3                   **LATIONSHIP WITH THE REPUBLIC OF TUR-** 4                   **KEY.**

5           (a) FINDINGS.—Congress finds the following:

6               (1) The United States–Republic of Turkey rela-  
7               tionship, over the past year, has become increasingly  
8               strained due to several provocative actions taken by  
9               the Government of Turkey.

10              (2) The potential purchase by the Government  
11              of Turkey of the S-400 air and missile defense sys-  
12              tem from the Russian Federation has led to tension  
13              with the relationship.

14              (3) These actions could negatively impact com-  
15              mon weapon system development between the United  
16              States and Turkey.

17              (4) These actions could exacerbate current  
18              North Atlantic Treaty Organization (NATO) inter-  
19              operability challenges with respect to common mili-  
20              tary architecture and information sharing.

21              (5) These actions could impact current bilateral  
22              agreements between the United States and Turkey.

23           (b) REPORT REQUIRED.—

24               (1) IN GENERAL.—Not later than 60 days after  
25               the date of the enactment of this Act, the Secretary

1 of Defense, in consultation with the Secretary of  
2 State, shall submit to the appropriate congressional  
3 committees a report on the status of the United  
4 States relationship with the Republic of Turkey.

5 (2) MATTERS TO BE INCLUDED.—The report  
6 required under this subsection shall include the fol-  
7 lowing:

8 (A) An assessment of United States mili-  
9 tary and diplomatic presence in Turkey, includ-  
10 ing all military activities conducted from  
11 Incirlik Air Base or elsewhere.

12 (B) An assessment of the potential pur-  
13 chase by the Government of Turkey of the S-  
14 400 air and missile defense system from the  
15 Russian Federation and the potential effects of  
16 such purchase on the United States-Turkey bi-  
17 lateral relationship, including an assessment of  
18 impacts on other United States weapon systems  
19 and platforms operated jointly with Turkey to  
20 include—

21 (i) the F-35 Lightning II Joint Strike  
22 aircraft, to include co-production;

23 (ii) the Patriot surface-to-air missile  
24 system;

1 (iii) the CH-47 Chinook heavy lift  
2 helicopter;

3 (iv) the AH-1 Attack helicopter;

4 (v) the H-60 Black Hawk utility heli-  
5 copter; and

6 (vi) the F-16 Fighting Falcon air-  
7 craft.

8 (C) An identification of potential alter-  
9 native air and missile defense systems that  
10 could be purchased by the Government of Tur-  
11 key, including United States and other NATO  
12 member state military air defense artillery sys-  
13 tems.

14 (3) FORM.—The report required under this  
15 subsection shall be submitted in unclassified form,  
16 but may include a classified annex.

17 (c) LIMITATION.—The Secretary of Defense may not  
18 take any action to execute delivery of a foreign military  
19 sale for major defense equipment subject to congressional  
20 notification under section 36 of the Arms Export Control  
21 Act (22 U.S.C. 2778) (made under a letter of offer issued  
22 under the authority of the Arms Export Control Act before  
23 the date of the enactment of this Act) to the Republic of  
24 Turkey until the Secretary submits to the appropriate con-

1 gressional committees the report required under sub-  
2 section (b).

3 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
4 DEFINED.—In this section, the term “appropriate con-  
5 gressional committees” means—

- 6 (1) the congressional defense committees; and
- 7 (2) the Committee on Foreign Relations of the  
8 Senate and Committee on Foreign Affairs of the  
9 House of Representatives.

10 **SEC. 1272. SENSE OF CONGRESS ON UNITY OF GULF CO-  
11 OPERATION COUNCIL MEMBER COUNTRIES.**

12 It is the sense of Congress that—

- 13 (1) the member countries of the Gulf Coopera-  
14 tion Council (GCC) are important security coopera-  
15 tion partners of the United States;
- 16 (2) the unity of GCC member countries is crit-  
17 ical to facing growing threats from Iran; and
- 18 (3) timely normalization of diplomatic, security,  
19 and economic relationships among GCC member  
20 countries is in the best interest of the United States.

21 **SEC. 1273. REPORT ON UNITED STATES GOVERNMENT PO-  
22 LICE TRAINING AND EQUIPPING PROGRAMS  
23 FOR MEXICO.**

24 (a) REPORT REQUIRED.—Not later than July 1,  
25 2019, the President shall submit to the appropriate con-

1 gressional committees a report on United States Govern-  
2 ment police training and equipping programs for Mexico.

3 (b) ELEMENTS.—The report required under sub-  
4 section (a) shall include the following:

5 (1) A list of all United States Government de-  
6 partments and agencies involved in implementing the  
7 programs.

8 (2) A description of the scope, size, and compo-  
9 nents of the programs for fiscal years 2017 and  
10 2018, to include for each such program—

11 (A) the types of units receiving such assist-  
12 ance, including national police, gendarmerie,  
13 counternarcotics police, counterterrorism police,  
14 Formed Police Units, border security, and cus-  
15 toms;

16 (B) the purpose and objectives of the pro-  
17 gram;

18 (C) the funding and personnel levels for  
19 the program in each such fiscal year;

20 (D) the authority under which the program  
21 is conducted;

22 (E) the name of the United States Govern-  
23 ment department or agency with lead responsi-  
24 bility for the program and the mechanisms for  
25 oversight of the program;

1 (F) the extent to which the program is im-  
2 plemented by contractors or United States Gov-  
3 ernment personnel; and

4 (G) the metrics for measuring the results  
5 of the program and an assessment of the im-  
6 pact achieved from the program.

7 (3) An assessment of the requirements for the  
8 programs, and what changes, if any, are required to  
9 improve the capacity of the United States Govern-  
10 ment to meet such requirements.

11 (4) An evaluation of the appropriate role of  
12 United States Government departments and agen-  
13 cies in carrying out and coordinating the programs.

14 (5) An evaluation of the appropriate role of  
15 contractors in carrying out the programs, and what  
16 modifications, if any, are needed to improve over-  
17 sight of such contractors.

18 (6) Recommendations for legislative modifica-  
19 tions, if any, to existing authorities relating to the  
20 programs.

21 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—

22 In this section, the term “appropriate congressional com-  
23 mittees” means—

24 (1) the congressional defense committees; and





1 **SEC. 1275. TECHNICAL CORRECTIONS RELATING TO DE-**  
2 **FENSE SECURITY COOPERATION STATUTORY**  
3 **REORGANIZATION.**

4 (a) CHAPTER REFERENCES.—The following provi-  
5 sions of law are amended by striking “chapter 15” and  
6 inserting “chapter 13”:

7 (1) Section 886(a)(5) of the Homeland Security  
8 Act of 2002 (6 U.S.C. 466(a)(5)).

9 (2) Section 332(a)(1) of the Consolidated Farm  
10 and Rural Development Act (7 U.S.C. 1982(a)(1)).

11 (3) Section 101(a)(13)(B) of title 10, United  
12 States Code.

13 (4) Section 115(i)(6) of title 10, United States  
14 Code.

15 (5) Section 12304(c)(1) of title 10, United  
16 States Code.

17 (6) Section 484C(e)(3)(C)(v) of the Higher  
18 Education Act of 1965 (20 U.S.C.  
19 1091c(e)(3)(C)(v)).

20 (b) SECTION REFERENCES.—(1) Title 10, United  
21 States Code, is amended—

22 (A) in section 386(c)(1), by striking “Sections  
23 311, 321, 331, 332, 333,” and inserting “Sections  
24 246, 251, 252, 253, 321,”; and

1 (B) in section 10541(b)(9) in the matter pre-  
2 ceding subparagraph (A), by striking “sections 331,  
3 332, 333,” and inserting “sections 251, 252, 253,”.

4 (2) Section 484C(c)(3)(C)(i) of the Higher Edu-  
5 cation Act of 1965 (20 U.S.C. 1091c(c)(3)(C)(i)) is  
6 amended by striking “section 331, 332,” and inserting  
7 “section 251, 252,”.

8 (c) OTHER TECHNICAL CORRECTIONS.—(1) Chapter  
9 16 of title 10, United States Code, is amended—

10 (A) in section 311(a)(3), by striking “Secretary  
11 to State” and inserting “Secretary of State”;

12 (B) in section 321(e), by striking “calender”  
13 each place it appears and inserting “calendar”;

14 (C) in the table of sections at the beginning of  
15 subchapter V of such chapter, by striking the item  
16 relating to section 342 and inserting the following:

“342. Regional Centers for Security Studies.”;

17 (D) in section 347—

18 (i) in the heading of subsection (a)(7), by  
19 striking “ETC.” and inserting “ETC”; and

20 (ii) in the heading of subsection (b)(3)(B),  
21 by striking “ETC.” and inserting “ETC”; and

22 (E) in section 385(d)(1)(B), by striking “in-  
23 clude” and inserting “including”.

24 (2) Section 1204(b) of the Carl Levin and Howard  
25 P. “Buck” McKeon National Defense Authorization Act

1 for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C.  
2 362 note) is amended—

3 (A) in paragraph (1), by striking “section  
4 2249e” each place it appears and inserting “section  
5 362”; and

6 (B) in paragraph (3), by striking “section  
7 2249e” and inserting “section 301(1)”.

8 **SEC. 1276. UNITED STATES-ISRAEL COUNTERING UN-**  
9 **MANNED AERIAL SYSTEMS COOPERATION.**

10 Section 1279(a) of the National Defense Authoriza-  
11 tion Act for Fiscal Year 2016 (Public Law 114–92; 22  
12 U.S.C. 8606 note), as most recently amended by section  
13 1278 of the National Defense Authorization Act for Fiscal  
14 Year 2018 (Public Law 115–91; 131 Stat. 1700), is fur-  
15 ther amended—

16 (1) by inserting “and capabilities for countering  
17 unmanned aerial systems” after “anti-tunnel capa-  
18 bilities”; and

19 (2) by inserting “and unmanned aerial sys-  
20 tems” after “underground tunnels”.

21 **SEC. 1277. THREE-YEAR EXTENSION OF AUTHORIZATION OF**  
22 **NON-CONVENTIONAL ASSISTED RECOVERY**  
23 **CAPABILITIES.**

24 Section 943(g) of the National Defense Authorization  
25 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.

1 4579), as most recently amended by section 1051(n) of  
2 the National Defense Authorization Act for Fiscal Year  
3 2018 (Public Law 115–91; 131 Stat. 1564), is further  
4 amended by striking “2021” and inserting “2024”.

5 **SEC. 1278. REVISION OF STATUTORY REFERENCES TO**  
6 **FORMER NATO SUPPORT ORGANIZATIONS**  
7 **AND RELATED NATO AGREEMENTS.**

8 Section 2350d of title 10, United States Code, is  
9 amended—

10 (1) by striking “NATO Support Organization”  
11 each place it appears and inserting “NATO Support  
12 and Procurement Organization”;

13 (2) by striking “Support Partnership Agree-  
14 ment” each place it appears and inserting “Support  
15 or Procurement Partnership Agreement”;

16 (3) in subsection (a)(1), by striking “Support  
17 Partnership Agreements” and inserting “Support or  
18 Procurement Partnership Agreements”; and

19 (4) in subsection (b)(1), by striking “in Eu-  
20 rope”.

21 **SEC. 1279. SENSE OF THE CONGRESS CONCERNING MILI-**  
22 **TARY-TO-MILITARY DIALOGUES.**

23 It is the sense of Congress that—

24 (1) military-to-military dialogues, including in  
25 the case of allies, partners, and adversaries and po-

1        tential adversaries, can be a useful and important  
2        tool for advancing United States national security  
3        objectives in a complex, interactive, and dynamic se-  
4        curity environment;

5            (2) frameworks for military-to-military dia-  
6        logues should be flexible and adaptable to such a se-  
7        curity environment and should be informed by na-  
8        tional security guidance, such as the 2017 National  
9        Security Strategy and the 2018 National Defense  
10       Strategy; and

11           (3) military-to-military dialogues can and  
12        should be reliable, enduring, and tailorable based on  
13        circumstance, so that such dialogues can be trusted  
14        and available when needed, particularly amid esca-  
15        lating tensions.

16 **SEC. 1280. MODIFICATIONS TO GLOBAL ENGAGEMENT CEN-**  
17 **TER.**

18        Section 1287 of the National Defense Authorization  
19        Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amend-  
20        ed—

21            (1) by amending paragraph (2) of subsection  
22        (a) to read as follows:

23            “(2) PURPOSE.—The purpose of the Center  
24        shall be to direct, lead, synchronize, integrate, and  
25        coordinate efforts of the Federal Government to rec-

1       ognize, understand, expose, and counter foreign  
2       state and foreign non-state propaganda and  
3       disinformation efforts aimed at undermining or in-  
4       fluencing the policies, security, or stability of the  
5       United States and United States allies and partner  
6       nations.”;

7               (2) in subsection (b)—

8                       (A) by amending paragraph (1) to read as  
9               follows:

10               “(1) Direct, lead, synchronize, integrate, and  
11       coordinate interagency and international efforts to  
12       track and evaluate counterfactual narratives abroad  
13       that threaten the policies, security, or stability of the  
14       United States and United States allies and partner  
15       nations.”;

16                       (B) by amending paragraph (4) to read as  
17       follows:

18               “(4) Identify current and emerging trends in  
19       foreign propaganda and disinformation in order to  
20       coordinate and shape the development of tactics,  
21       techniques, and procedures to expose and refute for-  
22       eign propaganda and disinformation, and pro-ac-  
23       tively support the promotion of credible, fact-based  
24       narratives and policies to audiences outside the  
25       United States.”;

1           (C) by redesignating paragraphs (6)  
2 through (10) as paragraphs (7) through (11),  
3 respectively;

4           (D) by inserting after paragraph (5) the  
5 following new paragraph:

6           “(6) Measure and evaluate the activities of the  
7 Center, including the outcomes of such activities,  
8 and implement mechanisms to ensure that the activi-  
9 ties of the Center are updated to reflect the results  
10 of such measurement and evaluation.”; and

11           (E) by amending paragraph (8), as so re-  
12 designated, to read as follows:

13           “(8) Use information from appropriate inter-  
14 agency entities to identify the countries, geographic  
15 areas, and populations most susceptible to propa-  
16 ganda and disinformation, as well as the countries,  
17 geographic areas, and populations in which such  
18 propaganda and disinformation is likely to cause the  
19 most harm.”;

20           (3) in subsection (d), by amending paragraphs  
21 (1) and (2) to read as follows:

22           “(1) DETAILEES AND ASSIGNEES.—Any Fed-  
23 eral Government employee may be detailed or as-  
24 signed to the Center with or without reimbursement,  
25 consistent with applicable laws and regulations re-



1       garding such employee, and such detail or assign-  
2       ment shall be without interruption or loss of status  
3       or privilege.

4               “(2) OTHER PERSONNEL.—The Secretary of  
5       State should, when hiring additional United States  
6       citizen personnel, preference use of Foreign Service  
7       limited appointments in accordance with section 309  
8       of the Foreign Service Act of 1980 (22 U.S.C.  
9       3949). The Secretary may hire United States citi-  
10      zens or aliens, as appropriate, including as personal  
11      services contractors, for purposes of personnel re-  
12      sources of the Center, if—

13               “(A) the Secretary determines that exist-  
14      ing personnel resources or expertise are insuffi-  
15      cient;

16               “(B) the period in which services are pro-  
17      vided by a personal services contractor, includ-  
18      ing options, does not exceed 3 years, unless the  
19      Secretary determines that exceptional cir-  
20      cumstances justify an extension of up to one  
21      additional year;

22               “(C) not more than 50 United States citi-  
23      zens or aliens are employed as personal services  
24      contractors under the authority of this para-  
25      graph at any time; and

1           “(D) the authority of this paragraph is  
2           only used to obtain specialized skills or experi-  
3           ence or to respond to urgent needs.”;

4           (4) in subsection (e), by amending paragraphs  
5           (1) and (2) to read as follows:

6           “(1) IN GENERAL.—For each of fiscal years  
7           2019 and 2020, the Secretary of Defense is author-  
8           ized to transfer, from amounts appropriated to the  
9           Secretary pursuant to the authorization under this  
10          Act, to the Secretary of State not more than  
11          \$60,000,000, to carry out the functions of the Cen-  
12          ter.

13          “(2) NOTICE REQUIREMENT.—The Secretary of  
14          Defense shall notify the Committee on Armed Serv-  
15          ices, the Committee on Appropriations, and the  
16          Committee on Foreign Relations of the Senate and  
17          the Committee on Armed Services, the Committee  
18          on Appropriations, the Committee on Foreign Af-  
19          fairs, and the Committee on Oversight and Govern-  
20          ment Reform of the House of Representatives of a  
21          proposed transfer under paragraph (1) not less than  
22          15 days prior to making such transfer.”;

23          (5) in subsection (f), by amending paragraphs  
24          (1) and (2) to read as follows:

1           “(1) AUTHORITY FOR GRANTS.—The Center is  
2 authorized to provide grants or contracts of financial  
3 support to civil society groups, media content pro-  
4 viders, nongovernmental organizations, federally  
5 funded research and development centers, private  
6 companies, or academic institutions for the following  
7 purposes:

8           “(A) To support local entities and linkages  
9 among such entities, including independent  
10 media entities, that are best positioned to refute  
11 foreign propaganda and disinformation in af-  
12 fected communities.

13           “(B) To collect and store examples of  
14 print, online, and social media disinformation  
15 and propaganda directed at the United States  
16 or United States allies and partner nations.

17           “(C) To analyze and report on tactics,  
18 techniques, and procedures of foreign informa-  
19 tion warfare and other efforts with respect to  
20 disinformation and propaganda.

21           “(D) To support efforts by the Center to  
22 counter efforts by foreign entities to use  
23 disinformation and propaganda to undermine or  
24 influence the policies, security, and social and

1 political stability of the United States and  
2 United States allies and partner nations.

3 “(2) FUNDING AVAILABILITY AND LIMITA-  
4 TIONS.—The Secretary of State shall provide that  
5 each entity that receives funds under this subsection  
6 is selected in accordance with the relevant existing  
7 regulations through a process that ensures such en-  
8 tity has the credibility and capability to carry out ef-  
9 fectively and in accordance with United States inter-  
10 ests and objectives the purposes specified in para-  
11 graph (1) for which such entity received such fund-  
12 ing.”;

13 (6) by redesignating subsections (h) and (i) as  
14 subsections (i) and (j), respectively; and

15 (7) by inserting after subsection (g) the fol-  
16 lowing new subsection:

17 “(h) CONGRESSIONAL BRIEFINGS.—The Secretary of  
18 State, together with the heads of other relevant Federal  
19 departments and agencies, shall provide a briefing to the  
20 Committee on Armed Services, the Committee on Appro-  
21 priations, and the Committee on Foreign Relations of the  
22 Senate and the Committee on Armed Services, the Com-  
23 mittee on Appropriations, the Committee on Foreign Af-  
24 fairs, and the Committee on Oversight and Government  
25 Reform of the House of Representatives not less often

1 than annually regarding the activities of the Global En-  
2 gagement Center. The briefings required under this sub-  
3 section shall terminate on the date specified in subsection  
4 (j).”.

5 **SEC. 1281. REPORT ON ACQUISITION AND CROSS-SERV-**  
6 **ICING AGREEMENTS.**

7 (a) IN GENERAL.—Not later than 30 days after en-  
8 tering into a cross-servicing agreement under section 2342  
9 of title 10, United States Code, with a country or organi-  
10 zation referred to in subsection (a)(1) of such section, and  
11 every 180 days thereafter for such period of time as the  
12 agreement remains in effect, the Secretary of Defense  
13 shall submit to the Committee on Armed Services of the  
14 Senate and the Committee on Armed Services of the  
15 House of Representatives a report with respect to the  
16 agreement.

17 (b) MATTERS TO BE INCLUDED.—The report re-  
18 quired under subsection (a) shall include the following:

19 (1) The type of country or organization referred  
20 to in subsection (a)(1) of section 2342 of title 10,  
21 United States Code, with respect to which the Sec-  
22 retary of Defense entered into the agreement.

23 (2) The date on which the agreement was en-  
24 tered into under such section 2342.

1           (3) A description of the logistic support, sup-  
2 plies, and services to be provided to the military  
3 forces of the country or organization and any other  
4 transactions associated with the agreement.

5           (4) The estimated dollar value of support pro-  
6 vided by the United States under the agreement.

7           (5) A copy of the agreement, including all ap-  
8 pendices.

9           (6) An assessment as to whether or not the  
10 agreement is in United States national security in-  
11 terests.

12           (7) The end date of the agreement.

13           (c) FORM.—The report required under subsection (a)  
14 shall be submitted in unclassified form but may contain  
15 a classified annex.

16 **SEC. 1282. PROHIBITION ON PROVISION OF WEAPONS AND**  
17 **OTHER FORMS OF SUPPORT TO CERTAIN OR-**  
18 **GANIZATIONS.**

19           None of the funds authorized to be appropriated by  
20 this Act or otherwise made available to the Department  
21 of Defense for fiscal year 2019 may be used to provide  
22 weapons or any other form of support to—

23           (1) Al Qaeda, the Islamic State of Iraq and  
24 Syria (ISIS), Jabhat Fateh al Sham, or any indi-

1       vidual or group affiliated with any such organiza-  
2       tion; and

3               (2) any other entity that the Secretary of De-  
4       fense determines may trade or sell arms to terrorist  
5       organizations.

6       **SEC. 1283. CERTIFICATION AND AUTHORITY TO TERMINATE**  
7                       **FUNDING FOR ACADEMIC RESEARCH RELAT-**  
8                       **ING TO FOREIGN TALENT PROGRAMS.**

9       (a) **PLAN REQUIRED.**—Not later than 180 days after  
10      the date of the enactment of this Act, and with respect  
11      to funds authorized to be appropriated or otherwise made  
12      available by this Act, the Secretary of Defense shall sub-  
13      mit to the congressional defense committees a plan to im-  
14      plement the certification requirement described in sub-  
15      section (b) to ensure that applicants seeking such funds  
16      for educational or academic training or research verify  
17      that such funds shall not be made available to any indi-  
18      vidual who has participated in or is currently participating  
19      in a foreign talent or expert recruitment program of a  
20      country listed in subsection (d).

21       (b) **CERTIFICATION REQUIREMENT FOR FUNDING.**—  
22      Beginning not later than 1 year after the date of the en-  
23      actment of this Act and with respect to funds authorized  
24      to be appropriated or otherwise made available by this Act,  
25      the Secretary of Defense shall require each applicant seek-

1 ing such funds for educational or academic training and  
2 research, including at institutions of higher education (as  
3 defined in section 101 of the Higher Education Act of  
4 1965 (20 U.S.C. 1001)), policy institutes, federal labora-  
5 tories, or research institutes, to include with the applica-  
6 tion a certification that none of the funds received by such  
7 applicant shall be made available to any individual who  
8 has participated in or is currently participating in a for-  
9 eign talent or expert recruitment program of a country  
10 listed in subsection (d).

11 (c) **AUTHORITY TO TERMINATE FUNDING.**—Begin-  
12 ning 1 year after the date of the enactment of this Act,  
13 the Secretary of Defense may terminate existing funding  
14 of, or prohibit the award of future funding to, a current  
15 recipient if such recipient is unable to provide the certifi-  
16 cation described in subsection (b) with respect to such ex-  
17 isting funding.

18 (d) **COUNTRIES LISTED.**—The countries listed in this  
19 subsection are the following:

- 20 (1) The People's Republic of China.
- 21 (2) The Democratic People's Republic of Korea.
- 22 (3) The Russian Federation.
- 23 (4) The Islamic Republic of Iran.



1 **SEC. 1284. SENSE OF CONGRESS ON SUPPORT FOR GEOR-**  
2 **GIA.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) Georgia is a valued friend of the United  
5 States and has repeatedly demonstrated its commit-  
6 ment to advancing the mutual interests of both  
7 countries, including the deployment of Georgian  
8 forces as part of the International Security Assist-  
9 ance Force (ISAF) led by the North Atlantic Treaty  
10 Organization (NATO) in Afghanistan and the Multi-  
11 National Force in Iraq.

12 (2) The European Deterrence Initiative builds  
13 the partnership capacity of Georgia so it can work  
14 more closely with the United States and NATO, as  
15 well as provide for its own defense.

16 (3) In addition to the European Deterrence Ini-  
17 tiative, Georgia's participation in the NATO initia-  
18 tive Partnership for Peace is paramount to inter-  
19 operability with the United States and NATO, and  
20 establishing a more peaceful environment in the re-  
21 gion.

22 (4) Despite the losses suffered, as a NATO  
23 partner of ISAF, Georgia is committed to the Reso-  
24 lute Support Mission in Afghanistan with the fourth-  
25 largest contingent on the ground.

26 (b) SENSE OF CONGRESS.—Congress—

1           (1) reaffirms United States support for Geor-  
2           gia’s sovereignty and territorial integrity within its  
3           internationally-recognized borders, and does not rec-  
4           ognize the independence of the Abkhazia and South  
5           Ossetia regions currently occupied by the Russian  
6           Federation; and

7           (2) supports continued cooperation between the  
8           United States and Georgia and the efforts of the  
9           Government of Georgia to provide for the defense of  
10          its people and sovereign territory.

11 **SEC. 1285. SENSE OF CONGRESS ON SUPPORT FOR ESTO-**  
12 **NIA, LATVIA, AND LITHUANIA.**

13          (a) FINDINGS.—Congress finds the following:

14           (1) The Baltic countries of Estonia, Latvia, and  
15           Lithuania are highly valued allies of the United  
16           States, and they have repeatedly demonstrated their  
17           commitment to advancing our mutual interests as  
18           well as those of the NATO Alliance.

19           (2) Operation Atlantic Resolve is a series of ex-  
20           ercises and coordinating efforts demonstrating the  
21           United States’ commitment to its European partners  
22           and allies, including the Baltic countries of Estonia,  
23           Latvia, and Lithuania, with the shared goal of peace  
24           and stability in the region. Operation Atlantic Re-  
25           solve strengthens communication and understanding,

1 and is an important effort to deter Russian aggres-  
2 sion in the region.

3 (3) Through Operation Atlantic Resolve, the  
4 European Deterrence Initiative undertakes exercises,  
5 training, and rotational presence necessary to reas-  
6 sure and integrate our allies, including the Baltic  
7 countries, into a common defense framework.

8 (4) All three Baltic countries contributed to the  
9 NATO-led International Security Assistance Force  
10 in Afghanistan, sending troops and operating with  
11 few caveats. The Baltic countries continue to commit  
12 resources and troops to the Resolute Support Mis-  
13 sion in Afghanistan.

14 (b) SENSE OF CONGRESS.—Congress—

15 (1) reaffirms its support for the principle of col-  
16 lective defense in Article 5 of the North Atlantic  
17 Treaty for our NATO allies, including Estonia, Lat-  
18 via, and Lithuania;

19 (2) supports the sovereignty, independence, ter-  
20 ritorial integrity, and inviolability of Estonia, Latvia,  
21 and Lithuania as well as their internationally recog-  
22 nized borders, and expresses concerns over increas-  
23 ingly aggressive military maneuvering by the Rus-  
24 sian Federation near their borders and airspace;

1           (3) expresses concern over and condemns sub-  
2           versive and destabilizing activities by the Russian  
3           Federation within the Baltic countries; and

4           (4) encourages the Administration to further  
5           enhance defense cooperation efforts with Estonia,  
6           Latvia, and Lithuania and supports the efforts of  
7           their Governments to provide for the defense of their  
8           people and sovereign territory.

9   **SEC. 1286. REPORT ON UNITED STATES STRATEGY IN**  
10                                   **YEMEN.**

11           Not later than February 1, 2019, the Secretary of  
12           Defense shall submit to the congressional defense commit-  
13           tees a report describing the strategy of the United States  
14           Armed Forces with respect to Yemen that includes a de-  
15           scription of—

16           (1) the activities that the United States Armed  
17           Forces are currently undertaking in Yemen;

18           (2) the costs associated with the involvement of  
19           the United States Armed Forces in Yemen, includ-  
20           ing costs relating to counterterrorism activities, re-  
21           fueling missions, or other military activities;

22           (3) the key United States military interests, ob-  
23           jectives, long-term goals, and end-states for Yemen;

1           (4) indicators for the effectiveness of United  
2 States military efforts to achieve such interests, ob-  
3 jectives, goals, or end-states;

4           (5) how current United States military efforts  
5 in Yemen align with such objectives;

6           (6) the estimated annual resources required  
7 through fiscal year 2022 for the United States  
8 Armed Forces to achieve such objectives;

9           (7) the current legal authorities supporting  
10 United States military efforts in Yemen; and

11           (8) any other matters the Secretary determines  
12 to be relevant.

13 **SEC. 1287. REPORT ON HIZBALLAH.**

14           (a) IN GENERAL.—Not later than 90 days after en-  
15 actment of this Act, the President shall provide to the ap-  
16 propriate congressional committees a report on Hizballah.  
17 Such report shall include each of the following:

18           (1) An accounting of Hizballah’s known rocket  
19 arsenal.

20           (2) An evaluation of the impact of the United  
21 Nations Interim Force in Lebanon mandate.

22           (3) An evaluation of the tactical and strategic  
23 capabilities of Hizballah, including such capabilities  
24 related to defense.

1           (4) A detailed description of the known supply  
2 routes used in the illegal procurement of weapons  
3 for Hizballah.

4           (5) An estimate of companies and other entities  
5 that support Hizballah's network.

6           (6) An assessment of the effects of the inter-  
7 ference of Hizballah in conflicts throughout the Mid-  
8 dle East region.

9           (7) An assessment of how Hizballah raises,  
10 holds, and spends funds in territories where United  
11 Nations Interim Force in Lebanon operates.

12       (b) APPROPRIATE CONGRESSIONAL COMMITTEES.—  
13 In this section, the term “appropriate congressional com-  
14 mittees” means—

15           (1) the Committees on Armed Services of the  
16 Senate and House of Representatives;

17           (2) the Committee on Foreign Affairs of the  
18 House of Representatives;

19           (3) the Committee on Foreign Relations of the  
20 Senate;

21           (4) the Permanent Select Committee on Intel-  
22 ligence of the House of Representatives; and

23           (5) the Select Committee on Intelligence of the  
24 Senate.

1 **SEC. 1288. RULE OF CONSTRUCTION.**

2       Nothing in this Act shall be construed as authorizing  
3 the use of force against North Korea.

4 **SEC. 1289. MODIFICATION OF FREEDOM OF NAVIGATION**  
5 **REPORTING REQUIREMENTS.**

6       Subsection (a) of section 1275 of the National De-  
7 fense Authorization Act for Fiscal Year 2017 (Public Law  
8 114–328; 130 Stat. 2540), as amended by section  
9 1262(a)(1) of the National Defense Authorization Act for  
10 Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1689),  
11 is further amended by striking “the Committees on Armed  
12 Services of the Senate and the House of Representatives”  
13 and inserting “the Committee on Armed Services and the  
14 Committee on Foreign Relations of the Senate and the  
15 Committee on Armed Services and the Committee on For-  
16 eign Affairs of the House of Representatives”.

17 **SEC. 1290. SENSE OF CONGRESS REGARDING THE ROLE OF**  
18 **THE UNITED STATES IN THE NORTH ATLANTIC**  
19 **TREATY ORGANIZATION.**

20       It is the sense of Congress that continued United  
21 States leadership in the North Atlantic Treaty Organiza-  
22 tion is critical to the national security of the United  
23 States.

1 **SEC. 1291. SENSE OF CONGRESS AND REAFFIRMING THE**  
2 **COMMITMENT OF THE UNITED STATES TO**  
3 **THE NORTH ATLANTIC TREATY ORGANIZA-**  
4 **TION (NATO).**

5 (a) FINDINGS.—Congress finds the following:

6 (1) On April 4, 1949, the North Atlantic Trea-  
7 ty Organization (NATO) was founded with the  
8 ideals of democracy, individual liberty, and the de-  
9 sire for peaceful resolutions of disputes.

10 (2) For over six decades, NATO has been a  
11 successful intergovernmental political and military  
12 alliance.

13 (3) NATO's collective defense acts as a deter-  
14 rent to aggression where the alliance defends its Al-  
15 lied countries against external security threats.

16 (4) NATO strengthens the security of the  
17 United States by utilizing an integrated military co-  
18 alition.

19 (5) While Russia has continued to threaten the  
20 sovereignty of countries in Europe and exhibit  
21 threatening behavior toward our own military assets,  
22 NATO sends a clear collective message that the Alli-  
23 ance will not tolerate Russia's provocation.

24 (6) In respect to the changing threats against  
25 Europe and the United States since the end of the  
26 Cold War, NATO has evolved to take on new dan-



1       gers including terrorism, the spread of weapons of  
2       mass destruction, and cyber attacks.

3               (7) After the September 11, 2001, terrorist at-  
4       tacks on the United States, NATO invoked Article  
5       5 of the North Atlantic Treaty for the first time in  
6       NATO's history to deploy military resources to Af-  
7       ghanistan in support of the United States mission to  
8       combat a dangerous terrorist threat.

9               (8) NATO aided the United States military by  
10      leading the International Security Assistance Force  
11      in Afghanistan from August 2003 to 2014, working  
12      with Afghan authorities to respond to the terrorist  
13      insurgency and to provide effective security across  
14      the country.

15              (9) NATO continues a civilian-led presence in  
16      Afghanistan to strengthen Afghan security forces  
17      and institutions to ensure the country can rebuild its  
18      security operations and end safe haven for terrorists.

19              (10) In November 2002 at the Prague Summit,  
20      NATO leaders adopted a Prague package to adapt  
21      NATO to the challenge of combating terrorism  
22      which included a Military Concept for Defense  
23      against Terrorism, a Partnership Action Plan  
24      against Terrorism, missile defense, cyber defense,  
25      and enhanced intelligence sharing.

1           (11) In November 2006 at the Riga Summit,  
2           NATO declared that “terrorism, increasingly global  
3           in scope and lethal in results, and the spread of  
4           weapons of mass destruction are likely to be the  
5           principal threats to the Alliance over the next 10 to  
6           15 years”.

7           (12) In July 2016 at the Warsaw Summit,  
8           NATO leaders agreed to strengthen the Alliance’s  
9           military presence in Eastern Europe, declared Initial  
10          Operational Capability of NATO’s Ballistic Missile  
11          Defense to strengthen the defense of Allied countries  
12          against ballistic missiles, and recognized cyberspace  
13          as a new operational domain.

14          (13) The attacks in Paris, France; Berlin, Ger-  
15          many; Istanbul, Turkey; Manchester, England; Bar-  
16          celona, Spain; and Brussels, Belgium, home of the  
17          NATO Headquarters, shows the importance of an  
18          international alliance to combat terrorist groups.

19          (b) SENSE OF CONGRESS.—It is the sense of Con-  
20          gress that—

21                 (1) the United States reaffirms its commitment  
22                 to the North Atlantic Treaty Organization (NATO)  
23                 as the foundation of transatlantic security and de-  
24                 fense;

1           (2) NATO serves as a critical coalition in pre-  
2           serving peace and stability in the transatlantic re-  
3           gion;

4           (3) NATO's continued effort to develop new ca-  
5           pabilities and technologies to combat terrorism and  
6           a changing international security environment are  
7           crucial to enhancing national security and strength-  
8           ening the United States ability to combat evolving  
9           security threats; and

10          (4) the United States encourages each NATO  
11          member country to meet or exceed the commitment  
12          to spend two percent of its Gross Domestic Product  
13          (GDP) on defense.

14 **SEC. 1292. SENSE OF CONGRESS RELATING TO INCREASES**  
15                   **IN DEFENSE CAPABILITIES OF UNITED**  
16                   **STATES ALLIES.**

17          It is the sense of Congress that the President, in fur-  
18          therance of increased unity, equitable sharing of the com-  
19          mon defense burden, and international stability, should—

20           (1) encourage all member countries of the  
21          North Atlantic Treaty Organization (“NATO al-  
22          lies”) to fulfill their commitments to levels and com-  
23          position of defense expenditures as agreed upon at  
24          the NATO 2014 Wales Summit and NATO 2016  
25          Warsaw Summit;

1           (2) call on NATO allies to finance, equip, and  
2 train their armed forces to fulfill their national and  
3 regional security interests; and

4           (3) recognize NATO allies that are meeting  
5 their defense spending commitments or otherwise  
6 providing adequately for their national and regional  
7 security interests.

8 **SEC. 1293. REPORT ON THREATS BY THE MUSLIM BROTH-**  
9                                       **ERHOOD.**

10          (a) SENSE OF CONGRESS.—It is the sense of Con-  
11 gress that the Muslim Brotherhood is a threat to the  
12 United States.

13          (b) STRATEGY.—

14               (1) IN GENERAL.—Not later than one year  
15 after the date of the enactment of this Act, the  
16 President and the Secretary of Defense, in coordina-  
17 tion with the Secretary of State, shall submit to the  
18 appropriate congressional committees a report that  
19 contains an assessment of the threats posed to the  
20 United States by the Muslim Brotherhood.

21               (2) MATTERS TO BE INCLUDED.—The report  
22 required under paragraph (1) shall include the fol-  
23 lowing:

24                       (A) A description of the origins of the  
25 Muslim Brotherhood.

1 (B) A description of the strategic aims of  
2 the Muslim Brotherhood.

3 (C) A description of the tactical methods  
4 of the Muslim Brotherhood.

5 (D) A description of the funding sources of  
6 the Muslim Brotherhood.

7 (E) A description of the leadership struc-  
8 tures of the Muslim Brotherhood.

9 (F) Any other matters the President and  
10 Secretary of Defense consider appropriate.

11 (3) FORM.—The required under paragraph (1)  
12 shall be submitted in unclassified form, but may in-  
13 clude a classified annex.

14 (c) DEFINITION.—In this section, the term “appro-  
15 priate congressional committees” means—

16 (1) the Committee on Armed Services, the  
17 Committee on Foreign Relations, the Committee on  
18 Appropriations, and the Select Committee on Intel-  
19 ligence of the Senate; and

20 (2) the Committee on Armed Services, the  
21 Committee on Foreign Affairs, the Committee on  
22 Appropriations, and the Permanent Select Com-  
23 mittee on Intelligence of the House of Representa-  
24 tives.

1 **SEC. 1294. REPORT BY DEFENSE INTELLIGENCE AGENCY**  
2 **ON CERTAIN MILITARY CAPABILITIES OF**  
3 **CHINA AND RUSSIA.**

4 (a) REPORT.—The Director of the Defense Intel-  
5 ligence Agency shall submit to the Secretary of Defense  
6 and the appropriate congressional committees a report on  
7 the military capabilities of the People’s Republic of China  
8 and the Russian Federation.

9 (b) MATTERS INCLUDED.—The report under sub-  
10 section (a) shall include, with respect to the military of  
11 China and the military of Russia, the following:

12 (1) An update on the presence, status, and ca-  
13 pability of the military with respect to any national  
14 training centers similar to the Combat Training  
15 Center Program of the United States.

16 (2) An analysis of a readiness deployment cycle  
17 of the military, including—

18 (A) as compared to such a cycle of the  
19 United States; and

20 (B) an identification of metrics used in the  
21 national training centers of that military.

22 (3) A comprehensive investigation into the ca-  
23 pability and readiness of the mechanized logistics of  
24 the army of the military, including—

1 (A) an analysis of field maintenance,  
2 sustainment maintenance, movement control,  
3 intermodal operations, and supply; and

4 (B) how such functions under subpara-  
5 graph (A) interact with specific echelons of that  
6 military.

7 (4) An assessment of the future of mechanized  
8 army logistics of that military.

9 (c) NONDUPLICATION OF EFFORTS.—The Defense  
10 Intelligence Agency may make use of or add to any exist-  
11 ing reports completed by the Agency in order to respond  
12 to the reporting requirement.

13 (d) FORM.—The report under subsection (a) may be  
14 submitted in classified form.

15 (e) BRIEFING.—The Director shall provide a briefing  
16 to the Secretary and the committees specified in sub-  
17 section (a) on the report under such subsection.

18 (f) APPROPRIATE CONGRESSIONAL COMMITTEES.—  
19 In this section, the term “appropriate congressional com-  
20 mittees” means—

21 (1) the Committee on Armed Services, the Per-  
22 manent Select Committee on Intelligence, and the  
23 Committee on Foreign Affairs of the House of Rep-  
24 resentatives; and

1           (2) the Committee on Armed Services, the Se-  
2           lect Committee on Intelligence, and the Committee  
3           on Foreign Relations of the Senate.

4 **SEC. 1295. REPORT ON EFFORTS TO COMBAT BOKO HARAM**  
5 **IN NIGERIA AND THE LAKE CHAD BASIN.**

6           (a) SENSE OF CONGRESS.—Congress—

7           (1) strongly condemns the ongoing violence and  
8           the systematic gross human rights violations against  
9           the people of Nigeria and the Lake Chad Basin car-  
10          ried out by Boko Haram;

11          (2) expresses its support for the people of Nige-  
12          ria and the Lake Chad Basin who wish to live in a  
13          peaceful, economically prosperous, and democratic  
14          region; and

15          (3) calls on the President to support Nigerian,  
16          Lake Chad Basin, and international community ef-  
17          forts to ensure accountability for crimes against hu-  
18          manity committed by Boko Haram against the peo-  
19          ple of Nigeria and the Lake Chad Basin, particu-  
20          larly the young girls kidnapped from Chibok and  
21          other internally displaced persons affected by the ac-  
22          tions of Boko Haram.

23          (b) REPORT.—

24          (1) IN GENERAL.—Not later than 90 days after  
25          the date of the enactment of this Act, the Secretary



1 of Defense, the Secretary of State, and the Attorney  
2 General shall jointly submit to Congress a report on  
3 efforts to combat Boko Haram in Nigeria and the  
4 Lake Chad Basin.

5 (2) ELEMENTS.—The report required under  
6 paragraph (1) shall include the following elements:

7 (A) A description of initiatives undertaken  
8 by the Department of Defense to assist the  
9 Government of Nigeria and countries in the  
10 Lake Chad Basin to develop capacities to de-  
11 ploy special forces to combat Boko Haram.

12 (B) A description of United States activi-  
13 ties to enhance the capacity of Nigeria and  
14 countries in the Lake Chad Basin to investigate  
15 and prosecute human rights violations per-  
16 petrated against the people of Nigeria and the  
17 Lake Chad Basin by Boko Haram, al-Qaeda af-  
18 filiates, and other terrorist organizations, in  
19 order to promote respect for rule of law in Ni-  
20 geria and the Lake Chad Basin.

21 **SEC. 1296. REPORT ON INTERFERENCE IN LIBYA BY MILI-**  
22 **TARY AND SECURITY FORCES OF OTHER FOR-**  
23 **EIGN NATIONS.**

24 (a) IN GENERAL.—Not later than 180 days after the  
25 date of the enactment of this Act, and annually thereafter

1 for 2 years, the Secretary of Defense and the Secretary  
2 of State shall jointly submit to the appropriate congres-  
3 sional committees a report on the military activities of ex-  
4 ternal actors in Libya, including Russia, Egypt, and the  
5 United Arab Emirates.

6 (b) ELEMENTS.—The report required by subsection  
7 (a) shall also include the following:

8 (1) An assessment of military, security, and in-  
9 fluence activities by foreign countries in Libya, in-  
10 cluding—

11 (A) actions that violate or seek to violate  
12 the United Nations arms embargo on Libya im-  
13 posed pursuant to United Nations Security  
14 Council Resolution 1970 (2011);

15 (B) actions outside the scope of such Reso-  
16 lution that seek to increase the relative strength  
17 of either the eastern or western coalition in  
18 Libya, including through financing, policy co-  
19 ordination, or political support;

20 (C) the extent to which the actions de-  
21 scribed in subparagraph (A) and (B) involve  
22 United States-origin equipment and violate con-  
23 tractual conditions of acceptable use of such  
24 equipment;

1           (2) An assessment of whether the actions de-  
2       scribed in subparagraphs (A) and (B) of paragraph  
3       (1) have undermined the United Nations-led and  
4       United States-supported negotiations or the objec-  
5       tive of political reconciliation and stabilization in  
6       Libya.

7           (3) An assessment of Russian influence in  
8       Libya and Egypt, including:

9           (A) Russian efforts to provide logistical,  
10       material or political assistance to Libyan par-  
11       ties, establish a military presence, and expand  
12       political influence in Libya, and any facilitation  
13       by Egyptian officers or officials for such activi-  
14       ties;

15          (B) whether the presence and activities of  
16       Russian personnel and equipment in Libya and  
17       Egypt, and Russian requests to establish bases  
18       in Egypt, pose or could pose a future challenge  
19       to the United States' ability to operate in  
20       Egypt, Libya, or the southern Mediterranean  
21       broadly, including overflight privileges; and

22          (C) whether Egypt is facilitating Russian  
23       influence and materiel-provision in Libya and  
24       the extent to which such facilitation undermines  
25       United States policy, involves United States-ori-

1           gin equipment, and violates contractual condi-  
2           tions of acceptable use of such equipment.

3           (4) Any other matters the Secretary of Defense  
4           and the Secretary of State determine to be relevant.

5           (c) FORM.—The report required by subsection (a)  
6           shall be submitted in unclassified form but may contain  
7           a classified annex.

8           (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—  
9           In this section, the term “appropriate congressional com-  
10          mittees” means the congressional defense committees, the  
11          Committee on Foreign Relations of the Senate, and the  
12          Committee on Foreign Affairs of the House of Representa-  
13          tives.

14   **SEC. 1297. SENSE OF CONGRESS REGARDING BUILDING AN**  
15                           **INTERNATIONAL COALITION TO COUNTER**  
16                           **HYBRID THREATS.**

17          It is the sense of Congress that—

18           (1) the United States is stronger and more ef-  
19           fective when we work with our partners and allies  
20           abroad;

21           (2) the United States should lead an inter-  
22           national effort of like-minded democracies to build  
23           awareness of and resilience to the Kremlin’s malign  
24           influence operations.

1 **SEC. 1298. MODIFICATION TO ANNUAL REPORT ON MILI-**  
2 **TARY AND SECURITY DEVELOPMENTS IN-**  
3 **VOLVING THE PEOPLE’S REPUBLIC OF**  
4 **CHINA.**

5 Paragraph (22) of section 1202(b) of the National  
6 Defense Authorization Act for Fiscal Year 2000 (Public  
7 Law 106–65; 10 U.S.C. 113 note), as most recently  
8 amended by section 1261 of the National Defense Author-  
9 ization Act for Fiscal Year 2018 (Public Law 115–91; 131  
10 Stat. 1688), is further amended by striking “activities in  
11 the South China Sea” and inserting the following: “activi-  
12 ties—

13 “(A) in the South China Sea;

14 “(B) in the East China Sea, including in  
15 the vicinity of the Senkaku islands; and

16 “(C) in the Indian Ocean region.”.

17 **SEC. 1299. UNITED STATES SECURITY AND HUMANITARIAN**  
18 **SUPPORT STRATEGY FOR YEMEN.**

19 Not later than 90 days after the date of the enact-  
20 ment of this Act, the Secretary of State and the Secretary  
21 of Defense, in coordination with the Administrator of the  
22 United States Agency for International Development, shall  
23 jointly submit to Congress a comprehensive report on  
24 United States security and humanitarian interests in  
25 Yemen, including each of the following:

1           (1) The strategic objectives of the United  
2 States in Yemen, including humanitarian support to  
3 civilian populations under threat of famine, and the  
4 criteria for determining the success of such objec-  
5 tives.

6           (2) A description of efforts to coordinate civil-  
7 ian and military efforts with respect to Yemen.

8           (3) A description of the diplomatic strategy  
9 with respect to regional partners seeking to end the  
10 civil war in Yemen.

11 **SEC. 1299A. REPORT ON BANGLADESH.**

12       The Secretary of State, in coordination with the Ad-  
13 ministrator of the United States Agency for International  
14 Development (USAID) and the Secretary of Defense, shall  
15 submit to Congress a report—

16           (1) assessing Bangladesh’s ability to respond to  
17 humanitarian crises and natural disasters; and

18           (2) recommending areas for enhancing humani-  
19 tarian assistance and disaster relief cooperation be-  
20 tween the United States and Bangladesh relating to  
21 improving Bangladesh’s ability to respond to human-  
22 itarian crises and natural disasters, including  
23 through humanitarian consultations, training, and  
24 exercises.

1 **SEC. 1299B. UNITED STATES CYBERSECURITY COOPERA-**  
2 **TION WITH UKRAINE.**

3 (a) STATEMENT OF POLICY.—It is the policy of the  
4 United States to—

5 (1) reaffirm the United States-Ukraine Charter  
6 on Strategic Partnership, which highlights the im-  
7 portance of the bilateral relationship and outlines  
8 enhanced cooperation in the areas of defense, secu-  
9 rity, economics and trade, energy security, democ-  
10 racy, and cultural exchanges;

11 (2) support continued cooperation between  
12 NATO and Ukraine;

13 (3) support Ukraine’s political and economic re-  
14 forms;

15 (4) reaffirm the commitment of the United  
16 States to the Budapest Memorandum on Security  
17 Assurances;

18 (5) assist Ukraine’s efforts to enhance its cy-  
19 bersecurity capabilities; and

20 (6) improve Ukraine’s ability to respond to  
21 Russian-supported disinformation and propaganda  
22 efforts in cyberspace, including through social media  
23 and other outlets.

24 (b) SENSE OF CONGRESS.—It is the sense of Con-  
25 gress that the Secretary of State should take the following

1 actions, commensurate with United States interests, to as-  
2 sist Ukraine to improve its cybersecurity:

3 (1) Provide Ukraine such support as may be  
4 necessary to secure government computer networks  
5 from malicious cyber intrusions, particularly such  
6 networks that defend the critical infrastructure of  
7 Ukraine.

8 (2) Provide Ukraine support in reducing reli-  
9 ance on Russian information and communications  
10 technology.

11 (3) Assist Ukraine to build its capacity, expand  
12 cybersecurity information sharing, and cooperate on  
13 international cyberspace efforts.

14 (c) REPORT.—Not later than 180 days after the date  
15 of the enactment of this Act, the Secretary of State shall  
16 submit to the congressional defense committees and the  
17 Committee on Foreign Affairs of the House of Representa-  
18 tives and the Committee on Foreign Relations of the Sen-  
19 ate a report on United States cybersecurity cooperation  
20 with Ukraine. Such report shall also include information  
21 relating to the following:

22 (1) United States efforts to strengthen  
23 Ukraine's ability to prevent, mitigate, and respond  
24 to cyber incidents, including through training, edu-



1 cation, technical assistance, capacity building, and  
2 cybersecurity risk management strategies.

3 (2) The potential for new areas of collaboration  
4 and mutual assistance between the United States  
5 and Ukraine in addressing shared cyber challenges,  
6 including cybercrime, critical infrastructure protec-  
7 tion, and resilience against botnets and other auto-  
8 mated, distributed threats.

9 (3) NATO's efforts to help Ukraine develop  
10 technical capabilities to counter cyber threats.

11 **SEC. 1299C. BRIEFING ON CHINA'S MILITARY INSTALLA-**  
12 **TION IN THE REPUBLIC OF DJIBOUTI.**

13 (a) BRIEFING REQUIRED.—Not later than 30 days  
14 after the date of the enactment of this Act, the Secretary  
15 of Defense, in coordination with the Secretary of State,  
16 shall brief the appropriate congressional committees on  
17 the following:

18 (1) An assessment of the impact of the People's  
19 Republic of China's first overseas military installa-  
20 tion in the Republic of Djibouti on the ability of the  
21 United States forces to operate in the region.

22 (2) An assessment of China's ability to obtain  
23 sensitive information and impact operations con-  
24 ducted from Camp Lemmonier in Djibouti, the larg-

1 est United States military installation on the African  
2 continent.

3 (3) An assessment of the ability of the Presi-  
4 dent of Djibouti to terminate by all methods, includ-  
5 ing by simple decree, the Department of Defense’s  
6 lease agreement governing operation of Camp  
7 Lemmonier.

8 (4) An assessment of the impact of the Chinese  
9 base in Djibouti on security and safety of United  
10 States personnel in Djibouti.

11 (5) An assessment of the status of China’s com-  
12 pliance with the “Protocol on Blinding Laser Weap-  
13 ons” that forbids employment of laser weapons.

14 (6) An assessment of the laser attack in  
15 Djibouti that injured United States airmen.

16 (7) An assessment of Djibouti’s compliance  
17 with its treaty obligations under the Ottawa Conven-  
18 tion to end the use of landmines.

19 (b) APPROPRIATE CONGRESSIONAL COMMITTEES  
20 DEFINED.—In this section, the term “appropriate con-  
21 gressional committees” means—

22 (1) the Committee on Armed Services and the  
23 Committee on Foreign Relations of the Senate; and

1           (2) the Committee on Armed Services and the  
2           Committee on Foreign Affairs of the House of Rep-  
3           resentatives.

4 **SEC. 1299D. SENSE OF CONGRESS WITH RESPECT TO THE 3**  
5 **SEAS INITIATIVE.**

6           It is the sense of Congress that—

7           (1) the 3 Seas Initiative could serve as a valu-  
8           able counterweight to the efforts of the Russian Gov-  
9           ernment to divide Europe and to the regional expan-  
10          sionism of the Chinese Government, particularly in  
11          the context of energy and infrastructure; and

12          (2) the United States should fully support the  
13          efforts of the 3 Seas Initiative, including by—

14                (A) sending a high level delegation to fu-  
15                ture summits convened by the Initiative;

16                (B) encouraging United States business  
17                leaders to participate in the Initiative; and

18                (C) supporting the establishment of a net-  
19                work of Central European chambers of com-  
20                merce.

21 **SEC. 1299E. REPORT ON VIOLENCE AND CARTEL ACTIVITY**  
22 **IN MEXICO.**

23          The Secretary of Defense shall submit to the congres-  
24          sional defense committees a report on violence and cartel

1 activity in Mexico and the impact of such on United States  
2 national security.

3 **SEC. 1299F. REPORT ON DEPARTMENT OF DEFENSE MIS-**  
4 **SIONS, OPERATIONS, AND ACTIVITIES IN**  
5 **NIGER AND THE BROADER REGION.**

6 (a) REPORT REQUIRED.—

7 (1) IN GENERAL.—Not later than 180 days  
8 after the date of the enactment of this Act, the Sec-  
9 retary of Defense, in consultation as appropriate  
10 with the Secretary of State, shall submit to the con-  
11 gressional defense committees, the Committee on  
12 Foreign Relations of the Senate, and the Committee  
13 on Foreign Affairs of the House of Representatives  
14 a report on the missions, operations, and activities  
15 of the Department in Niger and the broader region  
16 that includes the following:

17 (A) A description of the objectives and the  
18 associated lines of efforts of the Department in  
19 Niger and the broader region, and the bench-  
20 marks for assessing progress toward such objec-  
21 tives.

22 (B) A description of the timeline for  
23 achieving such objectives in Niger and the  
24 broader region.

1           (C) A justification of the relevance of such  
2 objectives in Niger and the broader region to  
3 the national security of the United States and  
4 to the objectives in the National Defense Strat-  
5 egy.

6           (D) A description of steps the Department  
7 is taking to ensure that security cooperation in  
8 Niger and the broader region is effectively co-  
9 ordinated with the diplomatic and development  
10 activities of the Department of State and the  
11 United States Agency for International Devel-  
12 opment.

13           (E) A description of the legal, operational,  
14 and fiscal authorities relating to the lines of ef-  
15 fort of the Department in Niger and the broad-  
16 er region.

17           (F) An identification of measures to miti-  
18 gate operational risk to and increase the pre-  
19 paredness of members of the Armed Forces  
20 conducting missions, operations, or activities in  
21 Niger or the broader region.

22           (G) An assessment of the command and  
23 support relationships of United States Africa  
24 Command with subordinate component com-

1           mands, including Special Operations Command  
2           Africa.

3           (H) An identification and description of  
4           each implemented recommendation from the  
5           Army Regulation 15-6 investigation report con-  
6           ducted by United States Africa Command re-  
7           garding the deaths of four soldiers in Niger on  
8           October 4, 2017.

9           (I) Any other matter the Secretary deter-  
10          mines to be appropriate.

11          (2) SCOPE OF REPORT.—For purposes of the  
12          report required by paragraph (1), the term “broader  
13          region” includes Algeria, Libya, Chad, Cameroon,  
14          Nigeria, Benin, Burkina Faso, and Mali.

15          (b) FORM.—The report required by subsection (a)(1)  
16          shall be submitted in unclassified form but may contain  
17          a classified annex.

18       **SEC. 1299G. BRIEFING ON DEPARTMENT OF DEFENSE PRO-**  
19                               **GRAM TO PROTECT UNITED STATES STU-**  
20                               **DENTS AGAINST FOREIGN AGENTS.**

21          Not later than 240 days after the date of the enact-  
22          ment of this Act, the Secretary of Defense shall provide  
23          a briefing to the congressional defense committees on the  
24          program described in section 1277 of the National De-  
25          fense Authorization Act for Fiscal Year 2018 (Public Law

1 115–91), including an assessment on whether the program  
2 is beneficial to students interning, working part time, or  
3 in a program that will result in employment post-gradua-  
4 tion with Department of Defense components and contrac-  
5 tors.

6 **SEC. 1299H. REPORT ON HONDURAS, GUATEMALA, AND EL**  
7 **SALVADOR.**

8 (a) IN GENERAL.—Not later than 180 days after the  
9 date of the enactment of this Act, the Secretary of De-  
10 fense, in coordination with the Director of National Intel-  
11 ligence, shall submit to the congressional defense commit-  
12 tees, the Committee on Foreign Relations of the Senate,  
13 and the Committee on Foreign Affairs of the House of  
14 Representatives a report regarding narcotics trafficking  
15 corruption and illicit campaign finance in Honduras, Gua-  
16 temala, and El Salvador.

17 (b) MATTERS TO BE INCLUDED.—The report re-  
18 quired under subsection (a) shall include—

19 (1) the names of senior government officials in  
20 Honduras, Guatemala, and El Salvador who are  
21 known to have committed or facilitated acts of grand  
22 corruption or narcotics trafficking;

23 (2) the names of elected officials in Honduras,  
24 Guatemala, and El Salvador who are known to have  
25 received campaign funds that are the proceeds of

1 narco-trafficking or other illicit activities in the last  
2 2 years; and

3 (3) the names of individuals in Honduras, Gua-  
4 temala, and El Salvador who are known to have fa-  
5 cilitated the financing of political campaigns in any  
6 of the Northern Triangle countries with the proceeds  
7 of narco-trafficking or other illicit activities in the  
8 last 2 years.

9 (c) FORM.—The report submitted under subsection  
10 (a) shall be submitted in unclassified form, but may in-  
11 clude a classified annex.

12 **SEC. 1299I. REPORT ON COUNTRIES AND ENEMY GROUPS**  
13 **AGAINST WHICH THE UNITED STATES HAS**  
14 **TAKEN MILITARY ACTION.**

15 Not later than 180 days after the date of the enact-  
16 ment of this Act, the Secretary of Defense shall submit  
17 to the Committee on Armed Services and the Committee  
18 on Foreign Affairs of the House of Representatives and  
19 the Committee on Armed Services and the Committee on  
20 Foreign Relations of the Senate a report that identifies  
21 the nations, organizations, and persons against which the  
22 United States has taken military action pursuant to the  
23 Authorization for Use of Military Force (Public Law 107–  
24 40; 50 U.S.C. 1541 note).



1 **SEC. 1299J. IMPORTANCE OF EXCHANGES BETWEEN THE**  
2 **DEPARTMENT OF STATE AND THE DEPART-**  
3 **MENT OF DEFENSE.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) In a world with increasingly complex polit-  
6 ical and security challenges, bridging the gap be-  
7 tween diplomacy and defense is more vital than ever  
8 to achieve United States strategic objectives abroad.

9 (2) Foreign missions are multifaceted, rapidly  
10 evolving, and interconnected.

11 (3) Emerging security issues demand that the  
12 United States Government be quick, agile, adapt-  
13 able, comprehensive, and inclusive when navigating  
14 foreign partnerships.

15 (4) The interagency process continues to be the  
16 most efficient and effective means for the United  
17 States to quickly adjust to changing circumstances  
18 and leverage resources for securing its strategic ob-  
19 jectives abroad.

20 (5) The Government Accountability Office has  
21 found that “effective interagency rotational assign-  
22 ments can achieve collaboration-related results”.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-  
24 gress that—

1           (1) United States Government personnel must  
2           be able to collaborate across departments and agen-  
3           cies to meet complex national security challenges;

4           (2) the United States needs to ensure that its  
5           foreign and defense policies are mutually supportive  
6           and find ways to most effectively align its strategies;

7           (3) exchange programs between the Department  
8           of State and Department of Defense are critical for  
9           strengthening the capacity of such Departments to  
10          promote regional stability around the world while  
11          protecting and promoting United States interests;

12          (4) Foreign Service officers serving as political  
13          advisors provide deep understanding of diplomatic  
14          dynamics and issues and can enable, through such  
15          exchange programs, the Department of Defense to  
16          make effective and sustained contributions to pro-  
17          tecting and promoting United States interests; and

18          (5) in order to achieve such strategic, oper-  
19          ational, and tactical successes, such Foreign Service  
20          officers should be embedded forward with Depart-  
21          ment of Defense personnel to the fullest extent prac-  
22          ticable.

1 **SEC. 1299K. INVESTIGATION TO DETERMINE IF COALITION**  
2 **PARTNERS OR UNITED STATES MILITARY OR**  
3 **INTELLIGENCE PERSONNEL VIOLATED FED-**  
4 **ERAL LAW OR DEPARTMENT OF DEFENSE**  
5 **POLICY WHILE CONDUCTING OPERATIONS IN**  
6 **YEMEN.**

7 (a) **IN GENERAL.**—The Secretary of Defense shall  
8 conduct an investigation to determine if coalition partners  
9 of the United States or members of the Armed Forces or  
10 intelligence personnel violated Federal law, the laws of  
11 armed conflict, or Department of Defense policy while con-  
12 ducting operations in Yemen.

13 (b) **MATTERS TO BE INCLUDED.**—The investigation  
14 required under subsection (a) shall also seek to determine  
15 the following:

16 (1) Whether any Armed Forces or intelligence  
17 personnel interrogated Yemeni citizens in prisons  
18 within Yemen or provided questions to foreign per-  
19 sonnel for use in such interrogations, and whether  
20 such interrogations or actions were consistent with  
21 United States law and policy.

22 (2) Whether any Armed Forces or intelligence  
23 personnel violated the prohibitions of section 362 of  
24 title 10, United States Code, while conducting oper-  
25 ations in Yemen.

1           (3) Whether any United States coalition part-  
2           ners committed gross violations of internationally  
3           recognized human rights while conducting operations  
4           in Yemen that would make such coalition partners  
5           ineligible for any training, equipment, or other as-  
6           sistance for a unit of a foreign security force under  
7           section 362 of title 10, United States Code.

8           (4) Whether a waiver or exception has been  
9           granted to United States coalition partners under  
10          section 362 of title 10, United States Code, while  
11          conducting operations in Yemen.

12          (c) REPORT.—

13           (1) IN GENERAL.—Not later than 120 days  
14          after the date of the enactment of this Act, the Sec-  
15          retary of Defense shall submit to the Committee on  
16          Armed Services of the Senate and the Committee on  
17          Armed Services of the House of Representatives a  
18          report that contains the findings of the investigation  
19          required under this section.

20           (2) FORM.—The report required under this sec-  
21          tion shall be submitted in unclassified form, but may  
22          contain a classified annex

23          (d) DEFINITIONS.—In this subsection:

24           (1) COALITION PARTNERS.—The term “coali-  
25          tion partners” has the meaning given such term in

1 paragraph (3) of section 948a of title 10, United  
2 States Code.

3 (2) GROSS VIOLATIONS OF INTERNATIONALLY  
4 RECOGNIZED HUMAN RIGHTS.—The term “gross vio-  
5 lations of internationally recognized human rights”  
6 has the meaning given such term in subsection  
7 (d)(1) of section 502B of the Foreign Assistance Act  
8 of 1961 (22 U.S.C. 2304).

9 **SEC. 1299L. INCLUSION OF INFLUENCE OPERATIONS IN AN-**  
10 **NUAL MILITARY REPORTS TO CONGRESS.**

11 (a) IN GENERAL.—The Secretary of Defense shall  
12 modify the Department of Defense’s respective annual re-  
13 ports to Congress on the People’s Republic of China, the  
14 Russian Federation, and Iran to include influence oper-  
15 ations as a matter to be included in such reports.

16 (b) AMENDMENTS TO REPORTS.—(1) Section  
17 1202(b)(14) of the National Defense Authorization Act  
18 for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 113  
19 note) is amended by adding at the end before the period  
20 the following: “, including a description of efforts to use  
21 non-military tools, including diplomacy and political coer-  
22 cion, information operations, and economic pressure to  
23 gain influence in other countries and advance strategic ob-  
24 jectives,”.

1           (2) Section 1245(b)(1) of the National Defense Au-  
2 thORIZATION Act for Fiscal Year 2010 (Public Law 111-  
3 84) is amended—

4           (A) in subparagraph (C), by striking “and” at  
5 the end;

6           (B) in subparagraph (D), by striking the period  
7 at the end and inserting “; and”; and

8           (C) by adding at the end the following:

9           “(E) a description of efforts to use non-  
10 military tools, including diplomacy and political  
11 coercion, information operations, and economic  
12 pressure to gain influence in other countries  
13 and advance strategic objectives.”.

14          (3) Section 1245(b) of the Carl Levin and Howard  
15 P. “Buck” McKeon National Defense Authorization Act  
16 for Fiscal Year 2015 (Public Law 113-291; 128 Stat.  
17 3566) is amended by adding at the end the following:

18          “(23) A description of efforts of Russia to use  
19 non-military tools, including diplomacy and political  
20 coercion, information operations, and economic pres-  
21 sure to gain influence in other countries and ad-  
22 vance strategic objectives.”.

1 **SEC. 1299M. LIMITATION ON AVAILABILITY OF FUNDS TO**  
2 **IMPLEMENT THE ARMS TRADE TREATY.**

3 (a) IN GENERAL.—None of the funds authorized to  
4 be appropriated by this Act or otherwise made available  
5 for fiscal year 2019 for the Department of Defense may  
6 be obligated or expended to fund a Secretariat or any  
7 other international organization established to support the  
8 implementation of the Arms Trade Treaty, to sustain do-  
9 mestic prosecutions based on any charge related to the  
10 Treaty, or to implement the Treaty until the Senate ap-  
11 proves a resolution of ratification for the Treaty and im-  
12 plementing legislation for the Treaty has been enacted into  
13 law.

14 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
15 tion shall be construed to preclude the Department of De-  
16 fense from assisting foreign countries in bringing their  
17 laws, regulations, and practices related to export control  
18 up to United States standards.

19 **SEC. 1299N. SECURITY COOPERATION WITH ERITREA.**

20 Not later than 90 days after the date of the enact-  
21 ment of this Act, the Secretary of Defense in consultation  
22 with the Secretary of State, shall submit to the congres-  
23 sional defense committees a report on the potential stra-  
24 tegic benefits and risks of conducting security cooperation  
25 with the Government of Eritrea, including benefits and  
26 risks with respect to each of the following:

1 (1) Counterterrorism efforts.

2 (2) The security situation in the Horn of Afri-  
3 ca, the Red Sea region, and Yemen.

4 (3) Other national security priorities of the  
5 United States.

6 **Subtitle G—Matters Relating to**  
7 **Burma**

8 **SEC. 12990-1. LIMITATION ON SECURITY ASSISTANCE AND**  
9 **SECURITY COOPERATION.**

10 (a) LIMITATION ON MILITARY AND SECURITY SEC-  
11 TOR COOPERATION.—Except as provided in subsection (b)  
12 or subsection (e), for the 8-year period beginning on the  
13 date of the enactment of this Act, the United States may  
14 not provide security assistance or engage in security co-  
15 operation with the military or security forces of Burma  
16 until the date on which the Secretary of State certifies  
17 to the appropriate congressional committees with respect  
18 to security assistance, as such term is defined in section  
19 502B(d) of the Foreign Assistance Act of 1961 (22 U.S.C.  
20 2304(d)), or, in consultation with the Secretary of De-  
21 fense, with respect to security cooperation programs and  
22 activities of the Department of Defense, as such term is  
23 defined in section 301 of title 10, United States Code, as  
24 applicable, that the military and security forces of Burma  
25 have demonstrated significant progress in abiding by



1 international human rights standards and are undertaking  
2 meaningful and significant security sector reform, includ-  
3 ing reforms that enhance transparency and accountability,  
4 to prevent future abuses, such as—

5           (1) the Burmese military and security forces  
6           adhere to international humanitarian law, dem-  
7           onstrate significant progress in abiding by inter-  
8           national standards for human rights, and pledge to  
9           stop future human rights abuses;

10           (2) the Burmese military and security forces  
11           support efforts to carry out meaningful and com-  
12           prehensive investigations of alleged abuses and are  
13           taking steps to hold accountable those members of  
14           such military and security forces responsible for  
15           human rights abuses;

16           (3) the Government of Burma, including the  
17           military and security forces, allow immediate and  
18           unfettered humanitarian access to communities in  
19           areas affected by conflict, including Rohingya com-  
20           munities in the State of Rakhine;

21           (4) the Government of Burma, including the  
22           military and security forces, cooperates with the  
23           United Nations High Commissioner for Refugees  
24           and organizations affiliated with the United Nations  
25           to ensure the protection of displaced persons and the

1 safe, voluntary, and dignified return of refugees and  
2 internally displaced persons;

3 (5) the Burmese military and security forces  
4 cease their attacks against ethnic minority groups  
5 and constructively participate in the conclusion of a  
6 credible, nationwide ceasefire agreement, political ac-  
7 commodation, and constitutional change, including  
8 the restoration of the citizenship of the Rohingya;

9 (6) the Government of Burma, including the  
10 military and security forces, defines a transparent  
11 plan with a timeline for professionalizing the mili-  
12 tary and security forces and includes a process by  
13 which the military withdraws from private-sector  
14 business enterprises and ceases involvement in the il-  
15 legal trade in natural resources and narcotics; or

16 (7) the Government of Burma establishes effec-  
17 tive civilian control over the finances of its military  
18 and security forces, including by ensuring that the  
19 military does not have access to off-budget income  
20 and that military expenditures are subject to ade-  
21 quate civilian oversight.

22 (b) EXCEPTIONS.—

23 (1) CERTAIN EXISTING AUTHORITIES.—The  
24 Secretary of Defense shall retain the authority  
25 granted by section 1253 of the Carl Levin and How-

1       ard P. “Buck” McKeon National Defense Authoriza-  
2       tion Act for Fiscal Year 2015 (22 U.S.C. 2151 note)  
3       and is authorized to provide the Government of  
4       Burma with assistance necessary to make available  
5       the activities described in subsection (a) of such sec-  
6       tion.

7               (2) HOSPITALITY.—The Secretary of State and  
8       the United States Agency for International Develop-  
9       ment may provide assistance authorized under part  
10       I of the Foreign Assistance Act of 1961 (22 U.S.C.  
11       2151 et seq.) to provide hospitality during research,  
12       dialogues, meetings, or other activities by the parties  
13       attending the Union Peace Conference 21st Century  
14       Panglong or related processes seeking inclusive, sus-  
15       tainable reconciliation.

16       (c) MILITARY REFORM.—The certification required  
17       under subsection (a) shall include a written justification  
18       in unclassified form that may contain a classified annex  
19       describing the Burmese military’s efforts to implement re-  
20       forms, end impunity for human rights abuses, and in-  
21       crease transparency and accountability.

22       (d) REPORT.—

23               (1) IN GENERAL.—Not later than 180 days  
24       after the date of the enactment of this Act, and an-  
25       nually thereafter, the Secretary of Defense and the

1 Secretary of State shall submit to the appropriate  
2 congressional committees a report, in unclassified  
3 form with a classified annex, on the strategy and  
4 plans for military-to-military engagement between  
5 the United States Armed Forces and the military  
6 and security forces of Burma.

7 (2) ELEMENTS.—The report required under  
8 paragraph (1) shall include the following elements:

9 (A) A description and assessment of the  
10 Government of Burma's strategy for security  
11 sector reform, including plans to withdraw the  
12 military from owning or controlling private-sec-  
13 tor business entities and end involvement in the  
14 illicit trade in jade and other natural resources,  
15 reforms to end corruption and illicit drug traf-  
16 ficking, and constitutional reforms to ensure ci-  
17 vilian control.

18 (B) A list of ongoing military activities  
19 conducted by the United States Government  
20 with the Government of Burma, and a descrip-  
21 tion of the United States strategy for future  
22 military-military engagements between the  
23 United States and Burma's military and secu-  
24 rity forces, including the military of Burma, the  
25 Burma Police Force, and armed ethnic groups.

1           (C) An assessment of the progress of the  
2 military and security forces of Burma towards  
3 developing a framework to implement human  
4 right reforms, including—

5           (i) cooperation with civilian authori-  
6 ties to investigate and prosecute cases of  
7 serious, credible, or gross human rights  
8 abuses;

9           (ii) steps taken to demonstrate respect  
10 for and implementation of the laws of war;  
11 and

12           (iii) a description of the elements of  
13 the military-to-military engagement be-  
14 tween the United States and Burma that  
15 promote such implementation.

16           (D) An assessment of progress on the  
17 peaceful settlement of armed conflicts between  
18 the Government of Burma and ethnic minority  
19 groups, including actions taken by the military  
20 of Burma to adhere to cease-fire agreements,  
21 allow for safe and voluntary returns of dis-  
22 placed persons to their homes, and withdraw  
23 forces from conflict zones.

24           (E) An assessment of the Burmese's mili-  
25 tary recruitment and use of children as soldiers.

1 (F) An assessment of the Burmese's mili-  
2 tary's use of violence against women, sexual vio-  
3 lence, or other gender-based violence as a tool  
4 of terror, war, or ethnic cleansing.

5 (e) WAIVER.—

6 (1) IN GENERAL.—The Secretary of State, with  
7 respect to security assistance, and the Secretary of  
8 Defense in consultation with the Secretary of State,  
9 with respect to security cooperation programs and  
10 activities of the Department of Defense, may waive  
11 on a case-by-case basis the application of the limita-  
12 tion under subsection (a) if the Secretary submits to  
13 the appropriate congressional committees, not later  
14 than 30 days before such waiver enters into effect—

15 (A) a list of the activities and participants  
16 to which such waiver would apply;

17 (B) a certification, including a justifica-  
18 tion, that the waiver is in the national interest  
19 of the United States; and

20 (C) a certification that none of the partici-  
21 pants listed pursuant to subparagraph (A) have  
22 committed any of the acts described in section  
23 12\_\_2(a)(1)(A) or 12\_\_2(a)(1)(B) or com-  
24 mitted any other gross violation of human

1 rights, as such term is defined for purposes of  
2 section 362 of title 10, United States Code.

3 **SEC. 12990-2. IMPOSITION OF SANCTIONS WITH RESPECT**  
4 **TO CERTAIN FOREIGN PERSONS.**

5 (a) IN GENERAL.—For the 8-year period beginning  
6 on the date that is 270 days after the date of the enact-  
7 ment of this Act, the President shall impose the sanctions  
8 described in subsection (b) with respect to each foreign  
9 person that the President determines—

10 (1) is a current or former senior official of the  
11 military or security forces of Burma who know-  
12 ingly—

13 (A) perpetrated or is responsible for order-  
14 ing or otherwise directing serious human rights  
15 abuses in Burma; or

16 (B) has taken significant steps to impede  
17 investigations or prosecutions of serious human  
18 rights abuses allegedly committed by one or  
19 more subordinates of such official, including  
20 against the Rohingya community in the state of  
21 Rakhine;

22 (2) is an entity owned or controlled by any per-  
23 son described in paragraph (1);

24 (3) has knowingly provided or received signifi-  
25 cant financial, material, or technological support to

1 or from a foreign person, including the immediate  
2 family members of such person, described in para-  
3 graph (1) for any of the acts described in subpara-  
4 graph (A) or (B) of such paragraph.

5 (b) SANCTIONS.—The sanctions described in this sec-  
6 tion are the following:

7 (1) ASSET BLOCKING.—Notwithstanding the re-  
8 quirements of section 202 of the International  
9 Emergency Economic Powers Act (50 U.S.C. 1701),  
10 the exercise of all powers granted to the President  
11 by such Act to the extent necessary to block and  
12 prohibit all transactions in all property and interests  
13 in property of a person the President determines  
14 meets one or more of the criteria described in sub-  
15 section (a) if such property and interests in property  
16 are in the United States, come within the United  
17 States, or are or come within the possession or con-  
18 trol of a United States person.

19 (2) ALIENS INELIGIBLE FOR VISAS, ADMISSION,  
20 OR PAROLE.—

21 (A) VISAS, ADMISSION, OR PAROLE.—An  
22 alien who the Secretary of State or the Sec-  
23 retary of Homeland Security (or a designee of  
24 one of such Secretaries) knows, or has reason



1 to believe, meets any of the criteria described in  
2 subsection (a) is—

3 (i) inadmissible to the United States;

4 (ii) ineligible to receive a visa or other  
5 documentation to enter the United States;  
6 and

7 (iii) otherwise ineligible to be admitted  
8 or paroled into the United States or to re-  
9 ceive any other benefit under the Immigra-  
10 tion and Nationality Act (8 U.S.C. 1101 et  
11 seq.).

12 (B) CURRENT VISAS REVOKED.—

13 (i) IN GENERAL.—The issuing con-  
14 sular officer, the Secretary of State, or the  
15 Secretary of Homeland Security (or a des-  
16 ignee of one of such Secretaries) shall re-  
17 voke any visa or other entry documentation  
18 issued to an alien who meets any of the  
19 criteria described in subsection (a) regard-  
20 less of when issued.

21 (ii) EFFECT OF REVOCATION.—A rev-  
22 ocation under clause (i)—

23 (I) shall take effect immediately;

24 and

1 (II) shall automatically cancel  
2 any other valid visa or entry docu-  
3 mentation that is in the alien's pos-  
4 session.

5 (3) EXCEPTION TO COMPLY WITH UNITED NA-  
6 TIONS HEADQUARTERS AGREEMENT.—Sanctions  
7 under paragraph (2) shall not apply to an alien if  
8 admitting the alien into the United States is nec-  
9 essary to permit the United States to comply with  
10 the Agreement regarding the Headquarters of the  
11 United Nations, signed at Lake Success June 26,  
12 1947, and entered into force November 21, 1947,  
13 between the United Nations and the United States,  
14 or other applicable international obligations.

15 (4) EXCEPTION WITH RESPECT TO THE IMPOR-  
16 TATION OF GOODS.—The authorities and require-  
17 ments to impose sanctions under this section shall  
18 not include any authority or requirement to impose  
19 sanctions with respect to the importation of goods,  
20 as such term is defined in section 16 of the Export  
21 Administration Act of 1979 (50 U.S.C. 4618) (as  
22 continued in effect pursuant to the International  
23 Emergency Economic Powers Act (50 U.S.C. 1701  
24 et seq.)).

1           (c) PENALTIES.—Any person that violates, attempts  
2 to violate, conspires to violate, or causes a violation of this  
3 section or any regulation, license, or order issued to carry  
4 out subsection (b) shall be subject to the penalties set  
5 forth in subsections (b) and (c) of section 206 of the Inter-  
6 national Emergency Economic Powers Act (50 U.S.C.  
7 1705) to the same extent as a person that commits an  
8 unlawful act described in subsection (a) of that section.

9           (d) IMPLEMENTATION.—The President may exercise  
10 the authorities provided under section 203 and 205 of the  
11 International Emergency Economic Powers Act (50  
12 U.S.C. 1702 and 1704) to carry out this section.

13           (e) WAIVER.—

14               (1) IN GENERAL.—The President may annually  
15 waive the application of sanctions required by sub-  
16 section (a) with respect to a person if the Presi-  
17 dent—

18                       (A) determines that such waiver is in the  
19 national interest of the United States; and

20                       (B) not later than the date on which such  
21 waiver will take effect, submits to the congress-  
22 sional committees listed in paragraph (2) a no-  
23 tice of and justification for such waiver.

1           (2) CONGRESSIONAL COMMITTEES LISTED.—

2           The congressional committees listed in this para-  
3           graph are the following:

4                   (A) The Committee on Foreign Affairs, the  
5                   Committee on Appropriations, and the Com-  
6                   mittee on Financial Services of the House of  
7                   Representatives.

8                   (B) The Committee on Foreign Relations,  
9                   the Committee on Appropriations, and the  
10                  Committee on Banking, Housing, and Urban  
11                  Affairs of the Senate.

12          (f) DEFINITIONS.—In this section:

13                  (1) ADMITTED; ALIEN.—The terms “admitted”  
14                  and “alien” have the meanings given those terms in  
15                  section 101 of the Immigration and Nationality Act  
16                  (8 U.S.C. 1001).

17                  (2) FOREIGN PERSON.—The term “foreign per-  
18                  son” means a person that is not a United States  
19                  person.

20                  (3) KNOWINGLY.—The term “knowingly”  
21                  means, with respect to conduct, a circumstance, or  
22                  a result, means that a person has actual knowledge,  
23                  or should have known, of the conduct, the cir-  
24                  cumstance, or the result.

1           (4) UNITED STATES PERSON.—The term  
2 “United States person” means—

3           (A) a United States citizen, an alien law-  
4 fully admitted for permanent residence to the  
5 United States, or any other individual subject  
6 to the jurisdiction of the United States; or

7           (B) an entity organized under the laws of  
8 the United States or of any jurisdiction within  
9 the United States, including a foreign branch of  
10 such entity.

11 **SEC. 12990-3. RESPONSIBILITY AND TRANSPARENCY IN**  
12 **THE MINING SECTOR.**

13 (a) LIST OF PARTICIPATING ENTITIES.—

14           (1) IN GENERAL.—Not later than 120 days  
15 after the date of the enactment of this Act, and not  
16 less than annually thereafter until the date described  
17 in subsection (e), the Secretary of State shall submit  
18 to the appropriate congressional committees a list of  
19 the entities described in each of subparagraphs (A)  
20 and (B) of paragraph (2) that—

21           (A) participate in Burma’s mining sector;

22           (B) meet the criterion described in sub-  
23 section (b)(1); and

1 (C) meet or have made significant progress  
2 towards meeting the criteria in subsections  
3 (b)(2) through (b)(5).

4 (2) ENTITIES DESCRIBED.—The entities de-  
5 scribed in this paragraph are the following:

6 (A) Entities that produce or process pre-  
7 cious and semiprecious gemstones.

8 (B) Entities that sell or export precious  
9 and semiprecious gemstones from Burma or ar-  
10 ticles of jewelry containing such gemstones.

11 (b) CRITERIA DESCRIBED.—The criteria described in  
12 this subsection are the following with respect to an entity:

13 (1) The entity publicly discloses beneficial own-  
14 ership, as such term is defined for purposes of the  
15 Myanmar Extractive Industry Transparency Initia-  
16 tive (Myanmar EITI), and the entity is not owned  
17 or controlled, either directly or indirectly, by the  
18 Burmese military or security forces, any current or  
19 former senior Burmese military officer, or any per-  
20 son sanctioned by the United States pursuant to any  
21 relevant sanctions authority.

22 (2) The entity publicly discloses any politically  
23 exposed persons, as defined by the Myanmar EITI,  
24 who are beneficial owners, as defined under the  
25 Myanmar EITI.

1           (3) The entity publicly discloses valid authoriza-  
2           tion, license, or permit to produce, process, sell, or  
3           export minerals or gemstones, as applicable.

4           (4) The entity publicly discloses payments to  
5           the Government of Burma, including tax and non-  
6           tax, license, or royalty payments, and other pay-  
7           ments or contract terms as may be required under  
8           Myanmar Extractive Industry Transparency Initia-  
9           tive standards.

10          (5) The entity undertakes robust due diligence,  
11          in line with the OECD Due Diligence Guidance for  
12          Responsible Supply Chains of Minerals from Con-  
13          flict-Affected and High-Risk Areas, including public  
14          reporting.

15          (c) PUBLICATION OF LIST.—The Secretary of State  
16          shall publish the list under subsection (a) and shall peri-  
17          odically update such list as appropriate.

18          (d) GUIDANCE.—The Secretary of State shall issue  
19          guidance to relevant companies regarding supply-chain  
20          due diligence best practices applicable to importation of  
21          gemstones or minerals that may be of Burmese origin or  
22          articles of jewelry containing such gemstones to mitigate  
23          the potential risks associated with the importation of such  
24          items.

1           (e) TERMINATION.—The requirement under sub-  
2 section (a) shall terminate on the date on which the Presi-  
3 dent certifies to the appropriate congressional committees  
4 that the Government of Burma has taken substantial  
5 measures to reform the mining sector in Burma, including  
6 the following:

7           (1) Requiring the mandatory disclosure of pay-  
8 ments, permit and license allocations, project reve-  
9 nues, relevant contract terms, and beneficial owner-  
10 ship, including identifying any politically exposed  
11 persons who are beneficial owners, consistent with  
12 the approach agreed under the Myanmar EITI and  
13 with due regard for civil society participation.

14           (2) Separating the commercial, regulatory, and  
15 revenue collection responsibilities within the  
16 Myanmar Gems Enterprise and other key state-  
17 owned enterprises to remove existing conflicts of in-  
18 terest.

19           (3) Monitoring and undertaking enforcement  
20 actions, as warranted, to ensure that entities fully  
21 adhere to environmental and social impact assess-  
22 ment and management standards in accordance with  
23 international responsible mining practices, the coun-  
24 try's environmental conservation law and other ap-  
25 plicable laws and regulations, and that they uphold



1 occupational health and safety standards and codes  
2 of conduct that are aligned with the core labor  
3 standards of the International Labour Organisation  
4 and domestic law.

5 (4) Actively seeking a comprehensive peace  
6 agreement that addresses the transparent and fair  
7 distribution of benefits from natural resources, in-  
8 cluding local benefit-sharing, taking into consider-  
9 ation proposals on fiscal federalism for new govern-  
10 ance arrangements in resource-rich regions.

11 (5) Implementing on a timely basis policy re-  
12 forms aligned with the recommendations of the  
13 multi-stakeholder Jade and Gemstone Support Com-  
14 mittee and reporting regularly on such reforms.

15 (6) Reforming the process for valuation of  
16 gemstones at the mine-site, including developing an  
17 independent valuation system to prevent undervalu-  
18 ation and tax evasion.

19 (7) Requiring companies bidding for jade and  
20 ruby permits to be independently audited upon the  
21 request of Myanmar Gems Enterprise or the Min-  
22 ister of Natural Resources and Environmental Con-  
23 servation, and making the results of all such audits  
24 public.

1           (8) Establishing a credible and transparent per-  
2           mitting process that closely scrutinizes applicants,  
3           including based on past performance, and prevents  
4           unscrupulous entities from gaining authorized access  
5           to concessions or the right to trade in minerals or  
6           gemstones.

7           (9) Establishing effective oversight of state-  
8           owned enterprises operating in such sector, including  
9           through parliamentary oversight or requirements for  
10          independent financial auditing.

11 **SEC. 12990-4. DETERMINATION AND REPORT ON ACCOUNT-**  
12                   **ABILITY FOR ETHNIC CLEANSING, CRIMES**  
13                   **AGAINST HUMANITY, AND GENOCIDE IN**  
14                   **BURMA.**

15          (a) IN GENERAL.—Not later than 180 days after the  
16          date of the enactment of this Act, the Secretary of State  
17          shall submit to the appropriate congressional committees  
18          a report that—

19               (1) describes—

20                   (A) allegations of ethnic cleansing, crimes  
21                   against humanity, and genocide in Burma; and

22                   (B) potential transitional justice mecha-  
23                   nisms in Burma; and

24               (2) includes a determination whether the events  
25          that took place in the state of Rakhine in Burma,

1 starting on August 25, 2017, constitute ethnic  
2 cleansing, crimes against humanity, or genocide.

3 (b) ELEMENTS.—The report required under sub-  
4 section (a) shall include—

5 (1) a description of—

6 (A) incidents that may constitute ethnic  
7 cleansing, crimes against humanity, or genocide  
8 committed by the Burmese military against the  
9 Rohingya minority and the identities of any  
10 other actors involved in such incidents;

11 (B) the role of the civilian government in  
12 the commission of such incidents;

13 (C) incidents that may constitute ethnic  
14 cleansing, crimes against humanity, or genocide  
15 committed by violent extremist groups or anti-  
16 government forces;

17 (D) incidents that may violate the principle  
18 of medical neutrality and, to the extent possible,  
19 the identities of any individuals who engaged in  
20 or organized such incidents; and

21 (E) to the extent possible, a description of  
22 the conventional and unconventional weapons  
23 used for such crimes and the sources of such  
24 weapons;

1           (2) a description and assessment by the Depart-  
2           ment of State, the United States Agency for Inter-  
3           national Development, the Department of Justice,  
4           and other appropriate Federal departments and  
5           agencies of programs that the United States has al-  
6           ready undertaken or is planning to undertake to en-  
7           sure accountability for ethnic cleansing, crimes  
8           against humanity, and genocide perpetrated against  
9           the Rohingya by the military and security forces of  
10          Burma, the state government of Rakhine, Buddhist  
11          militias, and all other armed groups fighting in  
12          Rakhine, including programs to—

13                 (A) train civilian investigators within and  
14                 outside of Burma and Bangladesh on how to  
15                 document, investigate, develop findings of, and  
16                 identify and locate alleged perpetrators of eth-  
17                 nic cleansing, crimes against humanity, or  
18                 genocide in Burma;

19                 (B) promote and prepare for a transitional  
20                 justice process or processes for the perpetrators  
21                 of ethnic cleansing, crimes against humanity,  
22                 and genocide occurring in the State of Rakhine  
23                 in 2017; and

24                 (C) document, collect, preserve, and pro-  
25                 tect evidence of ethnic cleansing, crimes against

1           humanity, and genocide in Burma, including by  
2           providing support for Burmese, Bangladeshi,  
3           foreign, and international nongovernmental or-  
4           ganizations, the United Nations Human Rights  
5           Council’s investigative team, and other entities  
6           engaged in such investigative activities; and

7           (3) a detailed study of the feasibility and desir-  
8           ability of potential transitional justice mechanisms  
9           for Burma, including a hybrid tribunal, to address  
10          ethnic cleansing, crimes against humanity, and geno-  
11          cide perpetrated in Burma, including recommenda-  
12          tions on which transitional justice mechanisms the  
13          United States should support, why such mechanisms  
14          should be supported, and what type of support  
15          should be offered.

16          (c) PROTECTION OF WITNESSES AND EVIDENCE.—

17          The Secretary of State shall take due care to ensure that  
18          the identification of witnesses and physical evidence are  
19          not publicly disclosed in a manner that might place such  
20          persons at risk of harm or encourage the destruction of  
21          evidence by the Government of Burma.

22          (d) AUTHORIZATION TO PROVIDE TECHNICAL AS-  
23          SISTANCE.—

24                  (1) IN GENERAL.—The Secretary of State is  
25          authorized to provide assistance to support appro-

1 appropriate entities that are undertaking the efforts de-  
2 scribed in paragraph (2) with respect to ethnic  
3 cleansing, crimes against humanity, and genocide  
4 perpetrated by the military and security forces of  
5 Burma, the state government of Rakhine, Buddhist  
6 militias, and all other armed groups fighting in  
7 Rakhine State.

8 (2) EFFORTS AGAINST HUMAN RIGHTS  
9 ABUSES.—The efforts described in this paragraph  
10 are the following:

11 (A) Identifying suspected perpetrators of  
12 ethnic cleansing, crimes against humanity, and  
13 genocide.

14 (B) Collecting, documenting, and pro-  
15 tecting evidence of such crimes and preserve the  
16 chain of custody for such evidence.

17 (C) Conducting criminal investigations.

18 (D) Supporting investigations conducted  
19 by other countries, as appropriate.

20 (3) ADDITIONAL SUPPORT.—The Secretary of  
21 State, taking into account any relevant findings in  
22 the report required by subsection (a), is authorized  
23 to support the creation and operation of transitional  
24 justice mechanisms, including a potential hybrid tri-  
25 bunal, to prosecute individuals suspected of commit-

1       ting ethnic cleansing, crimes against humanity, or  
2       genocide in Burma.

3 **SEC. 12990-5. APPROPRIATE CONGRESSIONAL COMMIT-**  
4                                   **TEES.**

5       In this subtitle, the term “appropriate congressional  
6 committees” means—

7               (1) the Committee on Armed Services and the  
8       Committee on Foreign Relations of the Senate; and

9               (2) the Committee on Armed Services and the  
10       Committee on Foreign Affairs of the House of Rep-  
11       resentatives.

12                           **TITLE XIII—COOPERATIVE**  
13                           **THREAT REDUCTION**

14 **SEC. 1301. FUNDING ALLOCATIONS.**

15       Of the \$335,240,000 authorized to be appropriated  
16 to the Department of Defense for fiscal year 2019 in sec-  
17 tion 301 and made available by the funding table in divi-  
18 sion G for the Department of Defense Cooperative Threat  
19 Reduction Program established under section 1321 of the  
20 Department of Defense Cooperative Threat Reduction Act  
21 (50 U.S.C. 3711), the following amounts may be obligated  
22 for the purposes specified:

23               (1) For strategic offensive arms elimination,  
24       \$2,823,000.

1           (2) For chemical weapons destruction,  
2           \$5,446,000.

3           (3) For global nuclear security, \$29,001,000.

4           (4) For cooperative biological engagement,  
5           \$197,585,000.

6           (5) For proliferation prevention, \$74,937,000.

7           (6) For activities designated as Other Assess-  
8           ments/Administrative Costs, \$25,448,000.

9 **SEC. 1302. SPECIFICATION OF COOPERATIVE THREAT RE-**  
10 **DUCTION FUNDS.**

11         Funds appropriated pursuant to the authorization of  
12 appropriations in section 301 and made available by the  
13 funding table in division G for the Department of Defense  
14 Cooperative Threat Reduction Program shall be available  
15 for obligation for fiscal years 2019, 2020, and 2021.

16 **TITLE XIV—OTHER**  
17 **AUTHORIZATIONS**

18 **Subtitle A—Military Programs**

19 **SEC. 1401. WORKING CAPITAL FUNDS.**

20         Funds are hereby authorized to be appropriated for  
21 fiscal year 2019 for the use of the Armed Forces and other  
22 activities and agencies of the Department of Defense for  
23 providing capital for working capital and revolving funds,  
24 as specified in the funding table in section 7501.



1 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**  
2 **TION, DEFENSE.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
4 are hereby authorized to be appropriated for the Depart-  
5 ment of Defense for fiscal year 2019 for expenses, not oth-  
6 erwise provided for, for Chemical Agents and Munitions  
7 Destruction, Defense, as specified in the funding table in  
8 section 7501.

9 (b) USE.—Amounts authorized to be appropriated  
10 under subsection (a) are authorized for—

11 (1) the destruction of lethal chemical agents  
12 and munitions in accordance with section 1412 of  
13 the Department of Defense Authorization Act, 1986  
14 (50 U.S.C. 1521); and

15 (2) the destruction of chemical warfare materiel  
16 of the United States that is not covered by section  
17 1412 of such Act.

18 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**  
19 **TIVITIES, DEFENSE-WIDE.**

20 Funds are hereby authorized to be appropriated for  
21 the Department of Defense for fiscal year 2019 for ex-  
22 penses, not otherwise provided for, for Drug Interdiction  
23 and Counter-Drug Activities, Defense-wide, as specified in  
24 the funding table in section 7501.

1 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

2 Funds are hereby authorized to be appropriated for  
3 the Department of Defense for fiscal year 2019 for ex-  
4 penses, not otherwise provided for, for the Office of the  
5 Inspector General of the Department of Defense, as speci-  
6 fied in the funding table in section 7501.

7 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

8 Funds are hereby authorized to be appropriated for  
9 fiscal year 2019 for the Defense Health Program for use  
10 of the Armed Forces and other activities and agencies of  
11 the Department of Defense for providing for the health  
12 of eligible beneficiaries, as specified in the funding table  
13 in section 7501.

14 **SEC. 1406. NATIONAL DEFENSE SEALIFT FUND.**

15 Funds are hereby authorized to be appropriated for  
16 fiscal year 2019 for the National Defense Sealift Fund,  
17 as specified in the funding tables in section 7501.

18 **Subtitle B—Other Matters**

19 **SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**  
20 **DEPARTMENT OF DEFENSE-DEPARTMENT OF**  
21 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**  
22 **ONSTRATION FUND FOR CAPTAIN JAMES A.**  
23 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

24 (a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the  
25 funds authorized to be appropriated by section 1405 and  
26 available for the Defense Health Program for operation

1 and maintenance, \$113,000,000 may be transferred by the  
2 Secretary of Defense to the Joint Department of Defense—  
3 Department of Veterans Affairs Medical Facility Dem-  
4 onstration Fund established by subsection (a)(1) of sec-  
5 tion 1704 of the National Defense Authorization Act for  
6 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).  
7 For purposes of subsection (a)(2) of such section 1704,  
8 any funds so transferred shall be treated as amounts au-  
9 thorized and appropriated specifically for the purpose of  
10 such a transfer.

11 (b) USE OF TRANSFERRED FUNDS.—For the pur-  
12 poses of subsection (b) of such section 1704, facility oper-  
13 ations for which funds transferred under subsection (a)  
14 may be used are operations of the Captain James A.  
15 Lovell Federal Health Care Center, consisting of the  
16 North Chicago Veterans Affairs Medical Center, the Navy  
17 Ambulatory Care Center, and supporting facilities des-  
18 igned as a combined Federal medical facility under an  
19 operational agreement covered by section 706 of the Dun-  
20 can Hunter National Defense Authorization Act for Fiscal  
21 Year 2009 (Public Law 110–417; 122 Stat. 4500).

22 **SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR**  
23 **ARMED FORCES RETIREMENT HOME.**

24 There is hereby authorized to be appropriated for fis-  
25 cal year 2019 from the Armed Forces Retirement Home

1 Trust Fund the sum of \$64,300,000 for the operation of  
2 the Armed Forces Retirement Home.

3 **SEC. 1413. QUARTERLY BRIEFING ON PROGRESS OF CHEM-**  
4 **ICAL DEMILITARIZATION PROGRAM.**

5 Section 1412(j) of the Department of Defense Au-  
6 thorization Act, 1986 (50 U.S.C. 1521(j)) is amended—

7 (1) in the heading, by striking “Semiannual Re-  
8 ports” and inserting “QUARTERLY BRIEFING”;

9 (2) in paragraph (1)—

10 (A) by striking “March 1” and all that fol-  
11 lows through “the year in which” and inserting  
12 “90 days after the date of the enactment of the  
13 National Defense Authorization Act for Fiscal  
14 Year 2019, and every 90 days thereafter until”;

15 (B) by striking “submit to” and inserting  
16 “brief”;

17 (C) by striking “a report on the implemen-  
18 tation” and inserting “on the progress made”;  
19 and

20 (D) by striking “of its chemical weapons  
21 destruction obligations” and inserting “toward  
22 fulfilling its chemical weapons destruction obli-  
23 gations”; and

24 (3) by striking paragraph (2) and inserting the  
25 following:

1           “(2) Each briefing under paragraph (1) shall  
2 include a description of contractor costs and per-  
3 formance relative to schedule, the progress to date  
4 toward the complete destruction of the stockpile, and  
5 any other information the Secretary determines to  
6 be relevant.”.

7 **TITLE XV—AUTHORIZATION OF**  
8 **ADDITIONAL APPROPRIA-**  
9 **TIONS FOR OVERSEAS CON-**  
10 **TINGENCY OPERATIONS**  
11 **Subtitle A—Authorization of**  
12 **Appropriations**

13 **SEC. 1501. PURPOSE OF CERTAIN AUTHORIZATIONS OF AP-**  
14 **PROPRIATIONS.**

15           The purpose of this subtitle is to authorize appropria-  
16 tions for the Department of Defense for fiscal year 2019  
17 to provide additional funds for overseas contingency oper-  
18 ations being carried out by the Armed Forces.

19 **SEC. 1502. PROCUREMENT.**

20           Funds are hereby authorized to be appropriated for  
21 fiscal year 2019 for procurement accounts for the Army,  
22 the Navy and the Marine Corps, the Air Force, and De-  
23 fense-wide activities, as specified in the funding table in  
24 section 7102.

1 **SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
2 **TION.**

3 Funds are hereby authorized to be appropriated for  
4 fiscal year 2019 for the use of the Department of Defense  
5 for research, development, test, and evaluation, as speci-  
6 fied in the funding table in section 7202.

7 **SEC. 1504. OPERATION AND MAINTENANCE.**

8 Funds are hereby authorized to be appropriated for  
9 fiscal year 2019 for the use of the Armed Forces and other  
10 activities and agencies of the Department of Defense for  
11 expenses, not otherwise provided for, for operation and  
12 maintenance, as specified in the funding table in section  
13 7302.

14 **SEC. 1505. MILITARY PERSONNEL.**

15 Funds are hereby authorized to be appropriated for  
16 fiscal year 2019 for the use of the Armed Forces and other  
17 activities and agencies of the Department of Defense for  
18 expenses, not otherwise provided for, for military per-  
19 sonnel, as specified in the funding table in section 7402.

20 **SEC. 1506. WORKING CAPITAL FUNDS.**

21 Funds are hereby authorized to be appropriated for  
22 fiscal year 2019 for the use of the Armed Forces and other  
23 activities and agencies of the Department of Defense for  
24 providing capital for working capital and revolving funds,  
25 as specified in the funding table in section 7502.

1 **SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG AC-**  
2 **TIVITIES, DEFENSE-WIDE.**

3 Funds are hereby authorized to be appropriated for  
4 the Department of Defense for fiscal year 2019 for ex-  
5 penses, not otherwise provided for, for Drug Interdiction  
6 and Counter-Drug Activities, Defense-wide, as specified in  
7 the funding table in section 7502.

8 **SEC. 1508. DEFENSE INSPECTOR GENERAL.**

9 Funds are hereby authorized to be appropriated for  
10 the Department of Defense for fiscal year 2019 for ex-  
11 penses, not otherwise provided for, for the Office of the  
12 Inspector General of the Department of Defense, as speci-  
13 fied in the funding table in section 7502.

14 **SEC. 1509. DEFENSE HEALTH PROGRAM.**

15 Funds are hereby authorized to be appropriated for  
16 the Department of Defense for fiscal year 2019 for ex-  
17 penses, not otherwise provided for, for the Defense Health  
18 Program, as specified in the funding table in section 7502.

19 **Subtitle B—Financial Matters**

20 **SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

21 The amounts authorized to be appropriated by this  
22 title are in addition to amounts otherwise authorized to  
23 be appropriated by this Act.

24 **SEC. 1512. SPECIAL TRANSFER AUTHORITY.**

25 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.—**

1           (1) AUTHORITY.—Upon determination by the  
2           Secretary of Defense that such action is necessary in  
3           the national interest, the Secretary may transfer  
4           amounts of authorizations made available to the De-  
5           partment of Defense in this title for fiscal year 2019  
6           between any such authorizations for that fiscal year  
7           (or any subdivisions thereof). Amounts of authoriza-  
8           tions so transferred shall be merged with and be  
9           available for the same purposes as the authorization  
10          to which transferred.

11          (2) LIMITATION.—The total amount of author-  
12          izations that the Secretary may transfer under the  
13          authority of this subsection may not exceed  
14          \$4,500,000,000.

15          (b) TERMS AND CONDITIONS.—Transfers under this  
16          section shall be subject to the same terms and conditions  
17          as transfers under section 1001.

18          (c) ADDITIONAL AUTHORITY.—The transfer author-  
19          ity provided by this section is in addition to the transfer  
20          authority provided under section 1001.

21         **Subtitle C—Limitations, Reports,**  
22                 **and Other Matters**

23         **SEC. 1521. AFGHANISTAN SECURITY FORCES FUND.**

24          (a) CONTINUATION OF PRIOR AUTHORITIES AND NO-  
25          TICE AND REPORTING REQUIREMENTS.—Funds available



1 to the Department of Defense for the Afghanistan Secu-  
2 rity Forces Fund for fiscal year 2019 shall be subject to  
3 the conditions contained in subsections (b) through (g) of  
4 section 1513 of the National Defense Authorization Act  
5 for Fiscal Year 2008 (Public Law 110–181; 122 Stat.  
6 428), as amended by section 1531(b) of the Ike Skelton  
7 National Defense Authorization Act for Fiscal Year 2011  
8 (Public Law 111–383; 124 Stat. 4424).

9 (b) EQUIPMENT DISPOSITION.—

10 (1) ACCEPTANCE OF CERTAIN EQUIPMENT.—

11 Subject to paragraph (2), the Secretary of Defense  
12 may accept equipment that is procured using  
13 amounts in the Afghanistan Security Forces Fund  
14 authorized under this Act and is intended for trans-  
15 fer to the security forces of Afghanistan, but is not  
16 accepted by such security forces.

17 (2) CONDITIONS ON ACCEPTANCE OF EQUIP-

18 MENT.—Before accepting any equipment under the  
19 authority provided by paragraph (1), the Com-  
20 mander of United States forces in Afghanistan shall  
21 make a determination that the equipment was pro-  
22 cured for the purpose of meeting requirements of the  
23 security forces of Afghanistan, as agreed to by both  
24 the Government of Afghanistan and the United  
25 States, but is no longer required by such security

1 forces or was damaged before transfer to such secu-  
2 rity forces.

3 (3) ELEMENTS OF DETERMINATION.—In mak-  
4 ing a determination under paragraph (2) regarding  
5 equipment, the Commander of United States forces  
6 in Afghanistan shall consider alternatives to Sec-  
7 retary of Defense acceptance of the equipment. An  
8 explanation of each determination, including the  
9 basis for the determination and the alternatives con-  
10 sidered, shall be included in the relevant quarterly  
11 report required under paragraph (5).

12 (4) TREATMENT AS DEPARTMENT OF DEFENSE  
13 STOCKS.—Equipment accepted under the authority  
14 provided by paragraph (1) may be treated as stocks  
15 of the Department of Defense upon notification to  
16 the congressional defense committees of such treat-  
17 ment.

18 (5) QUARTERLY REPORTS ON EQUIPMENT DIS-  
19 POSITION.—

20 (A) IN GENERAL.—Not later than 90 days  
21 after the date of the enactment of this Act and  
22 every 90-day period thereafter during which the  
23 authority provided by paragraph (1) is exer-  
24 cised, the Secretary of Defense shall submit to  
25 the congressional defense committees a report

1 describing the equipment accepted during the  
2 period covered by such report under the fol-  
3 lowing:

4 (i) This subsection.

5 (ii) Section 1521(b) of the National  
6 Defense Authorization Act for Fiscal Year  
7 2018 (Public Law 115–91; 131 Stat.  
8 1711).

9 (iii) Section 1521(b) of the National  
10 Defense Authorization Act for Fiscal Year  
11 2017 (Public Law 114–328; 130 Stat.  
12 2575).

13 (iv) Section 1531(b) of the National  
14 Defense Authorization Act for Fiscal Year  
15 2016 (Public Law 114–92; 129 Stat.  
16 1088).

17 (v) Section 1532(b) of the Carl Levin  
18 and Howard P. “Buck” McKeon National  
19 Defense Authorization Act for Fiscal Year  
20 2015 (Public Law 113–291; 128 Stat.  
21 3613).

22 (vi) Section 1531(d) of the National  
23 Defense Authorization Act for Fiscal Year  
24 2014 (Public Law 113–66; 127 Stat. 938;  
25 10 U.S.C. 2302 note).

1           (B) ELEMENTS.—Each report under sub-  
2 paragraph (A) shall include a list of all equip-  
3 ment that was accepted during the period cov-  
4 ered by the report and treated as stocks of the  
5 Department of Defense and copies of the deter-  
6 minations made under paragraph (2), as re-  
7 quired by paragraph (3).

8           (c) SECURITY OF AFGHAN WOMEN.—

9           (1) IN GENERAL.—Of the funds available to the  
10 Department of Defense for the Afghanistan Security  
11 Forces Fund for fiscal year 2019, it is the goal that  
12 \$18,000,000, but in no event less than \$10,000,000,  
13 shall be used for—

14           (A) the recruitment, integration, retention,  
15 training, and treatment of women in the Af-  
16 ghan National Defense and Security Forces;  
17 and

18           (B) the recruitment, training, and con-  
19 tracting of female security personnel for future  
20 elections.

21           (2) TYPES OF PROGRAMS AND ACTIVITIES.—

22 Such programs and activities may include—

23           (A) efforts to recruit women into the Af-  
24 ghan National Defense and Security Forces, in-  
25 cluding the special operations forces;

1 (B) programs and activities of the Afghan  
2 Ministry of Defense Directorate of Human  
3 Rights and Gender Integration and the Afghan  
4 Ministry of Interior Office of Human Rights,  
5 Gender and Child Rights;

6 (C) development and dissemination of gen-  
7 der and human rights educational and training  
8 materials and programs within the Afghan Min-  
9 istry of Defense and the Afghan Ministry of In-  
10 terior;

11 (D) efforts to address harassment and vio-  
12 lence against women within the Afghan Na-  
13 tional Defense and Security Forces;

14 (E) improvements to infrastructure that  
15 address the requirements of women serving in  
16 the Afghan National Defense and Security  
17 Forces, including appropriate equipment for fe-  
18 male security and police forces, and transpor-  
19 tation for policewomen to their station;

20 (F) support for Afghanistan National Po-  
21 lice Family Response Units; and

22 (G) security provisions for high-profile fe-  
23 male police and army officers.

24 (d) ASSESSMENT OF AFGHANISTAN PROGRESS ON  
25 SECURITY COOPERATION OBJECTIVES.—

1           (1) ASSESSMENT REQUIRED.—Not later than  
2           June 1, 2019, the Secretary of Defense shall, in con-  
3           sultation with the Secretary of State, submit to the  
4           Committee on Armed Services and the Committee on  
5           Foreign Affairs of the House of Representatives and  
6           the Committee on Armed Services and the Com-  
7           mittee on Foreign Relations of the Senate an assess-  
8           ment describing the efforts of the Government of the  
9           Islamic Republic of Afghanistan to manage, employ,  
10          and sustain the equipment and inventory provided  
11          through the authority under subsection (a). In con-  
12          ducting such assessment, the Secretary of Defense  
13          shall consider each of the following:

14                 (A) The ability of the Afghanistan Min-  
15                 istry of Defense and the Ministry of Interior to  
16                 manage and account for previously-divested  
17                 equipment, including a description of any  
18                 vulnerabilities or weaknesses of each such Min-  
19                 istry’s internal controls and any plan in place to  
20                 address shortfalls.

21                 (B) A description of the monitoring and  
22                 evaluation systems in place to ensure assistance  
23                 provided through such authority is used only  
24                 for the intended purposes.

1 (C) Any irregularities in the divestment of  
2 equipment to the Afghan National Defense and  
3 Security Forces during the period beginning on  
4 the date of the creation of the Afghanistan Se-  
5 curity Forces Fund, including any major losses  
6 of such equipment or any inability on the part  
7 of the Afghan National Defense and Security  
8 Forces to account for equipment so procured.

9 (D) A description of the sustainment and  
10 maintenance costs required for major weapons  
11 platforms previously divested, over the 5-year  
12 period beginning on the date of the enactment  
13 of this Act and a plan for how the Afghan Na-  
14 tional Defense and Security Forces intends to  
15 maintain such platforms in the future.

16 (E) An assessment of the distribution  
17 practices of the Afghan National Defense and  
18 Security Forces, including the manner in which  
19 equipment received through the Afghanistan  
20 Security Forces Fund is employed.

21 (F) The degree to which the Government  
22 of Afghanistan is effectively implementing an  
23 anti-corruption strategy.

24 (G) The extent to which the Government  
25 of Afghanistan is adhering to conditions for re-

1 ceiving assistance established in annual finan-  
2 cial commitment letters or any other bilateral  
3 agreements with the United States.

4 (2) WITHHOLDING OF ASSISTANCE FOR INSUF-  
5 FICIENT PROGRESS.—

6 (A) IN GENERAL.—If the Secretary of De-  
7 fense determines, in consultation with the Sec-  
8 retary of State and taking into consideration  
9 the assessment under paragraph (1), that the  
10 Government of Afghanistan has made insuffi-  
11 cient progress toward maintaining and employ-  
12 ing equipment provided by the United States,  
13 the Secretary of Defense may withhold assist-  
14 ance for the Afghan National Defense and Se-  
15 curity Forces under this section until such time  
16 as the Secretary determines sufficient progress  
17 has been made.

18 (B) NOTICE TO CONGRESS.—The Sec-  
19 retary of Defense shall, in coordination with the  
20 Secretary of State, provide notice to Congress—

21 (i) not later than 30 days after mak-  
22 ing a decision to withhold assistance pur-  
23 suant to subparagraph (A); and



1 (ii) not later than 30 days before re-  
2 suming any such assistance pursuant to  
3 such subparagraph.

4 **SEC. 1522. JOINT IMPROVISED-THREAT DEFEAT FUND.**

5 (a) USE AND TRANSFER OF FUNDS.—Subsections  
6 (b) and (c) of section 1514 of the John Warner National  
7 Defense Authorization Act for Fiscal Year 2007 (Public  
8 Law 109–364; 120 Stat. 2439), as in effect before the  
9 amendments made by section 1503 of the Duncan Hunter  
10 National Defense Authorization Act for Fiscal Year 2009  
11 (Public Law 110–417; 122 Stat. 4649), shall apply to the  
12 funds made available for fiscal year 2019 to the Depart-  
13 ment of Defense for the Joint Improvised-Threat Defeat  
14 Fund.

15 (b) INTERDICTION OF IMPROVISED EXPLOSIVE DE-  
16 VICE PRECURSOR CHEMICALS.—

17 (1) AVAILABILITY OF FUNDS.—Of the funds  
18 made available to the Department of Defense for the  
19 Joint Improvised-Threat Defeat Fund for fiscal year  
20 2019, \$15,000,000 may be available to the Secretary  
21 of Defense, with the concurrence of the Secretary of  
22 State, to provide training, equipment, supplies, and  
23 services to ministries and other entities of foreign  
24 governments that the Secretary has identified as

1 critical for countering the flow of improvised explo-  
2 sive device precursor chemicals.

3 (2) PROVISION THROUGH OTHER US AGEN-  
4 CIES.—If jointly agreed upon by the Secretary of  
5 Defense and the head of another department or  
6 agency of the United States Government, the Sec-  
7 retary of Defense may transfer funds available  
8 under paragraph (1) to such department or agency  
9 for the provision by such department or agency of  
10 training, equipment, supplies, and services to min-  
11 istries and other entities of foreign governments as  
12 described in that paragraph.

13 (3) NOTICE TO CONGRESS.—None of the funds  
14 made available pursuant to paragraph (1) may be  
15 obligated or expended to supply training, equipment,  
16 supplies, or services to a foreign country before the  
17 date that is 15 days after the date on which the Sec-  
18 retary of Defense, in coordination with the Secretary  
19 of State, submits to the Committee on Armed Serv-  
20 ices and the Committee on Foreign Relations of the  
21 Senate and the Committee on Armed Services and  
22 the Committee on Foreign Affairs of the House of  
23 Representatives a notice that contains—

1 (A) the foreign country for which training,  
2 equipment, supplies, or services are proposed to  
3 be supplied;

4 (B) a description of the training, equip-  
5 ment, supplies, and services to be provided  
6 using such funds;

7 (C) a detailed description of the amount of  
8 funds proposed to be obligated or expended to  
9 supply such training, equipment, supplies or  
10 services, including any funds proposed to be ob-  
11 ligated or expended to support the participation  
12 of another department or agency of the United  
13 States and a description of the training, equip-  
14 ment, supplies, or services proposed to be sup-  
15 plied;

16 (D) an evaluation of the effectiveness of  
17 the efforts of the foreign country identified  
18 under subparagraph (A) to counter the flow of  
19 improvised explosive device precursor chemicals;  
20 and

21 (E) an overall plan for countering the flow  
22 of precursor chemicals in the foreign country  
23 identified under subparagraph (A).

24 (4) EXPIRATION.—The authority provided by  
25 this subsection expires on December 31, 2019.

1 (c) TRANSITION PLAN REQUIRED.—Not later than  
2 March 1, 2019, the Secretary of Defense shall submit to  
3 the Committees on Armed Services of the House of Rep-  
4 resentatives and the Senate a plan to transition funding  
5 for the Joint Improvised-Threat Defeat Fund from  
6 amounts made available for overseas contingency oper-  
7 ations to amounts otherwise made available for the pur-  
8 poses of such Fund.

9 **SEC. 1523. SEPARATE ACCOUNT LINES FOR OVERSEAS CON-**  
10 **TINGENCY OPERATIONS FUNDS.**

11 For accountability and transparency purposes, the  
12 Director of the Office of Management and Budget and the  
13 Secretary of Defense shall establish separate accounts to  
14 ensure that amounts authorized to be appropriated pursu-  
15 ant to this title are administered separately from amounts  
16 otherwise authorized to be appropriated or made available  
17 for the Department of Defense.

18 **SEC. 1524. ENDURING COSTS FUNDED THROUGH OVERSEAS**  
19 **CONTINGENCY OPERATIONS.**

20 Beginning with the submission of the annual budget  
21 for fiscal year 2020, and for each fiscal year thereafter,  
22 the Secretary of Defense shall submit to Congress, as a  
23 part of the documentation that supports the President's  
24 annual budget for the Department of Defense for such fis-  
25 cal year (as submitted to Congress under section 1105 of

1 title 31, United States Code), an estimate for the costs  
2 of operations currently supported in part or in whole by  
3 funding for overseas contingency operations that are likely  
4 to continue beyond such contingency. The Secretary shall  
5 ensure that each estimate is consistent with the rec-  
6 ommendations included in the Government Accountability  
7 Report entitled “Overseas Contingency Operations: OMB  
8 and DOD Should Revise the Criteria for Determining Eli-  
9 gible Costs and Identify the Costs Likely to Endure Long  
10 Term” published January 18, 2017.

11 **SEC. 1525. COMPTROLLER GENERAL REPORT ON USE OF**  
12 **FUNDS PROVIDED BY OVERSEAS CONTIN-**  
13 **GENCY OPERATIONS.**

14 (a) REPORT.—Not later than 180 days after the date  
15 of the enactment of this Act, the Comptroller General of  
16 the United States shall submit to Congress a report on  
17 how funds authorized to be appropriated for fiscal year  
18 2018 for overseas contingency operations were obligated.

19 (b) FORM.—The report under subsection (a) shall be  
20 submitted in unclassified form, but may include a classi-  
21 fied annex.

1 **TITLE XVI—STRATEGIC PRO-**  
2 **GRAMS, CYBER, AND INTEL-**  
3 **LIGENCE MATTERS**

4 **Subtitle A—Space Activities**

5 **SEC. 1601. IMPROVEMENTS TO ACQUISITION SYSTEM, PER-**  
6 **SONNEL, AND ORGANIZATION OF SPACE**  
7 **FORCES.**

8 (a) PLAN FOR ACQUISITION SYSTEM.—

9 (1) DEVELOPMENT.—The Deputy Secretary of  
10 Defense shall develop a plan to establish a separate,  
11 alternative acquisition system for defense space ac-  
12 quisitions, including with respect to procuring space  
13 vehicles, ground segments relating to such vehicles,  
14 and satellite terminals.

15 (2) REQUIREMENTS PROCESS.—The plan devel-  
16 oped under paragraph (1) shall include recommenda-  
17 tions of the Deputy Secretary with respect to wheth-  
18 er the separate, alternative acquisition system de-  
19 scribed in the plan should use the Joint Capabilities  
20 Integration and Development System process or in-  
21 stead use a new requirements process developed by  
22 the Deputy Secretary in a manner that ensures that  
23 requirements for a program are synchronized across  
24 the space vehicles, ground segments relating to such  
25 vehicles, and satellite terminals, of the program.

1           (3) EXCEPTION.—The plan developed under  
2 paragraph (1) shall cover defense space acquisitions  
3 except with respect to the National Reconnaissance  
4 Office and other elements of the Department of De-  
5 fense that are elements of the intelligence commu-  
6 nity (as defined in section 3 of the National Security  
7 Act of 1947 (50 U.S.C. 3003)).

8           (4) SUBMISSION.—Not later than December 31,  
9 2019, the Deputy Secretary shall submit to the con-  
10 gressional defense committees a report containing  
11 the plan developed under paragraph (1).

12 (b) CADRE DEVELOPMENT.—

13           (1) PLAN.—

14           (A) DEVELOPMENT.—The Secretary of the  
15 Air Force shall develop and implement a plan  
16 to increase the number and improve the quality  
17 of the space cadre of the Air Force.

18           (B) MATTERS INCLUDED.—The plan devel-  
19 oped under subparagraph (A) shall address the  
20 following:

21           (i) Managing the career progression of  
22 members of the Armed Forces and civilian  
23 employees of the Department who form the  
24 space cadre of the Air Force throughout  
25 the military or civilian career of the mem-

1           ber or the employee, as the case may be,  
2           including with respect to—

3                   (I) defining career professional  
4                   milestones;

5                   (II) pay and incentive structures;

6                   (III) the management and over-  
7                   sight of the space cadre;

8                   (IV) training relating to planning  
9                   and executing warfighting missions  
10                  and operations in space;

11                  (V) conducting periodic cadre-  
12                  wide professional assessments to de-  
13                  termine how the cadre is developing  
14                  as a group; and

15                  (VI) establishing a centralized  
16                  method to control personnel assign-  
17                  ments and distribution.

18           (ii) The identification of future space-  
19           related career fields that the Secretary de-  
20           termines appropriate, including a space ac-  
21           quisition career field.

22           (iii) The identification of any overlap  
23           that exists among operations and acquisi-  
24           tions career fields to determine opportuni-



1           ties for cross-functional career opportuni-  
2           ties.

3           (C) SUBMISSION.—Not later than March  
4           1, 2019, the Secretary shall submit to the con-  
5           gressional defense committees a report con-  
6           taining the plan developed under subparagraph  
7           (A).

8           (2) NUMBERED AIR FORCE.—

9           (A) ESTABLISHMENT.—Not later than De-  
10          cember 31, 2019, the Secretary of the Air  
11          Force shall establish as part of the Air Force  
12          a new numbered Air Force that is—

13                 (i) responsible for carrying out space  
14                 warfighting operations; and

15                 (ii) assigned to the United States  
16                 Space Command established by section 169  
17                 of title 10, United States Code, as added  
18                 by subsection (c).

19          (B) EFFECT ON 14TH AIR FORCE.—The  
20          establishment of a new numbered Air Force  
21          under subparagraph (A) shall not effect the  
22          space support mission of the 14th Air Force,  
23          including with respect to—

24                 (i) space launches, training, and exer-  
25                 cises; and

1 (ii) being assigned to the Air Force  
2 Space Command.

3 (C) PLAN.—Not later than December 31,  
4 2019, the Secretary shall submit to the congress-  
5 sional defense committees a plan to establish  
6 the new numbered Air Force under subpara-  
7 graph (A).

8 (c) ESTABLISHMENT OF SUBORDINATE UNIFIED  
9 COMMAND.—

10 (1) IN GENERAL.—Chapter 6 of title 10, United  
11 States Code, is amended by adding at the end the  
12 following new section:

13 **“§ 169. Subordinate unified command of the United**  
14 **States Strategic Command**

15 “(a) ESTABLISHMENT.—With the advice and assist-  
16 ance of the Chairman of the Joint Chiefs of Staff, the  
17 President, through the Secretary of Defense, shall estab-  
18 lish under the United States Strategic Command a subor-  
19 dinate unified command to be known as the United States  
20 Space Command (in this section referred to as ‘space com-  
21 mand’) for carrying out joint space warfighting oper-  
22 ations.

23 “(b) ASSIGNMENT OF FORCES.—Unless otherwise di-  
24 rected by the Secretary of Defense, all active and reserve  
25 space warfighting operational forces of the armed forces

1 shall be assigned to the space command, including the  
2 numbered Air Force responsible for carrying out space  
3 warfighting operations.

4 “(c) COMMANDER.—(1) The commander of the space  
5 command shall hold the grade of general or, in the case  
6 of an officer of the Navy, admiral while serving in that  
7 position, without vacating the permanent grade of the offi-  
8 cer. The commander shall be appointed to that grade by  
9 the President, by and with the advice and consent of the  
10 Senate, for service in that position. The position shall be  
11 designated, pursuant to subsection (b) of section 526 of  
12 this title, as one of the general officer and flag officer posi-  
13 tions to be excluded from the limitations in subsection (a)  
14 of such section.

15 “(2) During the three-year period following the date  
16 on which the space command is established, the com-  
17 mander of the Air Force Space Command may also serve  
18 as the commander of the space command so established.  
19 After such period, one individual may not concurrently  
20 serve as both such commanders.

21 “(d) AUTHORITY OF COMMANDER.—(1) Subject to  
22 the authority, direction, and control of the commander of  
23 the United States Strategic Command, the commander of  
24 the space command shall be responsible for, and shall have

1 the authority to conduct, all affairs of such command re-  
2 lating to joint space warfighting operations.

3 “(2)(A) Subject to the authority, direction, and con-  
4 trol of the Deputy Secretary of Defense, the commander  
5 of the space command shall be responsible for, and shall  
6 have the authority to conduct, the following functions re-  
7 lating to joint space warfighting operations (whether or  
8 not relating to the space command):

9 “(i) Developing strategy, doctrine, and tactics.

10 “(ii) Preparing and submitting to the Secretary  
11 of Defense program recommendations and budget  
12 proposals for space operations forces and for other  
13 forces assigned to the space command.

14 “(iii) Exercising authority, direction, and con-  
15 trol over the expenditure of funds for forces assigned  
16 directly to the space command.

17 “(iv) Training and certification of assigned  
18 joint forces.

19 “(v) Conducting specialized courses of instruc-  
20 tion for commissioned and noncommissioned officers.

21 “(vi) Validating requirements.

22 “(vii) Establishing priorities for requirements.

23 “(viii) Ensuring the interoperability of equip-  
24 ment and forces.

1           “(ix) Formulating and submitting requirements  
2           for intelligence support.

3           “(x) Monitoring the promotion of space oper-  
4           ation forces and coordinating with the military de-  
5           partments regarding the assignment, retention,  
6           training, professional military education, and special  
7           and incentive pays of space operation forces.

8           “(B) The authority, direction, and control exercised  
9           by the Deputy Secretary of Defense for purposes of this  
10          paragraph is authority, direction, and control with respect  
11          to the administration and support of the space command,  
12          including readiness and organization of space operations  
13          forces, space operations-peculiar equipment and resources,  
14          and civilian personnel.

15          “(C) Nothing in this paragraph shall be construed as  
16          providing the Deputy Secretary of Defense authority, di-  
17          rection, and control of operational matters that are subject  
18          to the operational chain of command of the combatant  
19          commands or the exercise of authority, direction, and con-  
20          trol of personnel, resources, equipment, and other matters  
21          that are not space-operations peculiar and that are in the  
22          purview of the armed forces.

23          “(3) The commander of the space command shall be  
24          responsible for—

1           “(A) ensuring the combat readiness of forces  
2 assigned to the space command; and

3           “(B) monitoring the preparedness to carry out  
4 assigned missions of space forces assigned to unified  
5 combatant commands other than the United States  
6 Strategic Command.

7           “(4) The staff of the commander shall include an in-  
8 spector general who shall conduct internal audits and in-  
9 spections of purchasing and contracting actions through  
10 the space command and such other inspector general func-  
11 tions as may be assigned.

12           “(e) INTELLIGENCE AND SPECIAL ACTIVITIES.—This  
13 section does not constitute authority to conduct any activ-  
14 ity which, if carried out as an intelligence activity by the  
15 Department of Defense, would require a notice to the Se-  
16 lect Committee on Intelligence of the Senate and the Per-  
17 manent Select Committee on Intelligence of the House of  
18 Representatives under title V of the National Security Act  
19 of 1947 (50 U.S.C. 3091 et seq.).”.

20           (2) CLERICAL AMENDMENT.—The table of sec-  
21 tions at the beginning of such chapter is amended  
22 by inserting after the item relating to section 167b  
23 the following new item:

“169. Subordinate unified command of the United States Strategic Command”.

24           (3) BRIEFING.—The Secretary of the Air Force  
25 shall provide the Committees on Armed Services of

1 the House of Representatives and the Senate a brief-  
2 ing on the need to develop additional recruitment  
3 measures or Reserve Officer Training Corps pro-  
4 grams relating to space career fields.

5 **SEC. 1602. RAPID, RESPONSIVE, AND RELIABLE SPACE**  
6 **LAUNCH.**

7 (a) ASSURED ACCESS TO SPACE.—Section 2273 of  
8 title 10, United States Code, is amended—

9 (1) in subsection (b)—

10 (A) in paragraph (1), by striking “; and”;

11 (B) in paragraph (2), by striking the pe-  
12 riod at the end and inserting “; and”; and

13 (C) by adding at the end the following new  
14 paragraph:

15 “(3) the availability of rapid, responsive, and  
16 reliable space launches for national security space  
17 programs to—

18 “(A) improve the responsiveness and flexi-  
19 bility of a national security space system;

20 “(B) lower the costs of launching a na-  
21 tional security space system; and

22 “(C) maintain risks of mission success at  
23 acceptably low levels.”; and

1           (2) in subsection (c), by inserting before the pe-  
2           riod at the end the following: “and the Director of  
3           National Intelligence”.

4           (b) REUSABILITY OF LAUNCH VEHICLES.—

5           (1) DESIGNATION.—Effective March 1, 2019,  
6           the Evolved Expendable Launch Vehicle program of  
7           the Department of Defense shall be known as the  
8           “National Security Space Launch program”. Any  
9           reference in Federal law, regulations, guidance, in-  
10          structions, or other documents of the Federal Gov-  
11          ernment to the Evolved Expendable Launch Vehicle  
12          program shall be deemed to be a reference to the  
13          National Security Space Launch program.

14          (2) REQUIREMENT.—In carrying out the Na-  
15          tional Security Space Launch program, the Sec-  
16          retary of Defense shall provide for consideration of  
17          both reusable and expendable launch vehicles with  
18          respect to any solicitation occurring on or after  
19          March 1, 2019, for which the use of a reusable  
20          launch vehicle is technically capable and maintains  
21          risk at acceptable levels.

22          (3) NOTIFICATION OF SOLICITATIONS FOR NON-  
23          REUSABLE LAUNCH VEHICLES.—Beginning March 1,  
24          2019, if the Secretary proposes to issue a solicita-  
25          tion for a contract for space launch services for



1       which the use of reusable launch vehicles is not eligi-  
2       ble for the award of the contract, the Secretary shall  
3       notify in writing the appropriate congressional com-  
4       mittees of such proposed solicitation, including jus-  
5       tifications for such ineligibility, by not later than 60  
6       days before issuing such solicitation.

7       (c) RISK AND COST IMPACT ANALYSIS.—

8             (1) IN GENERAL.—The Secretary shall conduct  
9       a risk and cost impact analysis with respect to  
10      launch services that use reusable launch vehicles.

11     Such analysis shall include—

12             (A) an assessment of how the inspection  
13      and certification regime of the Air Force for  
14      previously flown launch vehicles will ensure in-  
15      creased responsiveness and operational flexi-  
16      bility while maintaining acceptably low risk; and

17             (B) an assessment of the anticipated cost  
18      savings to the Department of Defense realized  
19      by using a previously flown launch vehicle or  
20      components.

21             (2) SUBMISSION.—Not later than 180 days  
22      after the date of the enactment of this Act, the Sec-  
23      retary shall submit to the appropriate congressional  
24      committees the analysis conducted under paragraph  
25      (1).

1 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
2 DEFINED.—In this section, the term “appropriate con-  
3 gressional committees” means the following:

4 (1) The congressional defense committees.

5 (2) The Permanent Select Committee on Intel-  
6 ligence of the House of Representatives and the Se-  
7 lect Committee on Intelligence of the Senate.

8 **SEC. 1603. PROVISION OF SPACE SITUATIONAL AWARENESS**  
9 **SERVICES AND INFORMATION.**

10 (a) ROLE OF DEPARTMENT OF DEFENSE.—Section  
11 2274(a) of title 10, United States Code, is amended—

12 (1) by striking “The Secretary of Defense may”  
13 and inserting “(1) Except as provided by paragraph  
14 (2), the Secretary of Defense may”; and

15 (2) by adding at the end the following new  
16 paragraph:

17 “(2) Beginning January 1, 2024, the Secretary may  
18 provide space situational awareness services and informa-  
19 tion to, and may obtain space situational awareness data  
20 and information from, non-United States Government en-  
21 tities under paragraph (1) only to the extent that the Sec-  
22 retary determines such actions are necessary to meet the  
23 national security interests of the United States.”.

24 (b) INDEPENDENT ASSESSMENT.—

1           (1) FFRDC.—Not later than 30 days after the  
2           date of the enactment of this Act, the Secretary of  
3           Defense shall seek to enter into a contract with a  
4           federally funded research and development center for  
5           which the Department of Defense is a sponsor to as-  
6           sess which single or combination of departments or  
7           agencies of the Federal Government, if any, should  
8           assume the authorities of the Secretary of Defense  
9           under paragraph (1) of section 2274(a) of title 10,  
10          United States Code, that the Secretary will no  
11          longer carry out beginning on January 1, 2024, pur-  
12          suant to paragraph (2) of such section, as added by  
13          subsection (a) of this section.

14          (2) CONSIDERATIONS.—The assessment under  
15          paragraph (1) shall consider the following:

16                 (A) The existing staff, budgetary re-  
17                 sources, and institutional expertise of the de-  
18                 partments and agencies of the Federal Govern-  
19                 ment evaluated by the assessment.

20                 (B) The demonstrated ability of such de-  
21                 partments and agencies to work collaboratively  
22                 with industry in developing best practices or  
23                 consensus standards.

1           (C) The capacity of such departments and  
2 agencies to facilitate communication between  
3 space object operators to avoid a collision.

4           (D) The ability of such departments and  
5 agencies to use other transaction agreements or  
6 similar transaction mechanisms.

7           (E) Existing non-profit organizations  
8 through which such departments and agencies  
9 may oversee the private provision of space situ-  
10 ational awareness services and information.

11       (3) SUBMISSION.—

12           (A) DOD.—Not later than 180 days after  
13 the date on which the Secretary and a federally  
14 funded research and development center enter  
15 into the contract under paragraph (1), the cen-  
16 ter shall submit to the Secretary a report on  
17 the assessment conducted under such para-  
18 graph.

19           (B) CONGRESS.—Not later than 10 days  
20 after the date on which the Secretary receives  
21 the report under subparagraph (A), the Sec-  
22 retary shall submit to the appropriate congres-  
23 sional committees such report, without change.

24       (c) PLAN.—

1           (1) DEVELOPMENT.—The Secretary of Defense,  
2           in coordination with the heads of other departments  
3           or agencies of the Federal Government determined  
4           appropriate by the Secretary, shall develop a plan to  
5           ensure that one or more departments or agencies of  
6           the Federal Government other than the Department  
7           of Defense may provide space situational awareness  
8           services and information to non-United States Gov-  
9           ernment entities.

10           (2) CONSIDERATION.—In developing the plan  
11           under paragraph (1), the Secretary shall take into  
12           consideration the assessment conducted under sub-  
13           section (b)(1).

14           (3) SUBMISSION.—Not later than 180 days  
15           after the date on which the Secretary submits the  
16           report under subsection (b)(3), the Secretary shall  
17           submit to the appropriate congressional committees  
18           the plan developed under paragraph (1).

19           (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
20           DEFINED.—In this section, the term “appropriate con-  
21           gressional committees” means the following:

22           (1) The congressional defense committees.

23           (2) The Committee on Science, Space, and  
24           Technology, the Committee on Transportation and  
25           Infrastructure, the Committee on Energy and Com-

1 merce, the Committee on Foreign Affairs, and the  
2 Permanent Select Committee on Intelligence of the  
3 House of Representatives.

4 (3) The Committee on Commerce, Science, and  
5 Transportation, the Committee on Foreign Rela-  
6 tions, and the Select Committee on Intelligence of  
7 the Senate.

8 **SEC. 1604. BUDGET ASSESSMENTS FOR NATIONAL SECU-**  
9 **RITY SPACE PROGRAMS.**

10 Section 239(b)(1) of title 10, United States Code, is  
11 amended to read as follows:

12 “(1) Not later than 30 days after the date on which  
13 the President submits to Congress the budget for each of  
14 fiscal years 2017 through 2021, the Secretary of Defense  
15 shall submit to the congressional defense committees a re-  
16 port on the budget for national security space programs  
17 of the Department of Defense. The Secretary may include  
18 the report in the defense budget materials if the Secretary  
19 submits such materials to Congress by such date.”.

20 **SEC. 1605. ENHANCEMENT OF POSITIONING, NAVIGATION,**  
21 **AND TIMING CAPACITY.**

22 (a) CAPABILITY FOR TRUSTED SIGNALS.—The Sec-  
23 retary of the Air Force shall ensure that military Global  
24 Positioning System user equipment terminals have the ca-  
25 pability, including with appropriate mitigation efforts, to

1 receive trusted signals from the Galileo satellites of the  
2 European Union and the QZSS satellites of Japan, begin-  
3 ning with increment 2 of the acquisition of such terminals.

4 (b) CAPABILITY FOR OTHER SIGNALS.—The Sec-  
5 retary of the Air Force shall ensure that military Global  
6 Positioning System user equipment terminals having the  
7 capability to receive non-allied positioning, navigation, and  
8 timing signals, beginning with increment 2 of the acquisi-  
9 tion of such terminals, if the Secretary of Defense, in con-  
10 sultation with the Commander of the United States Stra-  
11 tegic Command, determines that—

12 (1) the benefits of receiving such signals out-  
13 weigh the risks; or

14 (2) such risks can be appropriately mitigated.

15 (c) ENGAGEMENT.—The Secretary of Defense, jointly  
16 with the Secretary of State, shall engage with relevant al-  
17 lies of the United States to—

18 (1) enable military Global Positioning System  
19 user equipment terminals to receive the positioning,  
20 navigation, and timing signals of such allies; and

21 (2) negotiate as appropriate other potential  
22 agreements relating to the enhancement of posi-  
23 tioning, navigation, and timing.

1 **SEC. 1606. USE OF SMALL- AND MEDIUM-SIZE BUSES FOR**  
2 **STRATEGIC AND TACTICAL SATELLITE PAY-**  
3 **LOADS.**

4 (a) BRIEFING ON RISKS, BENEFITS, AND COST SAV-  
5 INGS.—

6 (1) BRIEFING.—Not later than 180 days after  
7 the date of the enactment of this Act, the Secretary  
8 of Defense, in coordination with the Director of Na-  
9 tional Intelligence, shall provide to the Committees  
10 on Armed Services of the House of Representatives  
11 and the Senate, and to any other appropriate con-  
12 gressional committee upon request, a briefing on the  
13 risks, benefits, and cost savings with respect to  
14 using small- and medium-size buses for strategic and  
15 tactical satellite payloads for protected satellite com-  
16 munications programs and next-generation overhead  
17 persistent infrared systems.

18 (2) MATTERS INCLUDED.—The briefing pro-  
19 vided under paragraph (1) shall address the fol-  
20 lowing:

21 (A) Increasing component and subcompo-  
22 nent commonality for power regulation, solar  
23 arrays, battery technology, thermal control, and  
24 avionics.



1           (B) The security of the supply chain, in-  
2           cluding a strategy to mitigate risk in such sup-  
3           ply chain.

4           (b) ANALYSES OF ALTERNATIVES.—

5           (1) CERTIFICATIONS.—With respect to each  
6           analysis of alternatives of new space vehicles relating  
7           to a program described in paragraph (2), the Direc-  
8           tor for Cost Assessment and Program Evaluation  
9           shall certify to the appropriate congressional com-  
10          mittees that the analysis—

11           (A) includes materiel solutions for using  
12           small- and medium-size buses; and

13           (B) considers the relevant operational  
14           benefits and potential cost savings of using  
15           small-, medium-, and large-size buses.

16          (2) PROGRAMS DESCRIBED.—The programs de-  
17          scribed in this paragraph are the programs of the  
18          Department of Defense relating to any of the fol-  
19          lowing:

20           (A) Protected satellite communications.

21           (B) Next-generation overhead persistent  
22           infrared systems.

23           (C) Space-based environmental monitoring.

24          (c) BRIEFING ON ALTERNATIVE SPACE-BASED AR-  
25          CHITECTURES.—Not later than 240 days after the date

1 of the enactment of this Act, the Secretary of Defense,  
2 the Secretary of the Air Force, and the Chairman of the  
3 Joint Chiefs of Staff shall jointly provide to the Commit-  
4 tees on Armed Services of the House of Representatives  
5 and the Senate, and to any other appropriate congres-  
6 sional committee upon request, a briefing on alternative  
7 space-based architectures for the programs described in  
8 subsection (b)(2) using small-, medium-, and large-size  
9 buses.

10 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
11 DEFINED.—In this section, the term “appropriate con-  
12 gressional committees” means the following:

13 (1) The congressional defense committees.

14 (2) The Permanent Select Committee on Intel-  
15 ligence of the House of Representatives and the Se-  
16 lect Committee on Intelligence of the Senate.

17 **SEC. 1607. DESIGNATION OF COMPONENT OF DEPARTMENT**  
18 **OF DEFENSE RESPONSIBLE FOR COORDINA-**  
19 **TION OF MODERNIZATION EFFORTS RELAT-**  
20 **ING TO MILITARY-CODE CAPABLE GPS RE-**  
21 **CEIVER CARDS.**

22 (a) DESIGNATION.—Not later than 30 days after the  
23 date of the enactment of this Act, the Secretary of De-  
24 fense, in coordination with the Secretaries of the military  
25 departments and the heads of Defense Agencies the Sec-

1 retary determines appropriate, shall designate a compo-  
2 nent of the Office of the Secretary of Defense to be re-  
3 sponsible for coordinating common solutions for the M-  
4 code modernization efforts among the military depart-  
5 ments, Defense Agencies, and other appropriate elements  
6 of the Department of Defense.

7 (b) ROLES AND RESPONSIBILITIES.—The roles and  
8 responsibilities of the component selected under subsection  
9 (a) shall include the following:

10 (1) Identify the elements of the Department of  
11 Defense and the programs of the Department that  
12 require M-code capable receiver cards and deter-  
13 mine—

14 (A) the number of total receiver cards re-  
15 quired by the Department, including the num-  
16 ber required for each such element and pro-  
17 gram and the military departments;

18 (B) the timeline, by fiscal year, for each  
19 program of the Department conducting M-code  
20 modernization efforts; and

21 (C) the projected cost for each such pro-  
22 gram.

23 (2) Systematically collect integration test data,  
24 lessons learned, and design solutions, and share such  
25 information with other elements of the Department.

1           (3) Identify ways the Department can prevent  
2           duplication in conducting M-code modernization ef-  
3           forts, and identify, to the extent practicable, poten-  
4           tial cost savings that could be realized by addressing  
5           such duplication.

6           (4) Coordinate the integration, testing, and pro-  
7           curement of M-code capable receiver cards to ensure  
8           that the Department maximizes the buying power of  
9           the Department, reduces duplication, and saves re-  
10          sources, where possible.

11          (c) SUPPORT.—The Secretary of Defense shall ensure  
12          the military departments, the Defense Agencies, and other  
13          elements of the Department of Defense provide the compo-  
14          nent selected under subsection (a) with the appropriate  
15          support and resources needed to perform the roles and re-  
16          sponsibilities under subsection (b).

17          (d) REPORTS.—Not later than March 15, 2019, and  
18          annually thereafter through 2021, the Secretary of De-  
19          fense shall provide to the congressional defense commit-  
20          tees a report on M-code modernization efforts. Each re-  
21          port shall include, with respect to the period covered by  
22          the report, the following:

23                  (1) The projected cost and schedule, by fiscal  
24                  year, for the Department to acquire M-code capable  
25                  receiver cards.

1           (2) The programs of the Department con-  
2           ducting M-code modernization efforts.

3           (3) The number of M-code capable receiver  
4           cards procured by the Department, the number of  
5           such receiver cards yet to be procured, and the per-  
6           centage of the M-code modernization efforts com-  
7           pleted by each program identified under paragraph  
8           (2).

9           (e) DEFINITIONS.—In this section:

10           (1) The term “M-code capable receiver card”  
11           means a Global Positioning System receiver card  
12           that is capable of receiving military code that pro-  
13           vides enhanced positioning, navigation, and timing  
14           capabilities and improved resistance to existing and  
15           emerging threats, such as jamming.

16           (2) The term “M-code modernization efforts”  
17           means the development, integration, testing, and  
18           procurement programs of the Department of De-  
19           fense relating to developing M-code capable receiver  
20           cards.

21 **SEC. 1608. DESIGNATION OF COMPONENT OF DEPARTMENT**  
22 **OF DEFENSE RESPONSIBLE FOR COORDINA-**  
23 **TION OF HOSTED PAYLOAD INFORMATION.**

24           (a) FINDINGS.—Congress finds the following:

1           (1) Using commercially hosted payloads is an  
2           option for the Department of Defense that should be  
3           considered in analyses of alternatives, as it could in-  
4           crease cost savings, speed up capability to orbit, and  
5           contribute to resilience through the use of  
6           disaggregated space systems by the Department.

7           (2) The use by the Department of commercially  
8           hosted payloads has been limited so far, using com-  
9           mercial satellites to host three experimental payloads  
10          to date, though the use of hosted payloads could ex-  
11          pand in the future.

12          (3) The Department does not have the knowl-  
13          edge the Department needs to determine if commer-  
14          cially hosted payloads are an acquisition approach  
15          worth pursuing.

16          (4) The Department faces challenges in match-  
17          ing payloads to commercial hosts, due to numerous  
18          logistical challenges to matching payloads to hosts,  
19          including coordinating the size, weight and power of  
20          the payload with the commercial host, and aligning  
21          acquisition and funding timelines between govern-  
22          ment and commercial programs.

23          (5) The Comptroller General of the United  
24          States in preliminary findings concluded that the  
25          space acquisition culture of the Department lacks

1 sufficient knowledge, such as costs, technical param-  
2 eters, and lessons learned, to determine the benefits  
3 and address the challenges of using commercially  
4 hosted payloads and that the existing knowledge is  
5 fragmented across the Department without any  
6 plans to consolidate it.

7 (6) Programs are not required to report data  
8 on commercially hosted payloads to any centralized  
9 office or database, and leveraging cost and technical  
10 data from hosted payload efforts could inform future  
11 interested programs and avoid duplication of efforts,  
12 but currently no such comprehensive data source ex-  
13 ists.

14 (b) DESIGNATION.—Not later than 30 days after the  
15 date of the enactment of this Act, the Secretary of De-  
16 fense, in coordination with the Secretary of the Air Force,  
17 and other Secretaries of the military departments and the  
18 heads of Defense Agencies the Secretary determines ap-  
19 propriate, shall designate a component of the Department  
20 of Defense or a military department to be responsible for  
21 coordinating information, processes, and lessons learned  
22 relating to using commercially hosted payloads across the  
23 military departments, Defense Agencies, and other appro-  
24 priate elements of the Department of Defense. The func-

1 tions of such designated component shall include, at a  
2 minimum, the following:

3           (1) Systematically collecting information from  
4 past and planned hosted payload arrangements to  
5 inform future acquisition planning and space system  
6 architecture design, including integration test data,  
7 lessons learned, and design solutions.

8           (2) Creating a centralized database for cost,  
9 technical data, and lessons learned on commercially  
10 hosted payloads and sharing such information with  
11 other elements of the Department.

12 **SEC. 1609. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
13 **JOINT SPACE OPERATIONS CENTER MISSION**  
14 **SYSTEM.**

15           (a) JMS.—None of the funds authorized to be appro-  
16 priated by this Act or otherwise made available for fiscal  
17 year 2019 for the Joint Space Operations Center mission  
18 system may be obligated or expended until the date on  
19 which the Deputy Secretary of Defense makes the certifi-  
20 cation under subsection (c).

21           (b) ESBMC2.—Of the funds authorized to be appro-  
22 priated by this Act or otherwise made available for fiscal  
23 year 2019 for service and management applications of the  
24 enterprise space battle management command and con-  
25 trol, not more than 75 percent may be obligated or ex-



1 pended until the date on which the Deputy Secretary of  
2 Defense makes the certification under subsection (c).

3 (c) CERTIFICATION.—The Deputy Secretary of De-  
4 fense, without delegation, shall certify to the congressional  
5 defense committees that the Secretary of the Air Force  
6 has entered into a contract to operationalize existing,  
7 proven, best-in-breed commercial space situational aware-  
8 ness processing software to address warfighter require-  
9 ments and fill gaps in current space situational capabili-  
10 ties.

11 **SEC. 1610. EVALUATION AND ENHANCED SECURITY OF SUP-**  
12 **PLY CHAIN FOR PROTECTED SATELLITE**  
13 **COMMUNICATIONS PROGRAMS AND OVER-**  
14 **HEAD PERSISTENT INFRARED SYSTEMS.**

15 (a) EVALUATIONS OF SUPPLY CHAIN  
16 VULNERABILITIES.—

17 (1) IN GENERAL.—Not later than December 31,  
18 2020, and in accordance with the plan under para-  
19 graph (2)(A), the Secretary of Defense, in coordina-  
20 tion with the Director of National Intelligence, shall  
21 conduct evaluations of the supply chain  
22 vulnerabilities of each covered program.

23 (2) PLAN.—

24 (A) DEVELOPMENT.—The Secretary shall  
25 develop a plan to carry out the evaluations

1 under paragraph (1), including with respect to  
2 the personnel and resources required to carry  
3 out such evaluations.

4 (B) BRIEFING.—Not later than 180 days  
5 after the date of the enactment of this Act, the  
6 Secretary shall provide to the Committees on  
7 Armed Services of the House of Representatives  
8 and the Senate, and to any other appropriate  
9 congressional committee upon request, a brief-  
10 ing on the plan under subparagraph (A).

11 (3) WAIVER.—The Secretary may waive, on a  
12 case-by-case basis with respect to a covered pro-  
13 gram, either the requirement to conduct an evalua-  
14 tion under paragraph (1) or the deadline specified in  
15 such paragraph if the Secretary certifies to the con-  
16 gressional defense committees before such date that  
17 all known supply chain vulnerabilities of such cov-  
18 ered program have minimal consequences for the ca-  
19 pability of such covered program to meet operational  
20 requirements or otherwise satisfy mission require-  
21 ments.

22 (4) RISK MITIGATION STRATEGIES.—In car-  
23 rying out an evaluation under paragraph (1), the  
24 Secretary shall develop—

1 (A) strategies for mitigating the risks of  
2 supply chain vulnerabilities identified in the  
3 course of such evaluation; and

4 (B) cost estimates for such strategies.

5 (b) PRIORITIZATION OF CERTAIN SUPPLY CHAIN  
6 RISK MANAGEMENT EFFORTS.—

7 (1) INSTRUCTIONS.—Not later than 180 days  
8 after the date of the enactment of this Act, the Sec-  
9 retary shall issue a Department of Defense Instruc-  
10 tion, or update such an Instruction, establishing the  
11 prioritization of supply chain risk management pro-  
12 grams, including supply chain risk management  
13 threat assessment reporting, to ensure that acquisi-  
14 tion and sustainment programs relating to covered  
15 programs receive the highest priority of such supply  
16 chain risk management programs and reporting.

17 (2) REQUIREMENTS.—

18 (A) ESTABLISHMENT.—The Secretary  
19 shall establish requirements to carry out supply  
20 chain risk management threat assessment col-  
21 lections and analyses under acquisition and  
22 sustainment programs relating to covered pro-  
23 grams.

24 (B) BRIEFING.—Not later than 120 days  
25 after the date of the enactment of this Act, the

1 Secretary shall provide to the Committees on  
2 Armed Services of the House of Representatives  
3 and the Senate, and to any other appropriate  
4 congressional committee upon request, a brief-  
5 ing on the requirements established under sub-  
6 paragraph (A).

7 (c) DEFINITIONS.—In this section:

8 (1) The term “appropriate congressional com-  
9 mittees” means the following:

10 (A) The congressional defense committees.

11 (B) The Permanent Select Committee on  
12 Intelligence of the House of Representatives  
13 and the Select Committee on Intelligence of the  
14 Senate.

15 (2) The term “covered programs” means pro-  
16 grams of the Department of Defense relating to any  
17 of the following:

18 (A) Protected satellite communications.

19 (B) Next-generation overhead persistent  
20 infrared systems.

21 **SEC. 1611. REPORT ON PROTECTED SATELLITE COMMU-**  
22 **NICATIONS.**

23 Not later than December 31, 2018, the Secretary of  
24 Defense shall submit to the congressional defense commit-  
25 tees a report on how each of the following programs will

1 meet the requirements for resilience, mission assurance,  
2 and the nuclear command, control, and communication  
3 missions of the Department of Defense:

4 (1) The evolved strategic satellite program.

5 (2) The protected tactical service program.

6 (3) The protected tactical enterprise service  
7 program.

8 **SEC. 1612. PLAN ON SPACE WARFIGHTING READINESS.**

9 (a) IN GENERAL.—Not later than 60 days after the  
10 date of the enactment of this Act, the Secretary of Defense  
11 shall develop, and commence the implementation of, a plan  
12 that—

13 (1) identifies joint mission-essential tasks for  
14 space as a warfighting domain;

15 (2) identifies any additional authorities, or dele-  
16 gated authorities, that would need to accompany the  
17 employment of forces to meet such mission-essential  
18 tasks;

19 (3) meets the readiness requirements for space  
20 warfighting, including with respect to equipment,  
21 training, and personnel, to meet such mission-essen-  
22 tial tasks; and

23 (4) considers the contributions by allies and  
24 partners of the United States with respect to defense

1 space capabilities to increase burden sharing across  
2 space systems, as appropriate.

3 (b) BRIEFING.—Not later than 60 days after the date  
4 of the enactment of this Act, the Secretary shall provide  
5 to the Committees on Armed Services of the House of  
6 Representatives and the Senate, and to any other congres-  
7 sional defense committee upon request, a briefing describ-  
8 ing the authorities identified under subsection (a)(2) that  
9 the Secretary determines require legislative action.

10 **SEC. 1613. STUDY ON SPACE-BASED RADIO FREQUENCY**  
11 **MAPPING.**

12 (a) STUDY.—The Secretary of Defense and the Di-  
13 rector of National Intelligence shall jointly conduct a  
14 study on the capabilities of the private sector with respect  
15 to space-based radio frequency mapping and associated  
16 operations and services for space-based electromagnetic  
17 collections. Such study shall address the following:

18 (1) The near-term commercial market offerings  
19 of such operations and services in the United States  
20 and outside the United States.

21 (2) The potential benefits to the United States  
22 provided by such operations and services.

23 (3) The potential risks to the United States  
24 posed by such operations and services.

1           (4) The sufficiency of existing legal authorities  
2           available to the Secretary and the Director to ad-  
3           dress such potential risks.

4           (b) REPORT.—Not later than 90 days after the date  
5           of the enactment of this Act, the Secretary and the Direc-  
6           tor shall jointly submit to the congressional defense com-  
7           mittees, the Permanent Select Committee on Intelligence  
8           of the House of Representatives, and the Select Committee  
9           on Intelligence of the Senate a report containing the study  
10          under subsection (a).

11 **SEC. 1614. PLAN TO PROVIDE PERSISTENT WEATHER IM-**  
12 **AGERY FOR UNITED STATES CENTRAL COM-**  
13 **MAND.**

14          (a) PLAN.—The Secretary of the Air Force shall de-  
15          velop a plan to provide the United States Central Com-  
16          mand with persistent weather imagery for the area of op-  
17          erations of the Command beginning not later than Janu-  
18          ary 1, 2026.

19          (b) MATTERS INCLUDED.—The plan developed under  
20          subsection (a) shall include the following:

21               (1) A long-term method for providing the  
22               United States Central Command with persistent  
23               weather imagery for the area of operations of the  
24               Command that—

1 (A) does not rely on data provided by a  
2 foreign government; and

3 (B) does not include relocating legacy geo-  
4 stationary operational environmental satellites.

5 (2) A description of the costs required to carry  
6 out the plan.

7 (c) SUBMISSION.—Not later than March 1, 2019, the  
8 Secretary shall submit to the congressional defense com-  
9 mittees the plan developed under subsection (a).

10 **SEC. 1615. INDEPENDENT STUDY ON SPACE LAUNCH LOCA-**  
11 **TIONS.**

12 (a) INDEPENDENT STUDY.—Not later than 30 days  
13 after the date of the enactment of this Act, the Secretary  
14 of Defense shall seek to enter into a contract with a feder-  
15 ally funded research and development center to conduct  
16 a study on space launch locations, including with respect  
17 to the development and capacity of existing and new loca-  
18 tions, and the vulnerabilities of the use of existing coastal  
19 locations and new locations. The study shall, at a min-  
20 imum—

21 (1) identify how additional locations affect the  
22 capability of the Department of Defense to rapidly  
23 reconstitute and improve resilience for defense sat-  
24 ellite system launches;



1           (2) identify the capacities and vulnerabilities of  
2           current and new space launch locations, in light of  
3           the rapid increase in using commercial space services  
4           to support national security space missions and mili-  
5           tary requirements;

6           (3) identify partnerships within State govern-  
7           ment-owned and -operated spaceports that should be  
8           developed to increase launch capacities and enhance  
9           the space resiliency of the United States;

10          (4) provide recommendations on strategic place-  
11          ment for future space launch sites to mitigate  
12          vulnerabilities presented by coastal launch sites; and

13          (5) identify costs associated with additional lo-  
14          cations and whether such costs should be borne by  
15          the Department of Defense, State governments, or  
16          private entities.

17          (b) SELECTION.—The Secretary may not enter into  
18          the contract under subsection (a) with a federally funded  
19          research and development center for which the Air Force  
20          Space Command or the Launch Centers of the National  
21          Aeronautical and Space Administration is a sponsor.

22          (c) SUBMISSION TO DOD.—Not later than 240 days  
23          after the date of the enactment of this Act, the federally  
24          funded research and development center shall submit to

1 the Secretary a report containing the study conducted  
2 under subsection (a).

3 (d) SUBMISSION TO CONGRESS.—Not later than 270  
4 days after the date of the enactment of this Act, the Sec-  
5 retary shall submit to the appropriate congressional com-  
6 mittees the report under subsection (a), without change.

7 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
8 FINED.—In this section, the term “appropriate congres-  
9 sional committees” means the following:

10 (1) The congressional defense committees.

11 (2) The Committee on Science, Space, and  
12 Technology and the Committee on Transportation  
13 and Infrastructure of the House of Representatives.

14 (3) The Committee on Commerce, Science, and  
15 Transportation of the Senate.

16 **SEC. 1616. REPORT ON SPACE DEBRIS.**

17 (a) IN GENERAL.—Not later than 240 days after the  
18 date of the enactment of this Act, the Secretary of Defense  
19 shall submit to the appropriate congressional committees  
20 a report on the risks posed by man-made space debris in  
21 low-earth orbit, including—

22 (1) recommendations with respect to the reme-  
23 diation of such risks; and

24 (2) outlines of plans to reduce the incident of  
25 such space debris.

1 (b) APPROPRIATE CONGRESSIONAL COMMITTEES  
2 DEFINED.—In this section, the term “appropriate con-  
3 gressional committees” means—

4 (1) the Committee on Armed Services and the  
5 Committee on Science, Space, and Technology of the  
6 House of Representatives; and

7 (2) the Committee on Armed Services and Com-  
8 mittee on Commerce, Science, and Transportation of  
9 the Senate.

10 **SEC. 1617. BRIEFING ON COMMERCIAL SATELLITE SERV-**  
11 **ICING CAPABILITIES.**

12 (a) BRIEFING.—Not later than one year after the  
13 date of the enactment of this Act, the Secretary of De-  
14 fense, in consultation with the Director of National Intel-  
15 ligence, shall jointly provide the Committees on Armed  
16 Services of the House of Representatives and the Senate,  
17 and to any other appropriate congressional committee  
18 upon request, a briefing detailing the costs, risks, and  
19 operational benefits of leveraging commercial satellite  
20 servicing capabilities for national security satellite sys-  
21 tems.

22 (b) ELEMENTS.—The briefing under subsection (a)  
23 shall include the following:

24 (1) A prioritized list, with rationale, of oper-  
25 ational and planned assets of the Department of De-

1 fense that could be enhanced by satellite servicing  
2 missions.

3 (2) The costs, risks, and benefits of integrating  
4 satellite servicing capabilities as a part of oper-  
5 ational resilience.

6 (3) Potential strategies that could allow future  
7 national security space systems to leverage commer-  
8 cial in-orbit servicing capabilities where appropriate  
9 and feasible.

10 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
11 FINED.—In this section, the term “appropriate congres-  
12 sional committee” means—

13 (1) the congressional defense committees;

14 (2) the Committee on Science, Space, and  
15 Technology and the Permanent Select Committee on  
16 Intelligence of the House of Representatives; and

17 (3) the Committee on Commerce, Science, and  
18 Transportation and the Select Committee on Intel-  
19 ligence of the Senate.

20 **Subtitle B—Defense Intelligence**  
21 **and Intelligence-Related Activities**

22 **SEC. 1621. ROLE OF UNDER SECRETARY OF DEFENSE FOR**  
23 **INTELLIGENCE.**

24 Subsection (b) of section 137 of title 10, United  
25 States Code, is amended to read as follows:

1       “(b) Subject to the authority, direction, and control  
2 of the Secretary of Defense, the Under Secretary of De-  
3 fense for Intelligence shall—

4               “(1) have responsibility for the overall direction  
5 and supervision for policy, program planning and  
6 execution, and use of resources, for the activities of  
7 the Department of Defense that are part of the Mili-  
8 tary Intelligence Program;

9               “(2) execute the functions for the National In-  
10 telligence Program of the Department of Defense  
11 under section 105 of the National Security Act of  
12 1947 (50 U.S.C. 3038), as delegated by the Sec-  
13 retary of Defense;

14               “(3) have responsibility for the overall direction  
15 and supervision for policy, program planning and  
16 execution, and use of resources, for the information  
17 security, personnel security, physical security, and  
18 industrial security related activities of the Depart-  
19 ment of Defense; and

20               “(4) perform such duties and exercise such  
21 powers as the Secretary of Defense may prescribe in  
22 the area of intelligence.”.

1 **SEC. 1622. SECURITY CLEARANCE FOR DUAL NATIONALS.**

2 (a) IN GENERAL.—Chapter 80 of title 10, United  
3 States Code, is amended by inserting after section 1564a  
4 the following new section:

5 **“§ 1564b. Security clearance for dual nationals**

6 “(a) ADDITIONAL REVIEW.—(1) In the case of an in-  
7 dividual described in paragraph (3), the Secretary of De-  
8 fense shall develop a process to review foreign preference  
9 in accordance with the adjudicative guidelines under part  
10 147 of title 32, Code of Federal Regulations, or such suc-  
11 cessor regulation, before approving a security clearance for  
12 such individual.

13 “(2) The Secretary shall designate an official of the  
14 Department of Defense to be responsible for adjudicating  
15 any derogatory information of an individual described in  
16 paragraph (3) concerning foreign preference that is dis-  
17 covered after the security clearance of the individual is ap-  
18 proved.

19 “(3) An individual described in this paragraph is an  
20 individual who is—

21 “(A) a national of the United States (as such  
22 term is defined in section 101 of the Immigration  
23 and Nationality Act (8 U.S.C. 1101)) and also a na-  
24 tional of a foreign state; and

25 “(B) either—

1           “(i) a civilian employee or contractor who  
2           requires access to classified information; or

3           “(ii) a member of the armed forces who re-  
4           quires access to classified information.

5           “(b) WAIVER.—(1) In the case of an individual who  
6 is a national of the United States and also a national of  
7 a foreign state identified under paragraph (2), the Sec-  
8 retary may waive the requirement under subsection (a).

9           “(2) The Director of National Intelligence shall iden-  
10 tify foreign states that authorize citizens or nationals of  
11 the United States to serve in positions of trust equivalent  
12 to positions in the United States Government that require  
13 access to classified information.”.

14           (b) CLERICAL AMENDMENT.—The table of sections  
15 at the beginning of such chapter is amended by inserting  
16 after the item relating to section 1564a the following new  
17 item:

“1564b. Security clearance for dual nationals.”.

18           (c) BRIEFING.—

19           (1) IN GENERAL.—Not later than 180 days  
20 after the date of the enactment of this Act, the Sec-  
21 retary of Defense shall provide to the Committees on  
22 Armed Services of the House of Representatives and  
23 the Senate, and to any other appropriate congress-  
24 sional committee upon request, a briefing on—

1 (A) the process developed under paragraph  
2 (1) of section 1564b(a) of title 10, United  
3 States Code, as added by subsection (a); and

4 (B) the official designated under para-  
5 graph (2) of such section 1564b(a).

6 (2) APPROPRIATE CONGRESSIONAL COMMIT-  
7 TEES DEFINED.—In this subsection, the term “ap-  
8 propriate congressional committees” means the fol-  
9 lowing:

10 (A) The Committees on Armed Services of  
11 the House of Representatives and the Senate.

12 (B) The Permanent Select Committee on  
13 Intelligence of the House of Representatives  
14 and the Select Committee on Intelligence of the  
15 Senate.

16 **SEC. 1623. DEPARTMENT OF DEFENSE COUNTERINTEL-**  
17 **LIGENCE POLYGRAPH PROGRAM.**

18 (a) ADDITION OF DUAL-NATIONALS.—Subsection (b)  
19 of section 1564a of title 10, United States Code, is amend-  
20 ed to read as follows:

21 “(b) PERSONS COVERED.—Except as provided in  
22 subsection (d), the following persons are subject to this  
23 section:

24 “(1) With respect to persons whose duties are  
25 described in subsection (c)—



1           “(A) military and civilian personnel of the  
2 Department of Defense;

3           “(B) personnel of defense contractors;

4           “(C) persons assigned or detailed to the  
5 Department of Defense; and

6           “(D) applicants for a position in the De-  
7 partment of Defense.

8           “(2) A person who is—

9           “(A) a national of the United States (as  
10 such term is defined in section 101 of the Im-  
11 migration and Nationality Act (8 U.S.C. 1101))  
12 and also a national of a foreign state; and

13           “(B) either—

14           “(i) a civilian employee or contractor  
15 who requires access to classified informa-  
16 tion; or

17           “(ii) a member of the armed forces  
18 who requires access to classified informa-  
19 tion.”.

20           (b) STANDARDS FOR DUAL-NATIONALS.—Subsection  
21 (e)(2) of such section is amended by adding at the end  
22 the following new subparagraph:

23           “(D) With respect to persons described in sub-  
24 section (b)(2), to assist in assessing foreign pref-  
25 erence or foreign influence risks, as described in

1 part 147 of title 32, Code of Federal Regulation, or  
2 such successor regulations.”.

3 (c) CONFORMING AMENDMENTS.—Such section is  
4 further amended—

5 (1) in subsection (c), by striking “in subsection  
6 (b)” and inserting “in subsection (b)(1)”; and

7 (2) in subsection (e)(2)(A), by striking “in sub-  
8 sections (b)” and inserting “in subsections (b)(1)”.

9 **SEC. 1624. DEFENSE INTELLIGENCE BUSINESS MANAGE-  
10 MENT SYSTEMS.**

11 (a) STANDARDIZED BUSINESS PROCESS RULES.—

12 (1) DEVELOPMENT.—Not later than October 1,  
13 2020, the Chief Management Officer of the Depart-  
14 ment of Defense, in coordination with the Under  
15 Secretary of Defense (Comptroller) and the Under  
16 Secretary of Defense for Intelligence, shall develop  
17 and implement standardized business process rules  
18 for the planning, programming, budgeting, and exe-  
19 cution process for the Military Intelligence Program.

20 (2) TREATMENT OF DATA.—The Chief Manage-  
21 ment Officer shall develop the standardized business  
22 process rules under paragraph (1) in accordance  
23 with section 911 of the National Defense Authoriza-  
24 tion Act for Fiscal Year 2018 (Public Law 115–91;

1 131 Stat. 1519; 10 U.S.C. 2222 note) and section  
2 2222(e)(6) of title 10, United States Code.

3 (3) USE OF EXISTING SYSTEMS.—In developing  
4 the standardized business process rules under para-  
5 graph (1), to the extent practicable, the Chief Man-  
6 agement Officer shall use enterprise business sys-  
7 tems of the Department of Defense in existence as  
8 of the date of the enactment of this Act.

9 (4) REPORT.—Not later than March 1, 2019,  
10 the Chief Management Officer of the Department of  
11 Defense, the Under Secretary of Defense (Comp-  
12 troller), and the Under Secretary of Defense for In-  
13 telligence shall jointly submit to the appropriate con-  
14 gressional committees a report containing a plan to  
15 develop the standardized business process rules  
16 under paragraph (1).

17 (5) APPROPRIATE CONGRESSIONAL COMMIT-  
18 TEES.—In this subsection, the term “appropriate  
19 congressional committees” means the following:

20 (A) The congressional defense committees.

21 (B) The Permanent Select Committee on  
22 Intelligence of the House of Representatives  
23 and the Select Committee on Intelligence of the  
24 Senate.

25 (b) PROGRAM ELEMENTS.—

1           (1) IN GENERAL.—Chapter 9 of title 10, United  
2 States Code, is amended by adding at the end the  
3 following new section:

4 **“§ 239b. Certain intelligence-related programs: budg-**  
5 **et justification materials**

6           “(a) PROHIBITION ON USE OF PROGRAM ELE-  
7 MENTS.—In the budget justification materials submitted  
8 to Congress in support of the Department of Defense  
9 budget for fiscal year 2021 and each fiscal year thereafter  
10 (as submitted with the budget of the President under sec-  
11 tion 1105(a) of title 31), the Secretary of Defense may  
12 not include in any single program element both funds  
13 made available under the Military Intelligence Program  
14 and funds made available outside of the Military Intel-  
15 ligence Program.

16           “(b) DEFINITIONS.—In this section:

17           “(1) The term ‘budget’ has the meaning given  
18 that term in section 231(f) of this title.

19           “(2) The term ‘defense budget materials’ has  
20 the meaning given that term in section 231(f) of this  
21 title.”.

22           (2) CLERICAL AMENDMENT.—The table of sec-  
23 tions at the beginning of such chapter is amended  
24 by inserting after the item relating to section 239a  
25 the following new item:

“239b. Certain intelligence-related programs: budget justification materials”.

1 **SEC. 1625. MODIFICATION TO ANNUAL BRIEFING ON THE**  
2 **INTELLIGENCE, SURVEILLANCE, AND RECON-**  
3 **NAISSANCE REQUIREMENTS OF THE COM-**  
4 **BATANT COMMANDS.**

5 (a) IN GENERAL.—Section 1626 of the Carl Levin  
6 and Howard P. “Buck” McKeon National Defense Au-  
7 thorization Act for Fiscal Year 2015 (Public Law 113–  
8 291; 128 Stat. 3635), as amended by section 1624 of the  
9 National Defense Authorization Act for Fiscal Year 2018  
10 (Public Law 115–91; 131 Stat. 1732), is further amend-  
11 ed—

12 (1) in the matter preceding paragraph (1), by  
13 striking “2020” and inserting “2025”; and

14 (2) in paragraph (1)—

15 (A) in subparagraph (B), by striking “;  
16 and” and inserting a semicolon; and

17 (B) by adding at the end the following new  
18 subparagraph:

19 “(D) for the year preceding the year in which  
20 the briefing is provided—

21 “(i) the number of hours or amount of ca-  
22 pacity of intelligence, surveillance, and recon-  
23 naissance requested by each commander of a  
24 combatant command, by specific intelligence ca-  
25 pability type;

1           “(ii) the number of such requests identified  
2           under clause (i) that the Joint Chiefs of Staff  
3           determined to be a validated requirement, in-  
4           cluding the number of hours or amount of ca-  
5           pacity of such requests that were provided to  
6           each such commander; and

7           “(iii) with respect to such validated re-  
8           quirements, the number of hours or amount of  
9           capacity of intelligence, surveillance, and recon-  
10          naissance, by specific intelligence capability  
11          type, that the Joint Chiefs of Staff requested  
12          each military department to provide, and the  
13          number of such hours or the amount of such  
14          capacity so provided by each such military de-  
15          partment; and”.

16          (b) CODIFICATION.—Such section 1626, as amended  
17          by subsection (a), is—

18               (1) transferred to chapter 21 of title 10, United  
19          States Code; and

20               (2) redesignated as subsection (c) of section  
21          426 of such title.

1 **SEC. 1626. PROHIBITION ON THE AVAILABILITY OF FUNDS**  
2 **FOR DEPARTMENT OF DEFENSE ASSUMING**  
3 **BACKGROUND INVESTIGATION MISSION FOR**  
4 **THE FEDERAL GOVERNMENT.**

5 None of the funds authorized to be appropriated by  
6 this Act or otherwise made available for fiscal year 2019  
7 for the Department of Defense may be obligated or ex-  
8 pended during the period beginning on the date of the en-  
9 actment of this Act and ending on December 31, 2019,  
10 to transfer to the Department the background investiga-  
11 tion mission for all agencies or departments of the Federal  
12 Government using the National Background Investigation  
13 Bureau for investigative services as of April 1, 2018.

14 **Subtitle C—Cyberspace-Related**  
15 **Matters**

16 **SEC. 1631. AMENDMENTS TO PILOT PROGRAM REGARDING**  
17 **CYBER VULNERABILITIES OF DEPARTMENT**  
18 **OF DEFENSE CRITICAL INFRASTRUCTURE.**

19 Subsection (b) of section 1650 of the National De-  
20 fense Authorization Act for Fiscal Year 2017 (10 U.S.C.  
21 2224 note) is amended—

22 (1) in paragraph (1), in the matter preceding  
23 subparagraph (A), by inserting “and the Defense  
24 Digital Service” after “covered research laboratory”;

1           (2) in paragraph (4), in the matter preceding  
2           subparagraph (A), by striking “2019” and inserting  
3           “2020”; and

4           (3) in paragraph (5), by striking “2019” and  
5           inserting “2020”.

6 **SEC. 1632. BUDGET DISPLAY FOR CYBER VULNERABILITY**  
7                   **EVALUATIONS AND MITIGATION ACTIVITIES**  
8                   **FOR MAJOR WEAPON SYSTEMS OF THE DE-**  
9                   **PARTMENT OF DEFENSE.**

10           (a) BUDGET REQUIRED.—Beginning in fiscal year  
11 2021 and in each fiscal year thereafter, the Secretary of  
12 Defense shall submit to Congress, as a part of the docu-  
13 mentation that supports the President’s annual budget for  
14 the Department of Defense, a consolidated Cyber Vulner-  
15 ability Evaluation and Mitigation budget justification dis-  
16 play for each major weapons system of the Department  
17 of Defense that includes the following:

18           (1) CYBER VULNERABILITY EVALUATIONS.—

19                   (A) STATUS.—Whether, in accordance with  
20                   paragraph (1) of section 1647(a) of the Na-  
21                   tional Defense Authorization Act for Fiscal  
22                   Year 2016 (Public Law 114–92; 129 Stat.  
23                   1118), the cyber vulnerability evaluation for  
24                   each such major weapon system is pending, in



1 progress, complete, or, pursuant to paragraph  
2 (2) of such section, waived.

3 (B) FUNDING.—The funding required for  
4 the fiscal year with respect to which the budget  
5 is submitted and for at least the four suc-  
6 ceeding fiscal years required to complete the  
7 pending or in progress cyber vulnerability eval-  
8 uation of each such major weapon system.

9 (C) DESCRIPTION.—A description of the  
10 activities planned in the fiscal year with respect  
11 to which the budget is submitted and at least  
12 the four succeeding fiscal years to complete the  
13 required evaluation for each such major weapon  
14 system.

15 (D) RISK ANALYSIS.—A description of  
16 operational or security risks associated with  
17 cyber vulnerabilities identified as a result of  
18 such cyber vulnerability evaluations that require  
19 mitigation.

20 (2) MITIGATION ACTIVITIES.—

21 (A) STATUS.—Whether activities to ad-  
22 dress identified cyber vulnerabilities of such  
23 major weapon systems resulting in operational  
24 or security risks requiring mitigation are pend-  
25 ing, in progress, or complete.

1 (B) FUNDING.—The funding required for  
2 the fiscal year with respect to which the budget  
3 is submitted and for at least the four suc-  
4 ceeding fiscal years required to complete the  
5 pending or in progress mitigation activities re-  
6 ferred to in subparagraph (A) related to such  
7 major weapon systems.

8 (C) DESCRIPTION.—A description of the  
9 activities planned in the fiscal year with respect  
10 to which the budget is submitted and at least  
11 the four succeeding fiscal years to complete any  
12 necessary mitigation.

13 (b) FORM.—The display required under subsection  
14 (a) shall be submitted in an unclassified form, but may  
15 include a classified annex if necessary.

16 **SEC. 1633. TRANSFER OF RESPONSIBILITY FOR THE DE-**  
17 **PARTMENT OF DEFENSE INFORMATION NET-**  
18 **WORK TO UNITED STATES CYBER COMMAND.**

19 (a) IN GENERAL.—Not later than September 30,  
20 2019, the Secretary of Defense shall transfer all roles,  
21 missions, and responsibilities of the Commander, Joint  
22 Force Headquarters–Department of Defense Information  
23 Networks (JFHQ–DODIN) from the Defense Information  
24 Support Agency to the Commander, United States Cyber  
25 Command.

1 (b) CERTIFICATION REQUIRED.—Prior to the trans-  
2 fer required under subsection (a), the Secretary of De-  
3 fense shall certify in writing to the congressional defense  
4 committees that such transfer shall not result in mission  
5 degradation.

6 **SEC. 1634. PILOT PROGRAM AUTHORITY TO ENHANCE CY-**  
7 **BERSECURITY AND RESILIENCY OF CRITICAL**  
8 **INFRASTRUCTURE.**

9 (a) AUTHORITY.—The Secretary of Defense, in co-  
10 ordination with the Secretary of Homeland Security, is au-  
11 thorized to provide, detail, or assign technical personnel  
12 to the Department of Homeland Security on a non-reim-  
13 bursable basis to enhance cybersecurity cooperation, col-  
14 laboration, and unity of Government efforts.

15 (b) SCOPE OF ASSISTANCE.—The authority under  
16 subsection (a) shall be limited in any fiscal year to the  
17 provision of not more than 50 technical cybersecurity per-  
18 sonnel from the Department of Defense to the Depart-  
19 ment of Homeland Security, including the national cyber-  
20 security and communications integration center (NCCIC)  
21 of the Department, or other locations as agreed upon by  
22 the Secretary of Defense and the Secretary of Homeland  
23 Security.

24 (c) LIMITATION.—The authority under subsection (a)  
25 may not negatively impact the primary missions of the De-

1 partment of Defense or the Department of Homeland Se-  
2 curity.

3 (d) ESTABLISHMENT OF PROCEDURES.—

4 (1) IN GENERAL.—The Secretary of Defense  
5 and the Secretary of Homeland Security shall estab-  
6 lish procedures to carry out subsection (a), including  
7 procedures relating to the protection of and safe-  
8 guards for maintenance of information held by the  
9 NCCIC regarding United States persons.

10 (2) LIMITATION.—Nothing in this subsection  
11 may be construed as providing authority to the Sec-  
12 retary of Defense to establish procedures regarding  
13 the NCCIC with respect to any matter outside the  
14 scope of this section.

15 (e) NO EFFECT ON OTHER AUTHORITY TO PROVIDE  
16 SUPPORT.—Nothing in this section may be construed to  
17 limit the authority of an Executive department, military  
18 department, or independent establishment to provide any  
19 appropriate support, including cybersecurity support, or to  
20 provide, detail, or assign personnel, under any other law,  
21 rule, or regulation.

22 (f) DEFINITIONS.—In this section, each of the terms  
23 “Executive department”, “military department”, and  
24 “independent establishment”, has the meaning given each

1 of such terms, respectively, in chapter 1 of title 5, United  
2 States Code.

3 (g) TERMINATION OF AUTHORITY.—This section  
4 shall terminate on September 30, 2022.

5 **SEC. 1635. PILOT PROGRAM ON REGIONAL CYBER SECU-**  
6 **RITY TRAINING CENTER FOR THE ARMY NA-**  
7 **TIONAL GUARD.**

8 (a) PILOT PROGRAM.—The Secretary of the Army  
9 may carry out a pilot program under which the Secretary  
10 establishes a National Guard training center to provide  
11 collaborative interagency education and training for mem-  
12 bers of the Army National Guard.

13 (b) DURATION.—If the Secretary carries out the pilot  
14 program under subsection (a), the Secretary shall carry  
15 out the pilot program for a 2-year period.

16 (c) CENTER.—

17 (1) TRAINING AND COOPERATION.—In carrying  
18 out the pilot program under subsection (a), the Sec-  
19 retary shall ensure that the training center estab-  
20 lished under such subsection—

21 (A) educates and trains members of the  
22 Army National Guard quickly and efficiently by  
23 concurrently training cyber protection teams  
24 and cyber network defense teams on a common  
25 standard in order to defend—

1 (i) the information network of the De-  
2 partment of Defense in a State environ-  
3 ment;

4 (ii) while acting under title 10, United  
5 States Code, the information networks of  
6 State governments; and

7 (iii) critical infrastructure;

8 (B) fosters interagency cooperation by—

9 (i) co-locating members of the Army  
10 National Guard with personnel of depart-  
11 ments and agencies of the Federal Govern-  
12 ment and State governments; and

13 (ii) providing an environment to de-  
14 velop interagency relationship to coordinate  
15 responses and recovery efforts during and  
16 following a cyber attack;

17 (C) collaborates with academic institutions  
18 to develop and implement curriculum for inter-  
19 agency education and training within the class-  
20 room; and

21 (D) coordinates with the Persistent Cyber  
22 Training Environment of the Army Cyber Com-  
23 mand in devising and implementing interagency  
24 education and training using physical and infor-  
25 mation technology infrastructure.

1           (2) LOCATIONS.—If the Secretary carries out  
2 the pilot program under subsection (a), the Sec-  
3 retary shall select one National Guard facility at  
4 which to carry out the pilot program. The Secretary  
5 shall select a facility that is located in an area that  
6 meets the following criteria:

7           (A) The location has a need for cyber  
8 training, as measured by both the number of  
9 members of the Army National Guard that  
10 would apply for such training and the number  
11 of units of the Army National Guard that verify  
12 the unit would apply for such training.

13           (B) The location has high capacity infor-  
14 mation and telecommunications infrastructure,  
15 including high speed fiber optic networks.

16           (C) The location has personnel, technology,  
17 laboratories, and facilities to support proposed  
18 activities and has the opportunity for ongoing  
19 training, education, and research.

20           (d) ACTIVITIES.—If the Secretary carries out the  
21 pilot program under subsection (a), the Secretary shall en-  
22 sure that the pilot program includes the following activi-  
23 ties:

1           (1) Providing joint education and training and  
2 accelerating training certifications for working in a  
3 cyber range.

4           (2) Integrating education and training between  
5 the National Guard, law enforcement, and emer-  
6 gency medical and fire first responders.

7           (3) Providing a program to continuously train  
8 the cyber network defense teams to not only defend  
9 the information network of the Department of De-  
10 fense, but to also provide education and training on  
11 how to use defense capabilities of the team in a  
12 State environment.

13           (4) Developing curriculum and educating the  
14 National Guard on the different missions carried out  
15 under titles 10 and 32, United States Code, in order  
16 to enhance interagency coordination and create a  
17 common operating picture.

18 **SEC. 1636. PROCEDURES AND REPORTING REQUIREMENT**  
19 **ON CYBERSECURITY BREACHES AND LOSS OF**  
20 **PERSONALLY IDENTIFIABLE INFORMATION.**

21           (a) IN GENERAL.—In the event of a significant loss  
22 of personally identifiable information of civilian or uni-  
23 formed members of the Armed Forces, the Secretary of  
24 Defense shall promptly submit to the congressional de-



1 fense committees notice in writing of such loss. Such no-  
2 tice may be submitted in classified or unclassified formats.

3 (b) PROCEDURES.—Not later than 180 days after the  
4 date of the enactment of this Act, the Secretary of Defense  
5 shall establish and submit to the congressional defense  
6 committees procedures for complying with the require-  
7 ments of subsection (a). Such procedures shall be con-  
8 sistent with the national security of the United States, the  
9 protection of operational integrity, and the protection of  
10 personally identifiable information of civilian and uni-  
11 formed members of the Armed Forces.

12 (c) SIGNIFICANT LOSS OF PERSONALLY IDENTIFI-  
13 ABLE INFORMATION DEFINED.—In this section, the term  
14 “significant loss of personally identifiable information”  
15 means an intentional, accidental, or otherwise known dis-  
16 closure of information that can be used to distinguish or  
17 trace an individual’s identity, such as the name, Social Se-  
18 curity number, date and place of birth, biometric records,  
19 home or other phone numbers, or other demographic, per-  
20 sonnel, medical, or financial information, involving 250 or  
21 more civilian or uniformed members of the Armed Forces.

22 **SEC. 1637. CYBER INSTITUTES AT THE SENIOR MILITARY**  
23 **COLLEGES.**

24 (a) PROGRAM AUTHORIZED.—The Secretary of De-  
25 fense may carry out a program to establish a cyber insti-

1 tute at each of the senior military colleges (referred to in  
2 this section as an “SMC Cyber Institute”) for purposes  
3 of accelerating and focusing the development of  
4 foundational expertise in critical cyber operational skills  
5 for future military and civilian leaders of the Armed  
6 Forces and Department of Defense, including such leaders  
7 of the reserve components.

8 (b) ELEMENTS.—Each SMC Cyber Institute estab-  
9 lished under subsection (a) shall include the following:

10 (1) Programs to provide future military and ci-  
11 vilian leaders of the Armed Forces or the Depart-  
12 ment of Defense who possess cyber operational ex-  
13 pertise from beginning through advanced skill levels  
14 with instruction and practical experiences that lead  
15 to recognized certifications and degrees in cyber-re-  
16 lated fields.

17 (2) Programs of targeted strategic foreign lan-  
18 guage proficiency training for such future leaders  
19 that—

20 (A) are designed to significantly enhance  
21 critical cyber operational capabilities; and

22 (B) are tailored to current and anticipated  
23 readiness requirements.

24 (3) Programs related to mathematical founda-  
25 tions of cryptography and courses in cryptographic

1 theory and practice designed to complement and re-  
2 inforce cyber education along with the strategic for-  
3 eign language programs critical to cyber operations.

4 (4) Programs related to data science and  
5 courses in data science theory and practice designed  
6 to complement and reinforce cyber education along  
7 with the strategic foreign language programs critical  
8 to cyber operations.

9 (5) Programs designed to develop early interest  
10 and cyber talent through summer programs for ele-  
11 mentary and secondary school students and dual en-  
12 rollment opportunities for cyber, strategic foreign  
13 language, data science, and cryptography related  
14 courses.

15 (6) Training and education programs to expand  
16 the pool of qualified instructors necessary to support  
17 cyber education in regional school systems.

18 (c) PARTNERSHIPS WITH DEPARTMENT OF DE-  
19 FENSE AND THE ARMED FORCES.—A SMC Cyber Insti-  
20 tute established under subsection (a) may enter into a  
21 partnership with one or more components of the Armed  
22 Forces (active or reserve) or any agency of the Depart-  
23 ment of Defense to facilitate the development of critical  
24 cyber skills for students who may pursue a career with  
25 the Department of Defense.

1 (d) PARTNERSHIPS WITH OTHER SCHOOLS.—A  
2 SMC Cyber Institute established under subsection (a) may  
3 enter into a partnership with one or more local educational  
4 agencies to carry out the requirements of this section.

5 (e) SENIOR MILITARY COLLEGES DEFINED.—In this  
6 section, the term “senior military colleges” means the sen-  
7 ior military colleges described in section 2111a(f) of title  
8 10, United States Code.

9 **SEC. 1638. STUDY AND REPORT ON RESERVE COMPONENT**  
10 **CYBER CIVIL SUPPORT TEAMS.**

11 (a) STUDY REQUIRED.—The Secretaries concerned  
12 shall conduct a study on the feasibility, advisability, and  
13 necessity of the establishment of reserve component cyber  
14 civil support teams for each State.

15 (b) ELEMENTS.—The study under subsection (a)  
16 shall include the following:

17 (1) An examination of the potential ability of  
18 the teams referred to in such subsection to respond  
19 to an attack, natural disaster, or other large-scale  
20 incident affecting computer networks, electronics, or  
21 cyber capabilities.

22 (2) An analysis of State and local civilian and  
23 private sector cyber response capabilities and serv-  
24 ices, including an identification of any gaps in such  
25 capabilities and services.

1           (3) An identification of the potential role of  
2 such teams with respect to the principles and proc-  
3 esses set forth in—

4                   (A) Presidential Policy Directive 20  
5 (United States Cyber Operations Policy);

6                   (B) Presidential Policy Directive 21 (Crit-  
7 ical Infrastructure Security and Resilience); and

8                   (C) Presidential Policy Directive 41  
9 (United States Cyber Incident Coordination).

10          (4) An explanation of how such teams may  
11 interact with other organizations and elements of the  
12 Federal Government that have responsibilities under  
13 the Presidential Policy Directives referred to in  
14 paragraph (3).

15          (5) The amount of funding and other resources  
16 that may be required by the Department of Defense  
17 to organize, train, and equip such teams.

18          (6) An explanation of how the establishment of  
19 such teams may affect the ability of the Department  
20 of Defense—

21                   (A) to organize, train, equip, and employ  
22 the Cyber Mission Force, and other organic  
23 cyber forces; and

1           (B) to perform national defense missions  
2           and defense support to civil authorities for  
3           cyber incident response.

4           (7) An explanation of how the establishment of  
5           such teams may affect the ability of the Department  
6           of Homeland Security—

7                 (A) to organize, train, equip, and employ  
8                 cyber incident response teams; and

9                 (B) to perform civilian cyber response mis-  
10                sions.

11           (8) Any effects on the privacy and civil liberties  
12           of United States persons that may result from the  
13           establishment of such teams.

14           (9) Any other considerations determined to be  
15           relevant by the Secretaries concerned.

16           (c) REPORT REQUIRED.—Not later than 180 days  
17           after the date of the enactment of this Act, the Secretaries  
18           concerned shall submit to the appropriate congressional  
19           committees a report that includes—

20                 (1) the results of the study conducted under  
21                 subsection (a), including an explanation of each ele-  
22                 ment described in subsection (b);

23                 (2) the final determination of the Secretaries  
24                 with respect to the feasibility, advisability, and ne-

1       necessity of establishing reserve component cyber civil  
2       support teams for each State; and

3               (3) if such final determination is in the affirma-  
4       tive, proposed legislation for the establishment of the  
5       teams, which may include proposed legislation to  
6       amend section 12310 of title 10, United States  
7       Code.

8       (d) DEFINITIONS.—In this section:

9               (1) The term “appropriate congressional com-  
10       mittees” means—

11                       (A) the congressional defense committees;

12                       (B) the Committee on Homeland Security  
13       of the House of Representatives; and

14                       (C) the Committee on Homeland Security  
15       and Governmental Affairs of the Senate.

16               (2) The term “reserve component cyber civil  
17       support team” means a team that—

18                       (A) is comprised of members of the reserve  
19       components;

20                       (B) is organized, trained, equipped, and  
21       sustained by the Department of Defense for the  
22       purpose of assisting State authorities in pre-  
23       paring for and responding to cyber incidents,  
24       cyber emergencies, and cyber attacks; and

1 (C) operates principally under the com-  
2 mand and control of the Chief Executive of the  
3 State in which the team is located.

4 (3) The term “Secretaries concerned” means  
5 the Secretary of Defense and the Secretary of  
6 Homeland Security acting jointly.

7 (4) The term “State” means each of the several  
8 States, the District of Columbia, the Commonwealth  
9 of Puerto Rico, and the United States Virgin Is-  
10 lands.

11 **SEC. 1639. INCLUSION OF COMPUTER PROGRAMMING AND**  
12 **CYBERSECURITY IN CURRICULUM OF JUNIOR**  
13 **RESERVE OFFICERS’ TRAINING CORPS.**

14 Section 2031(c) of title 10, United States Code, is  
15 amended—

16 (1) in paragraph (2), by striking “and” at the  
17 end;

18 (2) in paragraph (3), by striking the period at  
19 the end and inserting “; and”; and

20 (3) by adding at the end the following new  
21 paragraph:

22 “(4) subject to the authority, direction, and  
23 control of the Secretary of Defense, determine the  
24 curriculum of the program, which shall include, at



1 minimum, instruction in the subjects of cybersecu-  
2 rity and computer programming.”.

3 **SEC. 1640. DEPARTMENT OF DEFENSE CYBER SCHOLAR-**  
4 **SHIP PROGRAM SCHOLARSHIPS AND**  
5 **GRANTS.**

6 (a) ADDITIONAL CONSIDERATIONS.—Section 2200c  
7 of title 10, United States Code, is amended—

8 (1) by inserting before “In the selection” the  
9 following:

10 “(a) CENTERS OF ACADEMIC EXCELLENCE IN  
11 CYBER EDUCATION.—”; and

12 (2) by adding at the end the following new sub-  
13 section:

14 “(b) CERTAIN INSTITUTIONS OF HIGHER EDU-  
15 CATION.—In the selection of a recipient for the award of  
16 a scholarship or grant under this chapter, consideration  
17 shall be given to whether—

18 “(1) in the case of a scholarship, the institution  
19 of higher education at which the recipient pursues a  
20 degree is an institution described in section 371(a)  
21 of the Higher Education Act of 1965 (20 U.S.C.  
22 1067q(a)); and

23 “(2) in the case of a grant, the recipient is an  
24 institution described in such section.”.

25 (b) CLERICAL AMENDMENTS.—

1           (1) SECTION HEADING.—The heading of section  
2           2200c of title 10, United States Code, is amended  
3           to read as follows:

4           “**§ 2200c. Special considerations in awarding scholar-**  
5                                   **ships and grants”.**

6           (2) TABLE OF SECTIONS.—The table of sections  
7           at the beginning of chapter 112 of title 10, United  
8           States Code, is amended by striking the item relat-  
9           ing to section 2200c and inserting the following new  
10          item:

          “2200c. Special considerations in awarding scholarships and grants.”.

11          **SEC. 1640A. REPORT ON TRANSITION OF SHARKSEER PRO-**  
12                                   **GRAM.**

13          Not later than 90 days after the date of the enact-  
14          ment of this Act, the Secretary of Defense shall submit  
15          to the congressional defense committees a report that as-  
16          sesses the transition of base operations of the SharkSeer  
17          program to the Defense Information Systems Agency, in-  
18          cluding with respect to staffing, acquisition, contracts,  
19          sensor management, and the ability to conduct cyber  
20          threat analyses and advanced malware. The report shall  
21          include a spending roadmap and areas that need increased  
22          funding.

1 **SEC. 1640B. REPORT ON CYBERSECURITY APPRENTICE**  
2 **PROGRAM.**

3 Not later than 240 days after the date of the enact-  
4 ment of this Act, the Secretary of Defense shall submit  
5 to the congressional defense committees a report on the  
6 feasibility of establishing a Cybersecurity Apprentice Pro-  
7 gram to support on-the-job training for certain cybersecu-  
8 rity positions and facilitate the acquisition of cybersecurity  
9 certifications.

10 **Subtitle D—Nuclear Forces**

11 **SEC. 1641. UNDER SECRETARY OF DEFENSE FOR RE-**  
12 **SEARCH AND ENGINEERING AND THE NU-**  
13 **CLEAR WEAPONS COUNCIL.**

14 Section 179(a) of title 10, United States Code, is  
15 amended—

16 (1) in paragraph (1), by striking “, Technology,  
17 and Logistics” and inserting “and Sustainment”;

18 (2) by redesignating paragraphs (4) and (5) as  
19 paragraphs (5) and (6), respectively; and

20 (3) by inserting after paragraph (3) the fol-  
21 lowing new paragraph (4):

22 “(4) The Under Secretary of Defense for Re-  
23 search and Engineering.”.

1 **SEC. 1642. LONG-RANGE STANDOFF WEAPON REQUIRE-**  
2 **MENTS.**

3 Subparagraphs (A) and (B) of section 217(a)(1) of  
4 the National Defense Authorization Act for Fiscal Year  
5 2014 (Public Law 113–66; 127 Stat. 706) are amended  
6 to read as follows:

7 “(A) achieves initial operating capability  
8 for nuclear missions prior to the retirement of  
9 the nuclear-armed AGM–86;

10 “(B) achieves initial operating capability  
11 for conventional missions by not later than four  
12 years after the date of the achievement under  
13 subparagraph (A); and”.

14 **SEC. 1643. ACCELERATION OF GROUND-BASED STRATEGIC**  
15 **DETERRENT PROGRAM AND LONG-RANGE**  
16 **STANDOFF WEAPON PROGRAM.**

17 (a) PLAN FOR ACCELERATION OF PROGRAMS.—Con-  
18 sistent with validated military requirements and in accord-  
19 ance with applicable provisions of Federal law regarding  
20 acquisition, the Under Secretary of Defense for Acquisi-  
21 tion and Sustainment, in consultation with the Secretary  
22 of the Air Force, shall develop and implement—

23 (1) a plan to accelerate the development, pro-  
24 curement, and fielding of the ground-based strategic  
25 deterrent program; and

1           (2) a plan to accelerate the development, pro-  
2           curement, and fielding of the long-range standoff  
3           weapon.

4           (b) CRITERIA.—The plans developed under sub-  
5           section (a) shall meet the following criteria:

6           (1) With respect to the plan developed under  
7           paragraph (1) of such subsection, the plan shall en-  
8           sure that the ground-based strategic deterrent pro-  
9           gram includes the recapitalization of the full inter-  
10          continental ballistic missile weapon system for 400  
11          deployed missiles and associated spares and 450  
12          launch facilities, without phasing or splitting the  
13          program, including with respect to the missile flight  
14          system, ground-based infrastructure and equipment,  
15          appropriate command and control elements.

16          (2) The plans shall include a comprehensive as-  
17          sessment of the benefits, risks, feasibility, costs, and  
18          cost savings of various options for accelerating the  
19          respective program covered by the plan, including by  
20          considering—

21                  (A) accelerating—

22                          (i) the technology maturation and risk  
23                          reduction phase, including through the  
24                          identification of low and high technology

1           readiness levels, requirements, and  
2           timelines for maturing such technology;

3           (ii) the award of an engineering and  
4           manufacturing development contract; and

5           (iii) making the milestone B decision;

6           (B) transitioning full acquisition authority,  
7           responsibility, and accountability of the respec-  
8           tive program to the Secretary of the Air Force,  
9           including milestone decision authority;

10          (C) providing a general officer-level pro-  
11          gram executive officer a dedicated, single-pro-  
12          gram, long-term assignment with a tailored ac-  
13          quisition approach, program strategy, and over-  
14          sight model for the respective program that em-  
15          powers the general officer to accelerate the pro-  
16          gram, make decisions, and be held accountable;

17          (D) streamlining, as appropriate, test and  
18          evaluation activities for the respective program,  
19          particularly for proven technologies, while en-  
20          suring high confidence in the final deployed sys-  
21          tem;

22          (E) leveraging agile software development  
23          or other innovative approaches to reduce time-  
24          frames for software development;

1           (F) identifying and proposing statutory  
2           changes that the Under Secretary or the Sec-  
3           retary of the Air Force determine could accel-  
4           erate the respective program;

5           (G) identifying accelerated goals for initial  
6           operational capability and full operational capa-  
7           bility for the respective program; and

8           (H) such other options as the Under Sec-  
9           retary or the Secretary of the Air Force con-  
10          sider appropriate.

11         (c) SUBMISSION.—Not later than 120 days after the  
12         date of the enactment of this Act, the Under Secretary,  
13         in consultation with the Secretary of the Air Force, shall  
14         submit to the congressional defense committees the plans  
15         developed under subsection (a), including an assessment  
16         of the options considered and the options selected to be  
17         implemented under the plans.

18         (d) BRIEFING.—Not later than 160 days after the  
19         date of the enactment of this Act, the Commander of the  
20         United States Strategic Command shall provide to the  
21         congressional defense committees a briefing on the views  
22         of the Commander with respect to the plans developed  
23         under subsection (a).

24         (e) DEFINITIONS.—In this section:

1           (1) The term “milestone B decision” has the  
2 meaning given that term in section 2400(a) of title  
3 10, United States Code.

4           (2) The term “milestone decision authority”  
5 has the meaning given that term in section 2366a(d)  
6 of title 10, United States Code.

7 **SEC. 1644. PROCUREMENT AUTHORITY FOR CERTAIN**  
8 **PARTS OF INTERCONTINENTAL BALLISTIC**  
9 **MISSILE FUZES.**

10       (a) AVAILABILITY OF FUNDS.—Notwithstanding sec-  
11 tion 1502(a) of title 31, United States Code, of the  
12 amount authorized to be appropriated for fiscal year 2019  
13 by section 101 and available for Missile Procurement, Air  
14 Force, as specified in the funding table in division G,  
15 \$9,841,000 shall be available for the procurement of cov-  
16 ered parts pursuant to contracts entered into under sec-  
17 tion 1645(a) of the Carl Levin and Howard P. “Buck”  
18 McKeon National Defense Authorization Act for Fiscal  
19 Year 2015 (Public Law 113–291; 128 Stat. 3651).

20       (b) COVERED PARTS DEFINED.—In this section, the  
21 term “covered parts” means commercially available off-  
22 the-shelf items as defined in section 104 of title 41, United  
23 States Code.



1 **SEC. 1645. PROHIBITION ON REDUCTION OF THE INTER-**  
2 **CONTINENTAL BALLISTIC MISSILES OF THE**  
3 **UNITED STATES.**

4 (a) PROHIBITION.—Except as provided by subsection  
5 (b), none of the funds authorized to be appropriated by  
6 this Act or otherwise made available for fiscal year 2019  
7 for the Department of Defense shall be obligated or ex-  
8 pended for—

9 (1) reducing, or preparing to reduce, the re-  
10 sponsiveness or alert level of the intercontinental  
11 ballistic missiles of the United States; or

12 (2) reducing, or preparing to reduce, the quan-  
13 tity of deployed intercontinental ballistic missiles of  
14 the United States to a number less than 400.

15 (b) EXCEPTION.—The prohibition in subsection (a)  
16 shall not apply to any of the following activities:

17 (1) The maintenance or sustainment of inter-  
18 continental ballistic missiles.

19 (2) Ensuring the safety, security, or reliability  
20 of intercontinental ballistic missiles.

21 **SEC. 1646. EXTENSION OF PROHIBITION ON AVAILABILITY**  
22 **OF FUNDS FOR MOBILE VARIANT OF**  
23 **GROUND-BASED STRATEGIC DETERRENT**  
24 **MISSILE.**

25 Section 1664 of the National Defense Authorization  
26 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.

1 2615), as amended by section 1663 by the National De-  
2 fense Authorization Act for Fiscal Year 2018 (Public Law  
3 115–91), is amended by striking “2019” and inserting  
4 “2020”.

5 **SEC. 1647. INDEPENDENT STUDY ON NUCLEAR WEAPONS**  
6 **LAUNCH-UNDER-ATTACK OPTION.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Maintaining a safe, effective, and reliable  
9 nuclear arsenal and command and control system  
10 are high priorities for ensuring national security.

11 (2) The current launch-under-attack option,  
12 particularly for the intercontinental ballistic missile  
13 forces, could require a quick decision, on the order  
14 of minutes, on whether to use these weapons to re-  
15 spond to an incoming attack.

16 (b) INDEPENDENT STUDY.—Not later than 30 days  
17 after the date of the enactment of this Act, the Secretary  
18 of Defense shall seek to enter into a contract with a feder-  
19 ally funded research and development center to conduct  
20 a study on the potential benefits and risks of reducing the  
21 role of the launch-under-attack option with respect to  
22 planning by the United States relating to nuclear weap-  
23 ons.

24 (c) SELECTION.—The Secretary may not enter into  
25 the contract under subsection (b) with a federally funded

1 research and development center for which the Air Force  
2 is the primary sponsor.

3 (d) REPORTS.—

4 (1) SUBMISSION TO DOD.—Not later than 270  
5 days after the date of the enactment of this Act, the  
6 federally funded research and development center  
7 shall submit to the Secretary a report containing the  
8 study conducted under subsection (b). Such report  
9 shall include the findings and recommendations of  
10 the center.

11 (2) SUBMISSION TO CONGRESS.—Not later than  
12 30 days after the date on which the Secretary re-  
13 ceives the report under paragraph (1), the Secretary  
14 shall submit to the congressional defense committees  
15 such report, without change.

16 (3) FORM.—The reports under paragraphs (1)  
17 and (2) shall be submitted in unclassified form, but  
18 may include a classified annex.

1 **SEC. 1648. EXTENSION OF ANNUAL REPORT ON THE PLAN**  
2 **FOR THE NUCLEAR WEAPONS STOCKPILE,**  
3 **NUCLEAR WEAPONS COMPLEX, NUCLEAR**  
4 **WEAPONS DELIVERY SYSTEMS, AND NU-**  
5 **CLEAR WEAPONS COMMAND AND CONTROL**  
6 **SYSTEM.**

7 Section 1043(a)(1) of the National Defense Author-  
8 ization Act for Fiscal Year 2012 (Public Law 112–81; 125  
9 Stat. 1576) is amended by striking “2019” and inserting  
10 “2022”.

11 **SEC. 1649. SENSE OF CONGRESS ON NUCLEAR POSTURE OF**  
12 **THE UNITED STATES.**

13 It is the sense of Congress that—

14 (1) for more than 70 years, the nuclear deter-  
15 rent of the United States has played a central role  
16 in the national security of the United States and  
17 international stability;

18 (2) the nuclear forces of the United States have  
19 and will continue to play a fundamental role in de-  
20 terring aggression against the interests of the  
21 United States and the allies of the United States in  
22 an increasingly dangerous world;

23 (3) strong, credible, and flexible nuclear forces  
24 of the United States assure the allies of the United  
25 States that the extended deterrence guarantees of  
26 the United States are credible and that the resolve

1 of the United States remains strong even in the face  
2 of nuclear provocations, including nuclear coercion  
3 and blackmail;

4 (4) the 2017 National Security Strategy and  
5 the 2018 National Defense Strategy correctly assess  
6 that, due to increased global disorder and com-  
7 plexity, the decline of the international rules-based  
8 order and security environment, and the erosion of  
9 the competitive advantages of the United States,  
10 interstate strategic competition must now be the pri-  
11 mary focus of the national security strategy of the  
12 United States;

13 (5) the 2018 Nuclear Posture Review aligns  
14 with these conclusions, and recognizes that deter-  
15 rence is dynamic, not static, and that while the nu-  
16 clear posture and policies of the United States are  
17 underpinned by enduring consistency, such posture  
18 and policies must also undergo measured adjust-  
19 ments to remain credible as threats evolve;

20 (6) the Russian Federation has elevated the  
21 role of nuclear weapons in its strategies, is devel-  
22 oping and deploying new nuclear capabilities (includ-  
23 ing a recently announced nuclear-powered cruise  
24 missile and high-speed, nuclear-powered underwater  
25 drone), is violating many arms control agreements

1 (including the INF Treaty), and has made explicit  
2 nuclear threats against the United States and the al-  
3 lies of the United States;

4 (7) the United States remains committed to its  
5 full range of nuclear arms control and nonprolifera-  
6 tion obligations and seeks continued engagement for  
7 prudent and verifiable agreements, however, the poli-  
8 cies and actions of the United States must also hold  
9 states that violate arms control treaties accountable  
10 for such violations and take such violations into ac-  
11 count when considering further arms control agree-  
12 ments;

13 (8) the North Atlantic Treaty Organization  
14 (NATO) plays an essential role in the national secu-  
15 rity of the United States and NATO should continue  
16 to strengthen and align its nuclear and conventional  
17 deterrence posture, planning, and exercises to align  
18 with modern threats, including modernizing its dual-  
19 capable aircraft, command and control networks, nu-  
20 clear-related facilities, and conventional capabilities;

21 (9) to deter large-scale, catastrophic war with  
22 Russia, the People's Republic of China, and other  
23 potential adversaries, as well as reassure allies, the  
24 United States requires reliable, diverse, and  
25 tailorable nuclear forces that are able to respond to

1 a variety of current threats while preparing for fu-  
2 ture uncertainty;

3 (10) the 2018 Nuclear Posture Review recon-  
4 firms the value of the nuclear triad and dual-capable  
5 aircraft of the United States, directs the continu-  
6 ation of the comprehensive nuclear modernization  
7 program initiated by the previous administration,  
8 and proposes two supplemental capabilities (a lower-  
9 yield submarine-launched ballistic missile warhead  
10 and a sea-launched cruise missile) that will strength-  
11 en deterrence and assurance and reduce the chances  
12 that nuclear weapons are used in conflict;

13 (11) three successive Secretaries of Defense  
14 across two administrations have stated that nuclear  
15 deterrence is the highest priority mission of the De-  
16 partment of Defense; and

17 (12) in light of this prioritization, the age of  
18 the current nuclear forces and infrastructure of the  
19 United States, and the small percentage of the de-  
20 fense budget that will be expended on the recapital-  
21 ization of the nuclear deterrent of the United States,  
22 the modernization of the nuclear forces, command  
23 and control systems, and supporting infrastructure  
24 of the United States is affordable and a national im-  
25 perative.

1 **SEC. 1650. SENSE OF CONGRESS ON EXTENDED NUCLEAR**  
2 **DETERRENCE IN THE INDO-PACIFIC REGION.**

3 It is the sense of Congress that—

4       (1) the nuclear program of the Democratic Peo-  
5 ple’s Republic of Korea poses a critical national se-  
6 curity threat not only to the United States, but to  
7 the security and stability of the entire Indo-Pacific  
8 region, including South Korea, Japan, and Aus-  
9 tralia;

10       (2) the nuclear and conventional forces of the  
11 United States continue to play a fundamental role in  
12 deterring aggression against its interests and the in-  
13 terests of its allies in the Indo-Pacific region and be-  
14 yond;

15       (3) the United States stands unwaveringly be-  
16 hind its treaty obligations and assurances, including  
17 those related to defense and extended nuclear deter-  
18 rence, to South Korea, Japan, and Australia;

19       (4) the complete, verifiable, and irreversible  
20 denuclearization of the Democratic People’s Republic  
21 of Korea remains a central foreign policy objective  
22 of the United States;

23       (5) the status of any denuclearization or end-of-  
24 conflict agreement with the Democratic People’s Re-  
25 public of Korea should not supersede such treaty ob-



1       ligations and assurances described in paragraph (3);  
2       and

3               (6) the presence of United States Forces on the  
4       Korean Peninsula should remain strong and endur-  
5       ing.

6               **Subtitle E—Missile Defense**  
7               **Programs**

8       **SEC. 1661. DEVELOPMENT OF PERSISTENT SPACE-BASED**  
9               **SENSOR ARCHITECTURE.**

10       (a) FINDINGS.—Congress finds the following:

11               (1) Absent a missile defense review, the budget  
12       of the President submitted to Congress under sec-  
13       tion 1105(a) of title 31, United States Code, for fis-  
14       cal year 2019 did not propose funding for efforts  
15       within the Missile Defense Agency to further develop  
16       the Missile Defense Tracking System (a future space  
17       sensor architecture) and instead funds were provided  
18       to the Air Force to determine the plan of the De-  
19       partment of Defense for future missile warning and  
20       tracking capabilities.

21               (2) Delaying development and deployment of a  
22       space-based missile tracking capability further places  
23       the United States at a disadvantage against  
24       hypersonic threats.

1           (b) DEVELOPMENT REQUIRED.—Subsection (a) of  
2 section 1683 of the National Defense Authorization Act  
3 for Fiscal Year 2018 (Public Law 115–91; 131 Stat.  
4 1777) is amended by striking “If consistent with the direc-  
5 tion or recommendations of the Ballistic Missile Defense  
6 Review that commenced in 2017, the Director of the Mis-  
7 sile Defense Agency” and inserting “Beginning fiscal year  
8 2019, the Director of the Missile Defense Agency, in co-  
9 ordination with the Director of National Intelligence, the  
10 Commander of the Air Force Space Command, and the  
11 Commander of the United States Strategic Command,”.

12           (c) PLAN.—

13           (1) LIMITATION.—Of the funds authorized to  
14 be appropriated by this Act or otherwise made avail-  
15 able for fiscal year 2019 for the Department of De-  
16 fense for the development of the space-based sensor  
17 architecture under subsection (a) of section 1683 of  
18 the National Defense Authorization Act for Fiscal  
19 Year 2018 (Public Law 115–91; 131 Stat. 1777),  
20 not more than 25 percent may be obligated or ex-  
21 pended until the date on which the Director of the  
22 Missile Defense Agency submits the plan under sub-  
23 section (e) of such section.

24           (2) CLARIFICATION OF ROLES.—Section  
25 1683(e) of the National Defense Authorization Act

1 for Fiscal Year 2018 (Public Law 115–91; 131 Stat.  
2 1777) is amended by striking “the Director shall  
3 submit” and inserting “the Director of the Missile  
4 Defense Agency, in coordination with the Director of  
5 National Intelligence, the Commander of the Air  
6 Force Space Command, and the Commander of the  
7 United States Strategic Command shall submit”.

8 (d) REPORT ON USE OF OTHER AUTHORITIES.—  
9 Such section 1683 is further amended—

10 (1) by redesignating subsection (f) as sub-  
11 section (g); and

12 (2) by inserting after subsection (e) the fol-  
13 lowing new subsection (f):

14 “(f) REPORT ON USE OF OTHER AUTHORITIES.—  
15 Not later than January 31, 2019, the Director of the Mis-  
16 sile Defense Agency shall submit to the appropriate con-  
17 gressional committees a report on the options available to  
18 the Director to use other transactional authorities pursu-  
19 ant to section 2371 of title 10, United States Code, to  
20 accelerate the development and deployment of the sensor  
21 architecture required by subsection (a).”.

22 **SEC. 1662. BOOST PHASE BALLISTIC MISSILE DEFENSE.**

23 (a) DEVELOPMENT AND STUDY.—Section 1685 of  
24 the National Defense Authorization Act for Fiscal Year  
25 2018 (Public Law 115–91; 10 U.S.C. 2431 note) is

1 amended by adding at the end the following new sub-  
2 sections:

3 “(d) DEVELOPMENT.—

4 “(1) REQUIREMENT.—Beginning fiscal year  
5 2019, the Director of the Missile Defense Agency  
6 shall carry out a program to develop boost phase  
7 intercept capabilities that—

8 “(A) are cost effective;

9 “(B) are air-launched, ship-based, or both;

10 and

11 “(C) include kinetic interceptors.

12 “(2) PARTNERSHIPS.—In developing kinetic  
13 boost phase intercept capabilities under paragraph  
14 (1), the Director may enter into partnerships with  
15 the Ministry of National Defense of the Republic of  
16 Korea or the Ministry of Defense of Japan, or both.

17 “(e) INDEPENDENT STUDY.—

18 “(1) REQUIREMENT.—The Secretary of De-  
19 fense shall seek to enter into an agreement with a  
20 federally funded research and development center to  
21 conduct a feasibility study on providing an initial or  
22 demonstrated boost phase capability using un-  
23 manned aerial vehicles and kinetic interceptors by  
24 December 31, 2021. Such study shall include, at a  
25 minimum, a review of the study published by the

1 Science, Technology, and National Security Working  
2 Group of the Massachusetts Institute of Technology  
3 in 2017 titled ‘Airborne Patrol to Destroy DPRK  
4 ICBMs in Powered Flight’.

5 “(2) SUBMISSION.—Not later than July 31,  
6 2019, the Secretary shall submit to the congres-  
7 sional defense committees the study conducted under  
8 paragraph (1).”.

9 (b) DIRECTED ENERGY DEVELOPMENT.—Subsection  
10 (b) of such section is amended—

11 (1) by striking “The Secretary of Defense” and  
12 inserting the following:

13 “(1) IN GENERAL.—The Secretary of Defense”;  
14 and

15 (2) by adding at the end the following new  
16 paragraph:

17 “(2) ROLE OF DIRECTOR.—

18 “(A) TRANSFER OF RESPONSIBILITY.—Be-  
19 ginning fiscal year 2019, the Secretary shall  
20 transfer from the Under Secretary of Defense  
21 for Research and Engineering to the Director  
22 of the Missile Defense Agency the responsibility  
23 to continue developing the interim directed en-  
24 ergy boost phase ballistic missile defense capa-  
25 bility specified in paragraph (1).

1           “(B) OTHER PROGRAMS.—In continuing  
2           the development under subparagraph (A), the  
3           Director shall—

4                   “(i) leverage the efforts of the Under  
5                   Secretary under the high energy laser ad-  
6                   vanced development program; and

7                   “(ii) share with the Under Secretary  
8                   any information useful to such program.

9           “(C) BRIEFING.—Not later than February  
10           28, 2019, the Director shall provide to the  
11           Committees on Armed Services of the House of  
12           Representatives and the Senate, and to any  
13           other congressional defense committee upon re-  
14           quest, a briefing on—

15                   “(i) specific criteria that the Director  
16                   will address in the development under sub-  
17                   paragraph (A); and

18                   “(ii) parameters used to measure  
19                   progress in such development.”.

20           (c) MODIFICATION TO SENSE OF CONGRESS.—Sub-  
21           section (a) of such section is amended by striking “, if  
22           consistent with the direction or recommendations of the  
23           Ballistic Missile Defense Review that commenced in  
24           2017”.

1 **SEC. 1663. IMPROVEMENTS TO RESEARCH AND DEVELOP-**  
2 **MENT AND ACQUISITION PROCESSES OF MIS-**  
3 **SILE DEFENSE AGENCY.**

4 (a) RESEARCH AND DEVELOPMENT.—

5 (1) TRANSFER.—Not later than September 30,  
6 2020, the Secretary of Defense shall transfer the au-  
7 thority and the total obligational authority for each  
8 research and development program described in  
9 paragraph (2) from the Under Secretary of Defense  
10 for Research and Engineering to the Director of the  
11 Missile Defense Agency.

12 (2) RESEARCH AND DEVELOPMENT PROGRAM  
13 DESCRIBED.—A research and development program  
14 described in this paragraph is a program that the  
15 Under Secretary identifies as meeting each of the  
16 following criteria:

17 (A) The program consists of efforts to de-  
18 velop prototypes or science and technology, or  
19 has not yet received Milestone B approval (as  
20 defined in section 2366 of title 10, United  
21 States Code).

22 (B) The efforts of the program either—  
23 (i) are planned to be incorporated into  
24 ballistic missile defense systems; or  
25 (ii) have explicit applications for bal-  
26 listic missile defense or hypersonic defense.

1 (3) REPORT.—Not later than March 31, 2019,  
2 the Under Secretary shall submit to the congress-  
3 sional defense committees a report that—

4 (A) lists each research and development  
5 program identified under paragraph (2); and

6 (B) a summary of the efforts and funding  
7 required for such programs during the period  
8 covered by the future-years defense program  
9 under section 221 of title 10, United States  
10 Code, as of the date of the report.

11 (b) NOTIFICATION ON CHANGES TO NON-STANDARD  
12 ACQUISITION PROCESSES AND RESPONSIBILITIES.—

13 (1) LIMITATION.—None of the funds authorized  
14 to be appropriated by this Act or otherwise made  
15 available for fiscal year 2019 for the Secretary of  
16 Defense may be obligated or expended to change the  
17 non-standard acquisition processes and responsibil-  
18 ities described in paragraph (2) until—

19 (A) the Secretary notifies the congressional  
20 defense committees of such proposed change;  
21 and

22 (B) a period of 180 days has elapsed fol-  
23 lowing the date of such notification.

24 (2) NON-STANDARD ACQUISITION PROCESSES  
25 AND RESPONSIBILITIES DESCRIBED.—The non-



1 standard acquisition processes and responsibilities  
2 described in this paragraph are such processes and  
3 responsibilities described in—

4 (A) the memorandum of the Secretary of  
5 Defense titled “Missile Defense Program Direc-  
6 tion” signed on January 2, 2002;

7 (B) Department of Defense Directive  
8 5134.09, as in effect on the date of the enact-  
9 ment of this Act; and

10 (C) United States Strategic Command In-  
11 struction 583–3.

12 (c) INTEGRATED MASTER TEST PLAN INFORMA-  
13 TION.—

14 (1) PUBLIC AVAILABILITY.—Together with the  
15 release of each integrated master test plan of the  
16 Missile Defense Agency, the Director of the Missile  
17 Defense Agency shall make publicly available a  
18 version of each such plan that identifies the fiscal  
19 year and the fiscal quarter in which events under the  
20 plan will occur.

21 (2) SUBMISSION.—Not later than 30 days after  
22 the budget of the President for each of fiscal years  
23 2020 and 2021 is submitted to Congress under sec-  
24 tion 1105 of title 31, United States Code, the Direc-  
25 tor shall submit to the congressional defense com-

1       mittees the integrated master test plan of the Mis-  
2       sile Defense Agency, including any classified and un-  
3       classified versions of such plan.

4       (d) MISSILE DEFENSE EXECUTIVE BOARD.—In ad-  
5       dition to the Under Secretary of Defense for Research and  
6       Engineering serving as chairman of the Missile Defense  
7       Executive Board pursuant to section 1676(c)(3)(B) of the  
8       National Defense Authorization Act for Fiscal Year 2018  
9       (Public Law 115–91; 131 Stat. 1773), the Under Sec-  
10      retary of Defense for Acquisition and Sustainment shall  
11      serve—

12               (1) as a member of the Board; and

13               (2) as co-chairman with respect to decisions re-  
14      garding acquisition and the approval of acquisition  
15      and production milestones, including with respect to  
16      the use of other transaction authority contracts and  
17      transactions in excess of \$500,000,000 (including all  
18      options).

19      **SEC. 1664. LAYERED DEFENSE OF THE UNITED STATES**  
20                                      **HOMELAND.**

21      (a) FINDINGS.—Congress finds the following:

22               (1) The United States homeland (including Ha-  
23      waii and Alaska) is currently protected against inter-  
24      continental ballistic missiles by the ground-based  
25      midcourse defense system, with 44 ground-based

1 interceptors located at Fort Greely, Alaska, and  
2 Vandenberg, California.

3 (2) The Department of Defense plans to expand  
4 the number of ground-based interceptors to 64 inter-  
5 ceptors by 2023 by adding Missile Field 4 at Fort  
6 Greely, Alaska.

7 (b) SENSE OF CONGRESS.—It is the sense of Con-  
8 gress that the United States should—

9 (1) continue to explore and deploy capabilities  
10 that increase the layered defense of the United  
11 States homeland;

12 (2) support, if determined by the Secretary of  
13 Defense as necessary for the national security of the  
14 United States, the deployment of a ground-based in-  
15 terceptor site, or potential other ballistic missile de-  
16 fense systems pending successful testing, on the  
17 East Coast of the United States that—

18 (A) weighs cost effectiveness and  
19 prioritization of capability; and

20 (B) provides for increased protection of the  
21 continental United States from North Korean  
22 and Iranian threats;

23 (3) support the ability of the Army, the Navy,  
24 and the Missile Defense Agency to deploy fixed,  
25 semi-fixed, and mobile at-sea and ashore assets to

1 locations to increase the layered defense of all of the  
2 United States homeland; and

3 (4) support, as appropriate, further analysis  
4 and testing for regional systems to be employed for  
5 the layered defense of the United States homeland.

6 (c) CERTIFICATION.—Before the Secretary of De-  
7 fense makes a potential determination to deploy regional  
8 assets to provide missile defense from longer range  
9 threats, the Secretary shall certify to the congressional de-  
10 fense committees that such deployment would not unne-  
11 cessarily undermine or pose additional risk to strategic sta-  
12 bility.

13 (d) BRIEFING.—Not later than January 31, 2019,  
14 the Director of the Missile Defense Agency, in coordina-  
15 tion with the Under Secretary of Defense for Policy, the  
16 Commander of the United States Northern Command,  
17 and the Commander of the United States Pacific Com-  
18 mand, shall provide to the Committees on Armed Services  
19 of the House of Representatives and the Senate, and to  
20 any other congressional defense committee upon request,  
21 a briefing that—

22 (1) describes options and plans to increase or  
23 improve the layered protection of the United States  
24 homeland (including Hawaii and Alaska) from

1 threats posed by North Korea and threats posed by  
2 Iran;

3 (2) addresses the capabilities and reliability of  
4 missile defense systems to defend against potential  
5 trajectories of missiles from both the North and  
6 South Poles; and

7 (3) addresses technical capability and policy  
8 with respect to such options.

9 **SEC. 1665. TESTING OF REDESIGNED KILL VEHICLE PRIOR**  
10 **TO PRODUCTION.**

11 (a) **SUCCESSFUL TESTING REQUIRED.**—Except as  
12 provided by subsection (b), the Director of the Missile De-  
13 fense Agency may not make a lot production decision for  
14 the redesigned kill vehicle unless the vehicle has undergone  
15 at least one successful flight intercept test that meets the  
16 following criteria:

17 (1) The test sufficiently assesses the perform-  
18 ance of the vehicle in order to inform a lot produc-  
19 tion decision.

20 (2) The results of the test demonstrate that the  
21 vehicle—

22 (A) will work in an effective manner; and

23 (B) has the ability to accomplish the in-  
24 tended mission of the vehicle.

1 (b) WAIVER.—The Secretary of Defense, without del-  
2 egation, may waive subsection (a) if—

3 (1) the Secretary determines that the waiver is  
4 in the interest of national security;

5 (2) the Secretary determines that the threat of  
6 missiles is advancing at a pace that requires addi-  
7 tional capacity of the ground-based midcourse sys-  
8 tem by 2023;

9 (3) the Secretary determines that the waiver is  
10 appropriate in light of the assessment conducted by  
11 the Director of Operational Test and Evaluation  
12 under subsection (c);

13 (4) the Secretary submits to the congressional  
14 defense committees a report containing—

15 (A) a notice of the waiver, including the  
16 rationale of the Secretary for making the waiv-  
17 er;

18 (B) a certification by the Secretary that  
19 the Secretary has analyzed and accepts the risk  
20 of making and implementing a lot production  
21 decision for the redesigned kill vehicle prior to  
22 the vehicle undergoing a successful flight inter-  
23 cept test; and

1 (C) the assessment of the Director of  
2 Operational Test and Evaluation under sub-  
3 section (c); and

4 (5) a period of 30 days elapses following the  
5 date on which the Secretary submits the report  
6 under paragraph (4).

7 (c) ASSESSMENT ON RISKS.—The Director of Oper-  
8 ational Test and Evaluation shall submit to the Secretary  
9 of Defense an assessment on the risks of making a lot  
10 production decision for the redesigned kill vehicle prior to  
11 the vehicle undergoing a successful flight intercept test.

12 **SEC. 1666. REQUIREMENTS FOR BALLISTIC MISSILE DE-**  
13 **FENSE CAPABLE SHIPS.**

14 (a) FORCE STRUCTURE ASSESSMENT.—The Sec-  
15 retary of the Navy, in consultation with the Director of  
16 the Missile Defense Agency, shall include in the first force  
17 structure assessment conducted following the date of the  
18 enactment of this Act the following:

19 (1) An assessment of the requirements for bal-  
20 listic missile defense capable ships.

21 (2) The force structure requirements associated  
22 with advanced ballistic missile defense capabilities.

23 (b) FORCE STRUCTURE ASSESSMENT DEFINED.—  
24 The term “force structure assessment” has the meaning

1 given the term in Chief of Naval Operations Instruction  
2 3050.27.

3 **SEC. 1667. MULTIYEAR PROCUREMENT AUTHORITY FOR**  
4 **STANDARD MISSILE-3 BLOCK IB MISSILES.**

5 (a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—  
6 Subject to section 2306b of title 10, United States Code,  
7 the Director of the Missile Defense Agency may enter into  
8 one or more multiyear contracts, beginning with the 2019  
9 program year, for the procurement of standard missile-  
10 3 block IB missiles.

11 (b) CONDITION FOR OUT-YEAR CONTRACT PAY-  
12 MENTS.—A contract entered into under subsection (a)  
13 shall provide that any obligation of the United States to  
14 make a payment under the contract for a fiscal year after  
15 fiscal year 2019 is subject to the availability of appropria-  
16 tions or funds for that purpose for such later fiscal year.

17 **SEC. 1668. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
18 **ARMY LOWER TIER AIR AND MISSILE DE-**  
19 **FENSE SENSOR.**

20 (a) LIMITATION.—If the Secretary of the Army issues  
21 an acquisition strategy for a 360-degree lower tier air and  
22 missile defense sensor pursuant to section 1679(a) of the  
23 National Defense Authorization Act for Fiscal Year 2018  
24 (Public Law 115–91; 131 Stat. 1774) that proposes such  
25 sensor achieve initial operating capability later than De-



1 cember 31, 2023, not more than 50 percent of the funds  
2 authorized to be appropriated by this Act or otherwise  
3 made available for fiscal year 2019 for such sensor may  
4 be obligated or expended until the date on which the Sec-  
5 retary submits to the congressional defense committees a  
6 report—

7           (1) explaining the rationale of such delayed ini-  
8           tial operating capability, including a description of  
9           any technological or acquisition-related factors caus-  
10          ing such delay; and

11          (2) containing a funding profile and schedule to  
12          ensure that such sensor would achieve initial oper-  
13          ating capability by December 31, 2023.

14          (b) PERFORMANCE SPECIFICATION.—The Secretary  
15          shall ensure that the performance specification of the 360-  
16          degree lower tier air and missile defense sensor—

17               (1) specifies requirements relating to—

18                       (A) detecting and tracking complex attacks  
19                       from air breathing threats, tactical ballistic mis-  
20                       siles, and emerging hypersonic weapons; and

21                       (B) being a key component of the future  
22                       integrated air and missile defense architecture  
23                       of the Army and supporting engagements for  
24                       the full range and capability of Patriot Ad-

1           vanced Capability—3 missile segment enhance-  
2           ment interceptors; and

3           (2) uses evaluation criteria that enables an un-  
4           derstanding of the cost and value of procuring such  
5           sensor in accordance with such specified require-  
6           ments.

7 **SEC. 1669. MISSILE DEFENSE RADAR IN HAWAII.**

8           (a) SENSE OF CONGRESS.—It is the sense of Con-  
9           gress that the Secretary of Defense, acting through the  
10          Director of the Missile Defense Agency, and in coordina-  
11          tion with relevant Federal and local entities, should—

12           (1) ensure an on-time or improved delivery  
13           schedule of the discrimination radar for homeland  
14           defense to be made operational in Hawaii; and

15           (2) accelerate the deployment of the radar as  
16           much as possible, contingent on the environmental  
17           review process pursuant to the National Environ-  
18           mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

19           (b) CERTIFICATION.—Not later than 45 days after  
20          the date of the enactment of this Act, the Director of the  
21          Missile Defense Agency shall certify to the congressional  
22          defense committees that—

23           (1) the Director is on schedule to award the  
24           contract for the discrimination radar for homeland

1 defense planned to be located in Hawaii by Decem-  
2 ber 31, 2018; and

3 (2) such radar and associated in-flight inter-  
4 ceptor communications system data terminal will be  
5 operational by not later than September 30, 2023.

6 (c) BRIEFINGS.—

7 (1) DELAYED SCHEDULE.—If the Director is  
8 unable to certify under subsection (b) that the Di-  
9 rector is on schedule to award the contract for the  
10 discrimination radar for homeland defense planned  
11 to be located in Hawaii by December 31, 2018, not  
12 later than 45 days after the date of the enactment  
13 of this Act, and on a biweekly basis thereafter until  
14 the date of the award, the Director shall provide to  
15 the Committees on Armed Services of the House of  
16 Representatives and the Senate, and to any other  
17 congressional defense committee upon request, a  
18 briefing explaining—

19 (A) the rationale for the delay in such  
20 schedule; and

21 (B) any effects of such delay in making  
22 such radar and associated in-flight interceptor  
23 communications system data terminal oper-  
24 ational by not later than September 30, 2023.

1           (2) SEMIANNUAL.—Not later than 45 days  
2 after the date of the enactment of this Act, and  
3 semiannually thereafter through 2021, the Director  
4 shall provide to the Committees on Armed Services  
5 of the House of Representatives and the Senate, and  
6 to any other congressional defense committee upon  
7 request, a briefing on—

8           (A) the acquisition of the discrimination  
9 radar for homeland defense planned to be lo-  
10 cated in Hawaii and the associated in-flight in-  
11 terceptor communications system data terminal;  
12 and

13           (B) the environmental review process for  
14 such radar pursuant to the National Environ-  
15 mental Policy Act of 1969 (42 U.S.C. 4321 et  
16 seq.).

17 **SEC. 1670. REPORTS ON UNFUNDED PRIORITIES OF THE**  
18 **MISSILE DEFENSE AGENCY.**

19           (a) REPORTS.—Not later than 10 days after the date  
20 on which the budget of the President for each of fiscal  
21 years 2020 and 2021 is submitted to Congress pursuant  
22 to section 1105 of title 31, United States Code, the Direc-  
23 tor of the Missile Defense Agency shall submit to the Sec-  
24 retary of Defense and the Chairman of the Joint Chiefs  
25 of Staff, and to the congressional defense committees, a

1 report on the unfunded priorities of the Missile Defense  
2 Agency.

3 (b) ELEMENTS.—

4 (1) MATTERS INCLUDED.—Each report under  
5 subsection (a) shall specify, for each unfunded pri-  
6 ority covered by such report, the following:

7 (A) A summary description of such pri-  
8 ority, including the objectives to be achieved if  
9 such priority is funded (whether in whole or in  
10 part).

11 (B) The additional amount of funds rec-  
12 ommended in connection with the objectives  
13 under subparagraph (A).

14 (C) Account information with respect to  
15 such priority, including, as applicable—

16 (i) the line item number for applicable  
17 procurement accounts;

18 (ii) the program element number for  
19 applicable research, development, test, and  
20 evaluation accounts; and

21 (iii) the sub-activity group for applica-  
22 ble operation and maintenance accounts.

23 (2) PRIORITIZATION OF PRIORITIES.—Each re-  
24 port under subsection (a) shall present the unfunded

1 priorities covered by such report in order of urgency  
2 of priority.

3 (c) UNFUNDED PRIORITY DEFINED.—In this section,  
4 the term “unfunded priority”, in the case of a fiscal year,  
5 means a program, activity, or mission requirement of the  
6 Missile Defense Agency that—

7 (1) is not funded in the budget of the President  
8 for the fiscal year as submitted to Congress pursu-  
9 ant to section 1105 of title 31, United States Code;

10 (2) is necessary to fulfill a requirement associ-  
11 ated with an operational or contingency plan of a  
12 combatant command or other validated requirement;  
13 and

14 (3) would have been recommended for funding  
15 through the budget referred to in paragraph (1) by  
16 the Director of the Missile Defense Agency in con-  
17 nection with the budget if—

18 (A) additional resources had been available  
19 for the budget to fund the program, activity, or  
20 mission requirement; or

21 (B) the program, activity, or mission re-  
22 quirement has emerged since the budget was  
23 formulated.

24 **SEC. 1671. REPORT ON BALLISTIC MISSILE DEFENSE.**

25 (a) FINDINGS.—Congress finds the following:

1           (1) The Secretary of Defense is conducting a  
2 ballistic missile defense review that will assess the  
3 capabilities and requirements for homeland, regional,  
4 and theater missile defense.

5           (2) This review will have significant implica-  
6 tions for national security and potentially on re-  
7 source prioritization and requirements.

8           (3) The review was initially expected to have  
9 been completed by January but has been delayed  
10 several months due to revisions and has not yet been  
11 submitted to Congress.

12       (b) REPORT.—Not later than 30 days after the date  
13 of the enactment of this Act, the Secretary of Defense  
14 shall submit to the congressional defense committees a re-  
15 port on ballistic missile defense that addresses the implica-  
16 tions for planned programs of record, costs and resource  
17 prioritization, and strategic stability.

18       (c) CBO REPORT ON COSTS RELATING TO BAL-  
19 LISTIC, CRUISE, AND HYPERSONIC DEFENSES OF THE  
20 UNITED STATES.—

21           (1) REPORT.—Not later than 1 year after the  
22 date of the enactment of this Act, the Director of  
23 the Congressional Budget Office shall submit to the  
24 congressional defense committees a report setting  
25 forth the following:

1 (A) An estimate of the costs over the 10-  
2 year period beginning on the date of the report  
3 associated with—

4 (i) fielding and maintaining the cur-  
5 rent and planned ballistic, cruise, and  
6 hypersonic defenses of the United States;  
7 and

8 (ii) implementing any new rec-  
9 ommendations of the Ballistic Missile De-  
10 fense Review with regard to ballistic,  
11 cruise, and hypersonic defenses.

12 (B) An estimate of the costs to design,  
13 launch, maintain, and operate space-based sen-  
14 sors of different constellation sizes ranging  
15 from limited to comprehensive.

16 (2) FORM.—The report under subsection (a)  
17 shall be submitted in unclassified form, but may in-  
18 clude a classified annex.

19 **SEC. 1672. SENSE OF CONGRESS ON MISSILE AND ROCKET**  
20 **DEFENSE COOPERATION BETWEEN THE**  
21 **UNITED STATES AND ISRAEL.**

22 (a) FINDINGS.—Congress finds the following:

23 (1) The United States and Israel signed a  
24 Memorandum of Understanding on September 14,



1 2016, that covers the 10-year period beginning with  
2 fiscal year 2019.

3 (2) The Memorandum of Understanding states  
4 that the United States will provide annual funding  
5 of \$500,000,000 for cooperative programs to de-  
6 velop, produce, and procure missile, rocket, and pro-  
7 jectile defense capabilities to help Israel meet its se-  
8 curity needs and to help develop and enhance the  
9 missile defense capabilities of the United States.

10 (3) The Memorandum of Understanding further  
11 states that Israel may seek additional missile de-  
12 fense funding from the United States in exceptional  
13 circumstances, as may be jointly agreed by the  
14 United States and Israel.

15 (b) SENSE OF CONGRESS.—It is the sense of Con-  
16 gress that—

17 (1) the strong and enduring relationship be-  
18 tween the United States and Israel is in the national  
19 security interest of both countries; and

20 (2) the September 2016 Memorandum of Un-  
21 derstanding between the United States and Israel,  
22 including the provisions of the memorandum relating  
23 to missile and rocket defense cooperation, is a crit-  
24 ical component of the bilateral relationship.

1 **SEC. 1673. REPORT ON COUNTERMEASURES TEST PRO-**  
2 **GRAM.**

3 Not later than 60 days after the date of the enact-  
4 ment of this Act, the Director of the Missile Defense  
5 Agency shall submit to the congressional defense commit-  
6 tees a report on the status of the countermeasures test  
7 program. The report shall include an evaluation and re-  
8 sponse to the 2010 report by the JASON Defense Advi-  
9 sory Panel titled “MDA Discrimination”, numbered JSR-  
10 10.620, with regard to the recommendations of that report  
11 on forming a countermeasures test program through an  
12 independent agency to—

13 (1) challenge the countermeasure efforts of the  
14 Missile Defense Agency;

15 (2) design countermeasures for the Missile De-  
16 fense Agency;

17 (3) simulate such countermeasures against the  
18 national missile defense; and

19 (4) as appropriate, in cooperation with the Di-  
20 rector, build and test countermeasures in intercept  
21 flight tests.

1                   **Subtitle F—Other Matters**

2   **SEC. 1681. EXTENSION OF COMMISSION TO ASSESS THE**  
3                   **THREAT TO THE UNITED STATES FROM ELEC-**  
4                   **TROMAGNETIC PULSE ATTACKS AND SIMI-**  
5                   **LAR EVENTS.**

6           Section 1691 of the National Defense Authorization  
7 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.  
8 1786) is amended—

9                   (1) in subsection (e)—

10                           (A) in paragraph (1)(A), by striking “April  
11                           1, 2019” and inserting “December 1, 2019”;  
12                           and

13                           (B) in paragraph (3), by striking “October  
14                           1, 2018” and inserting “March 1, 2019”; and

15                           (2) in subsection (h), by striking “October 1,  
16                           2019” and inserting “the date that is 180 days after  
17                           the date on which the Commission submits the re-  
18                           port under subsection (e)(1)”.

19   **SEC. 1682. PROCUREMENT OF AMMONIUM PERCHLORATE**  
20                   **AND OTHER CHEMICALS FOR USE IN SOLID**  
21                   **ROCKET MOTORS.**

22                   (a) BUSINESS CASE ANALYSIS.—

23                           (1) GOVERNMENT-OWNED, CONTRACTOR OPER-  
24                           ATED.—The Secretary of the Army and the Deputy  
25                           Assistant Secretary of Defense for Manufacturing

1 and Industrial Base Policy shall jointly conduct a  
2 business case analysis of the Federal Government  
3 using a Government-owned, contractor-operated  
4 model to ensure a robust domestic industrial base to  
5 supply specialty chemicals, including ammonium per-  
6 chlorate, for use in solid rocket motors. Such anal-  
7 ysis shall include assessments of the near- and long-  
8 term costs, operating and sustainment costs, pro-  
9 gram impacts, opportunities for competition, oppor-  
10 tunities for redundant or complementary capabili-  
11 ties, and national security implications of using such  
12 a model.

13 (2) REPORT.—Not later than March 1, 2019,  
14 the Secretary and the Deputy Assistant Secretary  
15 shall submit to the congressional defense committees  
16 the business case analysis conducted under para-  
17 graph (1).

18 (b) FULL AND OPEN COMPETITION.—

19 (1) USE.—To the extent practicable, in award-  
20 ing a contract for the sale of ammonium perchlorate  
21 from retired solid rocket motors, the Secretary of  
22 Defense shall use full and open competition (as de-  
23 fined in section 107 of title 41, United States Code).

24 (2) NOTIFICATION.—If the Secretary awards a  
25 contract for the sale of ammonium perchlorate from

1 retired solid rocket motors using procedures that do  
2 not include full and open competition, the Secretary  
3 shall notify the congressional defense committees of  
4 such award not later than 30 days after the date of  
5 such award.

6 **SEC. 1683. CONVENTIONAL PROMPT GLOBAL STRIKE**  
7 **HYPERSONIC CAPABILITIES.**

8 (a) **VALIDATED REQUIREMENTS.**—Not later than  
9 November 30, 2018, the Secretary of Defense shall submit  
10 to the congressional defense committees a validated re-  
11 quirement for ground-, sea-, or air-launched (or a com-  
12 bination thereof) conventional prompt global strike  
13 hypersonic capabilities.

14 (b) **REPORT.**—Not later than January 31, 2019, the  
15 Under Secretary of Defense for Acquisition and  
16 Sustainment, in coordination with the Secretary of the  
17 Navy and the Under Secretary of Defense for Policy, shall  
18 submit to the congressional defense committees a report  
19 that contains the following:

20 (1) A plan to deliver a conventional prompt  
21 global strike weapon system that—

22 (A) is in accordance with section 1693 of  
23 the National Defense Authorization Act for Fis-  
24 cal Year 2018 (Public Law 115–91; 131 Stat.  
25 1791); and

1 (B) includes—

2 (i) options with cost estimates for ac-  
3 celerating the initial capability for such  
4 system; and

5 (ii) a description of policy decisions by  
6 the Secretary of Defense that are nec-  
7 essary to employ hypersonic offense capa-  
8 bilities from each potential launch platform  
9 of such system.

10 (2) Details with respect to the assessed level of  
11 ambiguity and misinterpretation risk relating to the  
12 conventional prompt global strike weapon system, in-  
13 cluding such potential risks associated with warhead  
14 ambiguity, platform ambiguity (including if adver-  
15 sary sensors are degraded), perceptions of the sur-  
16 vivability of strategic nuclear forces, and likely ad-  
17 versary responses.

18 (3) A description of whether, when, and how  
19 the Under Secretary would address the risks identi-  
20 fied under paragraph (2) in developing and deploy-  
21 ing the conventional prompt global strike weapon  
22 system and in developing the concept of operations  
23 for such system.

1 **SEC. 1684. REPORT REGARDING INDUSTRIAL BASE FOR**  
2 **LARGE SOLID ROCKET MOTORS.**

3 (a) REPORT.—

4 (1) IN GENERAL.—Not later than April 15,  
5 2019, the Under Secretary of Defense for Acquisi-  
6 tion and Sustainment, in consultation with the Sec-  
7 retaries of the military departments that the Under  
8 Secretary determines appropriate, shall submit to  
9 the appropriate congressional committees a report  
10 on whether, and if so, how, the Federal Government  
11 will sustain more than one supplier for large solid  
12 rocket motors.

13 (2) MATTERS INCLUDED.—The report under  
14 paragraph (1) shall include an assessment of the fol-  
15 lowing:

16 (A) The risks within the industrial base for  
17 large solid rocket motors, including the risks to  
18 national security.

19 (B) The near- and long-term costs associ-  
20 ated with having a single source of large solid  
21 rocket motors as compared to having more than  
22 one such source.

23 (C) Options for sustaining more than one  
24 supplier for large solid rocket motors, including  
25 through leveraging—

- 1 (i) the ground-based strategic deter-  
2 rent program;
- 3 (ii) the Trident II D5 fleet ballistic  
4 missile program;
- 5 (iii) the ground-based midcourse de-  
6 fense program;
- 7 (iv) national security space launch  
8 programs;
- 9 (v) programs of the National Aero-  
10 nautics and Space Administration; and
- 11 (vi) any other applicable programs  
12 that use or may use solid rocket motors of  
13 any size, including with respect to substra-  
14 tegic and tactical systems.

15 (b) BRIEFING.—Not later than November 30, 2018,  
16 the Under Secretary shall provide to the Committees on  
17 Armed Services of the House of Representatives and the  
18 Senate, and to any other appropriate congressional com-  
19 mittee upon request, a briefing on the industrial base for  
20 large solid rocket motors.

21 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
22 FINED.—In this section, the term “appropriate congress-  
23 sional committees” means the following:

- 24 (1) The congressional defense committees.



1           (2) The Committee on Science, Space, and  
2           Technology and the Permanent Select Committee on  
3           Intelligence of the House of Representatives.

4           (3) The Committee on Commerce, Science, and  
5           Transportation and the Select Committee on Intel-  
6           ligence of the Senate.

7 **SEC. 1685. NATIONAL INTELLIGENCE ESTIMATE WITH RE-**  
8                                   **SPECT TO RUSSIAN AND CHINESE INTER-**  
9                                   **FERENCE IN DEMOCRATIC COUNTRIES.**

10          Not later than 270 days after the date of the enact-  
11          ment of this Act, the Director of National Intelligence  
12          shall commission and produce a National Intelligence Esti-  
13          mate, which may be submitted in classified form with an  
14          unclassified summary, on Russian and Chinese inter-  
15          ference in democratic countries around the world, includ-  
16          ing the United States, that contains specific descriptions  
17          of such interference. Not later than 60 days after the sub-  
18          mission of the National Intelligence Estimate required  
19          under this section, the Secretary of Defense shall report  
20          to Congress on efforts of the Department of Defense to  
21          deter such interference. Such report shall describe and as-  
22          sess any actions taken by the Department, including co-  
23          operation with other Federal agencies and other countries  
24          to deter such interference.

1 **DIVISION B—MILITARY CON-**  
2 **STRUCTION AUTHORIZA-**  
3 **TIONS**

4 **SEC. 2001. SHORT TITLE.**

5 This division may be cited as the “Military Construc-  
6 tion Authorization Act for Fiscal Year 2019”.

7 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**  
8 **AMOUNTS REQUIRED TO BE SPECIFIED BY**  
9 **LAW.**

10 (a) EXPIRATION OF AUTHORIZATIONS AFTER FIVE  
11 YEARS.—Except as provided in subsection (b), all author-  
12 izations contained in titles XXI through XXVII and title  
13 XXIX for military construction projects, land acquisition,  
14 family housing projects and facilities, and contributions to  
15 the North Atlantic Treaty Organization Security Invest-  
16 ment Program (and authorizations of appropriations  
17 therefor) shall expire on the later of—

18 (1) October 1, 2023; or

19 (2) the date of the enactment of an Act author-  
20 izing funds for military construction for fiscal year  
21 2024.

22 (b) EXCEPTION.—Subsection (a) shall not apply to  
23 authorizations for military construction projects, land ac-  
24 quisition, family housing projects and facilities, and con-  
25 tributions to the North Atlantic Treaty Organization Se-

1 curity Investment Program (and authorizations of appro-  
2 priations therefor), for which appropriated funds have  
3 been obligated before the later of—

4 (1) October 1, 2023; or

5 (2) the date of the enactment of an Act author-  
6 izing funds for fiscal year 2024 for military con-  
7 struction projects, land acquisition, family housing  
8 projects and facilities, or contributions to the North  
9 Atlantic Treaty Organization Security Investment  
10 Program.

11 **SEC. 2003. EFFECTIVE DATE.**

12 Titles XXI through XXVII and title XXIX shall take  
13 effect on the later of—

14 (1) October 1, 2018; or

15 (2) the date of the enactment of this Act.

16 **TITLE XXI—ARMY MILITARY**  
17 **CONSTRUCTION**

18 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**  
19 **ACQUISITION PROJECTS.**

20 (a) **INSIDE THE UNITED STATES.**—Using amounts  
21 appropriated pursuant to the authorization of appropria-  
22 tions in section 2103(a) and available for military con-  
23 struction projects inside the United States as specified in  
24 the funding table in section 7601, the Secretary of the  
25 Army may acquire real property and carry out military

1 construction projects for the installations or locations in-  
 2 side the United States, and in the amounts, set forth in  
 3 the following table:

**Army: Inside the United States**

<b>State</b>	<b>Installation</b>	<b>Amount</b>
Alabama .....	Anniston Army Depot .....	\$5,200,000
California .....	Fort Irwin .....	\$29,000,000
Colorado .....	Fort Carson .....	\$77,000,000
Georgia .....	Fort Gordon .....	\$99,000,000
Indiana .....	Crane Army Ammunition Plant .....	\$16,000,000
Kentucky .....	Fort Campbell .....	\$50,000,000
	Fort Knox .....	\$26,000,000
Maryland .....	Fort Meade .....	\$16,500,000
New Jersey .....	Picatinny Arsenal .....	\$41,000,000
New Mexico .....	White Sands Missile Range .....	\$40,000,000
New York .....	U.S. Military Academy .....	\$160,000,000
North Carolina .....	Fort Bragg .....	\$10,000,000
South Carolina .....	Fort Jackson .....	\$52,000,000
Texas .....	Fort Bliss .....	\$24,000,000
	Fort Hood .....	\$9,600,000

4 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 5 appropriated pursuant to the authorization of appropria-  
 6 tions in section 2103(a) and available for military con-  
 7 struction projects outside the United States as specified  
 8 in the funding table in section 7601, the Secretary of the  
 9 Army may acquire real property and carry out the military  
 10 construction project for the installations or locations out-  
 11 side the United States, and in the amount, set forth in  
 12 the following table:

**Army: Outside the United States**

<b>Country</b>	<b>Installation</b>	<b>Amount</b>
Germany .....	East Camp Grafenwoehr .....	\$31,000,000
Honduras .....	Soto Cano Air Base .....	\$21,000,000
Korea .....	Camp Tango .....	\$17,500,000
Kuwait .....	Camp Arifjan .....	\$44,000,000

1 **SEC. 2102. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using  
 3 amounts appropriated pursuant to the authorization of ap-  
 4 propriations in section 2103(a) and available for military  
 5 family housing functions as specified in the funding table  
 6 in section 7601, the Secretary of the Army may construct  
 7 or acquire family housing units (including land acquisition  
 8 and supporting facilities) at the installations or locations,  
 9 in the number of units, and in the amounts set forth in  
 10 the following table:

**Army: Family Housing**

<b>State/Country</b>	<b>Installation</b>	<b>Units</b>	<b>Amount</b>
Italy .....	Vicenza .....	Family Housing New Construction .....	\$95,134,000
Korea .....	Camp Walker .....	Family Housing Re- placement Con- struction .....	\$68,000,000
Puerto Rico .....	Fort Buchanan .....	Family Housing Re- placement Con- struction .....	\$26,000,000
Wisconsin .....	Fort McCoy .....	Family Housing New Construction .....	\$6,200,000

11 (b) PLANNING AND DESIGN.—Using amounts appro-  
 12 priated pursuant to the authorization of appropriations in  
 13 section 2103(a) and available for military family housing  
 14 functions as specified in the funding table in section 7601,  
 15 the Secretary of the Army may carry out architectural and  
 16 engineering services and construction design activities  
 17 with respect to the construction or improvement of family  
 18 housing units in an amount not to exceed \$18,326,000.

1 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
3 are hereby authorized to be appropriated for fiscal years  
4 beginning after September 30, 2018, for military con-  
5 struction, land acquisition, and military family housing  
6 functions of the Department of the Army as specified in  
7 the funding table in section 7601.

8 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
9 PROJECTS.—Notwithstanding the cost variations author-  
10 ized by section 2853 of title 10, United States Code, and  
11 any other cost variation authorized by law, the total cost  
12 of all projects carried out under section 2101 of this Act  
13 may not exceed the total amount authorized to be appro-  
14 priated under subsection (a), as specified in the funding  
15 table in section 7601.

16 **SEC. 2104. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
17 **FISCAL YEAR 2015 PROJECTS.**

18 (a) EXTENSION.—Notwithstanding section 2002 of  
19 the Military Construction Authorization Act for Fiscal  
20 Year 2015 (division B of Public Law 113–291; 128 Stat.  
21 3669), the authorizations set forth in the table in sub-  
22 section (b), as provided in section 2101 of that Act (128  
23 Stat. 3670), shall remain in effect until October 1, 2019,  
24 or the date of the enactment of an Act authorizing funds  
25 for military construction for fiscal year 2020, whichever  
26 is later.

1 (b) TABLE.—The table referred to in subsection (a)  
 2 is as follows:

**Army: Extension of 2015 Project Authorization**

State/Country	Installation	Project	Amount
California .....	Military Ocean Terminal, Concord.	Access Control Point	\$9,900,000
Japan .....	Kadena Air Base .....	Missile Magazine .....	\$10,600,000

3 **TITLE XXII—NAVY MILITARY**  
 4 **CONSTRUCTION**

5 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**  
 6 **ACQUISITION PROJECTS.**

7 (a) INSIDE THE UNITED STATES.—Using amounts  
 8 appropriated pursuant to the authorization of appropria-  
 9 tions in section 2204(a) and available for military con-  
 10 struction projects inside the United States as specified in  
 11 the funding table in section 7601, the Secretary of the  
 12 Navy may acquire real property and carry out military  
 13 construction projects for the installations or locations in-  
 14 side the United States, and in the amounts, set forth in  
 15 the following table:

**Navy: Inside the United States**

State	Installation or Location	Amount
Arizona .....	Camp Navajo .....	\$14,800,000
California .....	Marine Corps Base Camp Pendleton .....	\$127,930,000
	Marine Corps Air Station Miramar .....	\$31,980,000
	Naval Air Station Lemoore .....	\$127,590,000
	Naval Base Coronado .....	\$156,580,000
	Naval Base San Diego .....	\$176,040,000
	Naval Base Ventura .....	\$53,160,000
	Naval Weapons Station Seal Beach .....	\$139,630,000
District of Columbia ..	Naval Observatory .....	\$115,600,000
Florida .....	Naval Air Station Whiting Field .....	\$10,000,000
	Naval Station Mayport .....	\$111,460,000
Georgia .....	Marine Corps Logistics Base Albany .....	\$31,900,000
Guam .....	Joint Region Marianas .....	\$355,257,000
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$123,320,000
	Marine Corps Base Hawaii .....	\$66,100,000

**Navy: Inside the United States**—Continued

State	Installation or Location	Amount
Maine .....	Portsmouth Naval Yard .....	\$149,685,000
Mississippi .....	Naval Construction Battalion Center .....	\$22,300,000
North Carolina .....	Marine Corps Base Camp Lejeune .....	\$51,300,000
	Marine Corps Air Station Cherry Point .....	\$240,830,000
Pennsylvania .....	Naval Support Activity Philadelphia .....	\$71,050,000
South Carolina .....	Marine Corps Air Station Beaufort .....	\$15,817,000
	Marine Corps Recruit Depot, Parris Island .....	\$35,190,000
Utah .....	Hill Air Force Base .....	\$105,520,000
Virginia .....	Marine Corps Base Quantico .....	\$13,100,000
	Norfolk Naval Shipyard .....	\$26,120,000
Washington .....	Naval Base Kitsap .....	\$88,960,000
	Naval Air Station Whidbey Island .....	\$27,380,000

1           (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2204(a) and available for military con-  
4 struction projects outside the United States as specified  
5 in the funding table in section 7601, the Secretary of the  
6 Navy may acquire real property and carry out military  
7 construction projects for the installation or location out-  
8 side the United States, and in the amounts, set forth in  
9 the following table:

**Navy: Outside the United States**

Country	Installation or Location	Amount
Bahamas .....	Andros Island .....	\$31,050,000
Bahrain .....	SW Asia .....	\$26,340,000
Cuba .....	Naval Station Guantanamo Bay .....	\$104,700,000
Germany .....	Panzer Kaserne .....	\$43,950,000
Japan .....	Kadena Air Base .....	\$9,049,000

10 **SEC. 2202. FAMILY HOUSING.**

11           (a) CONSTRUCTION AND ACQUISITION.—Using  
12 amounts appropriated pursuant to the authorization of ap-  
13 propriations in section 2204(a) and available for military  
14 family housing functions as specified in the funding table



1 in section 7601, the Secretary of the Navy may construct  
 2 or acquire family housing units (including land acquisition  
 3 and supporting facilities) at the installations or locations,  
 4 in the number of units, and in the amounts set forth in  
 5 the following table:

**Navy: Family Housing**

Country	Installation	Units	Amount
Guam .....	Joint Region Mari- anas .....	Replace Andersen Housing PH III ...	\$83,441,000

6 (b) **PLANNING AND DESIGN.**—Using amounts appro-  
 7 priated pursuant to the authorization of appropriations in  
 8 section 2204(a) and available for military family housing  
 9 functions as specified in the funding table in section 7601,  
 10 the Secretary of the Navy may carry out architectural and  
 11 engineering services and construction design activities  
 12 with respect to the construction or improvement of family  
 13 housing units in an amount not to exceed \$4,502,000.

14 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
 15 **UNITS.**

16 Subject to section 2825 of title 10, United States  
 17 Code, and using amounts appropriated pursuant to the  
 18 authorization of appropriations in section 2204(a) and  
 19 available for military family housing functions as specified  
 20 in the funding table in section 7601, the Secretary of the  
 21 Navy may improve existing military family housing units  
 22 in an amount not to exceed \$16,638,000.

1 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
3 are hereby authorized to be appropriated for fiscal years  
4 beginning after September 30, 2018, for military con-  
5 struction, land acquisition, and military family housing  
6 functions of the Department of the Navy, as specified in  
7 the funding table in section 7601.

8 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
9 PROJECTS.—Notwithstanding the cost variations author-  
10 ized by section 2853 of title 10, United States Code, and  
11 any other cost variation authorized by law, the total cost  
12 of all projects carried out under section 2201 of this Act  
13 may not exceed the total amount authorized to be appro-  
14 priated under subsection (a), as specified in the funding  
15 table in section 7601.

16 **TITLE XXIII—AIR FORCE**  
17 **MILITARY CONSTRUCTION**

18 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**  
19 **LAND ACQUISITION PROJECTS.**

20 (a) INSIDE THE UNITED STATES.—Using amounts  
21 appropriated pursuant to the authorization of appropria-  
22 tions in section 2304(a) and available for military con-  
23 struction projects inside the United States as specified in  
24 the funding table in section 7601, the Secretary of the  
25 Air Force may acquire real property and carry out mili-  
26 tary construction projects for the installations or locations

1 inside the United States, and in the amounts, set forth  
 2 in the following table:

**Air Force: Inside the United States**

State	Installation or Location	Amount
Alaska .....	Eielson Air Force Base .....	\$63,800,000
Arizona .....	Davis Monthan Air Force Base .....	\$15,000,000
	Luke Air Force Base .....	\$40,000,000
Arkansas .....	Little Rock Air Force Base .....	\$26,000,000
Florida .....	Eglin Air Force Base .....	\$62,863,000
	MacDill Air Force Base .....	\$3,100,000
	Patrick Air Force Base .....	\$9,000,000
Guam .....	Joint Region Marianas .....	\$9,800,000
Louisiana .....	Barksdale Air Force Base .....	\$12,250,000
Mariana Islands .....	Timian .....	\$50,700,000
Maryland .....	Joint Base Andrews .....	\$58,000,000
Massachusetts .....	Hanscom Air Force Base .....	\$225,000,000
Nebraska .....	Offutt Air Force Base .....	\$9,500,000
Nevada .....	Creech Air Force Base .....	\$59,000,000
	Nellis Air Force Base .....	\$5,900,000
New Mexico .....	Holloman Air Force Base .....	\$85,000,000
	Kirtland Air Force Base .....	\$7,000,000
New York .....	Rome Lab .....	\$14,200,000
North Dakota .....	Minot Air Force Base .....	\$66,000,000
Ohio .....	Wright-Patterson Air Force Base .....	\$182,000,000
Oklahoma .....	Altus Air Force Base .....	\$12,000,000
	Tinker Air Force Base .....	\$166,000,000
South Carolina .....	Shaw Air Force Base .....	\$53,000,000
Utah .....	Hill Air Force Base .....	\$26,000,000
Washington .....	Fairechild-White Bluff .....	\$14,000,000

3 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 4 appropriated pursuant to the authorization of appropria-  
 5 tions in section 2304(a) and available for military con-  
 6 struction projects outside the United States as specified  
 7 in the funding table in section 7601, the Secretary of the  
 8 Air Force may acquire real property and carry out mili-  
 9 tary construction projects for the installation or location  
 10 outside the United States, and in the amount, set forth  
 11 in the following table:

**Air Force: Outside the United States**

Country	Installation or Location	Amount
United Kingdom .....	Royal Air Force Lakenheath ..	\$148,467,000
Worldwide Classified .....	Classified Location .....	\$18,000,000

1 **SEC. 2302. FAMILY HOUSING.**

2       Using amounts appropriated pursuant to the author-  
3 ization of appropriations in section 2304(a) and available  
4 for military family housing functions as specified in the  
5 funding table in section 7601, the Secretary of the Air  
6 Force may carry out architectural and engineering serv-  
7 ices and construction design activities with respect to the  
8 construction or improvement of family housing units in an  
9 amount not to exceed \$3,199,000.

10 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
11 **UNITS.**

12       Subject to section 2825 of title 10, United States  
13 Code, and using amounts appropriated pursuant to the  
14 authorization of appropriations in section 2304(a) and  
15 available for military family housing functions as specified  
16 in the funding table in section 7601, the Secretary of the  
17 Air Force may improve existing military family housing  
18 units in an amount not to exceed \$75,247,000.

19 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**  
20 **FORCE.**

21       (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds  
22 are hereby authorized to be appropriated for fiscal years  
23 beginning after September 30, 2018, for military con-  
24 struction, land acquisition, and military family housing  
25 functions of the Department of the Air Force, as specified  
26 in the funding table in section 7601.

1 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
2 PROJECTS.—Notwithstanding the cost variations author-  
3 ized by section 2853 of title 10, United States Code, and  
4 any other cost variation authorized by law, the total cost  
5 of all projects carried out under section 2301 of this Act  
6 may not exceed the total amount authorized to be appro-  
7 priated under subsection (a), as specified in the funding  
8 table in section 7601.

9 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**  
10 **CERTAIN PHASED PROJECT AUTHORIZED IN**  
11 **FISCAL YEARS 2015, 2016, AND 2017.**

12 In the case of the authorization contained in the table  
13 in section 2301(b) of the Military Construction Authoriza-  
14 tion Act for Fiscal Year 2015 (division B of Public Law  
15 113-291; 128 Stat. 3679) for Royal Air Force Croughton  
16 for JIAC Consolidation Phase 1, the authorization con-  
17 tained in the table in section 2301(b) of the Military Con-  
18 struction Authorization Act for Fiscal Year 2016 (division  
19 B of Public Law 114-92; 129 Stat. 1153) for Croughton  
20 Royal Air Force for JIAC Consolidation Phase 2, and the  
21 authorization contained in the table in section 2301(b) of  
22 the Military Construction Authorization Act for Fiscal  
23 Year 2017 (division B of Public Law 114-328; 130 Stat.  
24 2697) for Royal Air Force Croughton for JIAC Consolida-

1 tion Phase 3, the location shall be United Kingdom, Un-  
2 specified.

3 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT**  
4 **CERTAIN FISCAL YEAR 2017 PROJECT.**

5 In the case of the authorization contained in the table  
6 in section 2301(a) of the Military Construction Authoriza-  
7 tion Act for Fiscal Year 2017 (division B of Public Law  
8 114-328; 130 Stat. 2696) for Joint Base San Antonio,  
9 Texas, for construction of a basic military training recruit  
10 dormitory, the Secretary of the Air Force may construct  
11 a 26,537 square meter dormitory in the amount of  
12 \$92,300,000.

13 **SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT**  
14 **CERTAIN FISCAL YEAR 2018 PROJECT.**

15 In the case of the authorization contained in the table  
16 in section 2301(a) of the Military Construction Authoriza-  
17 tion Act for Fiscal Year 2018 (division B of Public Law  
18 115-91; 131 Stat. 1825) for the United States Air Force  
19 Academy, Colorado, for construction of a cyberworks facil-  
20 ity, the Secretary of the Air Force may construct a facility  
21 of up to 4,000 square meters.

1 **SEC. 2308. ADDITIONAL AUTHORITY TO CARRY OUT CER-**  
2 **TAIN FISCAL YEAR 2019 PROJECTS.**

3 (a) **PROJECT AUTHORIZATIONS.**—The Secretary of  
4 the Air Force may carry out military construction projects  
5 to construct—

6 (1) a 6,702 square meter Joint Simulation En-  
7 vironment Facility at Edwards Air Force Base, Cali-  
8 fornia, in the amount of \$43,000,000;

9 (2) a 4,833 square meter Cyberspace Test Fa-  
10 cility at Eglin Air Force Base, Florida, in the  
11 amount of \$38,000,000; and

12 (3) a 4,735 square meter Joint Simulation En-  
13 vironment Facility at Nellis Air Force Base, Nevada,  
14 in the amount of \$30,000,000.

15 (b) **USE OF RESEARCH, DEVELOPMENT, TEST, AND**  
16 **EVALUATION FUNDS.**—As provided for in the Defense  
17 Laboratory Modernization Pilot Program authorized by  
18 section 2803 of the Military Construction Authorization  
19 Act for Fiscal Year 2016 (10 U.S.C. 2358 note), the Sec-  
20 retary may use funds available for research, development,  
21 test, and evaluation for the projects described in sub-  
22 section (a).

1 **SEC. 2309. ADDITIONAL AUTHORITY TO CARRY OUT**  
 2 **PROJECT AT TRAVIS AIR FORCE BASE, CALI-**  
 3 **FORNIA, IN FISCAL YEAR 2019.**

4 The Secretary of the Air Force may carry out a mili-  
 5 tary construction project to construct a 150,000 square  
 6 foot high-bay air cargo pallet storage and marshaling en-  
 7 closure integral to installation of a mechanized material  
 8 handling system at Travis Air Force Base, California, in  
 9 the amount of \$35,000,000.

10 **TITLE XXIV—DEFENSE AGEN-**  
 11 **CIES MILITARY CONSTRUC-**  
 12 **TION**

13 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**  
 14 **TION AND LAND ACQUISITION PROJECTS.**

15 (a) **INSIDE THE UNITED STATES.**—Using amounts  
 16 appropriated pursuant to the authorization of appropria-  
 17 tions in section 2403(a) and available for military con-  
 18 struction projects inside the United States as specified in  
 19 the funding table in section 7601, the Secretary of De-  
 20 fense may acquire real property and carry out military  
 21 construction projects for the installations or locations in-  
 22 side the United States, and in the amounts, set forth in  
 23 the following table:

**Defense Agencies: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Alaska .....	Clear Air Force Station .....	\$174,000,000
	Joint Base Elmendorf-Richardson .....	\$14,000,000
Arkansas .....	Little Rock Air Force Base .....	\$14,000,000



**Defense Agencies: Inside the United States—Continued**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
California .....	Marine Corps Base Camp Pendleton .....	\$12,596,000
	Defense Distribution Depot-Tracy .....	\$18,800,000
	Naval Base Coronado .....	\$71,088,000
Colorado .....	Fort Carson .....	\$24,297,000
Conus Classified .....	Classified Location .....	\$49,222,000
Kentucky .....	Fort Campbell .....	\$82,298,000
Maine .....	Kittery .....	\$11,600,000
Maryland .....	Fort Meade .....	\$805,000,000
Missouri .....	St. Louis .....	\$447,800,000
New Jersey .....	Joint Base McGuire-Dix-Lakehurst .....	\$10,200,000
North Carolina .....	Fort Bragg .....	\$32,366,000
	Marine Corps Air Station New River .....	\$32,580,000
Oklahoma .....	McAlester .....	\$7,000,000
Texas .....	Joint Base San Antonio .....	\$10,200,000
	Red River Army Depot .....	\$71,500,000
Virginia .....	Fort A.P. Hill .....	\$11,734,000
	Fort Belvoir .....	\$6,127,000
	Humphreys Engineer Center .....	\$20,257,000
	Joint Base Langley-Eustis .....	\$12,700,000
	Pentagon .....	\$35,850,000
Washington .....	Training Center Dam Neck .....	\$8,959,000
	Joint Base Lewis-McChord .....	\$26,200,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2403(a) and available for military con-  
4 struction projects outside the United States as specified  
5 in the funding table in section 7601, the Secretary of De-  
6 fense may acquire real property and carry out military  
7 construction projects for the installations or locations out-  
8 side the United States, and in the amounts, set forth in  
9 the following table:

**Defense Agencies: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Belgium .....	Chievres Air Base .....	\$14,305,000
Cuba .....	Naval Station Guantanamo Bay .....	\$9,080,000
Germany .....	Baumholder .....	\$11,504,000
	Kaiserslautern Air Base .....	\$99,955,000
Japan .....	Wiesbaden .....	\$56,048,000
	Camp McTureous .....	\$94,851,000
	Iwakuni .....	\$33,200,000
	Kadena Air Base .....	\$21,400,000
	Yokosuka .....	\$170,386,000

1 **SEC. 2402. AUTHORIZED ENERGY CONSERVATION**  
2 **PROJECTS.**

3 Using amounts appropriated pursuant to the author-  
4 ization of appropriations in section 2403(a) and available  
5 for energy conservation projects as specified in the funding  
6 table in section 7601, the Secretary of Defense may carry  
7 out energy conservation projects under chapter 173 of title  
8 10, United States Code, in the amount set forth in the  
9 table.

10 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**  
11 **FENSE AGENCIES.**

12 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds  
13 are hereby authorized to be appropriated for fiscal years  
14 beginning after September 30, 2018, for military con-  
15 struction, land acquisition, and military family housing  
16 functions of the Department of Defense (other than the  
17 military departments), as specified in the funding table  
18 in section 7601.

19 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**  
20 **PROJECTS.**—Notwithstanding the cost variations author-  
21 ized by section 2853 of title 10, United States Code, and  
22 any other cost variation authorized by law, the total cost  
23 of all projects carried out under section 2401 of this Act  
24 may not exceed the total amount authorized to be appro-  
25 priated under subsection (a), as specified in the funding  
26 table in section 7601.

1 **SEC. 2404. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
 2 **FISCAL YEAR 2015 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2002 of  
 4 the Military Construction Authorization Act for Fiscal  
 5 Year 2015 (division B of Public Law 113–291; 128 Stat.  
 6 3669), the authorizations set forth in the table in sub-  
 7 section (b), as provided in section 2401 of that Act (128  
 8 Stat. 3681) and as amended by section 2406 of the Mili-  
 9 tary Construction Authorization Act for Fiscal Year 2018  
 10 (division B of Public Law 115–91; 131 Stat. 1831), shall  
 11 remain in effect until October 1, 2019, or the date of the  
 12 enactment of an Act authorizing funds for military con-  
 13 struction for fiscal year 2020, whichever is later.

14 (b) TABLE.—The table referred to in subsection (a)  
 15 is as follows:

**Defense Agencies: Extension of 2015 Project Authorizations**

<b>State/Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Japan .....	Commander Fleet Activities Sasebo .....	E.J. King High School Replacement/Renovation ....	\$37,681,000
Japan .....	Okinawa .....	Kubasaki High School Replacement/Renovation .....	\$99,420,000
New Mexico .....	Cannon AFB .....	SOF Squadron Operations Facility (STS) .....	\$23,333,000
Virginia .....	Pentagon .....	Redundant Chilled Water Loop .....	\$15,100,000

1       **TITLE XXV—INTERNATIONAL**  
2                   **PROGRAMS**  
3       **Subtitle A—North Atlantic Treaty**  
4           **Organization Security Invest-**  
5           **ment Program**

6       **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**  
7                   **ACQUISITION PROJECTS.**

8           The Secretary of Defense may make contributions for  
9 the North Atlantic Treaty Organization Security Invest-  
10 ment Program as provided in section 2806 of title 10,  
11 United States Code, in an amount not to exceed the sum  
12 of the amount authorized to be appropriated for this pur-  
13 pose in section 2502 and the amount collected from the  
14 North Atlantic Treaty Organization as a result of con-  
15 struction previously financed by the United States.

16       **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

17           Funds are hereby authorized to be appropriated for  
18 fiscal years beginning after September 30, 2018, for con-  
19 tributions by the Secretary of Defense under section 2806  
20 of title 10, United States Code, for the share of the United  
21 States of the cost of projects for the North Atlantic Treaty  
22 Organization Security Investment Program authorized by  
23 section 2501 as specified in the funding table in section  
24 7601.

1 **Subtitle B—Host Country In-Kind**  
 2 **Contributions**

3 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION**  
 4 **PROJECTS.**

5 Pursuant to agreement with the Republic of Korea  
 6 for required in-kind contributions, the Secretary of De-  
 7 fense may accept military construction projects for the in-  
 8 stallations or locations, and in the amounts, set forth in  
 9 the following table:

**Republic of Korea Funded Construction Projects**

Country	Component	Installation or Location	Project	Amount
Korea .....	Army .....	Camp Carroll	Upgrade Electrical Distribution, Phase 2 .....	\$52,000,000
	Army .....	Camp Humphreys .....	Site Development .....	\$7,800,000
	Army .....	Camp Humphreys .....	Air Support Operations Squadron .....	\$25,000,000
	Army .....	Camp Humphreys .....	Unaccompanied Enlisted Personnel Housing, P2 ...	\$76,000,000
	Army .....	Camp Humphreys .....	Echelon Above Brigade Engineer Battalion, VMF ....	\$123,000,000
	Army .....	Camp Walker	Repair/Replace Sewer Piping System .....	\$8,000,000
	Navy .....	Chinhae .....	Indoor Training Pool .....	\$7,400,000
	Navy .....	Pohang Air Base .....	Replace Ordnance Storage Magazines .....	\$87,000,000
	Air Force	Gimhae Air Base .....	Airfield Damage Repair Warehouse .....	\$7,600,000
	Air Force	Gwangju Air Base .....	Airfield Damage Repair Warehouse .....	\$7,600,000
	Air Force	Kunsan Air Base .....	Explosive Ordnance Disposal Facility .....	\$8,000,000
	Air Force	Kunsan Air Base .....	Upgrade Flow-Through Fuel System .....	\$23,000,000
	Air Force	Osan Air Base .....	5th Reconnaissance Squadron Aircraft Shelter .....	\$12,000,000
	Air Force	Osan Air Base .....	Airfield Damage Repair Facility .....	\$22,000,000

**Republic of Korea Funded Construction Projects—Continued**

Country	Component	Installation or Location	Project	Amount
	Air Force	Osan Air Base .....	Communications HQ Building .....	\$45,000,000
	Air Force	Suwon Air Base .....	Airfield Damage Repair Warehouse .....	\$7,200,000

1           **TITLE XXVI—GUARD AND**  
 2           **RESERVE FORCES FACILITIES**  
 3           **Subtitle A—Project Authorizations**  
 4           **and Authorization of Appropriations**  
 5           **tions**

6           **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**  
 7                           **STRUCTION AND LAND ACQUISITION**  
 8                           **PROJECTS.**

9           Using amounts appropriated pursuant to the author-  
 10 ization of appropriations in section 2606 and available for  
 11 the National Guard and Reserve as specified in the fund-  
 12 ing table in section 7601, the Secretary of the Army may  
 13 acquire real property and carry out military construction  
 14 projects for the Army National Guard locations inside the  
 15 United States, and in the amounts, set forth in the fol-  
 16 lowing table:

**Army National Guard**

State	Location	Amount
Alaska .....	Joint Base Elmendorf-Richardson .....	\$27,000,000
Illinois .....	Marseilles Training Center .....	\$5,000,000
Montana .....	Malta .....	\$15,000,000
Nevada .....	North Las Vegas .....	\$32,000,000
New Hampshire .....	Pembroke .....	\$12,000,000
North Dakota .....	Fargo .....	\$32,000,000
Ohio .....	Camp Ravenna .....	\$7,400,000
Oklahoma .....	Lexington .....	\$11,000,000

**Army National Guard**—Continued

State	Location	Amount
South Dakota .....	Rapid City .....	\$15,000,000

1 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**  
 2 **AND LAND ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the author-  
 4 ization of appropriations in section 2606 and available for  
 5 the National Guard and Reserve as specified in the fund-  
 6 ing table in section 7601, the Secretary of the Army may  
 7 acquire real property and carry out military construction  
 8 projects for the Army Reserve locations inside the United  
 9 States, and in the amounts, set forth in the following  
 10 table:

**Army Reserve: Inside the United States**

State	Location	Amount
California .....	Fort Irwin .....	\$34,000,000
Washington .....	Yakima Training Center .....	\$23,000,000
Wisconsin .....	Fort McCoy .....	\$23,000,000

11 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**  
 12 **CORPS RESERVE CONSTRUCTION AND LAND**  
 13 **ACQUISITION PROJECTS.**

14 Using amounts appropriated pursuant to the author-  
 15 ization of appropriations in section 2606 and available for  
 16 the National Guard and Reserve as specified in the fund-  
 17 ing table in section 7601, the Secretary of the Navy may  
 18 acquire real property and carry out military construction  
 19 projects for the Navy Reserve and Marine Corps Reserve

1 locations inside the United States, and in the amounts,  
 2 set forth in the following table:

**Navy Reserve and Marine Corps Reserve**

<b>State</b>	<b>Location</b>	<b>Amount</b>
California .....	Naval Weapons Station Seal Beach .....	\$21,740,000
Georgia .....	Fort Benning .....	\$13,630,000

3 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**  
 4 **TION AND LAND ACQUISITION PROJECTS.**

5 Using amounts appropriated pursuant to the author-  
 6 ization of appropriations in section 2606 and available for  
 7 the National Guard and Reserve as specified in the fund-  
 8 ing table in section 7601, the Secretary of the Air Force  
 9 may acquire real property and carry out military construc-  
 10 tion projects for the Air National Guard locations inside  
 11 the United States, and in the amounts, set forth in the  
 12 following table:

**Air National Guard**

<b>State</b>	<b>Location</b>	<b>Amount</b>
California .....	Channel Islands Air National Guard Station .....	\$8,000,000
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$17,000,000
Illinois .....	Greater Peoria Regional Airport .....	\$9,000,000
Louisiana .....	Naval Air Station Joint Reserve Base New Orleans.	\$39,000,000
Minnesota .....	Duluth International Airport .....	\$8,000,000
Montana .....	Great Falls International Airport .....	\$9,000,000
New York .....	Francis S. Gabreski Airport .....	\$20,000,000
Ohio .....	Mansfield Lahm Airport .....	\$13,000,000
	Rickenbacker International Airport .....	\$8,000,000
Pennsylvania .....	Fort Indiantown Gap .....	\$8,000,000
Virginia .....	Joint Base Langley-Eustis .....	\$10,000,000

13 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**  
 14 **TION AND LAND ACQUISITION PROJECTS.**

15 Using amounts appropriated pursuant to the author-  
 16 ization of appropriations in section 2606 and available for



1 the National Guard and Reserve as specified in the fund-  
 2 ing table in section 7601, the Secretary of the Air Force  
 3 may acquire real property and carry out military construc-  
 4 tion projects for the Air Force Reserve locations inside  
 5 the United States, and in the amounts, set forth in the  
 6 following table:

**Air Force Reserve**

<b>State</b>	<b>Location</b>	<b>Amount</b>
Florida .....	Patrick Air Force Base .....	\$24,000,000
Indiana .....	Grissom Air Reserve Base .....	\$21,500,000
Massachusetts .....	Westover Air Reserve Base .....	\$42,600,000
Minnesota .....	Minneapolis-St. Paul International Airport .....	\$9,000,000
Mississippi .....	Keesler Air Force Base .....	\$4,550,000
New York .....	Niagara Falls International Airport .....	\$14,000,000
Ohio .....	Youngstown Air Reserve Station .....	\$8,800,000
Texas .....	Naval Air Station Joint Reserve Base Fort Worth.	\$3,100,000

7 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**  
 8 **TIONAL GUARD AND RESERVE.**

9 Funds are hereby authorized to be appropriated for  
 10 fiscal years beginning after September 30, 2018, for the  
 11 costs of acquisition, architectural and engineering services,  
 12 and construction of facilities for the Guard and Reserve  
 13 Forces, and for contributions therefor, under chapter  
 14 1803 of title 10, United States Code (including the cost  
 15 of acquisition of land for those facilities), as specified in  
 16 the funding table in section 7601.

1           **Subtitle B—Other Matters**

2   **SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT**  
3                   **CERTAIN FISCAL YEAR 2016 PROJECT.**

4           In the case of the authorization contained in the table  
5 in section 2603 of the Military Construction Authorization  
6 Act for Fiscal Year 2016 (division B of Public Law 114–  
7 92; 129 Stat. 1164) for construction of a Reserve Train-  
8 ing Center Complex at Dam Neck, Virginia, the Secretary  
9 of the Navy may construct the Reserve Training Center  
10 Complex at Joint Expeditionary Base Little Creek-Story,  
11 Virginia.

12   **SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT**  
13                   **CERTAIN FISCAL YEAR 2018 PROJECT.**

14           In the case of the authorization contained in the table  
15 in section 2601 of the Military Construction Authorization  
16 Act for Fiscal Year 2018 (division B of Public Law 115–  
17 91; 131 Stat. 1834) for Fort Belvoir, Virginia, for addi-  
18 tions and alterations to the National Guard Readiness  
19 Center, the Secretary of the Army may construct a new  
20 readiness center.

21   **SEC. 2613. ADDITIONAL AUTHORITY TO CARRY OUT CER-**  
22                   **TAIN FISCAL YEAR 2019 PROJECT.**

23           (a) PROJECT AUTHORIZATION.—

24                   (1) PROJECT.—The Secretary of the Navy may  
25           carry out a military construction project to construct

1 a 50,000 square foot reserve training center, 6,600  
2 square foot combat vehicle maintenance and storage  
3 facility, 2,400 square foot vehicle wash rack, 1,600  
4 square foot covered training area, road improve-  
5 ments, and associated supporting facilities.

6 (2) ACQUISITION OF LAND.—As part of the  
7 project under this subsection, the Secretary may ac-  
8 quire approximately 8.5 acres of adjacent land and  
9 obtain necessary interest in land at Pittsburgh,  
10 Pennsylvania, for the construction and operation of  
11 the reserve training center.

12 (3) AMOUNT OF AUTHORIZATION.—The total  
13 amount of funds the Secretary may obligate and ex-  
14 pend on activities under this subsection during fiscal  
15 year 2019 may not exceed \$17,650,000.

16 (b) USE OF UNOBLIGATED PRIOR-YEAR NAVY MILI-  
17 TARY CONSTRUCTION RESERVE FUNDS.—The Secretary  
18 may use available, unobligated Navy military construction  
19 reserve funds for the project described in subsection (a).

20 (c) CONGRESSIONAL NOTIFICATION.—The Secretary  
21 of the Navy shall provide information in accordance with  
22 section 2851(c) of title 10, United States Code, regarding  
23 the project described in subsection (a). If it becomes nec-  
24 essary to exceed the estimated project cost, the Secretary  
25 shall utilize the authority provided by section 2853 of such

1 title regarding authorized cost and scope of work vari-  
2 ations.

3 **TITLE XXVII—BASE REALIGN-**  
4 **MENT AND CLOSURE ACTIVI-**  
5 **TIES**

6 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**  
7 **BASE REALIGNMENT AND CLOSURE ACTIVI-**  
8 **TIES FUNDED THROUGH DEPARTMENT OF**  
9 **DEFENSE BASE CLOSURE ACCOUNT.**

10 Funds are hereby authorized to be appropriated for  
11 fiscal years beginning after September 30, 2018, for base  
12 realignment and closure activities, including real property  
13 acquisition and military construction projects, as author-  
14 ized by the Defense Base Closure and Realignment Act  
15 of 1990 (part A of title XXIX of Public Law 101-510;  
16 10 U.S.C. 2687 note) and funded through the Department  
17 of Defense Base Closure Account established by section  
18 2906 of such Act (as amended by section 2711 of the Mili-  
19 tary Construction Authorization Act for Fiscal Year 2013  
20 (division B of Public Law 112-239; 126 Stat. 2140)), as  
21 specified in the funding table in section 7601.

22 **SEC. 2702. ADDITIONAL AUTHORITY TO REALIGN OR CLOSE**  
23 **CERTAIN MILITARY INSTALLATIONS.**

24 (a) AUTHORIZATION.—Notwithstanding sections 993  
25 or 2687 of title 10, United States Code, and subject to

1 subsection (d), the Secretary of Defense may take such  
2 actions as may be necessary to carry out the realignment  
3 or closure of a military installation in a State during a  
4 fiscal year if—

5           (1) the military installation is the subject of a  
6 notice which is described in subsection (b); and

7           (2) the Secretary includes the military installa-  
8 tion in the report submitted under paragraph (2) of  
9 subsection (c) with respect to the fiscal year.

10       (b) NOTICE FROM GOVERNOR OF STATE.—A notice  
11 described in this subsection is a notice received by the Sec-  
12 retary of Defense from the Governor of a State (or, in  
13 the case of the District of Columbia, the Mayor of the  
14 District of Columbia) in which the Governor recommends  
15 that the Secretary carry out the realignment or closure  
16 of a military installation located in the State, and which  
17 includes each of the following elements:

18           (1) A specific description of the military instal-  
19 lation, or a specific description of the relevant real  
20 and personal property.

21           (2) Statements of support for the realignment  
22 or closure from units of local government in which  
23 the installation is located.

24           (3) A detailed plan for the reuse or redevelop-  
25 ment of the real and personal property of the instal-

1 lation, together with a description of the local rede-  
2 velopment authority which will be responsible for the  
3 implementation of the plan.

4 (c) RESPONSE TO NOTICE.—

5 (1) MANDATORY RESPONSE TO GOVERNOR AND  
6 CONGRESS.—Not later than 1 year after receiving a  
7 notice from the Governor of a State (or, in the case  
8 of the District of Columbia, from the Mayor of the  
9 District of Columbia), the Secretary of Defense shall  
10 submit a response to the notice to the Governor and  
11 the congressional defense committees indicating  
12 whether or not the Secretary accepts the rec-  
13 ommendation for the realignment or closure of a  
14 military installation which is the subject of the no-  
15 tice.

16 (2) ACCEPTANCE OF RECOMMENDATION.—If  
17 the Secretary of Defense determines that it is in the  
18 interests of the United States to accept the rec-  
19 ommendation for the realignment or closure of a  
20 military installation which is the subject of a notice  
21 received under subsection (b) and intends to carry  
22 out the realignment or closure of the installation  
23 pursuant to the authority of this section during a  
24 fiscal year, at the time the budget is submitted  
25 under section 1105(a) of title 31, United States

1 Code, for the fiscal year, the Secretary shall submit  
2 a report to the congressional defense committees  
3 which includes the following:

4 (A) The identification of each military in-  
5 stallation for which the Secretary intends to  
6 carry out a realignment or closure pursuant to  
7 the authority of this section during the fiscal  
8 year, together with the reasons the Secretary of  
9 Defense believes that it is in the interest of the  
10 United States to accept the recommendation of  
11 the Governor of the State involved for the re-  
12 alignment or closure of the installation.

13 (B) For each military installation identi-  
14 fied under subparagraph (A), a master plan de-  
15 scribing the required scope of work, cost, and  
16 timing for all facility actions needed to carry  
17 out the realignment or closure, including the  
18 construction of new facilities and the repair or  
19 renovation of existing facilities.

20 (C) For each military installation identified  
21 under subparagraph (A), a certification that,  
22 not later than the end of the fifth fiscal year  
23 after the completion of the realignment or clo-  
24 sure, the savings resulting from the realignment  
25 or closure will exceed the costs of carrying out

1           the realignment or closure, together with an es-  
2           timate of the annual recurring savings that  
3           would be achieved by the realignment or closure  
4           of the installation and the timeframe required  
5           for the financial savings to exceed the costs of  
6           carrying out the realignment or closure.

7           (d) LIMITATIONS.—

8           (1) TIMING.—The Secretary may not initiate  
9           the realignment or closure of a military installation  
10          pursuant to the authority of this section until the  
11          expiration of the 90-day period beginning on the  
12          date the Secretary submits the report under para-  
13          graph (2) of subsection (c).

14          (2) TOTAL COSTS.—Subject to appropriations,  
15          the aggregate cost to the government in carrying out  
16          the realignment or closure of military installations  
17          pursuant to the authority of this section for all fiscal  
18          years may not exceed \$2,000,000,000. In deter-  
19          mining the cost to the government for purposes of  
20          this section, there shall be included the costs of  
21          planning and design, military construction, oper-  
22          ations and maintenance, environmental restoration,  
23          information technology, termination of public-private  
24          contracts, guarantees, and other factors contributing



1 to the cost of carrying out the realignment or clo-  
2 sure, as determined by the Secretary.

3 (e) PROCESS FOR IMPLEMENTATION.—The imple-  
4 mentation of the realignment or closure of a military in-  
5 stallation pursuant to the authority of this section shall  
6 be carried out in accordance with section 2905 of the De-  
7 fense Base Closure and Realignment Act of 1990 (title  
8 XXIX of Public Law 101–510; 10 U.S.C. 2687 note) in  
9 the same manner as the implementation of a realignment  
10 or closure of a military installation pursuant to the au-  
11 thority of such Act.

12 (f) STATE DEFINED.—In this section, the term  
13 “State” means each of the several States, the District of  
14 Columbia, the Commonwealth of Puerto Rico, American  
15 Samoa, Guam, the United States Virgin Islands, and the  
16 Commonwealth of the Northern Mariana Islands.

17 (g) TERMINATION OF AUTHORITY.—The authority of  
18 the Secretary to carry out a realignment or closure pursu-  
19 ant to this section shall terminate at the end of fiscal year  
20 2029.

1 **SEC. 2703. PROHIBITION ON CONDUCTING ADDITIONAL**  
2 **BASE REALIGNMENT AND CLOSURE (BRAC)**  
3 **ROUND.**

4 Nothing in this Act shall be construed to authorize  
5 an additional Base Realignment and Closure (BRAC)  
6 round.

7 **TITLE XXVIII—MILITARY CON-**  
8 **STRUCTION GENERAL PROVI-**  
9 **SIONS**

10 **Subtitle A—Military Construction**  
11 **Program and Military Family**  
12 **Housing**

13 **SEC. 2801. COMMERCIAL CONSTRUCTION STANDARDS FOR**  
14 **FACILITIES ON LEASED PROPERTY.**

15 (a) USE OF COMMERCIAL STANDARDS.—Section  
16 2667(b) of title 10, United States Code, is amended—

17 (1) by striking “and” at the end of paragraph  
18 (6);

19 (2) by striking the period at the end of para-  
20 graph (7) and inserting “; and”; and

21 (3) by adding at the end the following new  
22 paragraph:

23 “(8) shall provide that any facilities constructed  
24 on the property may be constructed using commer-  
25 cial standards in a manner that provides force pro-

1       tection safeguards appropriate to the activities con-  
2       ducted in, and the location of, such facilities.”.

3       (b) **EFFECTIVE DATE.**—The amendment made by  
4       subsection (a) shall apply with respect to leases entered  
5       into during fiscal year 2019 or any succeeding fiscal year.

6       **SEC. 2802. EXTENSION OF TEMPORARY, LIMITED AUTHOR-**  
7                               **ITY TO USE OPERATION AND MAINTENANCE**  
8                               **FUNDS FOR CONSTRUCTION PROJECTS OUT-**  
9                               **SIDE THE UNITED STATES.**

10       (a) **EXTENSION OF AUTHORITY.**—Subsection (h) of  
11       section 2808 of the Military Construction Authorization  
12       Act for Fiscal Year 2004 (division B of Public Law 108–  
13       136; 117 Stat. 1723), as most recently amended by sec-  
14       tion 2804 of the Military Construction Authorization Act  
15       for Fiscal Year 2018 (division B of Public Law 115–91;  
16       131 Stat. 1846), is amended—

17               (1) in paragraph (1), by striking “December  
18       31, 2018” and inserting “December 31, 2019”; and

19               (2) in paragraph (2), by striking “fiscal year  
20       2019” and inserting “fiscal year 2020”.

21       (b) **LIMITATION ON USE OF AUTHORITY.**—Sub-  
22       section (c)(1) of such section is amended—

23               (1) by striking “October 1, 2017” and inserting  
24       “October 1, 2018”;

1           (2) by striking “December 31, 2018” and in-  
2           serting “December 31, 2019”; and

3           (3) by striking “fiscal year 2019” and inserting  
4           “fiscal year 2020”.

5 **SEC. 2803. SMALL BUSINESS SET-ASIDE FOR CONTRACTS**  
6                           **FOR ARCHITECTURAL AND ENGINEERING**  
7                           **SERVICES AND CONSTRUCTION DESIGN.**

8           (a) MANDATORY AWARD OF CONTRACTS UNDER  
9 THRESHOLD AMOUNT.—Section 2855(b)(1) of title 10,  
10 United States Code, is amended by striking “subsection  
11 (a)—” and all that follows and inserting the following:  
12 “subsection (a), if the Secretary concerned estimates that  
13 the initial award of the contract will be in an amount less  
14 than the threshold amount determined under paragraph  
15 (2), the contract shall be awarded in accordance with the  
16 set aside provisions of the Small Business Act (15 U.S.C.  
17 631 et seq.).”.

18           (b) INCREASE IN THRESHOLD AMOUNT.—Section  
19 2855(b)(2) of such title is amended—

20                   (1) by striking “initial”;

21                   (2) by striking “\$300,000” and inserting  
22           “\$1,000,000”; and

23                   (3) by striking the second sentence.

1 (c) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply with respect to fiscal year 2019  
3 and each succeeding fiscal year.

4 **SEC. 2804. AUTHORITY TO OBTAIN ARCHITECTURAL AND**  
5 **ENGINEERING SERVICES AND CONSTRU-**  
6 **CTION DESIGN FOR DEFENSE LABORATORY**  
7 **MODERNIZATION PROGRAM.**

8 (a) AUTHORITY.—Section 2803 of the National De-  
9 fense Authorization Act for Fiscal Year 2016 (Public Law  
10 114–92; 129 Stat. 1169; 10 U.S.C. 2358 note) is amend-  
11 ed—

12 (1) by redesignating subsection (f) as sub-  
13 section (g); and

14 (2) by inserting after subsection (e) the fol-  
15 lowing new subsection:

16 “(f) ADDITIONAL AUTHORITY TO USE FUNDS FOR  
17 RELATED ARCHITECTURAL AND ENGINEERING SERVICES  
18 AND CONTRACT DESIGN.—

19 “(1) AUTHORITY.—In addition to the authority  
20 provided to the Secretary of Defense under sub-  
21 section (a) to use amounts appropriated or otherwise  
22 made available for research, development, test, and  
23 evaluation for a military construction project re-  
24 ferred to in such subsection, the Secretary of the  
25 military department concerned may use amounts ap-

1       appropriated or otherwise made available for research,  
2       development, test, and evaluation to obtain architec-  
3       tural and engineering services and to carry out con-  
4       struction design in connection with such a project.

5               “(2) NOTICE REQUIREMENT.—In the case of  
6       architectural and engineering services and construc-  
7       tion design to be undertaken under this subsection  
8       for which the estimated cost exceeds \$1,000,000, the  
9       Secretary concerned shall notify the appropriate  
10       committees of Congress of the scope of the proposed  
11       project and the estimated cost of such services be-  
12       fore the initial obligation of funds for such services.  
13       The Secretary may then obligate funds for such  
14       services only after the end of the 14-day period be-  
15       ginning on the date on which the notification is re-  
16       ceived by the committees in an electronic medium  
17       pursuant to section 480 of this title.”.

18       (b) CONFORMING AMENDMENTS TO WAIVE CONDI-  
19       TIONS APPLICABLE TO EXISTING AUTHORITY.—

20               (1) CONDITION ON AND SCOPE OF PROJECT AU-  
21       THORITY.—Section 2803(b) of such Act is amended  
22       by striking “project under this section” and insert-  
23       ing “project under subsection (a)”.

24               (2) CONGRESSIONAL NOTIFICATION.—Section  
25       2803(e) of such Act is amended by striking “carried

1 out under this section” each place it appears in  
2 paragraphs (1) and (2) and inserting “carried out  
3 under subsection (a)”.

4 (3) DESCRIPTION OF AUTHORIZED  
5 PROJECTS.—Section 2803(d) of such Act is amended  
6 by striking “provided by this section” and inserting  
7 “provided by subsection (a)”.

8 (4) FUNDING LIMITATION.—Section 2803(e) of  
9 such Act is amended by striking “projects under this  
10 section” and inserting “projects under subsection  
11 (a)”.

12 (c) EXTENSION OF PERIOD OF AUTHORITY.—Section  
13 2803(g) of such Act, as redesignated by subsection (a)(1),  
14 is amended by striking “October 1, 2020” and inserting  
15 “October 1, 2023”.

16 (d) EFFECTIVE DATE.—The amendments made by  
17 this section shall take effect as if included in the enact-  
18 ment of section 2803 of the National Defense Authoriza-  
19 tion Act for Fiscal Year 2016 (Public Law 114–92; 129  
20 Stat. 1169; 10 U.S.C. 2358 note).

21 **SEC. 2805. REPEAL OF LIMITATION ON CERTAIN GUAM**  
22 **PROJECT.**

23 (a) REPEAL OF LIMITATION.—Section 2879 of the  
24 National Defense Authorization Act for Fiscal Year 2018

1 (Public Law 115–91; 131 Stat. 1874) is amended by strik-  
2 ing subsection (b).

3 (b) **EFFECTIVE DATE.**—The amendment made by  
4 subsection (a) shall take effect as if included in the enact-  
5 ment of the National Defense Authorization Act for Fiscal  
6 Year 2018.

7 **SEC. 2806. ENHANCING FORCE PROTECTION AND SAFETY**  
8 **ON MILITARY INSTALLATIONS.**

9 (a) **AUTHORIZATION OF ADDITIONAL PROJECTS.**—In  
10 addition to any other military construction projects au-  
11 thorized under this Act, the Secretary of the military de-  
12 partment concerned may carry out military construction  
13 projects to enhance force protection and safety on military  
14 installations, as specified in the funding table in section  
15 7601.

16 (b) **NOTICE AND WAIT REQUIREMENTS.**—The Sec-  
17 retary concerned may obligate or expend funds to carry  
18 out a project under this section only after the end of the  
19 14-day period beginning on the date on which the Sec-  
20 retary submits, in an electronic medium pursuant to sec-  
21 tion 480 of title 10, United States Code, to the congres-  
22 sional defense committees a justification of the need for  
23 the project.

24 (c) **EXPIRATION OF AUTHORIZATION.**—Section 2002  
25 shall apply with respect to the authorization of a military



1 construction project under this section in the same man-  
2 ner as such section applies to the authorization of a  
3 project contained in titles XXI through XXVII.

4 **SEC. 2807. LIMITATION ON USE OF FUNDS FOR ACQUI-**  
5 **SITION OF FURNISHED ENERGY FOR NEW MED-**  
6 **ICAL CENTER IN GERMANY.**

7 (a) LIMITATION.—No amounts authorized to be ap-  
8 propriated or made available to the Secretary of Defense  
9 or the Secretary of any military department may be used  
10 to enter into a contract for the acquisition of furnished  
11 energy for the new Rhine Ordnance Barracks Army Med-  
12 ical Center (hereafter in this section referred to as the  
13 “Medical Center”) until the Secretary of Defense submits  
14 to the congressional defense committees a written certifi-  
15 cation that—

16 (1) the source of furnished energy for the Med-  
17 ical Center will minimize the use of fuels sourced  
18 from inside the Russian Federation;

19 (2) the design of the Medical Center will utilize  
20 a diversified energy supply from a mixed-fuel system  
21 as the source of furnished energy to sustain mission  
22 critical operations during any sustained energy sup-  
23 ply disruption caused by the Russian Federation;  
24 and

1           (3) to the extent available, domestically-sourced  
2           fuels shall be the preferred source for furnished en-  
3           ergy for the Medical Center.

4           (b) WAIVER FOR NATIONAL SECURITY INTERESTS.—  
5           Subsection (a) shall not apply if the Secretary of Defense  
6           certifies to the congressional defense committees that a  
7           waiver of such subsection is necessary to protect the na-  
8           tional security interests of the United States.

9           (c) DEFINITION.—In this section, the term “fur-  
10          nished energy” means energy furnished to the Medical  
11          Center in any form and for any purpose, including heat-  
12          ing, cooling, and electricity.

13          (d) EFFECTIVE DATE.—This section shall take effect  
14          on the date of the enactment of this Act.

15   **SEC. 2808. TREATMENT OF LEASES OF NON-EXCESS PROP-**  
16                                   **ERTY ENTERED INTO WITH INSURED DEPOSI-**  
17                                   **TORY INSTITUTIONS.**

18          Section 2667 of title 10, United States Code, is  
19          amended —

20               (1) in subsection (b)(4), by striking “amount  
21               that” and inserting “amount that, except as pro-  
22               vided in subsection (c)(4),”; and

23               (2) in subsection (c), by adding at the end the  
24               following new paragraph:

1           “(4)(A) With respect to a lease under this section en-  
2   tered into with an insured depository institution (as de-  
3   fined under section 3 of the Federal Deposit Insurance  
4   Act (12 U.S.C. 1813)) after the date of the enactment  
5   of the National Defense Authorization Act for Fiscal Year  
6   2019, the Secretary concerned shall accept the financial  
7   services provided by the insured depository institution to  
8   members of the armed forces, civilian employees of the De-  
9   partment of Defense, and dependents of such members or  
10  employees as sufficient in-kind consideration to cover all  
11  lease, services, and utilities costs assessed with regard to  
12  the leased property.

13           “(B) With respect to a lease under this section which  
14  was entered into with an insured depository institution be-  
15  fore the date of the enactment of the National Defense  
16  Authorization Act for Fiscal Year 2019, the Secretary  
17  concerned may renegotiate the terms of such lease to apply  
18  subparagraph (A) to such lease as if such subparagraph  
19  were in effect at the time the Secretary entered into the  
20  lease.”.

1           **Subtitle B—Real Property and**  
2           **Facilities Administration**

3   **SEC. 2811. OPTIONAL PARTICIPATION IN COLLECTION OF**  
4           **INFORMATION ON UNUTILIZED AND UNDER-**  
5           **UTILIZED MILITARY INSTALLATION PROP-**  
6           **ERTIES AVAILABLE FOR HOMELESS ASSIST-**  
7           **ANCE.**

8           (a) MAKING PARTICIPATION BY AGENCIES OF DE-  
9   PARTMENT OF DEFENSE OPTIONAL.—Section 501(a) of  
10 the McKinney-Vento Homeless Assistance Act (42 U.S.C.  
11 11411(a)) is amended—

12           (1) by striking “The Secretary of Housing” and  
13           inserting “(1) The Secretary of Housing”; and

14           (2) by adding at the end the following new  
15           paragraphs:

16           “(2) The transmittal of information by the head of  
17 a landholding agency of the Department of Defense under  
18 this subsection shall be optional in the case of an excess  
19 or surplus building, facility, or property if the Secretary  
20 of Defense determines that the building, facility, or prop-  
21 erty—

22           “(A) would be for off-site use only; or

23           “(B) is located on an active military installation  
24           and is not subject to subsection (h).

1       “(3) If the Secretary of Defense makes a determina-  
2 tion under paragraph (2) during a fiscal year, not later  
3 than 90 days after the end of that fiscal year, the Sec-  
4 retary of Defense shall submit a report to the Committees  
5 on Armed Services, Banking, Housing, and Urban Affairs,  
6 and Homeland Security and Governmental Affairs of the  
7 Senate and the Committees on Armed Services, Financial  
8 Services, and Oversight and Government Reform of the  
9 House of Representatives listing all of the buildings, facili-  
10 ties, and properties for which the Secretary of Defense  
11 made a determination under paragraph (2) during that  
12 fiscal year. The Secretary of Defense shall submit the re-  
13 port in unclassified form, but may include a classified  
14 annex as necessary.”.

15       (b) EFFECTIVE DATE.—The amendment made by  
16 subsection (a) shall apply with respect to fiscal year 2019  
17 and each succeeding fiscal year.

18 **SEC. 2812. FORCE STRUCTURE PLANS AND INFRASTRUC-**  
19 **TURE CAPABILITIES NECESSARY TO SUP-**  
20 **PORT THE FORCE STRUCTURE.**

21       (a) FORCE STRUCTURE PLANS AND INFRASTRUC-  
22 TURE CAPABILITIES.—Not later than the date on which  
23 the budget of the President for fiscal year 2021 is sub-  
24 mitted to Congress pursuant to section 1105 of title 31,  
25 United States Code, the Secretary of Defense shall develop

1 and submit to the congressional defense committees the  
2 following:

3 (1) A force structure plan for each of the Army,  
4 Navy, Air Force, and Marine Corps and the reserve  
5 components of each military department that is in-  
6 formed by—

7 (A) an assessment by the Secretary of De-  
8 fense of the probable threats to the national se-  
9 curity of the United States; and

10 (B) end-strength levels and major military  
11 force units (including land force divisions, car-  
12 rier and other major combatant vessels, air  
13 wings, and other comparable units) authorized  
14 in the National Defense Authorization Act for  
15 Fiscal Year 2018 (Public Law 115–91).

16 (2) A categorical model of installation capabili-  
17 ties required to carry out the force structures plans  
18 described in paragraph (1) based on—

19 (A) the infrastructure, real property, and  
20 facilities capabilities required to carry out such  
21 plans; and

22 (B) the current military requirements of  
23 the major military units referred to in subpara-  
24 graph (B) of such paragraph.

1 (b) CONSISTENCY.—In developing force structure  
2 plans and categorical models of installation capabilities  
3 under subsection (a), the Secretary of Defense shall en-  
4 sure that the infrastructure, real property, and facilities  
5 of each of the military departments are categorized and  
6 measured in consistent terms so as to facilitate compari-  
7 sons.

8 (c) RELATIONSHIP TO INVENTORY.—Using the infor-  
9 mation in the force structure plans and categorical model  
10 developed under subsection (a), the Secretary of Defense  
11 shall submit to Congress each of the following:

12 (1) An assessment of the requirements nec-  
13 essary for carrying out the force structure plans  
14 compared to existing infrastructure, real property,  
15 and facilities capabilities, as documented in the  
16 records maintained under section 2721 of title 10,  
17 United States Code.

18 (2) An identification of any deficit or surplus  
19 capability in such infrastructure, real property, and  
20 facilities—

21 (A) for each military department; and

22 (B) for locations within the continental  
23 United States and territories.

1 **SEC. 2813. RETROFITTING EXISTING WINDOWS IN MILITARY**  
2 **FAMILY HOUSING UNITS TO BE EQUIPPED**  
3 **WITH FALL PREVENTION DEVICES.**

4 (a) **AUTHORIZING FUNDING FOR RETROFITTING OR**  
5 **REPLACING WINDOWS.**—Section 2879 of title 10, United  
6 States Code, as added by section 2817(a) of the National  
7 Defense Authorization Act for Fiscal Year 2018 (131  
8 Stat. 1851) is amended—

9 (1) in subsection (a)(1), by striking “subsection  
10 (b)” and inserting “subsection (c)”;

11 (2) by redesignating subsections (b) and (c) as  
12 subsections (c) and (d); and

13 (3) by inserting after subsection (a) the fol-  
14 lowing new subsection:

15 “(b) **RETROFITTING OR REPLACING EXISTING WIN-**  
16 **DOWS.**—

17 “(1) **PROGRAM TO RETROFIT EXISTING WIN-**  
18 **DOWS.**—The Secretary concerned shall carry out a  
19 program under which, in military family housing  
20 units acquired or constructed under this chapter  
21 which are not subject to the requirements of sub-  
22 section (a), windows which are described in sub-  
23 section (c), including windows designed for emer-  
24 gency escape or rescue, are retrofitted to be  
25 equipped with fall prevention devices described in  
26 paragraph (1) of subsection (a) or are replaced with



1 windows which are equipped with fall prevention de-  
2 vices described in such paragraph.

3 “(2) GRANTS.—The Secretary concerned may  
4 carry out the program under this subsection by mak-  
5 ing grants to private entities to retrofit or replace  
6 existing windows, in accordance with such criteria as  
7 the Secretary may establish by regulation.

8 “(3) USE OF OPERATIONS FUNDING.—The Sec-  
9 retary may carry out the program under this sub-  
10 section during a fiscal year with amounts made  
11 available to the Secretary for family housing oper-  
12 ations for such fiscal year.”.

13 (b) EFFECTIVE DATE.—The amendments made by  
14 this section shall apply with respect to fiscal year 2019  
15 and each succeeding fiscal year.

16 **SEC. 2814. UPDATING PROHIBITION ON USE OF CERTAIN**  
17 **ASSESSMENT OF PUBLIC SCHOOLS ON DE-**  
18 **PARTMENT OF DEFENSE INSTALLATIONS TO**  
19 **SUPERSEDE FUNDING OF CERTAIN**  
20 **PROJECTS.**

21 (a) UPDATE.—Paragraph (3) of section 2814(a) of  
22 the National Defense Authorization Act for Fiscal Year  
23 2017 (Public Law 114–328; 130 Stat. 2717), as added  
24 by section 2818(a) of the National Defense Authorization  
25 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.

1 1852), is amended by striking “33 projects” and inserting  
2 “38 projects”.

3 (b) EFFECTIVE DATE.—The amendment made by  
4 subsection (a) shall take effect as if included in the enact-  
5 ment of the National Defense Authorization Act for Fiscal  
6 Year 2018.

7 **SEC. 2815. STUDY OF FEASIBILITY OF USING 20-YEAR**  
8 **INTERGOVERNMENTAL SUPPORT AGREE-**  
9 **MENTS FOR INSTALLATION-SUPPORT SERV-**  
10 **ICES.**

11 (a) STUDY.—Each Secretary concerned shall conduct  
12 a study of the feasibility and desirability of entering into  
13 intergovernmental support agreements under section  
14 2679(a) of title 10, United States Code, for a term not  
15 to exceed 20 years.

16 (b) REPORT.—Not later than 180 days after the date  
17 of the enactment of this Act, each Secretary concerned  
18 shall submit to the congressional defense committees a re-  
19 port on the study conducted under subsection (a).

20 **SEC. 2816. PROMOTING RESPONSIBLE LEASING OF PROP-**  
21 **ERTY.**

22 (a) REQUIRING CERTIFICATION BY SECRETARIES OF  
23 MILITARY DEPARTMENTS PRIOR TO ENTERING INTO  
24 LEASES THAT PROPERTY OWNED BY UNITED STATES IS  
25 NOT AVAILABLE TO CARRY OUT PURPOSE OF LEASE.—

1           (1) ADDITIONAL REQUIREMENT IN REPORTS ON  
2 LEASES OF REAL PROPERTY.—Section  
3 2662(a)(5)(B) of title 10, United States Code, as  
4 amended by section 2812 of the National Defense  
5 Authorization Act for Fiscal Year 2018 (Public Law  
6 115–91; 131 Stat. 1849), is amended—

7           (A) by striking “or” at the end of clause  
8 (ii);

9           (B) by striking the period at the end of  
10 clause (iii) and inserting “; or”; and

11           (C) by adding at the end the following new  
12 clause:

13           “(iv) facilities in property under the juris-  
14 diction of the Department of Defense may not  
15 be reconfigured to support the purpose of the  
16 proposed lease in an appropriate and cost-effec-  
17 tive manner.”.

18           (2) EFFECTIVE DATE; NOTICE OF COMPLI-  
19 ANCE.—

20           (A) EFFECTIVE DATE.—The amendment  
21 made by paragraph (1) shall apply with respect  
22 to leases entered into or renewed on or after the  
23 expiration of the 60-day period which begins on  
24 the date of the enactment of this Act.

1           (B) REPORT ON STEPS TAKEN TO ENSURE  
2           FUTURE COMPLIANCE.—Upon the completion of  
3           any general steps necessary to ensure that the  
4           Department of Defense will be able to meet the  
5           requirements of subsection (a)(5) of section  
6           2662 of title 10, United States Code (as  
7           amended by paragraph (1)) with respect to all  
8           leases entered into or renewed after the expira-  
9           tion of the period described in subparagraph  
10          (A), including the promulgation of any regula-  
11          tions or the issuance of other guidance, the Sec-  
12          retary of Defense shall submit a one-time re-  
13          port to the Committees on Armed Services of  
14          the House of Representatives and Senate and  
15          shall post a copy of the report on the public  
16          website of the Department of Defense.

17          (b) IMPROVING ACCURACY OF INFORMATION IN RE-  
18          PORTS BY SECRETARY OF DEFENSE ON REAL PROPERTY  
19          LEASES.—

20           (1) INFORMATION ON COSTS OF LEASES.—In  
21          preparing any inventory or report on real property  
22          leased by the Department of Defense, including in-  
23          formation on property included in a Base Structure  
24          Report and information in the Real Property Asset

1 Database of the Department of Defense, the Sec-  
2 retary of Defense shall—

3 (A) in the case of a lease which covers  
4 multiple assets of the Department, provide a  
5 separate breakdown of the rent and other costs  
6 (including parking) associated with each such  
7 asset; and

8 (B) in the case of real property which is  
9 subject to multiple leases entered into by the  
10 Department, provide a separate breakdown for  
11 each such lease and the costs associated with  
12 each such lease.

13 (2) REPORT.—Not later than 1 year after the  
14 date of the enactment of this Act, or at the time of  
15 publishing the next Base Structure Report prepared  
16 after the date of the enactment of this Act (which-  
17 ever occurs earlier), the Secretary of Defense shall  
18 submit to the Committees on Armed Services of the  
19 House of Representatives and Senate a report detail-  
20 ing the steps the Secretary has taken to ensure com-  
21 pliance with the requirements of paragraph (1).

22 (c) REVIEW BY GOVERNMENT ACCOUNTABILITY OF-  
23 FICE.—Not later than 1 year after the date on which the  
24 Secretary of Defense submits the one-time report required  
25 under subparagraph (B) of subsection (a)(2), the Comp-

1 troller General of the United States shall prepare and sub-  
2 mit to Congress a report on—

3 (1) the extent to which the Department is in  
4 compliance with subsection (a)(5) of section 2662 of  
5 title 10, United States Code (as amended by sub-  
6 section (a)(1)), including the regulations and guid-  
7 ance promulgated and issued by the Secretary to en-  
8 sure compliance with such subsection, as of the date  
9 on which the Secretary submits the report; and

10 (2) the extent to which the Secretary is includ-  
11 ing the information required under subsection (b) in  
12 inventories and reports on real property leased by  
13 the Department, as of the date on which the Sec-  
14 retary submits the report.

15 **SEC. 2817. REPORTS ON BUILDINGS AND FACILITIES SUB-**  
16 **JECT TO EXCEPTIONS TO ACCESSIBILITY**  
17 **STANDARDS.**

18 (a) ANNUAL REPORT FOR NEW CONSTRUCTION.—  
19 Not later than 90 days after the end of each of the fiscal  
20 years 2019 through 2023, the Secretary concerned shall  
21 submit to the congressional defense committees a report  
22 listing each building or facility for which the Secretary  
23 first initiated construction during the fiscal year, or for  
24 which the Secretary first entered into a lease for the use  
25 of the Secretary during the fiscal year, which is subject

1 to one of the accessibility standard exceptions described  
2 in subsection (c).

3 (b) ONE-TIME REPORT ON CURRENT BUILDINGS  
4 AND FACILITIES SUBJECT TO EXCEPTIONS.—Not later  
5 than 180 days after the date of the enactment of this Act,  
6 each Secretary concerned shall submit to the congressional  
7 defense committees a report listing each building or facil-  
8 ity constructed or leased by the Secretary during fiscal  
9 years 2014 through 2018 which is subject to one of the  
10 accessibility standard exceptions described in subsection  
11 (c).

12 (c) ACCESSIBILITY STANDARD EXCEPTIONS DE-  
13 SCRIBED.—The accessibility standard exceptions described  
14 in this subsection with respect to a building or facility are  
15 as follows:

16 (1) The building or facility is leased by the Sec-  
17 retary concerned on a temporary, emergency basis  
18 for the use of officials providing disaster assistance.

19 (2) The building or facility is located in a for-  
20 eign country and is constructed in whole or in part  
21 with funds provided by the United States, but the  
22 Secretary concerned does not control the design cri-  
23 teria and the building or facility is not required to  
24 comply with standards under the Architectural Bar-  
25 riers Act of 1968 (42 U.S.C. 4151 et seq.).

1           (3) The building or facility is located in a for-  
2           eign country and is leased by the Secretary con-  
3           cerned.

4           (4) The building or facility is subject to a waiv-  
5           er granted by the Principal Deputy Under Secretary  
6           of Defense who represents the Department of De-  
7           fense on the United States Access Board.

## 8           **Subtitle C—Land Conveyances**

### 9           **SEC. 2821. LAND EXCHANGE, AIR FORCE PLANT 44, TUCSON,** 10           **ARIZONA.**

11           (a) LAND CONVEYANCE AND RESTORATION OF REAL  
12           PROPERTY IMPROVEMENTS AUTHORIZED.—In connection  
13           with a project planned by the Tucson Airport Authority  
14           (in this section referred to as “TAA”) to relocate and ex-  
15           tend a parallel runway and make other airfield safety en-  
16           hancements at the Tucson International Airport, the Sec-  
17           retary of the Air Force (in this section referred to as the  
18           “Secretary”) may—

19           (1) convey to TAA all right, title, and interest  
20           of the United States in and to all or any part of a  
21           parcel of real property, including any improvements  
22           thereon, consisting of approximately 58 acres on Air  
23           Force Plant 44, Arizona, and located adjacent to  
24           Tucson International Airport;



1           (2) agree to terminate all or a portion of any  
2 deed restrictions made for the benefit of the United  
3 States that limit construction on Tucson Inter-  
4 national Airport within 750 feet of the Airport's  
5 southwest property boundary with Air Force Plant  
6 44; and

7           (3) using cash or in-kind consideration as pro-  
8 vided in subsection (b)—

9           (A) construct new explosives storage facili-  
10 ties to replace the explosives storage facilities  
11 located on the land described in paragraph (1)  
12 and explosives storage facilities located on Air  
13 Force Plant 44 within the end-of-runway clear  
14 zone associated with the TAA airfield enhance-  
15 ment project; and

16           (B) construct new fencing as necessary to  
17 accommodate the changes in the boundary of  
18 Air Force Plant 44.

19       (b) CONSIDERATION.—As consideration for the land  
20 conveyance, deed restriction termination, replacement of  
21 real property improvements, and installation of fencing  
22 authorized under subsection (a), the following consider-  
23 ation must be received by the United States before the  
24 Secretary may make any conveyance or termination of real

1 property interests of the United States as described in  
2 subsection (a):

3 (1) All right, title, and interest of the owner or  
4 owners thereof to the parcels of real property con-  
5 sisting of approximately 160 acres directly adjacent  
6 to the south boundary of Air Force Plant 44.

7 (2) The cost to the Secretary, in accordance  
8 with current design standards, of—

9 (A) replacing the real property structures  
10 on Air Force Plant 44 made unusable due to  
11 the land transfers and termination of deed re-  
12 strictions, with structures of at least equivalent  
13 capacity and functionality; and

14 (B) installing the necessary boundary fence-  
15 ing due to the changes in the boundary of Air  
16 Force Plant 44.

17 (c) DIRECT PAYMENT OF CONSIDERATION TO GOV-  
18 ERNMENT CONTRACTORS.—The Secretary may require  
19 that any cash consideration to be received under this sec-  
20 tion be paid, directly or through the Air Force design and  
21 construction agent, to the contractors performing design  
22 or construction of the real property improvements de-  
23 scribed in subsection (a)(3).

24 (d) PAYMENT OF COSTS OF CONVEYANCES.—

1           (1) PAYMENT REQUIRED.—The Secretary may  
2           require TAA to cover costs to be incurred by the  
3           Secretary to carry out the land exchange and other  
4           transactions authorized under this section, or to re-  
5           imburse the Secretary for such costs, including sur-  
6           vey costs, appraisal costs, costs related to environ-  
7           mental documentation, and other administrative  
8           costs related to the conveyances. If amounts are col-  
9           lected from TAA in advance of the Secretary incur-  
10          ring the actual costs, and the amount collected ex-  
11          ceeds the costs actually incurred by the Secretary to  
12          carry out such transactions, the Secretary shall re-  
13          fund the excess amount to TAA.

14          (2) TREATMENT OF AMOUNTS RECEIVED.—  
15          Amounts received as reimbursements under para-  
16          graph (1) shall be used in accordance with section  
17          2695(e) of title 10, United States Code.

18          (e) DESCRIPTION OF PROPERTY.—The exact acreage  
19          and legal description of the real property to be exchanged  
20          under this section shall be determined by a survey satis-  
21          factory to the Secretary.

22          (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
23          retary may require such additional terms and conditions  
24          in connection with the land exchange and other trans-  
25          actions under this section as the Secretary considers ap-

1 appropriate to protect the interests of the United States.  
2 Without limiting the foregoing, the Secretary may estab-  
3 lish a deed restriction on any part of the 58 acres de-  
4 scribed in subsection (a)(1) to accommodate existing  
5 Quantity Distance arcs.

6 **SEC. 2822. AUTHORITY FOR TRANSFER OF ADMINISTRA-**  
7 **TIVE JURISDICTION OVER CERTAIN LANDS,**  
8 **MARINE CORPS AIR GROUND COMBAT CEN-**  
9 **TER TWENTYNINE PALMS, CALIFORNIA, AND**  
10 **MARINE CORPS AIR STATION YUMA, ARI-**  
11 **ZONA.**

12 (a) MARINE CORPS AIR GROUND COMBAT CENTER  
13 TWENTYNINE PALMS, CALIFORNIA.—

14 (1) AUTHORITY FOR TRANSFER.—Subject to  
15 paragraph (2), the Secretary of the Navy may trans-  
16 fer to the Secretary of the Interior, at no cost, ad-  
17 ministrative jurisdiction of approximately 2,105  
18 acres of non-contiguous parcels of land within the  
19 Shared Use Area of the Marine Corps Air Ground  
20 Combat Center Twentynine Palms, California.

21 (2) CONDITION FOR TRANSFER.—The Secretary  
22 of the Navy may carry out the transfer under this  
23 subsection only if the Secretary of the Navy and the  
24 Secretary of the Interior each determine that the  
25 transfer is in the public interest and will be for the

1 benefit of the Department of the Navy and the De-  
2 partment of the Interior, respectively.

3 (3) STATUS OF LAND AFTER TRANSFER.—Upon  
4 completion of the transfer under this subsection, the  
5 land over which the Secretary of the Interior obtains  
6 administrative jurisdiction shall become public land  
7 withdrawn and reserved under section 2941 of the  
8 National Defense Authorization Act for Fiscal Year  
9 2014 (Public Law 113–66; 127 Stat. 1034), and  
10 shall be managed in accordance with section  
11 2942(b)(1) of such Act (Public Law 113–66; 127  
12 Stat. 1036), in the same manner as other lands in  
13 the Shared Use Area.

14 (4) SHARED USE AREA DEFINED.—In this sub-  
15 section, the term “Shared Use Area” means the  
16 area described in section 2941(b)(2) of the National  
17 Defense Authorization Act for Fiscal Year 2014  
18 (Public Law 113–66; 127 Stat. 1035).

19 (b) MARINE CORPS AIR STATION YUMA, ARIZONA.—

20 (1) AUTHORITY FOR TRANSFER.—Subject to  
21 paragraph (2), the Secretary of the Interior may  
22 transfer to the Secretary of the Navy, at no cost, ad-  
23 ministrative jurisdiction of approximately 256 acres  
24 of non-contiguous parcels of land within Marine  
25 Corps Air Station Yuma, Arizona which are used by

1 the Department of the Navy as of the day before the  
2 date of the enactment of this Act pursuant to any  
3 of the following authorities:

4 (A) Public Land Order Number 2766 of  
5 August 28, 1962.

6 (B) Expired Public Land Order Number  
7 6804 of October 16, 1990.

8 (C) Memorandum of Understanding Num-  
9 ber 14-06-300-1266 of July 5, 1962, between  
10 the Department of the Interior and the Depart-  
11 ment of the Navy.

12 (2) **CONDITION FOR TRANSFER.**—The Secretary  
13 of the Interior may carry out the transfer under this  
14 subsection only if the Secretary of the Interior and  
15 the Secretary of the Navy each determine that the  
16 transfer is in the public interest and will be for the  
17 benefit of the Department of the Interior and the  
18 Department of the Navy, respectively.

19 (3) **WITHDRAWAL OF LAND AFTER TRANS-**  
20 **FER.**—Upon completion of the transfer under this  
21 subsection, the land over which the Secretary of the  
22 Navy obtains administrative jurisdiction—

23 (A) shall cease to be public land; and

24 (B) for as long as the land is under the  
25 administrative jurisdiction of the Secretary of

1 the Navy or the Secretary of any other military  
2 department, shall be withdrawn from all forms  
3 of entry, appropriation, or disposal under the  
4 public land laws, from location, entry, and pat-  
5 ent under the mining laws, and from disposition  
6 under all laws relating to mineral interests and  
7 to mineral and geothermal leasing.

8 **SEC. 2823. ENVIRONMENTAL RESTORATION AND FUTURE**  
9 **CONVEYANCE OF PORTION OF FORMER**  
10 **MARE ISLAND FIRING RANGE, VALLEJO,**  
11 **CALIFORNIA.**

12 (a) RESTORATION REQUIRED AS RESULT OF PRE-  
13 VIOUS REMEDIATION.—As soon as practicable, the Sec-  
14 retary of the Navy shall take such steps as may be re-  
15 quired to fill in depressions in the Mare Island property  
16 which resulted from environmental remediation carried  
17 out by the Department of the Navy prior to the date of  
18 the enactment of this section.

19 (b) MITIGATION OF WETLANDS.—

20 (1) METHOD OF MITIGATION.—If the refilling  
21 of wetlands on the Mare Island property requires  
22 mitigation, the Secretary of the Navy shall conduct  
23 such mitigation in accordance with relevant Federal,  
24 State and local environmental laws.

1           (2) COORDINATION OVER CERTAIN PORTION OF  
2           PROPERTY.—To the extent that the refilling of wet-  
3           lands on the Mare Island property requires mitiga-  
4           tion on any portion of such property which is subject  
5           to a reversionary interest of the State of California,  
6           the Secretary shall coordinate with the California  
7           State Lands Commission to determine how to best  
8           meet the regulatory requirements applicable to the  
9           mitigation of such wetlands.

10          (c) REPORT ON COMPLIANCE AND FUTURE CONVEY-  
11          ANCE.—Not later than 120 days after the date of the en-  
12          actment of this Act, the Secretary of the Navy shall sub-  
13          mit to the congressional defense committees a report de-  
14          scribing the process by which the Secretary plans to meet  
15          the requirements of subsections (a) and (b), as well as a  
16          proposal by the Secretary to convey the Mare Island prop-  
17          erty (or some portion thereof) to the State of California  
18          or units of local government in the State of California.

19          (d) DEFINITION.—In this section, the “Mare Island  
20          property” is the parcel of real property consisting of ap-  
21          proximately 48 acres located within the former Mare Is-  
22          land Naval Shipyard which was formerly used as a firing  
23          range by the Department of the Navy.



1 **SEC. 2824. LAND EXCHANGE, NAVAL SUPPORT ACTIVITY,**  
2 **WASHINGTON NAVY YARD, DISTRICT OF CO-**  
3 **LUMBIA.**

4 (a) EXCHANGE OF PROPERTY INTERESTS AUTHOR-  
5 IZED.—

6 (1) INTERESTS TO BE CONVEYED.—The Sec-  
7 retary of the Navy (Secretary) may convey all right,  
8 title, and interest of the United States in and to one  
9 or more parcels of real property, including any im-  
10 provements thereon and, without limitation, any  
11 leasehold interests of the United States therein, as  
12 the Secretary considers appropriate to protect the  
13 interests of the United States.

14 (2) INTERESTS TO BE ACQUIRED.—In exchange  
15 for the property interests described in paragraph  
16 (1), the Secretary may accept parcels at the South-  
17 east Federal Center in the vicinity of the Wash-  
18 ington Navy Yard, replacement of facilities being  
19 conveyed of equal value and similar utility, as deter-  
20 mined by the Secretary, and any additional consider-  
21 ation the Secretary feels is appropriate, including  
22 maintenance, repair, or restoration of any real prop-  
23 erty, facility, or infrastructure under the jurisdiction  
24 of the Secretary.

1 (b) VALUATION.—The value of the property interests  
2 to be exchanged by the Secretary described in subsections  
3 (a)(1) and (a)(2) shall be determined—

4 (1) by an independent appraiser selected by the  
5 Secretary; and

6 (2) in accordance with the Uniform Appraisal  
7 Standards for Federal Land Acquisitions and the  
8 Uniform Standards of Professional Appraisal Prac-  
9 tice.

10 (c) EQUALIZATION PAYMENTS.—

11 (1) TO THE SECRETARY.—If the value of the  
12 property interests described in subsection (a)(1) is  
13 greater than the value of the property interests de-  
14 scribed in subsection (a)(2), the values shall be  
15 equalized through a cash equalization payment to  
16 the Department of the Navy.

17 (2) NO EQUALIZATION.—If the value of the  
18 property interests described in subsection (a)(2) is  
19 greater than the value of the property interests de-  
20 scribed in subsection (a)(1), the Secretary shall not  
21 make a cash equalization payment to equalize the  
22 values.

23 (d) PAYMENT OF COSTS OF CONVEYANCE.—

24 (1) PAYMENT REQUIRED.—The Secretary shall  
25 require the other party in this land exchange to

1 cover costs to be incurred by the Secretary, or to re-  
2 imburse the Secretary for such costs incurred, to  
3 carry out the land exchange under this section, in-  
4 cluding survey costs, costs for environmental docu-  
5 mentation, other administrative costs related to the  
6 land exchange, and all costs associated with reloca-  
7 tion of activities and facilities to the replacement lo-  
8 cation. If amounts collected are in advance of the  
9 Secretary incurring actual costs, and the amount  
10 collected exceeds the costs actually incurred by the  
11 Secretary to carry out the land exchange, the Sec-  
12 retary shall refund the excess amount.

13 (2) TREATMENT OF AMOUNTS RECEIVED.—  
14 Amounts received shall be credited to the fund or ac-  
15 count that was used to cover those costs incurred by  
16 the Secretary in carrying out the land exchange.  
17 Amounts so credited shall be merged with amounts  
18 in such fund or account, and shall be available for  
19 the same purposes, and subject to the same condi-  
20 tions and limitations, as amounts in such fund or  
21 account.

22 (e) DESCRIPTION OF PROPERTY.—The exact acreage  
23 and legal description of the property to be exchanged  
24 under this section shall be determined by surveys satisfac-  
25 tory to the Secretary of the Navy.

1 (f) CONVEYANCE AGREEMENT.—The exchange of  
2 real property interests under this section shall be accom-  
3 plished using an appropriate legal instrument and upon  
4 terms and conditions mutually satisfactory to both parties  
5 of the exchange, including such additional terms and con-  
6 ditions as the Secretary considers appropriate to protect  
7 the interests of the United States.

8 **SEC. 2825. AUTHORITY FOR LEASING REAL PROPERTY AT**  
9 **THE NAVAL AIR STATION KEY WEST, FLOR-**  
10 **IDA.**

11 (a) AUTHORITY.—The Secretary of the Navy (here-  
12 after in this Act referred to as the “Secretary”) may lease  
13 approximately 19 acres at the Naval Air Station Key  
14 West, Florida, for the purpose of constructing, operating,  
15 improving, and maintaining housing units (including alter-  
16 ing or demolishing existing housing units) under such  
17 terms and conditions as the Secretary considers will pro-  
18 mote the national defense or to be in the public interest.

19 (b) DURATION OF LEASE.—The lease entered into  
20 under this section shall be for such period as may be  
21 agreed to by the Secretary and the lessee, except that such  
22 period may not exceed 50 years unless the Secretary deter-  
23 mines that a lease for a longer period is necessary to meet  
24 the purpose of the lease.

1           (c) PAYMENTS UNDER LEASE.—The Secretary shall  
2 require the lessee to make payments under the lease en-  
3 tered into under this section in cash for fair market value.

4           (d) DEPOSIT AND USE OF PROCEEDS.—The Sec-  
5 retary shall deposit and use any cash proceeds from the  
6 lease under this section as prescribed in section 2667 of  
7 title 10, United States Code.

8           (e) LEASEBACK PROHIBITED.—During the period in  
9 which the lease entered into under this section is in effect,  
10 the Secretary may not lease any of the space constructed  
11 by the lessees on the property leased under this section.

12           (f) RIGHT OF FIRST REFUSAL FOR PURCHASE OF  
13 PROPERTY.—The lease entered into under this section  
14 may provide the lessee of the property with the first right  
15 to purchase the property if the Secretary revokes the lease  
16 in order to permit the United States to sell or transfer  
17 the property as authorized under any other provision of  
18 law. Nothing in this subsection may be construed to pro-  
19 vide a lessee with the first right to purchase the property  
20 if the Secretary revokes the lease for any other cause, in-  
21 cluding the failure of the lessee to meet the terms and  
22 conditions of the lease.

23           (g) DESCRIPTION OF PROPERTY.—The exact acreage  
24 and legal description of the property to be leased under

1 this section shall be determined by a survey satisfactory  
2 to the Secretary.

3 (h) **ADDITIONAL TERMS AND CONDITIONS.**—The  
4 Secretary may require such additional terms and condi-  
5 tions in connection with the lease under this section as  
6 the Secretary considers appropriate to protect the inter-  
7 ests of the United States.

8 (i) **INAPPLICABILITY OF CERTAIN PROVISIONS.**—The  
9 following provisions of law do not apply to this section,  
10 the lease entered into under this section, or the property  
11 which is subject to the lease under this section:

12 (1) Section 2662 of title 10, United States  
13 Code.

14 (2) Section 2696 of title 10, United States  
15 Code.

16 (3) The Randolph-Sheppard Act (20 U.S.C.  
17 107 et seq.).

18 (4) Title V of the McKinney-Vento Homeless  
19 Assistance Act (42 U.S.C. 11411 et seq.).

20 **SEC. 2826. SENSE OF CONGRESS REGARDING LAND CON-**  
21 **VEYANCE, MOUNTAIN VIEW, CALIFORNIA.**

22 (a) **FINDINGS.**—Congress finds as follows:

23 (1) The Secretary of the Army is proposing to  
24 convey 17.1 acres of real property in Mountain  
25 View, California, known as Shenandoah Square and

1 the existing 126 housing units on such property in  
2 order to raise capital to improve other military hous-  
3 ing owned by private entities, despite significant  
4 military demand for affordable housing in the San  
5 Francisco Bay Area from personnel spanning across  
6 the Air Force, Army, Marine Corps, Navy, and  
7 Coast Guard.

8 (2) Under the proposed conveyance, the existing  
9 126 housing units at Shenandoah Square would be  
10 demolished to allow for the construction of high-den-  
11 sity residential housing.

12 (3) Shenandoah Square is one of only 3 mili-  
13 tary housing complexes in the San Francisco Bay  
14 Area and is home to many California National  
15 Guard personnel serving in the 129th Rescue Wing  
16 at Moffett Federal Air Field and civilians who per-  
17 form mission critical work for the 129th Rescue  
18 Wing.

19 (4) The San Francisco Bay Area is confronting  
20 one of the most severe affordable housing crises in  
21 the United States, which has led to a recruitment  
22 and retention crisis for the 129th Rescue Wing.

23 (5) The residents of these units have expressed  
24 concern about their displacement from Shenandoah  
25 Square, as this property is located in one of the

1 most expensive housing markets in the country, Sil-  
2 icon Valley, and there is great uncertainty about the  
3 affordability of new potential housing on the site.

4 (b) SENSE OF CONGRESS.—It is the sense of Con-  
5 gress that the Secretary of the Army should explore all  
6 possible alternatives to a conveyance of Shenandoah  
7 Square, including subleasing the property to an entity that  
8 can better develop affordable housing on the property.

9 **SEC. 2827. PUBLIC INVENTORY OF GUAM LAND PARCELS**  
10 **FOR TRANSFER TO GOVERNMENT OF GUAM.**

11 (a) NET-NEGATIVE INVENTORY OF LAND PAR-  
12 CELS.—

13 (1) MAINTENANCE AND UPDATE OF INVEN-  
14 TORY.—The Secretary of the Navy shall maintain  
15 and update regularly an inventory of all land parcels  
16 located on Guam which meet each of the following  
17 conditions:

18 (A) The parcels are currently owned by the  
19 United States Government and are under the  
20 administrative jurisdiction of the Department of  
21 the Navy.

22 (B) The Secretary has determined or ex-  
23 pects to determine the parcels to be excess to  
24 the needs of the Department of the Navy.



1           (C) Under Federal law, including Public  
2 Law 106–504 (commonly known as the “Guam  
3 Omnibus Opportunities Act”; 40 U.S.C. 521  
4 note), the parcels are eligible to be transferred  
5 to the territorial government.

6           (2) INFORMATION REQUIRED.—For each parcel  
7 included in the inventory under paragraph (1), the  
8 Secretary shall specify—

9           (A) the approximate size of the parcel;

10           (B) an estimate of the fair market value of  
11 the parcel, if available or as practicable;

12           (C) the date on which the Secretary deter-  
13 mined, or the date by which the Secretary ex-  
14 pects to determine, that the parcel is excess and  
15 made eligible for transfer to the territorial gov-  
16 ernment; and

17           (D) the citation of the specific legal au-  
18 thority (including the Guam Omnibus Opportu-  
19 nities Act) under which the Secretary will  
20 transfer the parcel to the territorial government  
21 or otherwise dispose of the parcel.

22           (b) PARCELS REQUIRED TO BE INCLUDED.—The  
23 Secretary shall include in the inventory under this section  
24 each of the following parcels, as described in the 2017 Net  
25 Negative Report:

1           (1) The Tanguisson Power Plant (5 acres), list-  
2           ed as Site 14 in the Report.

3           (2) The Harmon Substation Annex (9.9 acres),  
4           listed as Site 15 in the Report.

5           (3) The Piti Power Plant and Substation (15.5  
6           acres), listed as Site 38 in the Report.

7           (4) Apra Heights Lot 403–1 (0.5 acres), listed  
8           as Site 55 in the Report.

9           (5) The Agana Power Plant and Substation  
10          (5.9 acres), listed as Site 54 in the Report.

11          (6) The ACEORP Maui Tunnel-Tamuning  
12          Route 1 behind Old Telex (3.7 acres), listed as Site  
13          23 in the Report.

14          (7) The Parcel South of Camp Covington, Par-  
15          cel 7 (60.8 acres), listed as Site 49 in the Report.

16          (8) The NCTS Beach Lot, adjacent to the  
17          Tanguisson Power Plant (13.3 acres), listed as Site  
18          13 in the Report.

19          (9) The Hoover Park Annex (also known as  
20          “Old USO Beach”; 6 acres), listed as Site 37 in the  
21          Report.

22          (10) Parcel “C” Marbo Cave Annex (5 acres),  
23          listed as Site 12 in the Report.

24          (c) INCLUSION OF ADDITIONAL PARCELS IN INVEN-  
25          TORY.—

1           (1) REQUEST BY GOVERNOR.—The Governor of  
2           the territory of Guam may submit a request to the  
3           Secretary to add parcels to the inventory maintained  
4           under subsection (a), and shall specify in any such  
5           request any public benefit uses or public purposes  
6           proposed by the Governor for the parcel involved,  
7           pursuant to the Guam Omnibus Opportunities Act  
8           or any other relevant Federal law.

9           (2) CONSIDERATION BY SECRETARY.—Not later  
10          than 180 days of receipt of a request from the Gov-  
11          ernor under paragraph (1), the Secretary shall re-  
12          view the request and provide a response in writing  
13          to the Governor as to whether the Secretary will  
14          agree to the request to include the specific land par-  
15          cel in the inventory maintained under subsection (a).  
16          If the Secretary denies the request, the Secretary  
17          shall provide a detailed written justification to the  
18          Governor that explains the continuing military need  
19          for the parcel, if any, and the date on which the Sec-  
20          retary expects that military need to cease, if ever.

21          (d) EXCLUSION OF PARCELS.—The Secretary shall  
22          not include in the inventory maintained under this section  
23          any parcel transferred to the government of Guam prior  
24          to the date of the enactment of this Act, without regard

1 to whether or not the parcel is included in the inventory  
2 under subsection (b).

3 (e) PUBLIC NOTIFICATION.—The Secretary shall  
4 publish and update on a public website of the United  
5 States Government the following information:

6 (1) The inventory maintained under subsection  
7 (a), including the parcels required to be included in  
8 such inventory under subsection (b).

9 (2) All requests submitted by the Governor  
10 under subsection (c), including any proposed public  
11 benefit use or public purpose specified in any such  
12 request.

13 (3) A copy of each response provided by the  
14 Secretary to each request submitted by the Governor  
15 under subsection (c).

16 (4) A description of each parcel of land trans-  
17 ferred by the Secretary to the territorial government  
18 after January 20, 2011, including the following:

19 (A) The approximate size of the parcel.

20 (B) An estimate of the fair market value  
21 of the parcel, if available or as practicable.

22 (C) The specific legal authority under  
23 which the Secretary transferred the parcel to  
24 the territorial government.

1 (D) The date the parcel was transferred to  
2 the territorial government.

3 (f) DEFINITIONS.—In this section, the following defi-  
4 nitions apply:

5 (1) 2017 NET NEGATIVE REPORT.—The term  
6 “2017 Net Negative Report” means the report sub-  
7 mitted by the Secretary of the Navy, on behalf of  
8 the Secretary of Defense, under section 2208 of the  
9 National Defense Authorization Act for Fiscal Year  
10 2017 (Public Law 114–328; 130 Stat. 2695) regard-  
11 ing the status of the implementation of the “net  
12 negative” policy regarding the total number of acres  
13 of the real property controlled by the Department of  
14 the Navy or the Department of Defense on Guam.

15 (2) GOVERNOR.—The term “Governor” means  
16 the Governor of the territory of Guam.

17 (3) SECRETARY.—The term “Secretary” means  
18 the Secretary of the Navy.

19 (4) TERRITORIAL GOVERNMENT.—The term  
20 “territorial government” means the government of  
21 Guam established under the Organic Act of Guam  
22 (48 U.S.C. 1421 et seq.).

1 **SEC. 2828. MODIFICATION OF CONDITIONS ON LAND CON-**  
2 **VEYANCE, JOLIET ARMY AMMUNITION**  
3 **PLANT, ILLINOIS.**

4 Section 2922(c) of the Military Construction Author-  
5 ization Act for Fiscal Year 1996 (division B of Public Law  
6 104–106; 110 Stat. 605), as amended by section 2842 of  
7 the Military Construction Authorization Act for Fiscal  
8 Year 2000 (division B of Public Law 106–65; 113 Stat.  
9 863) and section 2838 of the Military Construction Au-  
10 thorization Act for Fiscal Year 2015 (division B of Public  
11 Law 113–291; 128 Stat. 3710), is amended—

12 (1) by striking “(1) The conveyance” and in-  
13 serting “The conveyance”; and

14 (2) by striking paragraph (2).

15 **SEC. 2829. LAND CONVEYANCE, NAVAL ACADEMY DAIRY**  
16 **FARM, GAMBRILLS, MARYLAND.**

17 (a) **CONVEYANCE AUTHORIZED.**—Notwithstanding  
18 section 6976 of title 10, United States Code, the Secretary  
19 of the Navy may convey and release to Anne Arundel  
20 County, Maryland (in this section referred to as the  
21 “County”) all right, title, and interest of the United States  
22 in and to the real property, including any improvements  
23 thereon, consisting of approximately 40 acres at the prop-  
24 erty commonly referred to as the Naval Academy dairy  
25 farm located in Gambrills, Maryland (in this section re-  
26 ferred to as the “Dairy Farm”).

1 (b) CONSIDERATION.—

2 (1) CONSIDERATION REQUIRED.—As consider-  
3 ation for the conveyance and release under sub-  
4 section (a), the County shall provide an amount that  
5 is equivalent to the fair market value to the Depart-  
6 ment of the Navy of the right, title, and interest  
7 conveyed and released under such subsection, based  
8 on an appraisal approved by the Secretary of the  
9 Navy. The consideration under this paragraph may  
10 be provided by cash payment, in-kind consideration,  
11 or a combination thereof, at such time as the Sec-  
12 retary may require.

13 (2) IN-KIND CONSIDERATION.—In-kind consid-  
14 eration provided by the County under paragraph (1)  
15 may include the acquisition, construction, provision,  
16 improvement, maintenance, repair, or restoration  
17 (including environmental restoration), or combina-  
18 tion thereof, of any facility, real property, or infra-  
19 structure under the jurisdiction of the Secretary.

20 (3) TREATMENT OF CONSIDERATION RE-  
21 CEIVED.—Consideration in the form of cash pay-  
22 ment received by the Secretary under paragraph (1)  
23 shall be retained by the Superintendent of the Naval  
24 Academy and shall be available to cover expenses re-  
25 lated to the Dairy Farm, including reimbursing non-

1 appropriated fund instrumentalities of the Naval  
2 Academy.

3 (c) PAYMENT OF COST OF CONVEYANCE AND RE-  
4 LEASE.—

5 (1) PAYMENT REQUIRED.—The Secretary of  
6 the Navy shall require the County to pay costs to be  
7 incurred by the Secretary, or to reimburse the Sec-  
8 retary for such costs incurred by the Secretary, to  
9 carry out the conveyance and release under sub-  
10 section (a), including survey costs, appraisal costs,  
11 costs for environmental documentation related to the  
12 conveyance and release, and any other administra-  
13 tive costs related to the conveyance and release. If  
14 amounts are collected from the County in advance of  
15 the Secretary incurring the actual costs, and the  
16 amount collected exceeds the costs actually incurred  
17 by the Secretary to carry out the conveyance and re-  
18 lease or any costs incurred by the Secretary to ad-  
19 minister the County's lease of the Dairy Farm, the  
20 Secretary shall refund the excess amount to the  
21 County.

22 (2) TREATMENT OF AMOUNTS RECEIVED.—  
23 Amounts received as reimbursement under para-  
24 graph (1) shall be credited to the fund or account  
25 that was used to pay the costs incurred by the Sec-



1       retary in carrying out the conveyance and release  
2       under subsection (a) or, if the period of availability  
3       of obligations for that appropriation has expired, to  
4       the appropriations of fund that is currently available  
5       to the Secretary for the same purpose. Amounts so  
6       credited shall be merged with amounts in such fund  
7       or account and shall be available for the same pur-  
8       poses, and subject to the same conditions and limita-  
9       tions, as amounts in such fund or account.

10       (d) DESCRIPTION OF PROPERTY.—The exact acreage  
11       and legal description of the property which is subject to  
12       conveyance and release under subsection (a) shall be de-  
13       termined by a survey satisfactory to the Secretary of the  
14       Navy.

15       (e) ADDITIONAL TERMS AND CONDITIONS.—The  
16       Secretary of the Navy may require such additional terms  
17       and conditions in connection with the conveyance and re-  
18       lease under subsection (a) as the Secretary considers ap-  
19       propriate to protect the interests of the United States.

20       (f) NO EFFECT ON EXISTING LEASES GOVERNING  
21       PROPERTY NOT SUBJECT TO CONVEYANCE.—Nothing in  
22       this section or in any conveyance and release carried out  
23       pursuant to this section may be construed to affect the  
24       terms, conditions, or applicability of any existing agree-  
25       ment entered into between the Country and the Secretary

1 of the Navy which governs the use of any portion of the  
2 Dairy Farm which is not subject to conveyance and release  
3 under this section.

4 **SEC. 2830. TECHNICAL CORRECTION OF DESCRIPTION OF**  
5 **LIMESTONE HILLS TRAINING AREA LAND**  
6 **WITHDRAWAL AND RESERVATION, MONTANA.**

7 Section 2931(b) of the Military Construction Author-  
8 ization Act for Fiscal Year 2014 (division B of Public Law  
9 113–66; 127 Stat. 1031) is amended by striking “18,644  
10 acres” and all that follows through “April 10, 2013” and  
11 inserting the following: “18,964 acres in Broadwater  
12 County, Montana, generally depicted as ‘Limestone Hills  
13 Training Area Land Withdrawal’ on the map entitled  
14 ‘Limestone Hills Training Area Land Withdrawal’, dated  
15 May 11, 2017”.

16 **SEC. 2830A. LAND CONVEYANCE, WASATCH-CACHE NA-**  
17 **TIONAL FOREST, RICH COUNTY, UTAH.**

18 (a) LAND CONVEYANCE AUTHORIZED.—Subject to  
19 valid existing rights, not later than 6 months after the  
20 date of the enactment of this section, the Secretary of Ag-  
21 riculture shall convey, without consideration, to the Utah  
22 State University Research Foundation, (in this section re-  
23 ferred to as the “Foundation”) all right, title, and interest  
24 of the United States in and to a parcel of real property  
25 consisting of approximately 80 acres, including improve-

1 ments thereon, located outside of the boundaries of the  
2 Wasatch-Cache National Forest, Rich County, Utah, with-  
3 in Sections 19 and 30, Township 14 North, Range 5 East,  
4 Salt Lake Base and Meridian for the purpose of permit-  
5 ting the Foundation to use the property for scientific and  
6 educational purposes.

7 (b) REVERSIONARY INTEREST.—If the Secretary of  
8 Agriculture determines at any time that the real property  
9 conveyed under subsection (a) is not being used in accord-  
10 ance with the purpose of the conveyance specified in such  
11 subsection, all right, title and interest in and to such real  
12 property, including any improvements thereto, shall, at the  
13 option of the Secretary, revert to and become the property  
14 of the United States, and the United States shall have  
15 the right of immediate entry onto such real property. A  
16 determination by the Secretary under this subsection shall  
17 be made on the record after an opportunity for a hearing.

18 (c) PAYMENT OF COSTS OF CONVEYANCE.—

19 (1) PAYMENT REQUIRED.—The Secretary of  
20 Agriculture shall require the Foundation to cover the  
21 costs (except any costs for environmental remedi-  
22 ation of the property) to be incurred by the Sec-  
23 retary, or to reimburse the Secretary for such costs  
24 incurred by the Secretary, to carry out the convey-  
25 ance under subsection (a), including survey costs,

1 costs for environmental documentation, and any  
2 other administrative costs related to the conveyance.  
3 If amounts are collected from the Foundation in ad-  
4 vance of the Secretary incurring the actual costs,  
5 and the amount collected exceeds the costs actually  
6 incurred by the Secretary to carry out the convey-  
7 ance, the Secretary shall refund the excess amount  
8 to the Foundation.

9 (2) TREATMENT OF AMOUNTS RECEIVED.—  
10 Amounts received as reimbursement under para-  
11 graph (1) shall be credited to the fund or account  
12 that was used to cover those costs incurred by the  
13 Secretary in carrying out the conveyance. Amounts  
14 so credited shall be merged with amounts in such  
15 fund or account, and shall be available for the same  
16 purposes, and subject to the same conditions and  
17 limitations, as amounts in such fund or account.

18 (d) DESCRIPTION OF PROPERTY.—The exact acreage  
19 and legal description of the property to be conveyed under  
20 subsection (a) shall be determined by a survey satisfactory  
21 to the Secretary of Agriculture.

22 (e) ADDITIONAL TERMS AND CONDITIONS.—The  
23 Secretary of Agriculture may require such additional  
24 terms and conditions in connection with the conveyance

1 under subsection (a) as the Secretary considers appro-  
2 priate to protect the interests of the United States.

3 **SEC. 2830B. COMMEMORATION OF FREEDMAN'S VILLAGE,**  
4 **ARLINGTON COUNTY, VIRGINIA.**

5 (a) **PERMANENT EASEMENT.**—The Secretary of the  
6 Army is directed to grant to Arlington County, Virginia,  
7 a permanent easement of approximately 0.1 acres of land  
8 within the right-of-way of Southgate Road to the south  
9 and west of Hobson Drive and west of the planned joint  
10 base access road that is also continuous with Foxcroft  
11 Heights Park for the purpose of commemorating Freed-  
12 man's Village.

13 (b) **RELOCATION OF COMMEMORATION IN EVENT**  
14 **LOCATION IS USED FOR BURIAL PURPOSES.**—In the  
15 event Arlington National Cemetery subsequently acquires  
16 the property used for the commemoration described under  
17 subsection (a) for burial purposes, the Army shall relocate  
18 any commemoration of Freedman's Village to an appro-  
19 priate location.

20 (c) **REIMBURSEMENT.**—The Secretary of Defense  
21 may accept reimbursement from Arlington County for any  
22 costs associated with commemorating Freedman's Village.

1                   **Subtitle D—Military Land**  
2                   **Withdrawals**

3 **SEC. 2831. INDEFINITE DURATION OF CERTAIN MILITARY**  
4                   **LAND WITHDRAWALS AND RESERVATIONS**  
5                   **AND IMPROVED MANAGEMENT OF WITH-**  
6                   **DRAWN AND RESERVED LANDS.**

7           (a) IMPROVING MANAGEMENT OF CURRENT STATU-  
8 TORY LAND WITHDRAWALS AND RESERVATIONS AND  
9 MAKING MANAGEMENT MORE TRANSPARENT.—

10           (1) ROLE OF SECRETARY OF THE INTERIOR.—

11           Section 101(a)(2) of the Sikes Act (16 U.S.C.  
12           670a(a)(2)) is amended by striking “, acting  
13           through the Director of the United States Fish and  
14           Wildlife Service,”.

15           (2) ADDITIONAL ELEMENT OF INTEGRATED  
16           NATURAL RESOURCES MANAGEMENT PLAN.—Section  
17           101(b) of the Sikes Act (16 U.S.C. 670a(b)) is  
18           amended—

19           (A) by striking “and” at the end of para-  
20           graph (2);

21           (B) by redesignating paragraph (3) as  
22           paragraph (4); and

23           (C) by inserting after paragraph (2) the  
24           following new paragraph:

1           “(3) for purposes of paragraph (2), shall be re-  
2 viewed—

3           “(A) jointly by the Secretary of the mili-  
4 tary department and the Secretary of the Inte-  
5 rior; and

6           “(B) in a manner that provides affected  
7 States and Indian tribes and the public a mean-  
8 ingful opportunity to comment on any signifi-  
9 cant revisions to the plan that may be proposed;  
10 and”.

11 (b) EL CENTRO NAVAL AIR FACILITY RANGES.—

12           (1) ELIMINATION OF TERMINATION DATE AND  
13 CONFORMING AMENDMENTS.—The El Centro Naval  
14 Air Facility Ranges Withdrawal Act (subtitle B of  
15 title XXIX of Public Law 104–201; 110 Stat. 2813)  
16 is amended—

17           (A) in section 2921(b)(3), by striking “,  
18 before the termination date specified in section  
19 2925,”;

20           (B) in section 2924(a), by striking the  
21 third sentence;

22           (C) by striking sections 2925 and 2927;  
23 and

24           (D) in section 2928(a), by striking “speci-  
25 fied in section 2925”.

1           (2) DETERMINATION OF CONTINUING MILITARY  
2           NEED FOR WITHDRAWAL AND RESERVATION AND  
3           PUBLIC REPORTS.—The El Centro Naval Air Facil-  
4           ity Ranges Withdrawal Act (subtitle B of title XXIX  
5           of Public Law 104–201; 110 Stat. 2813) is further  
6           amended by inserting after section 2926 the fol-  
7           lowing new section:

8   **“SEC. 2927. DETERMINATION OF CONTINUING MILITARY**  
9                   **NEED FOR WITHDRAWAL AND RESERVATION**  
10                   **AND PUBLIC REPORTS.**

11           “(a) PUBLIC REPORTS.—

12                   “(1) CHANGES IN LAND CONDITIONS.—(A)  
13           Concurrent with each review as to operation and ef-  
14           fect of an integrated natural resources management  
15           plan covering lands withdrawn and reserved under  
16           this title, as required by section 101(b)(2) of the  
17           Sikes Act (16 U.S.C. 670a(b)(2)), the Secretary of  
18           the Navy and the Secretary of the Interior shall  
19           jointly prepare and issue a report describing any  
20           changes in the condition of the lands withdrawn and  
21           reserved under this subtitle since the later of the  
22           date of any previous report under this paragraph or  
23           the date of the environmental analysis prepared to  
24           support the actions that changed the condition of  
25           the lands.



1           “(B) A report under subparagraph (A) shall in-  
2           clude a summary of current military use of the lands  
3           withdrawn and reserved under this subtitle, any  
4           changes in military use of the lands since the pre-  
5           vious report, and efforts related to the management  
6           of natural and cultural resources and environmental  
7           remediation of the lands during the previous five  
8           years.

9           “(2) COMBINATION WITH OTHER REPORTS.—A  
10          report under this subsection may be combined with,  
11          or incorporate by reference, any contemporary report  
12          required by any other provision of law regarding the  
13          lands withdrawn and reserved under this subtitle.

14          “(3) PUBLIC REVIEW AND COMMENT.—(A) Be-  
15          fore the finalization of a report under this sub-  
16          section, the Secretary of the Navy and the Secretary  
17          of the Interior shall invite interested members of the  
18          public to review and comment on the report, and  
19          shall hold at least one public meeting concerning the  
20          report in a location or locations reasonably accessible  
21          to persons who may be affected by management of  
22          the lands withdrawn and reserved under this sub-  
23          title.

24          “(B) Each public meeting under subparagraph  
25          (A) shall be announced not less than 15 days before

1 the date of the meeting by advertisements in local  
2 newspapers of general circulation, notices on the  
3 internet, including the website of El Centro, and any  
4 other means considered necessary or desirable by the  
5 Secretaries.

6 “(4) DISTRIBUTION OF REPORT.—The Sec-  
7 retary of the Navy shall make the final version of a  
8 report under this subsection available to the public  
9 and shall submit the final version of such a report  
10 to the Committees on Armed Services and Energy  
11 and Natural Resources of the Senate and the Com-  
12 mittees on Armed Services and Natural Resources of  
13 the House of Representatives.

14 “(b) DETERMINATION OF CONTINUING MILITARY  
15 NEED.—With each report prepared pursuant to sub-  
16 section (a), the Secretary of the Navy shall attach the Sec-  
17 retary’s determination regarding whether there will be a  
18 continuing military need for any or all the withdrawn and  
19 reserved lands for the following 5 years.”.

20 (3) CLERICAL AMENDMENTS.—The table of  
21 contents of the El Centro Naval Air Facility Ranges  
22 Withdrawal Act (subtitle B of title XXIX of Public  
23 Law 104–201; 110 Stat. 2813) is amended—

24 (A) by striking the item relating to section  
25 2925; and

1 (B) by amending the item relating to sec-  
2 tion 2927 to read as follows:

“Sec. 2927. Determination of continuing military need for withdrawal and res-  
ervation and public reports.”.

3 (c) JUNIPER BUTTE RANGE.—

4 (1) ELIMINATION OF TERMINATION DATE AND  
5 CONFORMING AMENDMENTS.—The Juniper Butte  
6 Range Withdrawal Act (title XXIX of Public Law  
7 105–261; 112 Stat. 2226) is amended—

8 (A) in section 2915—

9 (i) in the section heading, by striking  
10 “**Duration**” and inserting “**Relin-**  
11 **quishment**”;

12 (ii) in subsection (a), by striking  
13 “TERMINATION.—” and all that follows  
14 through “At the time of termination” and  
15 inserting “EFFECT OF RELINQUISHMENT  
16 ON OPERATION OF GENERAL LAND  
17 LAWS.—Upon relinquishment of Depart-  
18 ment of the Air Force jurisdiction over  
19 lands withdrawn and reserved by this  
20 title”;

21 (iii) in subsection (b)—

22 (I) in the subsection heading, by  
23 inserting “PROCESS” after “RELIN-  
24 QUISHMENT”;

1 (II) in paragraph (1), by striking  
2 “under subsection (c)”; and

3 (III) in paragraph (3), by strik-  
4 ing “before the date of termination,  
5 as provided for in subsection (a)(1)”;  
6 and

7 (iv) by striking subsection (e); and

8 (B) in section 2916—

9 (i) in the section heading, by striking  
10 **“or upon termination of with-  
11 drawal”**;

12 (ii) in subsection (a)(1), by striking  
13 “and in all cases not later than 2 years be-  
14 fore the date of termination of withdrawal  
15 and reservation,”;

16 (iii) in subsection (b), by striking “en-  
17 vironmental remediation” and all that fol-  
18 lows through the end of the subsection and  
19 inserting “environmental remediation be-  
20 fore relinquishing, to the Secretary of the  
21 Interior, jurisdiction over any lands identi-  
22 fied in a notice of intent to relinquish  
23 under section 2915(b).”; and

24 (iv) in subsection (d)—

1 (I) in the subsection heading, by  
2 striking “TERMINATES” and inserting  
3 “RELINQUISHED”;

4 (II) by striking “termination  
5 date” both places it appears and in-  
6 serting “relinquishment date”; and

7 (III) in paragraph (2), by strik-  
8 ing “termination” and inserting “re-  
9 relinquishment”.

10 (2) DETERMINATIONS OF CONTINUING MILI-  
11 TARY NEED FOR WITHDRAWAL AND RESERVATION  
12 AND PUBLIC REPORTS.—Section 2909 of the Juni-  
13 per Butte Range Withdrawal Act (title XXIX of  
14 Public Law 105–261; 112 Stat. 2230) is amended  
15 by adding at the end the following new subsection:

16 “(d) PUBLIC REPORTS.—

17 “(1) CHANGES IN LAND CONDITIONS.—(A)  
18 Concurrent with each review of an integrated nat-  
19 ural resources management plan developed under  
20 this section, the Secretary of the Air Force and the  
21 Secretary of the Interior shall jointly prepare and  
22 issue a report describing any changes in the condi-  
23 tion of the lands withdrawn and reserved by this  
24 title since the later of the date of any previous re-  
25 port under this paragraph or the date of the envi-

1       ronmental analysis prepared to support the actions  
2       that changed the condition of the lands.

3               “(B) A report under subparagraph (A) shall in-  
4       clude a summary of current military use of the lands  
5       withdrawn and reserved by this title, any changes in  
6       military use of the lands since the previous report,  
7       and efforts related to the management of natural  
8       and cultural resources and environmental remedi-  
9       ation of the lands during the previous 5 years.

10              “(2) COMBINATION WITH OTHER REPORTS.—A  
11       report under this subsection may be combined with,  
12       or incorporate by reference, any contemporary report  
13       required by any other provision of law regarding the  
14       lands withdrawn and reserved by this title.

15              “(3) PUBLIC REVIEW AND COMMENT.—(A) Be-  
16       fore the finalization of a report under this sub-  
17       section, the Secretary of the Air Force and the Sec-  
18       retary of the Interior shall invite interested members  
19       of the public to review and comment on the report,  
20       and shall hold at least one public meeting concerning  
21       the report in a location or locations reasonably ac-  
22       cessible to persons who may be affected by manage-  
23       ment of the lands withdrawn and reserved by this  
24       title.

1           “(B) Each public meeting under subparagraph  
2 (A) shall be announced not less than 15 days before  
3 the date of the meeting by advertisements in local  
4 newspapers of general circulation, notices on the  
5 internet, including the website of the Juniper Butte  
6 Range (if one exists), and any other means consid-  
7 ered necessary or desirable by the Secretaries.

8           “(4) DETERMINATION OF CONTINUING MILI-  
9 TARY NEED.—With each report prepared pursuant  
10 to this subsection, the Secretary of the Air Force  
11 shall attach the Secretary’s determination regarding  
12 whether there will be a continuing military need for  
13 any or all the withdrawn and reserved lands for the  
14 following 5 years.

15           “(5) DISTRIBUTION OF REPORT.—The Sec-  
16 retary of the Air Force shall make the final version  
17 of a report under this subsection available to the  
18 public and shall submit the final version of such a  
19 report to the Committees on Armed Services and  
20 Energy and Natural Resources of the Senate and  
21 the Committees on Armed Services and Natural Re-  
22 sources of the House of Representatives.”.

23           “(3) CLERICAL AMENDMENTS.—The table of  
24 contents of the Juniper Butte Range Withdrawal

1 Act (title XXIX of Public Law 105-261; 112 Stat.  
2 2226) is amended—

3 (A) by amending the item relating to sec-  
4 tion 2915 to read as follows:

“Sec. 2915. Relinquishment of withdrawal.”;

5 and

6 (B) by amending the item relating to sec-  
7 tion 2916 to read as follows:

“Sec. 2916. Environmental remediation of relinquished withdrawn lands.”.

8 (d) RANGES COVERED BY SUBTITLE A OF MILITARY  
9 LANDS WITHDRAWAL ACT OF 1999.—

10 (1) ELIMINATION OF TERMINATION DATE AND  
11 CONFORMING AMENDMENTS.—The Military Lands  
12 Withdrawal Act of 1999 (title XXX of Public Law  
13 106–65; 113 Stat. 885) is amended—

14 (A) by striking section 3015;

15 (B) by striking section 3016 and inserting  
16 the following new section:

17 **“SEC. 3016. RELINQUISHMENT.**

18 “(a) NOTICE OF INTENT REGARDING RELINQUISH-  
19 MENT.—If the Secretary of the military department con-  
20 cerned decides to relinquish all or any of the lands with-  
21 drawn and reserved by section 3011, such Secretary shall  
22 transmit a notice of intent to relinquish such lands to the  
23 Secretary of the Interior.



1           “(b) OPENING DATE.—On the date of relinquishment  
2 of the withdrawal and reservation of lands withdrawn and  
3 reserved by section 3011, such lands shall not be open to  
4 any form of appropriation under the public land laws, in-  
5 cluding the mineral laws and the mineral leasing and geo-  
6 thermal leasing laws, until the Secretary of the Interior  
7 publishes in the Federal Register an appropriate order  
8 stating the date upon which such lands shall be restored  
9 to the public domain and opened.”; and

10                           (C) in section 3017—

11                           (i) by striking “section 3016(d)” each  
12 place it appears and inserting “section  
13 3016”; and

14                           (ii) in subsection (e)—

15                           (I) by striking “If because” and  
16 everything that follows through “de-  
17 termines that” and inserting “If the  
18 Secretary of the Interior declines to  
19 accept jurisdiction over lands with-  
20 drawn by this subtitle which have  
21 been proposed for relinquishment be-  
22 cause the Secretary determines that”;  
23 and

24                           (II) in paragraph (2), by striking  
25 “the expiration of the withdrawal of

1                   such lands under this subtitle” and  
2                   inserting “such determination”.

3                   (2) ESTABLISHMENT OF INTERGOVERNMENTAL  
4 EXECUTIVE COMMITTEES.—Section 3014 of the  
5 Military Lands Withdrawal Act of 1999 (title XXX  
6 of Public Law 106–65; 113 Stat. 890) is amended  
7 by adding at the end the following new subsection:  
8                   “(g) INTERGOVERNMENTAL EXECUTIVE COMMIT-  
9 TEES.—

10                   “(1) ESTABLISHMENT AND PURPOSE.—For the  
11 lands withdrawn and reserved by section 3011, the  
12 Secretary of the military department concerned and  
13 the Secretary of the Interior shall establish, by  
14 memorandum of understanding, an intergovern-  
15 mental executive committee for each range for the  
16 sole purpose of exchanging views, information, and  
17 advice relating to the management of the natural  
18 and cultural resources of the withdrawn and re-  
19 served lands.

20                   “(2) COMPOSITION.—(A) The Secretary of the  
21 military department concerned and the Secretary of  
22 the Interior shall include representatives from inter-  
23 ested Federal agencies as members of the intergov-  
24 ernmental executive committee for a range.

1           “(B) The Secretary of the military department  
2           concerned and the Secretary of the Interior shall in-  
3           vite to serve as members of the intergovernmental  
4           executive committee for a range—

5                   “(i) at least one elected officer (or other  
6                   authorized representative) from the government  
7                   of the State in which the withdrawn and re-  
8                   served lands are located; and

9                   “(ii) at least one elected officer (or other  
10                   authorized representative) from each local gov-  
11                   ernment and Indian tribal government in the vi-  
12                   cinity of the withdrawn and reserved lands, as  
13                   determined by the Secretaries.

14           “(3) OPERATION.—The intergovernmental execu-  
15           tive committee for a range shall operate in accord-  
16           ance with the terms set forth in the memorandum  
17           of understanding.

18           “(4) PROCEDURES.—The memorandum of un-  
19           derstanding for a range shall establish procedures  
20           for creating a forum for exchanging views, informa-  
21           tion, and advice relating to the management of nat-  
22           ural and cultural resources on the withdrawn and re-  
23           served lands, procedures for rotating the chair of the  
24           intergovernmental executive committee, and proce-

1       dures for scheduling regular meetings, which shall  
2       occur no less frequently than twice a year.

3           “(5) COORDINATOR.—The Secretary of the  
4       military department concerned, in consultation with  
5       the Secretary of the Interior, shall appoint an indi-  
6       vidual to serve as coordinator of the intergovern-  
7       mental executive committee for a range. The duties  
8       of the coordinator shall be included in the memo-  
9       randum of understanding. The coordinator shall not  
10      be a member of the committee.”.

11           (3) DETERMINATION OF CONTINUING MILITARY  
12      NEED FOR WITHDRAWAL AND RESERVATION AND  
13      PUBLIC REPORTS.—The Military Lands Withdrawal  
14      Act of 1999 (title XXX of Public Law 106–65; 113  
15      Stat. 885), as amended by paragraph (1), is further  
16      amended by inserting after section 3014 the fol-  
17      lowing new section:

18   **“SEC. 3015. DETERMINATION OF CONTINUING MILITARY**  
19                   **NEED FOR WITHDRAWAL AND RESERVATION**  
20                   **AND PUBLIC REPORTS.**

21           “(a) PUBLIC REPORTS.—

22                   “(1) CHANGES IN LAND CONDITIONS.—(A)  
23      Concurrent with each review as to operation and ef-  
24      fect of an integrated natural resources management  
25      plan covering lands withdrawn and reserved under

1 this title, as required by section 101(b)(2) of the  
2 Sikes Act (16 U.S.C. 670a(b)(2)), the Secretary of  
3 the military department concerned and the Secretary  
4 of the Interior shall jointly prepare and issue a re-  
5 port describing any changes in the condition of the  
6 lands withdrawn and reserved under this subtitle  
7 since the later of the date of any previous report  
8 under this paragraph or the date of the environ-  
9 mental analysis prepared to support the actions that  
10 changed the condition of the lands.

11 “(B) A report under subparagraph (A) shall in-  
12 clude a summary of current military use of the lands  
13 covered by the plan, any changes in military use of  
14 the lands since the previous report, and efforts re-  
15 lated to the management of natural and cultural re-  
16 sources and environmental remediation of the lands  
17 during the previous five years.

18 “(2) COMBINATION WITH OTHER REPORTS.—A  
19 report under this subsection may be combined with,  
20 or incorporate by reference, any contemporary report  
21 required by any other provision of law regarding the  
22 lands covered by the integrated natural resources  
23 management plan.

24 “(3) PUBLIC REVIEW AND COMMENT.—(A) Be-  
25 fore the finalization of a report under this sub-

1 section, the Secretary of the military department  
2 concerned and the Secretary of the Interior shall in-  
3 vite interested members of the public to review and  
4 comment on the report, and shall hold at least one  
5 public meeting concerning the report in a location or  
6 locations reasonably accessible to persons who may  
7 be affected by management of the lands addressed  
8 by the report.

9 “(B) Each public meeting under subparagraph  
10 (A) shall be announced not less than 15 days before  
11 the date of the meeting by advertisements in local  
12 newspapers of general circulation, notices on the  
13 internet, including the website of the affected mili-  
14 tary range (if one exists), and any other means con-  
15 sidered necessary or desirable by the Secretaries.

16 “(4) DISTRIBUTION OF REPORT.—The Sec-  
17 retary of the military department concerned shall  
18 make the final version of a report under this sub-  
19 section available to the public and shall submit the  
20 final version of such a report to the Committees on  
21 Armed Services and Energy and Natural Resources  
22 of the Senate and the Committees on Armed Serv-  
23 ices and Natural Resources of the House of Rep-  
24 resentatives.

1       “(b) DETERMINATION OF CONTINUING MILITARY  
2 NEED.—With each report prepared pursuant to sub-  
3 section (a), the Secretary of the military department con-  
4 cerned shall attach the Secretary’s determination regard-  
5 ing whether there will be a continuing military need for  
6 any or all of the withdrawn and reserved lands for the  
7 following 5 years.”.

8           (4) CLERICAL AMENDMENTS.—The table of  
9 contents of the Military Lands Withdrawal Act of  
10 1999 (title XXX of Public Law 106-65; 113 Stat.  
11 885) is amended—

12                   (A) by amending the item relating to sec-  
13 tion 3015 to read as follows:

“Sec. 3015. Determination of continuing military need for withdrawal and res-  
ervation and public reports.”;

14       and

15                   (B) by amending the item relating to sec-  
16 tion 3016 to read as follows:

“Sec. 3016. Relinquishment.”.

17       (e) BARRY M. GOLDWATER RANGE.—

18           (1) ELIMINATION OF TERMINATION DATE AND  
19 CONFORMING AMENDMENTS.—Section 3031 of the  
20 Military Lands Withdrawal Act of 1999 (title XXX  
21 of Public Law 106–65; 113 Stat. 897) is amended—

22                   (A) in subsection (c)—

- 1 (i) in paragraph (1), by striking “, in-  
2 cluding the duration of any renewal or ex-  
3 tension”;
- 4 (ii) in paragraph (2)—
- 5 (I) in the paragraph heading, by  
6 striking “OR TERMINATION”; and
- 7 (II) in subparagraph (C), by  
8 striking the last sentence; and
- 9 (iii) in paragraph (3)(A), by striking  
10 “or termination”; and
- 11 (B) in subsection (d), by striking “DURA-  
12 TION” and all that follows through “of the ter-  
13 mination” and inserting “EFFECT OF RELIN-  
14 QUISHMENT ON OPERATION OF GENERAL  
15 LAND LAWS.—On the date of relinquishment”;
- 16 (C) by striking subsection (e); and
- 17 (D) in subsection (f)—
- 18 (i) in the subsection heading, by strik-  
19 ing “TERMINATION AND”;
- 20 (ii) in paragraph (1), by striking “but  
21 not later than three years before the termi-  
22 nation of the withdrawal and reservation,”;
- 23 (iii) in paragraph (3), by striking “be-  
24 fore the termination date of the withdrawal



1 and reservation of such lands under this  
2 section”; and

3 (iv) in paragraph (4)(A), by striking  
4 “Notwithstanding the termination date,  
5 unless” and inserting “Unless”.

6 (2) DETERMINATIONS OF CONTINUING MILI-  
7 TARY NEED FOR WITHDRAWAL AND RESERVA-  
8 TION.—Section 3031 of the Military Lands With-  
9 drawal Act of 1999 (title XXX of Public Law 106–  
10 65; 113 Stat. 897), as amended by paragraph (1),  
11 is further amended by inserting after subsection (d)  
12 the following new subsection:

13 “(e) DETERMINATION OF CONTINUING MILITARY  
14 NEED.—With each report prepared pursuant to sub-  
15 section (b)(5), the Secretary of the Navy and the Sec-  
16 retary of the Air Force shall attach the Secretary’s deter-  
17 mination regarding whether there will be a continuing  
18 military need for any or all the withdrawn and reserved  
19 lands for the following 5 years.”.

20 (3) USE OF DEFINITIONS.—Section 3031(e)(5)  
21 of the Military Lands Withdrawal Act of 1999 (title  
22 XXX of Public Law 106–65; 113 Stat. 907) is  
23 amended by striking subparagraphs (A) and (B) and  
24 inserting the following:

1           “(A) The term ‘military munitions’ has the  
2 meaning given that term in section 101(e)(4) of  
3 title 10, United States Code.

4           “(B) The term ‘unexploded ordnance’ has  
5 the meaning given that term in section  
6 101(e)(5) of such title.”.

7 (f) NATIONAL TRAINING CENTER.—

8           (1) ELIMINATION OF TERMINATION DATE AND  
9 CONFORMING AMENDMENTS.—The Fort Irwin Mili-  
10 tary Land Withdrawal Act of 2001 (title XXIX of  
11 Public Law 107–107; 115 Stat. 1335) is amended—

12           (A) in section 2910, by striking the section  
13 heading and all that follows through “At the  
14 time of the termination” and inserting the fol-  
15 lowing:

16 **“SEC. 2910. EFFECT OF RELINQUISHMENT ON OPERATION**  
17 **OF GENERAL LAND LAWS.**

18           “On the date of relinquishment”;

19           (B) by striking section 2911; and

20           (C) in section 2912—

21           (i) in the section heading, by striking

22 **“Termination and”**;

23           (ii) in subsection (a), by striking

24 “During the first 22 years of the with-

1 drawal and reservation made by this title,  
2 if” and inserting “If”;

3 (iii) in subsection (c), by striking “be-  
4 fore the termination date of the withdrawal  
5 and reservation”; and

6 (iv) in subsection (d), by striking  
7 “Notwithstanding the termination date  
8 specified in section 2910, unless” and in-  
9 serting “Unless”.

10 (2) DETERMINATION OF CONTINUING MILITARY  
11 NEED FOR WITHDRAWAL AND RESERVATION AND  
12 PUBLIC REPORTS.—The Fort Irwin Military Land  
13 Withdrawal Act of 2001 (title XXIX of Public Law  
14 107–107; 115 Stat. 1335) is further amended by in-  
15 serting after section 2910 the following new section:

16 **“SEC. 2911. DETERMINATION OF CONTINUING MILITARY**  
17 **NEED FOR WITHDRAWAL AND RESERVATION**  
18 **AND PUBLIC REPORTS.**

19 “(a) PUBLIC REPORTS.—

20 “(1) CHANGES IN LAND CONDITIONS.—(A)  
21 Concurrent with each review as to operation and ef-  
22 fect of an integrated natural resources management  
23 plan covering lands withdrawn and reserved under  
24 this title, as required by section 101(b)(2) of the  
25 Sikes Act (16 U.S.C. 670a(b)(2)), the Secretary of

1 the Army and the Secretary of the Interior shall  
2 jointly prepare and issue a report describing any  
3 changes in the condition of the lands withdrawn and  
4 reserved under this title since the later of the date  
5 of any previous report under this paragraph or the  
6 date of the environmental analysis prepared to sup-  
7 port the actions that changed the condition of the  
8 lands.

9 “(B) A report under subparagraph (A) shall in-  
10 clude a summary of current military use of the lands  
11 withdrawn and reserved by this title, any changes in  
12 military use of the lands since the previous report,  
13 and efforts related to the management of natural  
14 and cultural resources and environmental remedi-  
15 ation of the lands during the previous five years.

16 “(2) COMBINATION WITH OTHER REPORTS.—A  
17 report under this subsection may be combined with,  
18 or incorporate by reference, any contemporary report  
19 required by any other provision of law regarding the  
20 lands withdrawn and reserved by this title.

21 “(3) PUBLIC REVIEW AND COMMENT.—(A) Be-  
22 fore the finalization of a report under this sub-  
23 section, the Secretary of the Army and the Secretary  
24 of the Interior shall invite interested members of the  
25 public to review and comment on the report, and

1 shall hold at least one public meeting concerning the  
2 report in a location or locations reasonably accessible  
3 to persons who may be affected by management of  
4 the lands withdrawn and reserved by this title.

5 “(B) Each public meeting under subparagraph  
6 (A) shall be announced not less than 15 days before  
7 the date of the meeting by advertisements in local  
8 newspapers of general circulation, notices on the  
9 internet, including the website of National Training  
10 Center, and any other means considered necessary  
11 or desirable by the Secretaries.

12 “(4) DISTRIBUTION OF REPORT.—The Sec-  
13 retary of the Army shall make the final version of  
14 a report under this subsection available to the public  
15 and shall submit the final version of such a report  
16 to the Committees on Armed Services and Energy  
17 and Natural Resources of the Senate and the Com-  
18 mittees on Armed Services and Natural Resources of  
19 the House of Representatives.

20 “(b) PERIODIC DETERMINATION OF CONTINUING  
21 NEED.—With each report prepared pursuant to sub-  
22 section (a), the Secretary of the Army shall attach the Sec-  
23 retary’s determination regarding whether there will be a  
24 continuing military need for any or all of the withdrawn  
25 and reserved lands for the following 5 years.”.

1           (3) ESTABLISHMENT OF INTERGOVERNMENTAL  
2 EXECUTIVE COMMITTEE.—The Fort Irwin Military  
3 Land Withdrawal Act of 2001 (title XXIX of Public  
4 Law 107–107; 115 Stat. 1335) is amended by add-  
5 ing at the end the following new section:

6 **“SEC. 2914. INTERGOVERNMENTAL EXECUTIVE COM-**  
7 **MITTEE.**

8           “(a) ESTABLISHMENT AND PURPOSE.—The Sec-  
9 retary of the Army and the Secretary of the Interior shall  
10 establish, by memorandum of understanding, an intergov-  
11 ernmental executive committee for the sole purpose of ex-  
12 changing views, information, and advice relating to the  
13 management of the natural and cultural resources of the  
14 lands withdrawn and reserved by this title.

15           “(b) COMPOSITION.—

16           “(1) REPRESENTATIVES OF OTHER FEDERAL  
17 AGENCIES.—The Secretary of the Army and the Sec-  
18 retary of the Interior shall include representatives  
19 from interested Federal agencies as members of the  
20 intergovernmental executive committee.

21           “(2) REPRESENTATIVES OF STATE AND LOCAL  
22 GOVERNMENTS.—The Secretary of the Army and  
23 the Secretary of the Interior shall invite to serve as  
24 members of the intergovernmental executive com-  
25 mittee—

1           “(A) at least one elected officer (or other  
2 authorized representative) from the government  
3 of the State of California; and

4           “(B) at least one elected officer (or other  
5 authorized representative) from each local gov-  
6 ernment and Indian tribal government in the vi-  
7 cinity of the withdrawn and reserved lands, as  
8 determined by the Secretaries.

9           “(c) OPERATION.—The intergovernmental executive  
10 committee shall operate in accordance with the terms set  
11 forth in the memorandum of understanding under sub-  
12 section (a).

13           “(d) PROCEDURES.—The memorandum of under-  
14 standing under subsection (a) shall establish procedures  
15 for creating a forum for exchanging views, information,  
16 and advice relating to the management of natural and cul-  
17 tural resources on the lands withdrawn and reserved by  
18 this title, procedures for rotating the chair of the intergov-  
19 ernmental executive committee, and procedures for sched-  
20 uling regular meetings, which shall occur no less fre-  
21 quently than twice a year.

22           “(e) COORDINATOR.—The Secretary of the Army, in  
23 consultation with the Secretary of the Interior, shall ap-  
24 point an individual to serve as coordinator of the intergov-  
25 ernmental executive committee. The duties of the coordi-

1 nator shall be included in the memorandum of under-  
2 standing under subsection (a). The coordinator shall not  
3 be a member of the committee.”.

4 (4) CLERICAL AMENDMENTS.—The table of  
5 contents of the Fort Irwin Military Land With-  
6 drawal Act of 2001 (title XXIX of Public Law 107-  
7 107; 115 Stat. 1335) is amended—

8 (A) by amending the item relating to sec-  
9 tion 2910 to read as follows:

“Sec. 2910. Effect of relinquishment on operation of general land laws.”;

10 (B) by amending the item relating to sec-  
11 tion 2911 to read as follows:

“Sec. 2911. Determination of continuing military need for withdrawal and res-  
ervation and public reports.”;

12 (C) by amending the item relating to sec-  
13 tion 2912 to read as follows:

“Sec. 2912. Relinquishment.”;

14 and

15 (D) by inserting after the item relating to  
16 section 2913 the following new item:

“Sec. 2914. Intergovernmental executive committee.”.

17 (g) RANGES COVERED BY MILITARY LAND WITH-  
18 DRAWALS ACT OF 2013.—

19 (1) ELIMINATION OF TERMINATION DATE AND  
20 CONFORMING AMENDMENTS.—The Military Land  
21 Withdrawals Act of 2013 (title XXIX of Public Law  
22 113–66; 127 Stat. 1025) is amended—



1 (A) by striking sections 2919, 2920; 2936,  
2 2946, and 2979;

3 (B) in section 2921, by striking “On the  
4 termination of” and inserting “On the relin-  
5 quishment of”; and

6 (C) in section 2922(d)(3)—

7 (i) in the paragraph heading, by strik-  
8 ing “ON TERMINATION” and inserting  
9 “UPON RELINQUISHMENT”; and

10 (ii) by striking “or if at the expiration  
11 of the withdrawal and reservation,”.

12 (2) ESTABLISHMENT OF INTERGOVERNMENTAL  
13 EXECUTIVE COMMITTEE.—The Military Land With-  
14 drawals Act of 2013 (title XXIX of Public Law  
15 113–66; 127 Stat. 1025) is further amended by in-  
16 sserting after section 2918 the following new section:

17 **“SEC. 2919. INTERGOVERNMENTAL EXECUTIVE COM-  
18 MITTEE.**

19 “(a) ESTABLISHMENT AND PURPOSE.—For the lands  
20 withdrawn and reserved by sections 2941 and 2971, the  
21 Secretary concerned and the Secretary of the Interior shall  
22 establish, by memorandum of understanding, an intergov-  
23 ernmental executive committee for each location for the  
24 sole purpose of exchanging views, information, and advice

1 relating to the management of the natural and cultural  
2 resources of the withdrawn and reserved lands.

3 “(b) COMPOSITION.—

4 “(1) REPRESENTATIVES OF OTHER FEDERAL  
5 AGENCIES.—The Secretary concerned and the Sec-  
6 retary of the Interior shall include representatives  
7 from interested Federal agencies as members of the  
8 intergovernmental executive committee for a location  
9 covered by subsection (a).

10 “(2) REPRESENTATIVES OF STATE AND LOCAL  
11 GOVERNMENTS.—The Secretary concerned and the  
12 Secretary of the Interior shall invite to serve as  
13 members of the intergovernmental executive com-  
14 mittee for a location covered by subsection (a)—

15 “(A) at least one elected officer (or other  
16 authorized representative) from the government  
17 of the State in which the withdrawn and re-  
18 served lands are located; and

19 “(B) at least one elected officer (or other  
20 authorized representative) from each local gov-  
21 ernment and Indian tribal government in the vi-  
22 cinity of the withdrawn and reserved lands, as  
23 determined by the Secretaries.

24 “(c) OPERATION.—The intergovernmental executive  
25 committee for a location covered by subsection (a) shall

1 operate in accordance with the terms set forth in the  
2 memorandum of understanding under subsection (a).

3 “(d) PROCEDURES.—The memorandum of under-  
4 standing under subsection (a) shall establish procedures  
5 for creating a forum for exchanging views, information,  
6 and advice relating to the management of natural and cul-  
7 tural resources on the withdrawn and reserved lands, pro-  
8 cedures for rotating the chair of the intergovernmental ex-  
9 ecutive committee, and procedures for scheduling regular  
10 meetings, which shall occur no less frequently than twice  
11 a year.

12 “(e) COORDINATOR.—The Secretary concerned, in  
13 consultation with the Secretary of the Interior, shall ap-  
14 point an individual to serve as coordinator of the intergov-  
15 ernmental executive committee for a location covered by  
16 subsection (a). The duties of the coordinator shall be in-  
17 cluded in the memorandum of understanding under sub-  
18 section (a). The coordinator shall not be a member of the  
19 committee.”.

20 (3) DETERMINATION OF CONTINUING MILITARY  
21 NEED FOR WITHDRAWAL AND RESERVATION AND  
22 PUBLIC REPORTS.—The Military Land Withdrawals  
23 Act of 2013 (title XXIX of Public Law 113–66; 127  
24 Stat. 1025) is further amended by inserting after

1 section 2919, as added by paragraph (2), the fol-  
2 lowing new section:

3 **“SEC. 2920. DETERMINATION OF CONTINUING MILITARY**  
4 **NEED FOR WITHDRAWAL AND RESERVATION**  
5 **AND PUBLIC REPORTS.**

6 “(a) PUBLIC REPORTS.—

7 “(1) CHANGES IN LAND CONDITIONS.—(A)  
8 Concurrent with each review as to operation and ef-  
9 fect of an integrated natural resources management  
10 plan covering lands withdrawn and reserved under  
11 this title, as required by section 101(b)(2) of the  
12 Sikes Act (16 U.S.C. 670a(b)(2)), the Secretary of  
13 the military department concerned and the Secretary  
14 of the Interior shall jointly prepare and issue a re-  
15 port describing any changes in the condition of the  
16 lands covered by the plan since the later of the date  
17 of any previous report under this paragraph or the  
18 date of the environmental analysis prepared to sup-  
19 port the actions that changed the condition of the  
20 lands.

21 “(B) A report under subparagraph (A) shall in-  
22 clude a summary of current military use of the lands  
23 covered by the plan, any changes in military use of  
24 the lands since the previous report, and efforts re-  
25 lated to the management of natural and cultural re-

1 sources and environmental remediation of the lands  
2 during the previous five years.

3 “(2) COMBINATION WITH OTHER REPORTS.—A  
4 report under this subsection may be combined with,  
5 or incorporate by reference, any contemporary report  
6 required by any other provision of law regarding the  
7 lands addressed by the report.

8 “(3) PUBLIC REVIEW AND COMMENT.—(A) Be-  
9 fore the finalization of a report under this sub-  
10 section, the Secretary of the military department  
11 concerned and the Secretary of the Interior shall in-  
12 vite interested members of the public to review and  
13 comment on the report, and shall hold at least one  
14 public meeting concerning the report in a location or  
15 locations reasonably accessible to persons who may  
16 be affected by management of the lands addressed  
17 by the report.

18 “(B) Each public meeting under subparagraph  
19 (A) shall be announced not less than 15 days before  
20 the date of the meeting by advertisements in local  
21 newspapers of general circulation, notices on the  
22 internet, including the website of the affected mili-  
23 tary range (if one exists), and any other means con-  
24 sidered necessary or desirable by the Secretaries.

1           “(4) DISTRIBUTION OF REPORT.—The Sec-  
2           retary of the military department concerned shall  
3           make the final version of a report under this sub-  
4           section available to the public and shall submit the  
5           final version of such a report to the Committees on  
6           Armed Services and Energy and Natural Resources  
7           of the Senate and the Committees on Armed Serv-  
8           ices and Natural Resources of the House of Rep-  
9           resentatives.

10          “(b) DETERMINATION OF CONTINUING MILITARY  
11          NEED.—With each report prepared pursuant to sub-  
12          section (a), the Secretary of the military department con-  
13          cerned shall attach the Secretary’s determination regard-  
14          ing whether there will be a continuing military need for  
15          any or all of the withdrawn and reserved lands for the  
16          following 5 years.”.

17                 (4) CLERICAL AMENDMENTS.—The table of  
18                 contents of the Military Land Withdrawals Act of  
19                 2013 (title XXIX of Public Law 113-66; 127 Stat.  
20                 1025) is amended—

21                         (A) by striking the item relating to section  
22                         2919 and inserting the following new item:

“Sec. 2919. Intergovernmental executive committee.”;

23                         (B) by striking the item relating to section  
24                         2920 and inserting the following new item:

“Sec. 2920. Determination of continuing military need for withdrawal and reservation and public reports.”;

1           and

2                           (C) by striking the items relating to sec-  
3                           tion 2936, 2946, and 2979.

4           (h) REQUESTS FOR WITHDRAWALS MADE TO SEC-  
5   RETARY OF THE INTERIOR; TEMPORARY USE PERMITS  
6   AND TRANSFERS OF SMALL PARCELS OF LAND BETWEEN  
7   DEPARTMENTS OF INTERIOR AND MILITARY DEPART-  
8   MENTS; MORE EFFICIENT SURVEYING OF LANDS.—

9                           (1) REQUIRING REQUESTS FOR WITHDRAWALS  
10                           TO BE MADE TO SECRETARY OF THE INTERIOR.—

11                           Section 3 of the Act of February 28, 1958 (Public  
12                           Law 85–337; 43 U.S.C. 157), is amended—

13                           (A) by striking “Any application” and in-  
14                           serting “(a) CONTENTS OF APPLICATION.—Any  
15                           application”; and

16                           (B) by striking “shall specify” and insert-  
17                           ing “shall be filed with the Secretary of the In-  
18                           terior and shall specify”.

19                           (2) AUTHORIZATION OF ADDITIONAL ARRANGE-  
20                           MENTS FOR USE AND TRANSFER OF LANDS UNDER  
21                           JURISDICTION OF SECRETARY OF THE INTERIOR.—  
22                           Such Act (43 U.S.C. 155 et seq.) is further amended  
23                           by adding at the end the following new sections:

1 **“SEC. 7. SHORT-TERM PERMITS FOR USE OF DEPARTMENT**  
2 **OF INTERIOR LANDS FOR MILITARY TRAIN-**  
3 **ING AND TESTING.**

4 “(a) **AUTHORITY.**—In addition to any other authority  
5 to grant permits for the use of land, the Secretary of the  
6 Interior may grant a permit to the Secretary of Defense  
7 to use land under the administrative jurisdiction of the  
8 Secretary of the Interior. Any such permit—

9 “(1) shall be issued consistent with section  
10 2691 of title 10, United States Code;

11 “(2) shall allow the Department of Defense to  
12 use the land only for purposes of training and test-  
13 ing that are consistent with the purposes for which  
14 the Secretary of the Interior manages the land; and

15 “(3) may contain such other requirements as  
16 the Secretary of the Interior considers appropriate.

17 “(b) **DURATION OF PERMIT.**—A permit granted  
18 under this section shall be in effect for such period as the  
19 Secretary of the Interior may provide, except that such  
20 period may not exceed 30 days.

21 **“SEC. 8. TRANSFERS OF SMALL PARCELS OF LAND BE-**  
22 **TWEEN THE DEPARTMENTS OF DEFENSE AND**  
23 **INTERIOR.**

24 “(a) **TRANSFER AUTHORIZED.**—Subject to any valid  
25 existing rights, upon mutual agreement, and without cost  
26 for the value of the land or any improvements thereon—



1           “(1) the Secretary of the Interior may transfer  
2           administrative jurisdiction over land that meets the  
3           requirements of subsection (b) to the Secretary of a  
4           military department; and

5           “(2) the Secretary of a military department  
6           may transfer administrative jurisdiction over land  
7           that meets the requirements of subsection (b) to the  
8           Secretary of the Interior.

9           “(b) REQUIREMENTS FOR LAND ELIGIBLE FOR  
10          TRANSFER.—The requirements of this subsection are as  
11          follows:

12           “(1) CONTIGUITY.—The land is contiguous to  
13           land already under the administrative jurisdiction of  
14           the Secretary to whom such jurisdiction is trans-  
15           ferred.

16           “(2) LIMITATION ON ACREAGE.—No single par-  
17           cel of the land is larger than 5,000 acres of contig-  
18           uous area.

19           “(3) NO RECENT PRIOR TRANSFER OF CONTIG-  
20           UOUS LAND.—The land is not contiguous to any  
21           other land for which administrative jurisdiction has  
22           been transferred under the authority of this section  
23           during the previous 5 years.

24           “(4) PRIOR USE FOR DEFENSE PURPOSES.—In  
25           the case of land transferred to the Department of

1 Defense, the land was used for defense purposes im-  
2 mediately prior to the date of transfer.

3 “(c) MAP AND LEGAL DESCRIPTION.—

4 “(1) PREPARATION AND PUBLICATION.—The  
5 Secretary of the Interior shall—

6 “(A) publish in the Federal Register a no-  
7 tice containing the legal description of any land  
8 transferred under subsection (a);

9 “(B) file maps and legal descriptions of  
10 the land with—

11 “(i) the Committees on Armed Serv-  
12 ices and Energy and Natural Resources of  
13 the Senate, and

14 “(ii) the Committees on Armed Serv-  
15 ices and Natural Resources of the House  
16 of Representatives; and

17 “(C) make copies of such maps and legal  
18 descriptions available for public inspection in  
19 the appropriate offices of the Bureau of Land  
20 Management.

21 “(2) FORCE OF LAW.—For purposes of any  
22 transfer of administrative jurisdiction over land  
23 under this section, the legal description and map for  
24 the land shall be the legal description of the land  
25 filed under paragraph (1)(B), except that the Sec-

1       retary of the Interior may correct clerical and typo-  
2       graphical errors in the legal description or map.

3           “(3) COSTS.—The Secretary of the military de-  
4       partment to whom administrative jurisdiction over  
5       land is transferred under subsection (a)(1) shall re-  
6       imburse the Secretary of the Interior for the costs  
7       incurred by the Secretary of the Interior in imple-  
8       menting this subsection with respect to such land.

9           “(d) TREATMENT AND USE OF LAND TRANSFERRED  
10      TO THE SECRETARY OF A MILITARY DEPARTMENT.—

11     Upon a transfer of administrative jurisdiction over land  
12     to the Secretary of a military department under subsection  
13     (a)(1)—

14           “(1) the land shall be treated as property (as  
15       defined in section 102(9) of title 40, United States  
16       Code) under the administrative jurisdiction of the  
17       Secretary of the military department; and

18           “(2) for as long as the land is under the admin-  
19       istrative jurisdiction of a Secretary of a military de-  
20       partment, the land shall be withdrawn from—

21           “(A) all forms of entry, appropriation, or  
22       disposition under the public land laws;

23           “(B) location, entry, and patent under the  
24       mining laws;

1           “(C) disposition under all laws relating to  
2           mineral materials and all laws relating to min-  
3           eral and geothermal leasing.

4           “(e) TREATMENT AND USE OF LAND TRANSFERRED  
5 TO THE SECRETARY OF THE INTERIOR.—Upon a transfer  
6 of administrative jurisdiction over land to the Secretary  
7 of the Interior under subsection (a)(2)—

8           “(1) the land shall become public land; and

9           “(2) the land shall be administered for the  
10          same purposes and be subject to the same conditions  
11          of use as the adjacent public land.

12          “(f) EFFECT ON OTHER AUTHORITIES.—The au-  
13 thority provided by this section is in addition to, and not  
14 subject to, any other authority relating to transfers of  
15 land.”.

16          (3) SHORT TITLE.—The first section of such  
17 Act (43 U.S.C. 155) is amended—

18                 (A) by striking “That, notwithstanding”  
19                 and inserting “SECTION 1. (a) WITHDRAWAL,  
20                 RESERVATION, OR RESTRICTION OF PUBLIC  
21                 LANDS FOR DEFENSE PURPOSES.—Notwith-  
22                 standing”; and

23                 (B) by adding at the end the following new  
24                 subsection:

1       “(b) SHORT TITLE.—This Act may be cited as the  
2 ‘Engle Act’.”.

3           (4) PROMOTING MORE EFFICIENT SURVEYING  
4 OF LANDS.—In fixing the original corner position in  
5 an official survey of unsurveyed land, when applica-  
6 ble and feasible, Cadastral Survey may, instead of  
7 using physical monuments, use geographic coordi-  
8 nates correlated to the National Spatial Reference  
9 System geodetic datum, in accordance with the Man-  
10 ual of Surveying Instructions.

11       (i) EFFECT ON NEW LAND WITHDRAWALS AND RES-  
12 ERVATIONS.—Nothing in this section or the amendments  
13 made by this section shall be construed as changing the  
14 requirements imposed on the Department of Defense to  
15 obtain a new or expanded land withdrawal and reserva-  
16 tion.

17 **SEC. 2832. DESIGNATION OF POTENTIAL WILDERNESS**  
18 **AREA.**

19       (a) IN GENERAL.—Certain land administered by the  
20 National Park Service, comprising approximately 1 acre  
21 as generally depicted on the map entitled “Proposed Po-  
22 tential Wilderness, Mormon Peak Microwave Facility,  
23 Death Valley National Park”, numbered 143–142, 834,  
24 and dated March 1, 2018, is designated as a potential wil-  
25 derness area.

1 (b) USES.—The Secretary of the Interior may permit  
2 on the land described in subsection (a) only the uses that  
3 were permitted on such land on the date of enactment of  
4 the California Desert Protection Act of 1994 (Public Law  
5 103–433).

6 (c) REESTABLISHMENT OF WILDERNESS DESIGNA-  
7 TION.—

8 (1) NOTICE.—The Secretary of the Interior  
9 shall publish a notice in the Federal Register when  
10 the Secretary determines that—

11 (A) the communications site within the po-  
12 tential wilderness area designated under sub-  
13 section (a) is no longer used;

14 (B) the associated right-of-way is relin-  
15 quished or not renewed; and

16 (C) the conditions in the potential wilder-  
17 ness area designated by subsection (a) are com-  
18 patible with the Wilderness Act (16 U.S.C.  
19 1131 et seq.).

20 (2) DESIGNATION.—Upon publication by the  
21 Secretary of the notice described in paragraph (1),  
22 the land described in subsection (a) is—

23 (A) designated as wilderness and as a com-  
24 ponent of the National Wilderness Preservation  
25 System; and

1 (B) incorporated into the Death Valley Na-  
2 tional Park Wilderness designated by section  
3 601of Public Law 103–433.

## 4 **Subtitle E—Other Matters**

### 5 **SEC. 2841. DEFENSE COMMUNITY INFRASTRUCTURE PRO-** 6 **GRAM.**

7 (a) AUTHORIZATION OF PROGRAM.—Section 2391 of  
8 title 10, United States Code, is amended—

9 (1) by redesignating subsections (d) and (e) as  
10 subsections (e) and (f); and

11 (2) by inserting after subsection (c) the fol-  
12 lowing new subsection:

13 “(d) DEFENSE COMMUNITY INFRASTRUCTURE PRO-  
14 GRAM.—(1) The Secretary of Defense may make grants,  
15 conclude cooperative agreements, and supplement funds  
16 available under Federal programs administered by agen-  
17 cies other than the Department of Defense to assist States  
18 and units of local government in addressing deficiencies  
19 in community infrastructure projects or facilities which  
20 are located outside of military installations but which sup-  
21 port military installations, and which are owned by the  
22 State or unit of local government, if the Secretary deter-  
23 mines that such assistance will enhance the military value,  
24 resiliency, or military family quality of life at such military  
25 installation.

1       “(2) The Secretary shall establish criteria for the eli-  
2       gibility and selection of States and units of local govern-  
3       ment to receive assistance under this subsection. Such cri-  
4       teria shall include a requirement that the State or unit  
5       of local government agrees to contribute not less than 20  
6       percent of the funding required to address the deficiencies  
7       in the community infrastructure project or facility in-  
8       volved, except that the Secretary may waive such require-  
9       ment in the case of a community infrastructure project  
10      or facility which is located in a rural area.

11      “(3) Prior to providing any assistance to a State or  
12      unit of local government with respect to a community in-  
13      frastructure project or facility under this subsection, the  
14      Secretary shall provide a notification to the appropriate  
15      committees of Congress of the intent to provide the assist-  
16      ance, and shall include in the notification a comprehensive  
17      description of how the assistance will address deficiencies  
18      in the project or facility, a certification of military need,  
19      and (if applicable) a certification that the State or unit  
20      of local government has agreed to contribute funding for  
21      the infrastructure as required under paragraph (2). The  
22      Secretary may then obligate funds for such assistance only  
23      after the end of the 14-day period beginning on the date  
24      on which the notification is received by the committees in



1 an electronic medium pursuant to section 480 of this  
2 title.”.

3 (b) DEFINITION.—Section 2391(e) of such title, as  
4 redesignated by subsection (a), is amended by adding at  
5 the end the following new paragraph:

6 “(4) The term ‘community infrastructure  
7 project or facility’ means any of the following:

8 “(A) A transportation project.

9 “(B) A school, hospital, police, fire, emer-  
10 gency response, or other community support fa-  
11 cility.

12 “(C) A water, waste-water, telecommuni-  
13 cations, electric, gas, or other utility infrastruc-  
14 ture project.”.

15 **SEC. 2842. RESTRICTIONS ON USE OF FUNDS FOR DEVEL-**  
16 **OPMENT OF PUBLIC INFRASTRUCTURE IN**  
17 **COMMONWEALTH OF NORTHERN MARIANA**  
18 **ISLANDS.**

19 (a) RESTRICTION.—If the Secretary of Defense de-  
20 termines that any grant, cooperative agreement, transfer  
21 of funds to another Federal agency, or supplement of  
22 funds available under Federal programs administered by  
23 agencies other than the Department of Defense will result  
24 in the development (including repair, replacement, renova-  
25 tion, conversion, improvement, expansion, acquisition, or

1 construction) of public infrastructure in the Common-  
2 wealth of the Northern Mariana Islands (hereafter in this  
3 section referred to as the “Commonwealth”), the Sec-  
4 retary of Defense may not carry out such grant, transfer,  
5 cooperative agreement, or supplemental funding unless  
6 such grant, transfer, cooperative agreement, or supple-  
7 mental funding—

8 (1) is specifically authorized by law; and

9 (2) will be used to carry out a public infrastruc-  
10 ture project included in the report submitted under  
11 subsection (b).

12 (b) REPORT OF ECONOMIC ADJUSTMENT COM-  
13 MITTEE.—

14 (1) CONVENING OF COMMITTEE.—Not later  
15 than 90 days after the date of the enactment of this  
16 Act, the Secretary of Defense, as the chair of the  
17 Economic Adjustment Committee established in Ex-  
18 ecutive Order No. 127887 (10 U.S.C. 2391 note),  
19 shall convene the Economic Adjustment Committee  
20 to consider assistance, including assistance to sup-  
21 port public infrastructure projects, necessary to sup-  
22 port changes in Department of Defense activities in  
23 the Commonwealth.

24 (2) REPORT.—Not later than 180 days after  
25 convening the Economic Adjustment Committee

1 under paragraph (1), the Secretary shall submit to  
2 the congressional defense committees a report—

3 (A) describing the results of the Economic  
4 Adjustment Committee deliberations required  
5 by paragraph (1); and

6 (B) containing a description of any assist-  
7 ance the Committee determines to be necessary  
8 to support changes in Department of Defense  
9 activities in the Commonwealth, including any  
10 public infrastructure projects the Committee de-  
11 termines should be carried out with such assist-  
12 ance.

13 (c) PUBLIC INFRASTRUCTURE DEFINED.—In this  
14 section, the term “public infrastructure” means any util-  
15 ity, method of transportation, item of equipment, or facil-  
16 ity under the control of a public entity or State or local  
17 government that is used by, or constructed for the benefit  
18 of, the general public.

19 **SEC. 2843. STUDY AND REPORT ON COLEMAN BRIDGE,**  
20 **YORK RIVER, VIRGINIA.**

21 (a) FINDINGS.—Congress finds the following:

22 (1) Navy vessels must have access to Naval  
23 Weapons Station, Yorktown, Virginia, in order to  
24 load munitions for war time needs.

1           (2) To access the Station, vessels must pass the  
2           George P. Coleman Bridge on the York River, which  
3           swings open to allow passage.

4           (3) Many Federal employees at the Station and  
5           at other critical military installations in the Tide-  
6           water region of Virginia live on the north side of the  
7           York River and commute to work using the Bridge.

8           (4) The assured operation of the George P.  
9           Coleman Memorial Bridge is therefore critical to the  
10          operation of Naval Weapons Station, Yorktown and  
11          national security generally.

12          (b) STUDY AND REPORT ON INCLUSION OF BRIDGE  
13          IN STRATEGIC HIGHWAY NETWORK.—

14           (1) STUDY.—The Commander of the United  
15          States Transportation Command shall conduct a  
16          study of the feasibility and desirability of including  
17          the George P. Coleman Memorial Bridge on the  
18          York River, Virginia, and United States Route 17 in  
19          the Strategic Highway Network.

20           (2) REPORT.—Not later than 180 days after  
21          the date of the enactment of this Act, the Com-  
22          mander shall submit to the congressional defense  
23          committees a report on the results of the study con-  
24          ducted under paragraph (1).

1 **SEC. 2844. CERTIFICATIONS REQUIRED PRIOR TO TRANS-**  
2 **FER OF CERTAIN VETERANS MEMORIAL OB-**  
3 **JECT.**

4 (a) CERTIFICATIONS.—Subsection (c) of section 2864  
5 of the National Defense Authorization Act for Fiscal Year  
6 2018 (Public Law 115–91; 131 Stat. 1869) is amended—

7 (1) in the heading, by striking “TRANSFER”  
8 and all that follows and inserting “TRANSFER OF  
9 CERTAIN VETERANS MEMORIAL OBJECT”;

10 (2) in the matter preceding paragraph (1), by  
11 striking “certifies to Congress” and inserting “pro-  
12 vides a certification to Congress”.

13 (3) by redesignating paragraph (2) as para-  
14 graph (3); and

15 (4) by inserting after paragraph (1) the fol-  
16 lowing new paragraph:

17 “(2) CERTIFICATION REQUIREMENTS.—The  
18 certification required under paragraph (1) shall in-  
19 clude a report with a classified annex describing the  
20 effects of the transfer of the object under this sub-  
21 section on the national security interests of the  
22 United States (as required under subparagraph (A)  
23 of paragraph (1)) and the efforts undertaken to con-  
24 sult with veterans organizations and government of-  
25 ficials in the State of Wyoming in order to preserve  
26 the history of the veterans associated with the object

1 (as required by subparagraph (B) of paragraph  
2 (1)).”.

3 (b) **EFFECTIVE DATE.**—The amendment made by  
4 subsection (a) shall take effect as if included in the enact-  
5 ment of the National Defense Authorization Act for Fiscal  
6 Year 2018.

7 **SEC. 2845. BATTLESHIP PRESERVATION GRANT PROGRAM.**

8 (a) **ESTABLISHMENT.**—There is hereby established  
9 within the Department of the Interior a grant program  
10 for the preservation of our nation’s most historic battle-  
11 ships.

12 (b) **USE OF GRANTS.**—Amounts received through  
13 grants under this section shall be used for the preservation  
14 of our nation’s most historic battleships in a manner that  
15 is self-sustaining and has an educational component.

16 (c) **CRITERIA FOR ELIGIBILITY.**—To be eligible for  
17 a grant under this section, an entity shall—

18 (1) submit an application under procedures pre-  
19 scribed by the Secretary;

20 (2) match the amount of the grant, on a 1-to-  
21 1 basis, with non-Federal assets from non-Federal  
22 sources, which may include cash or durable goods  
23 and materials fairly valued as determined by the  
24 Secretary;

1           (3) maintain records as may be reasonably nec-  
2           essary to fully disclose—

3                   (A) the amount and the disposition of the  
4           proceeds of the grant;

5                   (B) the total cost of the project for which  
6           the grant is made; and

7                   (C) other records as may be required by  
8           the Secretary, including such records as will fa-  
9           cilitate an effective accounting for project  
10          funds; and

11           (4) provide access to the Secretary for the pur-  
12          poses of any required audit and examination of any  
13          books, documents, papers, and records of the entity.

14          (d) MOST HISTORIC BATTLESHIP DEFINED.—In this  
15          section, the term “most historic battleship” means a bat-  
16          tleship that is—

17                   (1) between 75 and 115 years old;

18                   (2) listed on the National Register of Historic  
19          Places; and

20                   (3) located within the State for which it was  
21          named.

22          (e) SAVINGS PROVISION.—The authorities contained  
23          in this section shall be in addition to, and shall not be  
24          construed to supercede or modify those contained in the

1 National Historic Preservation Act (16 U.S.C. 470–470x–  
2 6).

3 (f) PRIVATE PROPERTY PROTECTION.—

4 (1) IN GENERAL.—No Federal funds made  
5 available to carry out this section may be used to ac-  
6 quire any real property, or any interest in any real  
7 property, without the written consent of the owner  
8 (or owners) of that property or interest in property.

9 (2) NO DESIGNATION.—The authority granted  
10 by this section shall not constitute a Federal des-  
11 igation or have any effect on private property own-  
12 ership.

13 (g) SUNSET.—The authority to make grants under  
14 this section expires on September 30, 2025.

15 **SEC. 2846. RESTRICTIONS ON REHABILITATION OF OVER-**  
16 **THE-HORIZON BACKSCATTER RADAR STA-**  
17 **TION.**

18 (a) RESTRICTIONS.—Except as provided in sub-  
19 section (b), the Secretary of the Air Force may not use  
20 any funds or resources to carry out the rehabilitation of  
21 the Over-the-Horizon Backscatter Radar Station on  
22 Modoc National Forest land in Modoc County, California.

23 (b) EXCEPTION FOR REMOVAL OF PERIMETER  
24 FENCE.—Notwithstanding subsection (a), the Secretary  
25 may use funds and resources to remove the perimeter



1 fence surrounding the Over-the-Horizon Backscatter  
2 Radar Station and to carry out the mitigation of soil con-  
3 tamination associated with such fence.

4 (c) SUNSET.—Subsection (a) shall terminate on the  
5 date of the enactment of the National Defense Authoriza-  
6 tion Act for Fiscal Year 2020.

7 **SEC. 2847. MODIFICATION TO FIRST DIVISION MONUMENT.**

8 (a) AUTHORIZATION.—The Society of the First In-  
9 fantry Division (an organization described in section  
10 501(c)(3) of the Internal Revenue Code of 1986 and ex-  
11 empt from taxation under section 501(a) of that code),  
12 may make modifications (including construction of addi-  
13 tional plaques and stone plinths on which to put the  
14 plaques) to the First Division Monument located on Fed-  
15 eral land in Presidential Park in District of Columbia that  
16 was set aside for memorial purposes of the First Infantry  
17 Division, in order to honor the members of the First In-  
18 fantry Division who paid the ultimate sacrifice during  
19 United States operations, including Operation Desert  
20 Storm, Operation Iraqi Freedom and New Dawn, and Op-  
21 eration Enduring Freedom. The First Infantry Division  
22 at the Department of the Army shall collaborate with the  
23 Department of Defense to provide to the Society of the  
24 First Infantry Division the list of names to be added.

1 (b) NON-APPLICATION OF COMMEMORATIVE WORKS  
2 ACT.—Subsections (b) and (c) of section 8903 of title 40,  
3 United States Code (commonly known as the “Commemo-  
4 rative Works Act”), shall not apply to actions taken under  
5 subsection (a) of this section.

6 (c) FUNDING.—Federal funds may not be used to pay  
7 any expense of the activities of the Society of the First  
8 Infantry Division which are authorized by this section.

9 **SEC. 2848. DEFENSE ACCESS ROADS RELATING TO CLO-**  
10 **SURES DUE TO SEA LEVEL RISE AND FLOOD-**  
11 **ING.**

12 (a) AUTHORITY.—Section 210(a)(1) of title 23,  
13 United States Code, is amended by striking “closures or  
14 restrictions” and inserting “closures, closures due to sea  
15 level rise and flooding, or restrictions”.

16 (b) USE OF FUNDS.—Section 210 of title 23, United  
17 States Code, is amended by adding at the end the fol-  
18 lowing:

19 “(i) Beginning in fiscal year 2019, funds appro-  
20 priated for the purposes of this section shall be available  
21 to pay the cost of repairing damage caused to, and for  
22 any infrastructure to mitigate the risks posed to, highways  
23 by recurrent flooding and sea level rise, if the Secretary  
24 shall determine that continued access to a military instal-

1 lation has been impacted by past flooding and projected  
 2 sea level rise.”.

3 **TITLE XXIX—OVERSEAS CONTIN-**  
 4 **GENY OPERATIONS MILI-**  
 5 **TARY CONSTRUCTION**

6 **SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND**  
 7 **ACQUISITION PROJECTS.**

8 The Secretary of the Army may acquire real property  
 9 and carry out the military construction projects for the  
 10 installations outside the United States, and in the  
 11 amounts, set forth in the following table:

**Army: Outside the United States**

<b>Country</b>	<b>Location</b>	<b>Amount</b>
Bulgaria .....	Nevo Selo Fos .....	\$5,200,000
Poland .....	Drawsko Pomorski Training Area .....	\$17,000,000
	Powidz Air Base .....	\$87,000,000
	Zagan Training Area .....	\$40,400,000
Romania .....	Mihail Kogalniceanu .....	\$21,651,000

12 **SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND**  
 13 **ACQUISITION PROJECTS.**

14 The Secretary of the Navy may acquire real property  
 15 and carry out the military construction projects for the  
 16 installations outside the United States, and in the  
 17 amounts, set forth in the following table:

**Navy: Outside the United States**

<b>Country</b>	<b>Location</b>	<b>Amount</b>
Greece .....	Naval Support Activity Souda Bay .....	\$47,850,000
Italy .....	Naval Air Station Sigonella .....	\$66,050,000
Spain .....	Naval Station Rota .....	\$21,590,000
United Kingdom .....	Lossiemouth .....	\$79,130,000

1 **SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND**  
 2 **LAND ACQUISITION PROJECTS.**

3 The Secretary of the Air Force may acquire real  
 4 property and carry out the military construction projects  
 5 for the installations outside the United States, and in the  
 6 amounts, set forth in the following table:

**Air Force: Outside the United States**

Country	Location	Amount
Germany .....	Ramstein Air Base .....	\$119,000,000
Norway .....	Rygge .....	\$13,800,000
Qatar .....	Al Udeid .....	\$70,400,000
Slovakia .....	Malacky .....	\$59,000,000
United Kingdom .....	RAF Fairford .....	\$106,000,000

7 **SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**  
 8 **TION AND LAND ACQUISITION PROJECTS.**

9 The Secretary of Defense may acquire real property  
 10 and carry out the military construction projects for the  
 11 installations outside the United States, and in the  
 12 amounts, set forth in the following table:

**Defense Agencies: Outside the United States**

Country	Location	Amount
Estonia .....	Unspecified Estonia .....	\$15,700,000
Qatar .....	Al Udeid .....	\$60,000,000

13 **SEC. 2905. AUTHORIZATION OF APPROPRIATIONS.**

14 Funds are hereby authorized to be appropriated for  
 15 fiscal years beginning after September 30, 2018, for the  
 16 military construction projects outside the United States  
 17 authorized by this title as specified in the funding table  
 18 in section 7602.

1 **SEC. 2906. RESTRICTIONS ON USE OF FUNDS FOR PLAN-**  
2 **NING AND DESIGN COSTS OF EUROPEAN DE-**  
3 **TERRENCE INITIATIVE PROJECTS.**

4 None of the funds authorized to be appropriated for  
5 military construction projects outside the United States  
6 authorized by this title may be obligated or expended for  
7 planning and design costs of any project associated with  
8 the European Deterrence Initiative until the Secretary of  
9 Defense submits to the congressional defense committees  
10 a list of all of the military construction projects associated  
11 with the European Deterrence Initiative which the Sec-  
12 retary anticipates will be carried out during each of the  
13 fiscal years 2019 through 2023.

14 **DIVISION C—DEPARTMENT OF**  
15 **ENERGY NATIONAL SECURITY**  
16 **AUTHORIZATIONS AND**  
17 **OTHER AUTHORIZATIONS**  
18 **TITLE XXXI—DEPARTMENT OF**  
19 **ENERGY NATIONAL SECURITY**  
20 **PROGRAMS**  
21 **Subtitle A—National Security**  
22 **Programs and Authorizations**

23 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**  
24 **TION.**

25 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds  
26 are hereby authorized to be appropriated to the Depart-

1 ment of Energy for fiscal year 2019 for the activities of  
2 the National Nuclear Security Administration in carrying  
3 out programs as specified in the funding table in division  
4 G.

5 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—  
6 From funds referred to in subsection (a) that are available  
7 for carrying out plant projects, the Secretary of Energy  
8 may carry out new plant projects for the National Nuclear  
9 Security Administration as follows:

10 Project 19–D–660, Lithium Production Capa-  
11 bility, Y–12 National Security Complex, Oak Ridge,  
12 Tennessee, \$19,000,000.

13 Project 19–D–670, 138k Power Transmission  
14 System Replacement, Nevada National Security Site,  
15 Mercury, Nevada, \$6,000,000.

16 Project 19–D–930, KS Overhead Piping, Kes-  
17 selring Site, West Milton, New York, \$10,994,000.

18 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

19 Funds are hereby authorized to be appropriated to  
20 the Department of Energy for fiscal year 2019 for defense  
21 environmental cleanup activities in carrying out programs  
22 as specified in the funding table in division G.

23 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

24 Funds are hereby authorized to be appropriated to  
25 the Department of Energy for fiscal year 2019 for other

1 defense activities in carrying out programs as specified in  
2 the funding table in division G.

3 **SEC. 3104. NUCLEAR ENERGY.**

4 Funds are hereby authorized to be appropriated to  
5 the Department of Energy for fiscal year 2019 for nuclear  
6 energy as specified in the funding table in division G.

7 **Subtitle B—Program Authoriza-**  
8 **tions, Restrictions, and Limita-**  
9 **tions**

10 **SEC. 3111. SECURITY CLEARANCE FOR DUAL NATIONALS**

11 **EMPLOYED BY NATIONAL NUCLEAR SECU-**  
12 **RITY AGENCY.**

13 (a) IN GENERAL.—The National Nuclear Security  
14 Administration Act (50 U.S.C. 2401 et seq.) is amended  
15 by inserting after section 3236 the following new section:

16 **“SEC. 3237. SECURITY CLEARANCE FOR DUAL NATIONALS.**

17 “(a) IN GENERAL.—(1) In the case of an individual  
18 described in paragraph (3), the Secretary of Energy shall  
19 develop a process to review foreign preference in accord-  
20 ance with the adjudicative guidelines issued pursuant to  
21 section 710.7 of title 10, Code of Federal Regulations, or  
22 such successor regulation, before approving a security  
23 clearance for such individual.

24 “(2) The Secretary shall designate an official of the  
25 Administration to be responsible for adjudicating any de-

1 rogatory information of an individual described in para-  
2 graph (3) concerning foreign preference that is discovered  
3 after the security clearance of the individual is approved.

4 “(3) An individual described in this paragraph is an  
5 individual who is—

6 “(A) a national of the United States (as such  
7 term is defined in section 101 of the Immigration  
8 and Nationality Act (8 U.S.C. 1101)) and also a na-  
9 tional of a foreign state; and

10 “(B) an employee or contractor of the Adminis-  
11 tration who requires access to classified information.

12 “(b) WAIVER.—In the case of an individual who is  
13 a national of the United States and also a national of a  
14 foreign state identified under section 1564b(b)(2) of title  
15 10, United States Code, the Secretary may waive the re-  
16 quirement under subsection (a).”.

17 (b) CLERICAL AMENDMENT.—The table of contents  
18 at the beginning of such Act is amended by inserting after  
19 the item relating to section 3236 the following new item:

“Sec. 3237. Security clearance for dual nationals.”.

20 (c) BRIEFING.—

21 (1) IN GENERAL.—Not later than 180 days  
22 after the date of the enactment of this Act, the Sec-  
23 retary of Energy shall provide to the Committees on  
24 Armed Services of the House of Representatives and



1 the Senate, and to any other appropriate congress-  
2 sional committee upon request, a briefing on—

3 (A) the process developed under paragraph  
4 (1) of section 3237(a) of the National Nuclear  
5 Security Administration Act, as added by sub-  
6 section (a); and

7 (B) the official designated under para-  
8 graph (2) of such section 3237(a).

9 (2) **APPROPRIATE CONGRESSIONAL COMMIT-**  
10 **TEES DEFINED.**—In this subsection, the term “ap-  
11 propriate congressional committees” means the fol-  
12 lowing:

13 (A) The Committees on Armed Services of  
14 the House of Representatives and the Senate.

15 (B) The Committee on Energy and Com-  
16 merce and the Permanent Select Committee on  
17 Intelligence of the House of Representatives.

18 (C) The Committee on Energy and Nat-  
19 ural Resources and the Select Committee on In-  
20 telligence of the Senate.

21 **SEC. 3112. DEPARTMENT OF ENERGY COUNTERINTEL-**  
22 **LIGENCE POLYGRAPH PROGRAM.**

23 Section 4504(b) of the Atomic Energy Defense Act  
24 (50 U.S.C. 2654(b)) is amended by adding at the end the  
25 following new paragraph:

1 “(4) The regulations prescribed under paragraph (1)  
2 shall ensure that the persons subject to the counterintel-  
3 ligence polygraph program required by subsection (a) in-  
4 clude any person who is—

5 “(A) a national of the United States (as such  
6 term is defined in section 101 of the Immigration  
7 and Nationality Act (8 U.S.C. 1101)) and also a na-  
8 tional of a foreign state; and

9 “(B) an employee or contractor who requires  
10 access to classified information.”.

11 **SEC. 3113. EXTENSION OF ENHANCED PROCUREMENT AU-**  
12 **THORITY TO MANAGE SUPPLY CHAIN RISK.**

13 (a) EXTENSION.—Subsection (g) of section 4806 of  
14 the Atomic Energy Defense Act (50 U.S.C. 2786) is  
15 amended to read as follows:

16 “(g) TERMINATION.—The authority under this sec-  
17 tion shall terminate on June 30, 2023.”.

18 (b) TECHNICAL AMENDMENT.—Subsection (f)(5)(A)  
19 of such section is amended by striking “section 3542(b)  
20 of title 44” and inserting “section 3552(b) of title 44”.

21 **SEC. 3114. LOW-YIELD NUCLEAR WEAPONS.**

22 (a) REPEAL OF PROHIBITION.—Section 3116 of the  
23 National Defense Authorization Act for Fiscal Year 2004  
24 (Public Law 108–136; 50 U.S.C. 2529 note) is amended  
25 by striking subsection (c).

1 (b) AUTHORIZATION.—The Secretary of Energy, act-  
2 ing through the Administrator for Nuclear Security, may  
3 carry out the engineering development phase, and any sub-  
4 sequent phase, to modify or develop a low-yield nuclear  
5 warhead for submarine-launched ballistic missiles.

6 **SEC. 3115. USE OF FUNDS FOR CONSTRUCTION AND**  
7 **PROJECT SUPPORT ACTIVITIES RELATING TO**  
8 **MOX FACILITY.**

9 (a) IN GENERAL.—Except as provided by subsection  
10 (b), the Secretary of Energy shall carry out construction  
11 and project support activities relating to the MOX facility  
12 using funds authorized to be appropriated by this Act or  
13 otherwise made available for fiscal year 2019 for the Na-  
14 tional Nuclear Security Administration for the MOX facil-  
15 ity.

16 (b) WAIVER.—The Secretary may waive the require-  
17 ment under subsection (a) if the Secretary submits to the  
18 congressional defense committees the matters specified in  
19 section 3121(b)(1) of the National Defense Authorization  
20 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.  
21 1892).

22 (c) DEFINITIONS.—In this section:

23 (1) The term “MOX facility” means the mixed-  
24 oxide fuel fabrication facility at the Savannah River  
25 Site, Aiken, South Carolina.

1           (2) The term “project support activities” means  
2           activities that support the design, long-lead equip-  
3           ment procurement, and site preparation of the MOX  
4           facility.

5 **SEC. 3116. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
6 **PROGRAMS IN RUSSIAN FEDERATION.**

7           (a) PROHIBITION.—None of the funds authorized to  
8           be appropriated by this Act or otherwise made available  
9           for fiscal year 2019 for atomic energy defense activities  
10          may be obligated or expended to enter into a contract  
11          with, or otherwise provide assistance to, the Russian Fed-  
12          eration.

13          (b) WAIVER.—The Secretary of Energy, without dele-  
14          gation, may waive the prohibition in subsection (a) only  
15          if—

16                (1) the Secretary determines, in writing, that a  
17                nuclear-related threat in the Russian Federation  
18                must be addressed urgently and it is necessary to  
19                waive the prohibition to address that threat;

20                (2) the Secretary of State and the Secretary of  
21                Defense concur in the determination under para-  
22                graph (1);

23                (3) the Secretary of Energy submits to the ap-  
24                propriate congressional committees a report con-  
25                taining—

1 (A) a notification that the waiver is in the  
2 national security interest of the United States;

3 (B) justification for the waiver, including  
4 the determination under paragraph (1); and

5 (C) a description of the activities to be car-  
6 ried out pursuant to the waiver, including the  
7 expected cost and timeframe for such activities;  
8 and

9 (4) a period of seven days elapses following the  
10 date on which the Secretary submits the report  
11 under paragraph (3).

12 (c) EXCEPTION.—The prohibition under subsection  
13 (a) and the requirements under subsection (b) to waive  
14 that prohibition shall not apply to an amount, not to ex-  
15 ceed \$3,000,000, that the Secretary may make available  
16 for the Department of Energy Russian Health Studies  
17 Program.

18 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
19 DEFINED.—In this section, the term “appropriate con-  
20 gressional committees” means the following:

21 (1) The congressional defense committees.

22 (2) The Committee on Foreign Relations of the  
23 Senate and the Committee on Foreign Affairs of the  
24 House of Representatives.

1 **SEC. 3117. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
2 **RESEARCH AND DEVELOPMENT OF AD-**  
3 **VANCED NAVAL NUCLEAR FUEL SYSTEM**  
4 **BASED ON LOW-ENRICHED URANIUM.**

5 (a) PROHIBITION.—Except as provided by subsection  
6 (b), none of the funds authorized to be appropriated by  
7 this Act or otherwise made available for fiscal year 2019  
8 for the Department of Energy or the Department of De-  
9 fense may be obligated or expended to plan or carry out  
10 research and development of an advanced naval nuclear  
11 fuel system based on low-enriched uranium.

12 (b) EXCEPTION.—In accordance with section 7319 of  
13 title 10, United States Code, of the funds authorized to  
14 be appropriated by this Act or otherwise made available  
15 for fiscal year 2019 for defense nuclear nonproliferation,  
16 as specified in the funding table in division G,  
17 \$10,000,000 shall be made available to the Deputy Ad-  
18 ministrator for Naval Reactors of the National Nuclear  
19 Security Administration for low-enriched uranium activi-  
20 ties (including downblending of high-enriched uranium  
21 fuel into low-enriched uranium fuel, research and develop-  
22 ment using low-enriched uranium fuel, or the modification  
23 or procurement of equipment and infrastructure related  
24 to such activities) to develop an advanced naval nuclear  
25 fuel system based on low-enriched uranium.

1 **SEC. 3118. LIMITATION ON AVAILABILITY OF FUNDS RELAT-**  
2 **ING TO SUBMISSION OF ANNUAL REPORTS**  
3 **ON UNFUNDED PRIORITIES.**

4 Section 4716 of the Atomic Energy Defense Act (50  
5 U.S.C. 2756) is amended—

6 (1) by redesignating subsection (c) as sub-  
7 section (d); and

8 (2) by inserting after subsection (b) the fol-  
9 lowing new subsection (c):

10 “(c) **LIMITATION.**—If the Administrator fails to sub-  
11 mit to the congressional defense committees a report re-  
12 quired by subsection (a) for any of fiscal years 2020  
13 through 2024 that contains at least one unfunded priority  
14 by the deadline specified in such subsection, none of the  
15 funds authorized to be appropriated or otherwise made  
16 available for the fiscal year in which such failure occurs  
17 for travel and transportation of persons under the Federal  
18 salaries and expenses account of the Administration may  
19 be obligated or expended until the date on which the Ad-  
20 ministrator submits such report.”.

21 **SEC. 3119. ACCELERATION OF REPLACEMENT OF CESIUM**  
22 **BLOOD IRRADIATION SOURCES.**

23 (a) **GOAL.**—The Administrator for Nuclear Security  
24 shall ensure that the goal of the covered programs is elimi-  
25 nating the use of blood irradiation devices in the United  
26 States that rely on cesium chloride by December 31, 2027.

1 (b) PROGRAMS.—To meet the goal specified by sub-  
2 section (a), the Administrator shall carry out the covered  
3 programs in a manner that—

4 (1) is voluntary for owners of blood irradiation  
5 devices;

6 (2) allows for the United States, subject to the  
7 review of the Administrator, to pay up to 50 percent  
8 of the per-device cost of replacing blood irradiation  
9 devices covered by the programs;

10 (3) allows for the United States to pay up to  
11 100 percent of the cost of removing and disposing  
12 of cesium sources retired from service by the pro-  
13 grams; and

14 (4) replaces such devices with x-ray irradiation  
15 devices or other devices approved by the Food and  
16 Drug Administration that provide significant threat  
17 reduction as compared to cesium chloride  
18 irradiators.

19 (c) DURATION.—The Administrator shall carry out  
20 the covered programs until December 31, 2027.

21 (d) REPORT.—Not later than 180 days after the date  
22 of the enactment of this Act, the Administrator shall sub-  
23 mit to the appropriate congressional committees a report  
24 on the covered programs, including—



1           (1) identification of each cesium chloride blood  
2 irradiation device in the United States, including the  
3 number, general location, and user type;

4           (2) a plan for achieving the goal established by  
5 subsection (a);

6           (3) a methodology for prioritizing replacement  
7 of such devices which takes into account irradiator  
8 age and prior material security initiatives;

9           (4) in consultation with the Nuclear Regulatory  
10 Commission and the Food and Drug Administration,  
11 a strategy identifying any legislative, regulatory, or  
12 other measures necessary to constrain the introduc-  
13 tion of new cesium chloride blood irradiation devices;  
14 and

15           (5) identification of the annual funds required  
16 to meet the goal established by subsection (a).

17       (e) ASSESSMENT.—The Administrator shall submit  
18 and assessment to the appropriate congressional commit-  
19 tees by September 20, 2023, the results of the actions on  
20 the covered programs, including—

21           (1) the number of replacement irradiators  
22 under the covered programs;

23           (2) the life-cycle costs of the program, including  
24 personnel training, maintenance, and replacement  
25 costs for new irradiation devices;

1           (3) the cost-effectiveness of the covered pro-  
2 grams;

3           (4) an analysis of the effectiveness of the new  
4 irradiation devices technology; and

5           (5) a forecast whether the Administrator will  
6 meet the goal established in subsection (a).

7 (f) DEFINITIONS.—In this section:

8           (1) The term “appropriate congressional com-  
9 mittees” means—

10                   (A) the Committee on Appropriations, the  
11 Committee on Armed Services, and the Com-  
12 mittee on Energy and Commerce of the House  
13 of Representatives; and

14                   (B) the Committee on Appropriations, the  
15 Committee on Armed Services, the Committee  
16 on Energy and Natural Resources, and the  
17 Committee on Health, Education, Labor, and  
18 Pensions of the Senate.

19           (2) The term “covered programs” means the  
20 following programs of the Office of Radiological Se-  
21 curity of the National Nuclear Security Administra-  
22 tion:

23                   (A) The Cesium Irradiator Replacement  
24 Program.

25                   (B) The Offsite Source Recovery Program.

1 **SEC. 3120. NUCLEAR FORENSICS ANALYSES.**

2 (a) INDEPENDENT ASSESSMENT.—Not later than 30  
3 days after the date of the enactment of this Act, the Sec-  
4 retary of Energy, in consultation with the Secretary of De-  
5 fense and the Secretary of Homeland Security, shall seek  
6 to enter into an agreement with the National Academy of  
7 Sciences for an independent assessment of nuclear foren-  
8 sic analyses conducted by the Federal Government.

9 (b) ELEMENTS.—The assessment conducted by the  
10 National Academy of Sciences shall, at minimum, include  
11 the following:

12 (1) An assessment of a representative sample of  
13 nuclear forensic analyses from across the Federal  
14 departments and agencies, with particular emphasis  
15 on the validity, quality, value, cost effectiveness,  
16 gaps, and timeliness of such analyses.

17 (2) An assessment of the methodologies used by  
18 nuclear forensics analyses from across the Federal  
19 departments and agencies, including the scientific  
20 rigor of such methodologies.

21 (3) Recommendations for improving nuclear  
22 forensics analyses conducted by the Federal Govern-  
23 ment, including any best practices or lessons learned  
24 that should be shared across the Federal depart-  
25 ments and agencies.

1 (c) SUBMISSION.—Not later than one year after the  
2 date of the enactment of this Act, the Secretary of Energy  
3 shall submit to the appropriate congressional committees  
4 a report containing the assessment of the National Acad-  
5 emy of Sciences under subsection (a).

6 (d) BRIEFING ON SENIOR-LEVEL INVOLVEMENT IN  
7 EXERCISES.—Not later than 90 days after the date of the  
8 enactment of this Act, the President shall provide to the  
9 appropriate congressional committees a briefing on the in-  
10 volvement of senior-level executive branch leadership in re-  
11 cent and planned nuclear terrorism preparedness or re-  
12 sponse exercises, or any other exercise that have nuclear  
13 forensic analysis as a component of the exercise.

14 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
15 FINED.—In this section, the term “appropriate congres-  
16 sional committees” means—

- 17 (1) the congressional defense committees; and
- 18 (2) the Committee on Homeland Security of the  
19 House of Representatives and the Committee on  
20 Homeland Security and Government Affairs of the  
21 Senate.

22 **SEC. 3120A. INDEPENDENT ASSESSMENT OF PLUTONIUM**  
23 **STRATEGY.**

24 (a) STATEMENT OF POLICY.—It is the policy of the  
25 United States that—

1           (1) Los Alamos National Laboratory is the Plu-  
2           tonium Science and Production Center of Excellence  
3           for the United States; and

4           (2) Los Alamos National Laboratory will  
5           produce a minimum of 30 pits per year for the na-  
6           tional pit production mission and will implement  
7           surge efforts to exceed 30 pits per year to meet Nu-  
8           clear Posture Review and national policy.

9           (b) INDEPENDENT ASSESSMENT.—

10           (1) IN GENERAL.—Not later than 30 days after  
11           the date of the enactment of this Act, the Secretary  
12           of Defense shall seek to enter into a contract with  
13           a federally funded research and development center  
14           to conduct an assessment of the plutonium strategy  
15           of the National Nuclear Security Administration.  
16           The assessment shall include—

17                   (A) an analysis of the engineering assess-  
18                   ment and an analysis of alternatives;

19                   (B) an assessment of the science and strat-  
20                   egy of retrofitting the facility for plutonium  
21                   production, including the cost, schedule, and  
22                   feasibility of licensing; and

23                   (C) an assessment of the strategy consid-  
24                   ered for manufacturing up to 80 pits per year  
25                   at Los Alamos through the use of multiple

1 labor shifts and additional equipment at PF-4  
2 until modular facilities are completed to provide  
3 a long-term, single-labor shift capacity.

4 (2) SELECTION.—The Secretary may not enter  
5 into the contract under paragraph (1) with a feder-  
6 ally funded research and development center for  
7 which the Department of Energy or the National  
8 Nuclear Security Administration is the primary  
9 sponsor.

10 (3) SUBMISSION.—Not later than April 1,  
11 2019, the federally funded research and development  
12 center shall submit to the Secretary of Defense, the  
13 Administrator for Nuclear Security, and the Nuclear  
14 Weapons Council a report containing the assessment  
15 conducted under paragraph (1).

16 (4) SUBMISSION TO CONGRESS.—Not later than  
17 April 15, 2019, the Administrator shall submit to  
18 the congressional defense committees the report  
19 under paragraph (3), without change.

20 (c) REPORT ON PIT PRODUCTION.—Not later than  
21 180 days after the date of the enactment of this Act, the  
22 Secretary of Energy shall submit to the congressional de-  
23 fense committees a report on the plan for producing pluto-  
24 nium pits 31–80 at Los Alamos, in case the MOX facility  
25 is not operational and producing pits by 2030.

1 (d) CAPITAL DEVELOPMENT.—The Secretary of En-  
2 ergy shall complete—

3 (1) by December 2020 a plan, including cost  
4 and impact to on-going activities and operations, to  
5 reach 30 pits per year at Los Alamos National Lab-  
6 oratory; and

7 (2) by September 2020 an updated CD-0  
8 (Statement of Mission Need) on the final plan for  
9 the national pit production.

10 (e) BRIEFING.—Not later than March 1, 2019, the  
11 Chairman of the Nuclear Weapons Council and the Ad-  
12 ministrator for Nuclear Security shall jointly provide to  
13 the Committees on Armed Services of the House of Rep-  
14 resentatives and the Senate, and to any other congres-  
15 sional defense committee upon request, a briefing detailing  
16 the implementation plan for the plutonium strategy of the  
17 National Nuclear Security Administration, including mile-  
18 stones, accountable personnel for such milestones, and  
19 mechanisms for ensuring transparency into the progress  
20 of such strategy for the Department of Defense and the  
21 congressional defense committees.

22 (f) ANNUAL CERTIFICATION.—Not later than April  
23 1, 2019, and each year thereafter through 2025, the  
24 Chairman of the Nuclear Weapons Council shall submit  
25 to the Secretary of Defense, the Administrator for Nuclear

1 Security, and the congressional defense committees a writ-  
2 ten certification that the plutonium pit production plan  
3 of the National Nuclear Security Administration is on  
4 track to meet—

5 (1) the military requirement of 80 pits per year  
6 by 2030;

7 (2) the statutory requirements for pit produc-  
8 tion timelines under section 4219 of the Atomic En-  
9 ergy Defense Act (50 U.S.C. 2538a); and

10 (3) all milestones and deliverables described in  
11 the plan under subsection (e).

12 (g) FAILURE TO CERTIFY.—

13 (1) NWC NOTIFICATION.—If in any year the  
14 Chairman is unable to submit the certification under  
15 subsection (f), the Chairman shall submit to the con-  
16 gressional defense committees, the Secretary of De-  
17 fense, and the Administrator written notification de-  
18 scribing why the Chairman is unable to make such  
19 certification.

20 (2) NNSA RESPONSE.—Not later than 180  
21 days after the date on which the Chairman makes  
22 a notification under paragraph (1), the Adminis-  
23 trator shall submit to the congressional defense com-  
24 mittees, the Secretary, and the Chairman a report  
25 that—



1 (A) addresses the reasons identified in the  
2 notification with respect to the failure to make  
3 the certification under subsection (f); and

4 (B) includes presentation of either a con-  
5 current backup plan or a recovery plan, and the  
6 associated implementation schedules for such  
7 plan.

8 **SEC. 3120B. HANFORD WASTE TANK CLEANUP PROGRAM.**

9 Section 4442(e) of the Atomic Energy Defense Act  
10 (50 U.S.C. 2622(e)) is amended by striking “2019” and  
11 inserting “2024”.

12 **SEC. 3120C. MANUFACTURING TRADES EDUCATION GRANT**  
13 **PROGRAM.**

14 (a) ESTABLISHMENT OF MANUFACTURING TRADES  
15 EDUCATION PROGRAM.—

16 (1) The Secretary of Energy, in consultation  
17 with the Secretary of Labor, may establish a pro-  
18 gram, to be known as the “DOE Manufacturing  
19 Trades Grant Program Act”, under which the Sec-  
20 retary of Energy provides eligible entities described  
21 in paragraph (2), on a competitive basis, grants for  
22 technical skills-based training programs, including  
23 apprenticeship and pre-apprenticeship programs,  
24 that provide recognized post-secondary credentials

1 during the 5-year grant period of 2019 through  
2 2024 to support—

3 (A) the enhancement of existing pro-  
4 grams in manufacturing trades education  
5 to further the missions of the Department  
6 Of Energy national security laboratories  
7 and the NNSA Production Sites; or

8 (B) the establishment of new pro-  
9 grams in manufacturing trades education  
10 that meet such requirements.

11 (2) Grants and awards under this section may  
12 be made to industry, not-for-profit institutions, insti-  
13 tutions of higher education, workforce inter-  
14 mediaries, or to consortia of such institutions or in-  
15 dustry.

16 (3) If the Secretary establishes the program,  
17 the Secretary shall establish the program in con-  
18 sultation with the Secretary of Labor, Secretary of  
19 Education, the Director of the Office of Science and  
20 Technology Policy, and the heads of such other rel-  
21 evant Federal agencies as the Secretary of Energy  
22 considers appropriate.

23 (4) If the Secretary establishes the program,  
24 the Secretary shall ensure that the program is co-  
25 ordinated with Department programs associated

1 with advanced manufacturing activities for missions  
2 within the Department Of Energy National Security  
3 Laboratories and the NNSA Production Sites.

4 (b) GEOGRAPHICAL DISTRIBUTION OF GRANTS AND  
5 AWARDS.—In awarding grants and other awards under  
6 this section, the Secretary shall, to the maximum extent  
7 practicable, avoid geographical and Departmental con-  
8 centration of awards.

9 (c) COVERED PROGRAMS.—A program of manufac-  
10 turing trades education supported pursuant to this section  
11 shall meet the requirements of this section.

12 (d) COMPONENTS OF PROGRAM.—The program of  
13 education for which such a grant is made shall be a con-  
14 solidated and integrated multidisciplinary program of edu-  
15 cation with an emphasis on the following components:

16 (1) Multidisciplinary instruction that encom-  
17 passes the total manufacturing engineering enter-  
18 prise and that may include—

19 (A) manufacturing trades education and  
20 training through classroom activities, labora-  
21 tory, or employer site activities (or a combina-  
22 tion thereof), on the job training activities, par-  
23 ticipation in employer site projects, sponsored  
24 pre-apprenticeship or apprenticeship programs,  
25 cooperative work-study programs, and inter-

1 actions with other industrial facilities, con-  
2 sortia, or such other activities and organiza-  
3 tions in the United States and foreign countries  
4 as the Secretary considers appropriate;

5 (B) Subject Matter Expert development  
6 programs;

7 (C) recruitment of experienced and li-  
8 censed professionals that are highly qualified in  
9 relevant manufacturing trades to teach or de-  
10 velop manufacturing trade courses and program  
11 content;

12 (D) presentation of seminars, workshops,  
13 and training for the development of specific  
14 manufacturing trades skills;

15 (E) activities involving interaction between  
16 students and industry, including programs for  
17 visiting experts from industry or other sites or  
18 industry and personnel exchanges between De-  
19 partment Of Energy National Security Labora-  
20 tories and the NNSA Production Sites;

21 (F) development of new, or updating and  
22 modification of existing, manufacturing trades  
23 curriculum, course offerings, and education pro-  
24 grams;

1 (G) establishment of programs in manufac-  
2 turing workforce training that are specific to  
3 the unique skills and requirements needed at  
4 the Department Of Energy National Security  
5 Laboratories and the NNSA Production Sites;

6 (H) establishment of joint manufacturing  
7 trades education programs with defense labora-  
8 tories and, depots, national security labora-  
9 tories, and NNSA production sites; and

10 (I) expansion of manufacturing trades  
11 training and education programs and outreach  
12 for members of the armed forces, dependents  
13 and children of such members, veterans, and  
14 employees of the Department of Defense, Na-  
15 tional Security Laboratories, and NNSA pro-  
16 duction sites.

17 (2) Opportunities for students to obtain work  
18 experience in manufacturing through such activities  
19 as apprenticeship/pre-apprenticeship programs, in-  
20 ternships, summer job placements, or cooperative  
21 work-study programs.

22 (3) Faculty and student engagement with in-  
23 dustry that is directly related to, and supportive of,  
24 the education of students in the manufacturing  
25 trades because of—

1 (A) the increased understanding of manu-  
2 facturing challenges and potential solutions;  
3 and

4 (B) the enhanced quality and effectiveness  
5 of the instruction that result from that in-  
6 creased understanding.

7 (e) PROPOSALS.—If the Secretary establishes the  
8 program, the Secretary shall solicit proposals for grants  
9 and other awards to be made pursuant to this section for  
10 the support of programs of manufacturing trades edu-  
11 cation that are consistent with the purposes of this sec-  
12 tion.

13 (f) MERIT COMPETITION.—Applications for awards  
14 shall be evaluated on the basis of merit pursuant to com-  
15 petitive procedures prescribed by the Secretary.

16 (g) SELECTION CRITERIA.—The Secretary may select  
17 a proposal for an award pursuant to this section if the  
18 proposal, at a minimum, does each of the following:

19 (1) Provides students access to registered ap-  
20 prenticeship or pre-apprenticeship programs for im-  
21 proving trades education in manufacturing tech-  
22 nology.

23 (2) Contains innovative approaches for improv-  
24 ing trades education in manufacturing technology.

1           (3) Demonstrates a strong commitment by the  
2           proponents to apply the resources necessary to  
3           achieve the objectives for which the award is to be  
4           made.

5           (4) Provides for effective engagement with in-  
6           dustry or government organizations that supports  
7           the instruction to be provided in the proposed pro-  
8           gram and is likely to improve manufacturing capa-  
9           bility and technology.

10          (5) Demonstrates a significant level of involve-  
11          ment of United States industry in the proposed in-  
12          structional and research activities.

13          (6) Is likely to attract regional students that  
14          will provide long careers to the Department Of En-  
15          ergy National Security Laboratories and the NNSA  
16          Production Sites and promote careers in manufac-  
17          turing trades at these locations.

18          (7) Proposes to involve fully qualified personnel  
19          and employer site subject matter experts who are ex-  
20          perienced in manufacturing engineering education  
21          and technology.

22          (8) Proposes a program that, within 3 years  
23          after the award is made, is likely to attract from  
24          sources other than the Federal Government the fi-

1 nancial and other support necessary to sustain such  
2 program.

3 (9) Proposes to achieve a significant level of  
4 participation by women, members of minority  
5 groups, young adults in the age range of 17 to 29,  
6 and individuals with disabilities through active re-  
7 cruitment of students from among such persons.

8 (10) Trains students in advanced manufac-  
9 turing trades and in relevant emerging technologies  
10 and production processes.

11 (h) INSTITUTION OF HIGHER EDUCATION DE-  
12 FINED.—In this section the term “institution of higher  
13 education” has the meaning given such term in section  
14 101(a) of the Higher Education Act of 1965 (20 U.S.C.  
15 1001(a)).

## 16 **Subtitle C—Reports**

17 **SEC. 3121. NOTIFICATION REGARDING RELEASE OF CON-**  
18 **TAMINATION AT HANFORD SITE.**

19 (a) IN GENERAL.—Subtitle C of title XLIV of the  
20 Atomic Energy Defense Act (50 U.S.C. 2621 et seq.) is  
21 amended by adding at the end the following new section:

22 **“SEC. 4447. NOTIFICATION REGARDING RELEASE OF CON-**  
23 **TAMINATION.**

24 “If the Assistant Secretary of Energy for Environ-  
25 mental Management detects an improper release of con-



1 tamination resulting from defense waste at the Hanford  
2 Nuclear Reservation, Richland, Washington, the Assistant  
3 Secretary shall—

4 “(1) not later than two days after the date of  
5 such detection, notify the congressional defense com-  
6 mittees of such release of contamination; and

7 “(2) not later than seven days after the date of  
8 such detection, provide the congressional defense  
9 committees a briefing on the status of such release  
10 of contamination, including—

11 “(A) the cause of the release, if known;

12 and

13 “(B) plans to address and remediate the  
14 release, including associated costs and  
15 timelines.”.

16 (b) CLERICAL AMENDMENT.—The table of contents  
17 at the beginning of such Act is amended by inserting after  
18 the item relating to section 4446 the following new item:

“Sec. 4447. Notification regarding release of contamination.”.

19 **SEC. 3122. SENSE OF CONGRESS REGARDING URANIUM**  
20 **MINING AND NUCLEAR TESTING.**

21 It is the sense of Congress that the United States  
22 should compensate and recognize all of the miners, work-  
23 ers, downwinders, and others suffering from the effects  
24 of uranium mining and nuclear testing carried out during  
25 the Cold War.

1                   **Subtitle D—Other Matters**

2   **SEC. 3131. INCLUSION OF CAPITAL ASSETS ACQUISITION**  
3                   **PROJECTS IN ACTIVITIES BY DIRECTOR FOR**  
4                   **COST ESTIMATING AND PROGRAM EVALUA-**  
5                   **TION.**

6           Section 3221(h)(2) of the National Nuclear Security  
7 Administration Act (50 U.S.C. 2411(h)(2)) is amended—

8                   (1) by striking “PROGRAM.—” and all that fol-  
9                   lows through “, the term” and inserting “PRO-  
10                   GRAM.—The term”;

11                   (2) by striking subparagraph (B); and

12                   (3) by redesignating clauses (i) and (ii) as sub-  
13                   paragraphs (A) and (B), respectively.

14   **SEC. 3132. WHISTLEBLOWER PROTECTIONS.**

15           (a) FINDINGS.—Congress finds the following:

16                   (1) The Department of Energy and its contrac-  
17                   tors rely to a significant extent on workers to bring  
18                   attention to important nuclear safety concerns.

19                   (2) The Department of Energy, including the  
20                   National Nuclear Security Administration, have a  
21                   strong interest in preventing whistleblower retalia-  
22                   tion and in ensuring the work environment is condu-  
23                   cive to employees raising concerns.

1           (3) Retaliation against whistleblowers can lead  
2 to a chilled work environment in which employees do  
3 not feel free to raise important safety concerns.

4           (4) The Comptroller General of the United  
5 States found in a 2016 report titled “Whistleblower  
6 Protections Need Strengthening” that the Depart-  
7 ment of Energy had infrequently used its enforce-  
8 ment authority to hold contractors accountable for  
9 unlawful retaliation, issuing only two violation no-  
10 tices in the past 20 years.

11           (5) The Comptroller General also found that  
12 the Department had taken limited or no action to  
13 hold contractors accountable for creating a chilled  
14 work environment.

15           (b) SENSE OF CONGRESS.—It is the sense of Con-  
16 gress that—

17           (1) raising nuclear safety concerns is important  
18 for avoiding potentially catastrophic incidents or  
19 harm to workers and the public;

20           (2) the Department of Energy should protect  
21 whistleblowers and take action against contractors  
22 and subcontractors that retaliate against whistle-  
23 blowers; and

24           (3) such action sends a strong signal to prevent  
25 or limit retaliation against whistleblowers.

1           (c) CIVIL PENALTIES.—The Secretary of Energy, in-  
2 cluding by acting through the Administrator for Nuclear  
3 Security as appropriate, shall impose civil penalties under  
4 section 234 a. of the Atomic Energy Act of 1954 (42  
5 U.S.C. 2282(a)), as the Secretary or the Administrator  
6 determines appropriate, on contractors, subcontractors,  
7 and suppliers for violations of the rules, regulations, or  
8 orders of the Department of Energy relating to nuclear  
9 safety and radiation protection.

10          (d) CHILLED WORK ENVIRONMENT.—Not later than  
11 120 days after the date of the enactment of this Act, the  
12 Secretary shall clearly define what constitutes evidence of  
13 a chilled work environment with respect to employees and  
14 contractors of the Department making a whistleblower  
15 complaint under section 4602 of the Atomic Energy De-  
16 fense Act (50 U.S.C. 2702), or any other law that may  
17 provide protection for disclosures of information by such  
18 employees or contractors, without fear of being dis-  
19 charged, demoted, or otherwise discriminated against as  
20 a reprisal.

21          (e) NOTIFICATION.—

22               (1) IN GENERAL.—Not later than February 1,  
23 2019, and each year thereafter through 2021, the  
24 Secretary of Energy shall submit to the appropriate  
25 congressional committees an annual notification on

1 whether any penalties were imposed pursuant to  
2 subsection (c), including a description of such pen-  
3 alties and the entities against which the penalties  
4 were imposed.

5 (2) APPROPRIATE CONGRESSIONAL COMMIT-  
6 TEES.—In this subsection, the term “appropriate  
7 congressional committees” means—

8 (A) the congressional defense committees;  
9 and

10 (B) the Committee on Energy and Com-  
11 merce of the House of Representatives and the  
12 Committee on Energy and Natural Resources of  
13 the Senate.

14 **TITLE XXXII—DEFENSE NU-**  
15 **CLEAR FACILITIES SAFETY**  
16 **BOARD**

17 **SEC. 3201. AUTHORIZATION.**

18 There are authorized to be appropriated for fiscal  
19 year 2019, \$31,243,000 for the operation of the Defense  
20 Nuclear Facilities Safety Board under chapter 21 of the  
21 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

1                   **TITLE XXXIV—NAVAL**  
2                   **PETROLEUM RESERVES**

3 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

4           (a) AMOUNT.—There are hereby authorized to be ap-  
5 propriated to the Secretary of Energy \$10,000,000 for fis-  
6 cal year 2019 for the purpose of carrying out activities  
7 under chapter 641 of title 10, United States Code, relating  
8 to the naval petroleum reserves.

9           (b) PERIOD OF AVAILABILITY.—Funds appropriated  
10 pursuant to the authorization of appropriations in sub-  
11 section (a) shall remain available until expended.

12 **SEC. 3402. EXCLUSION OF CERTAIN PAYMENTS FROM CAL-**  
13                   **CULATION FOR FISCAL YEAR 2019 PILT PAY-**  
14                   **MENTS.**

15           (a) DEFINITIONS.—In this section:

16               (1) COVERED PAYMENT.—The term “covered  
17 payment” means a payment to a unit of general  
18 local government for fiscal year 2018 from amounts  
19 deposited in the Treasury during the period of time  
20 beginning on November 18, 1997, and ending on  
21 August 7, 2008, from a lease issued under section  
22 7439(b)(1) of title 10, United States Code, and dis-  
23 tributed to the unit of general local government in  
24 accordance with the Mineral Leasing Act (30 U.S.C.  
25 181 et seq.).

1           (2) PAYMENT LAW.—The term “payment law”  
2           has the meaning given the term in section  
3           6903(a)(1) of title 31, United States Code.

4           (3) UNIT OF GENERAL LOCAL GOVERNMENT.—  
5           The term “unit of general local government” has the  
6           meaning given the term in section 6901 of title 31,  
7           United States Code.

8           (b) CALCULATION OF PILT PAYMENT AMOUNT.—  
9           Notwithstanding any other provision of law, in calculating  
10          the amount of a payment to be made to a unit of general  
11          local government for fiscal year 2019 under chapter 69  
12          of title 31, United States Code, the Secretary of the Inte-  
13          rior shall not consider a covered payment to be an amount  
14          received by the unit of general local government in the  
15          prior fiscal year under a payment law for purposes of sec-  
16          tion 6903(b)(1)(A) of that title.

17                   **TITLE XXXV—MARITIME**  
18                           **MATTERS**

19                           **Subtitle A—Maritime**  
20                                   **Administration**

21   **SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINIS-**  
22                           **TRATION.**

23           There are authorized to be appropriated to the De-  
24          partment of Transportation for fiscal year 2019, to be  
25          available without fiscal year limitation if so provided in

1 appropriations Acts, for programs associated with main-  
2 taining the United States merchant marine, the following  
3 amounts:

4 (1) For expenses necessary for operations of the  
5 United States Merchant Marine Academy,  
6 \$74,593,000, of which—

7 (A) \$70,593,000 shall be for Academy op-  
8 erations; and

9 (B) \$4,000,000 shall remain available until  
10 expended for capital asset management at the  
11 Academy.

12 (2) For expenses necessary to support the State  
13 maritime academies, \$24,400,000, of which—

14 (A) \$2,400,000 shall remain available until  
15 September 30, 2019, for the Student Incentive  
16 Program; and

17 (B) \$22,000,000 shall remain available  
18 until expended for maintenance and repair of  
19 State maritime academy training vessels.

20 (3) For expenses necessary to support the Na-  
21 tional Security Multi-Mission Vessel Program,  
22 \$350,000,000, which shall remain available until ex-  
23 pended.



1           (4) For expenses necessary to support Maritime  
2 Administration operations and programs,  
3 \$53,435,000.

4           (5) For expenses necessary to dispose of vessels  
5 in the National Defense Reserve Fleet, \$30,000,000,  
6 which shall remain available until expended.

7           (6) For expenses necessary to maintain and  
8 preserve a United States flag merchant marine to  
9 serve the national security needs of the United  
10 States under chapter 531 of title 46, United States  
11 Code, \$300,000,000.

12           (7) For expenses necessary for the loan guar-  
13 antee program authorized under chapter 537 of title  
14 46, United States Code, \$33,000,000, of which—

15               (A) \$30,000,000 may be used for the cost  
16               (as defined in section 502(5) of the Federal  
17               Credit Reform Act of 1990 (2 U.S.C. 661a(5)))  
18               of loan guarantees under the program; and

19               (B) \$3,000,000 may be used for adminis-  
20               trative expenses relating to loan guarantee com-  
21               mitments under the program.

22           (8) For expenses necessary to provide small  
23 shipyards and maritime communities grants under  
24 section 54101 of title 46, United States Code,  
25 \$35,000,000.

1 **SEC. 3502. COMPLIANCE BY READY RESERVE FLEET VES-**  
2 **SELS WITH SOLAS LIFEBOATS AND FIRE SUP-**  
3 **PRESSION REQUIREMENTS.**

4 The Secretary of Defense shall, consistent with sec-  
5 tion 2244a of title 10, United States Code, use authority  
6 under section 2218 of such title to make such modifica-  
7 tions to Ready Reserve Fleet vessels as are necessary for  
8 such vessels to comply requirements for lifeboats and fire  
9 suppression under the International Convention for the  
10 Safety of Life at Sea by not later than October 1, 2021.

11 **SEC. 3503. MARITIME ADMINISTRATION NATIONAL SECU-**  
12 **RITY MULTI-MISSION VESSEL PROGRAM.**

13 Section 3505 of the National Defense Authorization  
14 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.  
15 2776) is amended by adding at the end the following:

16 “(h) **LIMITATION ON USE OF FUNDS FOR USED VES-**  
17 **SELS.**—Amounts authorized by this or any other Act for  
18 use by the Maritime Administration to carry out this sec-  
19 tion may not be used for the procurement of any used  
20 vessel.”.

21 **SEC. 3504. PERMANENT AUTHORITY OF SECRETARY OF**  
22 **TRANSPORTATION TO ISSUE VESSEL WAR**  
23 **RISK INSURANCE.**

24 (a) **IN GENERAL.**—Section 53912 of title 46, United  
25 States Code, is repealed.

1 (b) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of chapter 539 of title 46, United States  
3 Code, is amended by striking the item relating to section  
4 53912.

5 **SEC. 3505. USE OF STATE MARITIME ACADEMY TRAINING**  
6 **VESSELS.**

7 (a) IN GENERAL.—Section 51504(g) of title 46,  
8 United States Code, is amended to read as follows:

9 “(g) TRAINING VESSEL CAPACITY SHARING.—

10 “(1) IN GENERAL.—The Secretary, acting  
11 through the Maritime Administrator and in con-  
12 sultation with the State maritime academies, imple-  
13 ment a program under which State maritime acad-  
14 emies shall share among such academies training  
15 vessel capacity provided by the Secretary as nec-  
16 essary to ensure that training needs for the purpose  
17 of training licensed mariners of each academy are  
18 met in periods of limited vessel capacity that could  
19 affect required licensed mariner training as deter-  
20 mined by the Maritime Administrator.

21 “(2) PROGRAM REQUIREMENTS.—The program  
22 shall include—

23 “(A) ways to maximize the underway  
24 training capacity for licensed mariners available  
25 in the fleet of training vessels;

1           “(B) coordinating the dates and duration  
2 of training cruises with the academic calendars  
3 of State maritime academies, and

4           “(C) identifying ways to minimize costs as-  
5 sociated with training voyages for both the  
6 Maritime Administration and the State mari-  
7 time academies.

8           “(3) ADDITIONAL FUNDING.—Subject to the  
9 availability of appropriations, the Maritime Adminis-  
10 trator may provide additional funding the State  
11 maritime academies during periods of limited train-  
12 ing vessel capacity, for costs associated with training  
13 vessel sharing.

14           “(4) EVALUATION AND MODIFICATION.—Not  
15 later than 30 days after the beginning of each fiscal  
16 year and as the Maritime Administrator determines  
17 necessary in the State maritime academy training  
18 year, the Secretary, acting through the Maritime  
19 Administrator, shall—

20           “(A) evaluate the program under this sub-  
21 section to determine the optimal utilization of  
22 State maritime academy training vessels for the  
23 purpose described in paragraph (1); and

24           “(B) modify the program as necessary to  
25 improve such utilization.”.

1 (b) DEADLINE.—The Secretary of Transportation  
2 shall begin implementing the program required by the  
3 amendment made by subsection (a) by not later than 180  
4 days after the date of the enactment of this Act.

## 5 **Subtitle B—Coast Guard**

### 6 **SEC. 3521. ALIGNMENT WITH DEPARTMENT OF DEFENSE** 7 **AND SEA SERVICES AUTHORITIES.**

8 (a) PROHIBITING SEXUAL HARASSMENT; REPORT.—

9 (1) NOTIFICATION.—

10 (A) IN GENERAL.—The Commandant of  
11 the Coast Guard shall notify the Committee on  
12 Transportation and Infrastructure and the  
13 Committee on Homeland Security of the House  
14 of Representatives and the Committee on Com-  
15 merce, Science, and Transportation of the Sen-  
16 ate on August 26, 2018, if there is not in effect  
17 a general order or regulation prohibiting sexual  
18 harassment by members of the Coast Guard  
19 and clearly stating that a violation of such  
20 order or regulation is punishable in accordance  
21 with the Uniform Code of Military Justice.

22 (B) CONTENTS.—The notification required  
23 under subparagraph (A) shall include—

1 (i) details regarding the status of the  
2 drafting of such general order or regula-  
3 tion;

4 (ii) a projected implementation  
5 timeline for such general order or regula-  
6 tion; and

7 (iii) an explanation regarding any bar-  
8 riers to implementation.

9 (2) REPORT.—Section 217 of the Coast Guard  
10 Authorization Act of 2010 (Public Law 111–281;  
11 124 Stat. 2917) is amended—

12 (A) in subsection (a), by inserting “and in-  
13 cidents of sexual harassment” after “sexual as-  
14 saults”; and

15 (B) in subsection (b)—

16 (i) in paragraph (1), by inserting  
17 “and incidents of sexual harassment” after  
18 “sexual assault” each place it appears;<sup>2</sup>

19 (ii) in paragraph (3), by inserting  
20 “and sexual harassment” after “sexual as-  
21 sault”; and

22 (iii) in paragraph (4), by inserting  
23 “and sexual harassment” after “sexual as-  
24 sault”.

25 (b) ANNUAL PERFORMANCE REPORT.—

1 (1) IN GENERAL.—Chapter 29 of title 14,  
2 United States Code, is amended by adding at the  
3 end the following:

4 **“§ 2905. Annual performance report**

5 “Not later than the date on which the President sub-  
6 mits to Congress a budget pursuant to section 1105 of  
7 title 31, the Commandant of the Coast Guard shall make  
8 available on a public website and submit to the Committee  
9 on Transportation and Infrastructure of the House of  
10 Representatives and the Committee on Commerce,  
11 Science, and Transportation of the Senate an update on  
12 Coast Guard mission performance during the previous fis-  
13 cal year.”.

14 (2) CLERICAL AMENDMENT.—The analysis at  
15 the beginning of such chapter is amended by adding  
16 at the end the following:

“2905. Annual performance report.”.

17 **SEC. 3522. PRELIMINARY DEVELOPMENT AND DEMONSTRATION.**  
18 **TION.**

19 Section 573 of title 14, United States Code, is  
20 amended—

21 (1) in subsection (b)(3), by—

22 (A) striking “require that safety concerns  
23 identified” and inserting “ensure that inde-  
24 pendent third parties and Government employ-  
25 ees that identify safety concerns”; and

1 (B) striking “Coast Guard shall be com-  
2 municated as” and inserting “Coast Guard  
3 communicate such concerns as;”

4 (2) in subsection (b)(4), by striking “Any safety  
5 concerns that have been reported to the Chief Acqui-  
6 sition Officer for an acquisition program or project  
7 shall be reported by the Commandant” and inserting  
8 “The Commandant shall ensure that any safety con-  
9 cerns that have been communicated under paragraph  
10 (3) for an acquisition program or project are re-  
11 ported”;

12 (3) in subsection (b)(5)—

13 (A) by striking the matter preceding sub-  
14 paragraph (A) and inserting the following:

15 “(5) ASSET ALREADY IN LOW, INITIAL, OR  
16 FULL-RATE PRODUCTION.—The Commandant shall  
17 ensure that if an independent third party or a Gov-  
18 ernment employee identifies a safety concern with a  
19 capability or asset or any subsystems of a capability  
20 or asset not previously identified during operational  
21 test and evaluation of a capability or asset already  
22 in low, initial, or full-rate production—”;

23 (B) in subparagraph (A), by inserting “the  
24 Commandant, through the Assistant Com-



1 mandant for Capability, shall” before “notify”;  
2 and

3 (C) in subparagraph (B), by striking “no-  
4 tify the Chief Acquisition Officer and include in  
5 such notification” and inserting “the Deputy  
6 Commandant for Mission Support shall notify  
7 the Commandant and the Deputy Commandant  
8 for Operations of the safety concern within 50  
9 days after the notification required under sub-  
10 paragraph (A), and include in such notifica-  
11 tion”; and

12 (4) in subsection (c)—

13 (A) in paragraph (2)(A), by striking “and  
14 that are delivered after the date of enactment  
15 of the Coast Guard Authorization Act of 2010”;  
16 and

17 (B) in paragraph (5), by striking “and de-  
18 livered after the date of enactment of the Coast  
19 Guard Authorization Act of 2010”.

20 **SEC. 3523. CONTRACT TERMINATION.**

21 (a) IN GENERAL.—Chapter 17 of title 14, United  
22 States Code, is amended by inserting after section 656 the  
23 following:

24 **“§ 657. Contract termination**

25 “(a) IN GENERAL.—

1           “(1) NOTIFICATION.—Before terminating a  
2 procurement or acquisition contract with a total  
3 value of more than \$1,000,000, the Commandant of  
4 the Coast Guard shall notify each vendor under such  
5 contract and require the vendor to maintain all work  
6 product related to the contract until the earlier of—

7                   “(A) not less than 1 year after the date of  
8 the notification; or

9                   “(B) the date the Commandant notifies  
10 the vendor that maintenance of such work prod-  
11 uct is no longer required.

12           “(b) WORK PRODUCT DEFINED.—In this section the  
13 term ‘work product’—

14                   “(1) means tangible and intangible items and  
15 information produced or possessed as a result of a  
16 contract referred to in subsection (a); and

17                   “(2) includes—

18                           “(A) any completed end items;

19                           “(B) any uncompleted end items; and

20                           “(C) any property in the contractor’s pos-  
21 session in which the United States Government  
22 has an interest.

23           “(c) PENALTY.—A vendor that fails to maintain work  
24 product as required under subsection (a) is liable to the

1 United States for a civil penalty of not more than \$25,000  
2 for each day on which such work product is unavailable.

3 “(d) REPORT.—Not later than 45 days after the end  
4 of each fiscal year, the Commandant of the Coast Guard  
5 shall provide to the Committee on Transportation and In-  
6 frastructure of the House of Representatives and the Com-  
7 mittee on Commerce, Science, and Transportation of the  
8 Senate a report detailing—

9 “(1) all Coast Guard contracts with a total  
10 value of more than \$1,000,000 that were terminated  
11 in the fiscal year;

12 “(2) all vendors who were notified under sub-  
13 section (a)(1) in the fiscal year, and the date of such  
14 notification;

15 “(3) all criminal, administrative, and other in-  
16 vestigations regarding any contract with a total  
17 value of more than \$1,000,000 that were initiated  
18 by the Coast Guard in the fiscal year;

19 “(4) all criminal, administrative, and other in-  
20 vestigations regarding contracts with a total value of  
21 more than \$1,000,000 that were completed by the  
22 Coast Guard in the fiscal year; and

23 “(5) an estimate of costs incurred by the Coast  
24 Guard, including contract line items and termination

1 costs, as a result of the requirements of this sec-  
2 tion.”.

3 (b) CLERICAL AMENDMENT.—The analysis at the be-  
4 ginning of such chapter is amended by inserting after the  
5 item relating to section 656 the following:

“657. Contract termination.”.

6 **SEC. 3524. REIMBURSEMENT FOR TRAVEL EXPENSES.**

7 The text of section 518 of title 14, United States  
8 Code is amended to read as follows:

9 “In any case in which a covered beneficiary (as defined  
10 in section 1072(5) of title 10) resides on an island that  
11 is located in the 48 contiguous States and the District of  
12 Columbia and that lacks public access roads to the main-  
13 land, the Secretary shall reimburse the reasonable travel  
14 expenses of the covered beneficiary and, when accompani-  
15 ment by an adult is necessary, for a parent or guardian  
16 of the covered beneficiary or another member of the cov-  
17 ered beneficiary’s family who is at least 21 years of age,  
18 if—

19 “(1) the covered beneficiary is referred by a pri-  
20 mary care physician to a specialty care provider (as  
21 defined in section 1074i(b) of title 10) on the main-  
22 land who provides services less than 100 miles from  
23 the location where the beneficiary resides; or

24 “(2) the Coast Guard medical regional manager  
25 for the area in which such island is located deter-

1 mines that the covered beneficiary requires services  
2 of a primary care, specialty care, or dental provider  
3 and such a provider who is part of the network of  
4 providers of a TRICARE program (as that term is  
5 defined in section 1072(7) of title 10) does not prac-  
6 tice on such island.”.

7 **SEC. 3525. CAPITAL INVESTMENT PLAN.**

8 Section 2902(a) of title 14, United States Code, is  
9 amended—

10 (1) by striking “On the date” and inserting  
11 “Not later than 60 days after the date”;

12 (2) in paragraph (1)(D), by striking “and”; and

13 (3) by inserting after paragraph (1)(E) the fol-  
14 lowing:

15 “(F) projected commissioning and decom-  
16 missioning dates for each asset; and”.

17 **SEC. 3526. MAJOR ACQUISITION PROGRAM RISK ASSESS-**  
18 **MENT.**

19 (a) IN GENERAL.—Chapter 29 of title 14, United  
20 States Code, as amended by section 3521(b)(1) of this  
21 Act, is further amended by adding at the end the fol-  
22 lowing:

23 **“§ 2906. Major acquisition program risk assessment**

24 “(a) IN GENERAL.—Not later than April 15 and Oc-  
25 tober 15 of each year, the Commandant of the Coast

1 Guard shall provide to the Committee on Transportation  
2 and Infrastructure of the House of Representatives and  
3 the Committee on Commerce, Science, and Transportation  
4 of the Senate a briefing regarding a current assessment  
5 of the risks associated with all current major acquisition  
6 programs, as that term is defined in section 2903(f).

7 “(b) ELEMENTS.—Each assessment under this sub-  
8 section shall include, for each current major acquisition  
9 program, discussion of the following:

10 “(1) The top five current risks to such pro-  
11 gram.

12 “(2) Any failure of such program to dem-  
13 onstrate a key performance parameter or threshold  
14 during operational test and evaluation conducted  
15 during the 2 fiscal-year quarters preceding such as-  
16 sessment.

17 “(3) Whether there has been any decision in  
18 such 2 fiscal-year quarters to order full-rate produc-  
19 tion before all key performance parameters or  
20 thresholds are met.

21 “(4) Whether there has been any breach of  
22 major acquisition program cost (as defined by the  
23 Major Systems Acquisition Manual) in such 2 fiscal-  
24 year quarters.

1           “(5) Whether there has been any breach of  
2           major acquisition program schedule (as so defined)  
3           during such 2 fiscal-year quarters.”.

4           (b) CLERICAL AMENDMENT.—The analysis at the be-  
5           ginning of such chapter is further amended by adding at  
6           the end the following:

          “2906. Major acquisition program risk assessment.”.

7           (c) CONFORMING AMENDMENTS.—Section 2903 of  
8           title 14, United States Code, is amended—

9                   (1) by striking subsection (f); and

10                   (2) by redesignating subsection (g) as sub-  
11           section (f).

12   **SEC. 3527. MARINE SAFETY IMPLEMENTATION STATUS.**

13           On the date on which the President submits to Con-  
14           gress a budget for fiscal year 2020 under section 1105  
15           of title 31, and on such date for each of the 2 subsequent  
16           years, the Commandant of the Coast Guard shall submit  
17           to the Committee on Transportation and Infrastructure  
18           of the House of Representatives and the Committee on  
19           Commerce, Science, and Transportation of the Senate a  
20           report on the status of implementation of each action out-  
21           lined in the Commandant’s final action memo dated De-  
22           cember 19, 2017.

23   **SEC. 3528. RETIREMENT OF VICE COMMANDANT.**

24           (a) IN GENERAL.—Section 46 of title 14, United  
25           States Code, is amended—

1 (1) in the section heading, by inserting “**or**  
2 **Vice Commandant**” after “**Commandant**”;

3 (2) by redesignating subsection (a) as sub-  
4 section (a)(1);

5 (3) by adding at the end of subsection (a) the  
6 following:

7 “(2) A Vice Commandant who is not re-  
8 appointed or appointed Commandant shall be retired  
9 with the grade of admiral at the expiration of the  
10 appointed term, except as provided in section  
11 51(d).”;

12 (4) in subsections (b) and (c), by inserting “or  
13 Vice Commandant” after “Commandant” each place  
14 it appears; and

15 (5) in subsection (c), by striking “his” and in-  
16 serting “the officer’s”.

17 (b) CONFORMING AMENDMENT.—Section 51 of title  
18 14, United States Code, is amended by striking “other  
19 than the Commandant,” each place it appears and insert-  
20 ing “other than the Commandant or Vice Commandant,”.

21 (c) CLERICAL AMENDMENT.—The analysis at the be-  
22 ginning of chapter 3 of title 14, United States Code, is  
23 amended by striking the item relating to section 46 and  
24 inserting the following:

“46. Retirement of Commandant or Vice Commandant.”.



1 **SEC. 3529. LARGE COMMERCIAL YACHT CODE.**

2       The Secretary of the department in which the Coast  
3 Guard is operating, acting through the Commandant of  
4 the Coast Guard, shall develop a Large Commercial Yacht  
5 code for recreational vessels over 300 gross tons as meas-  
6 ured under section 14502 of title 46, United States Code,  
7 or an alternate tonnage measured under section 14302 of  
8 such title (as prescribed by the Secretary under section  
9 14104 of such title), that is comparable to the Code of  
10 Safe Practice for Large Commercial Yachts (commonly re-  
11 ferred to as the “Large Commercial Yacht Code”), as pub-  
12 lished by the Maritime and Coast Guard of the United  
13 Kingdom. The Secretary shall complete such code by no  
14 later than one year after the date of the enactment of this  
15 Act.

16                   **Subtitle C—Coast Guard and**  
17                   **Shipping Technical Corrections**

18                   **CHAPTER 1—COAST GUARD**

19 **SEC. 3531. COMMANDANT DEFINED.**

20       (a) IN GENERAL.—Chapter 1 of title 14, United  
21 States Code, is amended by adding at the end the fol-  
22 lowing:

23 **“§ 5. Commandant defined**

24       “In this title, the term ‘Commandant’ means the  
25 Commandant of the Coast Guard.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-  
2 ter 1 of title 14, United States Code, is amended by add-  
3 ing at the end the following:

“5. Commandant defined.”.

4 (c) CONFORMING AMENDMENTS.—Title 14, United  
5 States Code, is amended—

6 (1) in section 58(a) by striking “Commandant  
7 of the Coast Guard” and inserting “Commandant”;

8 (2) in section 101 by striking “Commandant of  
9 the Coast Guard” and inserting “Commandant”;

10 (3) in section 693 by striking “Commandant of  
11 the Coast Guard” and inserting “Commandant”;

12 (4) in section 672a(a) by striking “Com-  
13 mandant of the Coast Guard” and inserting “Com-  
14 mandant”;

15 (5) in section 678(a) by striking “Commandant  
16 of the Coast Guard” and inserting “Commandant”;

17 (6) in section 561(a) by striking “Commandant  
18 of the Coast Guard” and inserting “Commandant”;

19 (7) in section 577(a) by striking “Commandant  
20 of the Coast Guard” and inserting “Commandant”;

21 (8) in section 581—

22 (A) by striking paragraph (4); and

23 (B) by redesignating paragraphs (5)  
24 through (12) as paragraphs (4) through (11),  
25 respectively;

1           (9) in section 200(a) by striking “Commandant  
2 of the Coast Guard” and inserting “Commandant”;

3           (10) in section 196(b)(1) by striking “Com-  
4 mandant of the Coast Guard” and inserting “Com-  
5 mandant”;

6           (11) in section 199 by striking “Commandant  
7 of the Coast Guard” and inserting “Commandant”;

8           (12) in section 429(a)(1) by striking “Com-  
9 mandant of the Coast Guard” and inserting “Com-  
10 mandant”;

11          (13) in section 423(a)(2) by striking “Com-  
12 mandant of the Coast Guard” and inserting “Com-  
13 mandant”;

14          (14) in section 2702(5) by striking “Com-  
15 mandant of the Coast Guard” and inserting “Com-  
16 mandant”;

17          (15) in section 2902(a) by striking “Com-  
18 mandant of the Coast Guard” and inserting “Com-  
19 mandant”; and

20          (16) in section 2903(f)(1) by striking “Com-  
21 mandant of the Coast Guard” and inserting “Com-  
22 mandant”.

1 **SEC. 3532. TRAINING COURSE ON WORKINGS OF CON-**  
2 **GRESS.**

3 Section 60(d) of title 14, United States Code, is  
4 amended to read as follows:

5 “(d) **COMPLETION OF REQUIRED TRAINING.**—A  
6 Coast Guard flag officer who is newly appointed or as-  
7 signed to a billet in the National Capital Region, and a  
8 Coast Guard Senior Executive Service employee who is  
9 newly employed in the National Capital Region, shall com-  
10 plete a training course that meets the requirements of this  
11 section not later than 60 days after reporting for duty.”.

12 **SEC. 3533. MISCELLANEOUS.**

13 (a) **SECRETARY; GENERAL POWERS.**—Section 92 of  
14 title 14, United States Code, is amended by redesignating  
15 subsections (f) through (i) as subsections (e) through (h),  
16 respectively.

17 (b) **COMMANDANT; GENERAL POWERS.**—Section  
18 93(a)(21) of title 14, United States Code, is amended by  
19 striking “section 30305(a)” and inserting “section  
20 30305(b)(7)”.

21 (c) **ENLISTED MEMBERS.**—

22 (1) **DEPARTMENT OF THE ARMY AND DEPART-**  
23 **MENT OF THE AIR FORCE.**—Section 144(b) of title  
24 14, United States Code, is amended by striking “en-  
25 listed men” each place it appears and inserting “en-  
26 listed members”.

1           (2) NAVY DEPARTMENT.—Section 145(b) of  
2 title 14, United States Code, is amended by striking  
3 “enlisted men” each place it appears and inserting  
4 “enlisted members”.

5           (3) PURCHASE OF COMMISSARY AND QUARTER-  
6 MASTER SUPPLIES.—Section 4 of the Act of May 22,  
7 1926 (44 Stat. 626, chapter 371; 33 U.S.C. 754a),  
8 is amended by striking “enlisted men” and inserting  
9 “enlisted members”.

10          (d) ARCTIC MARITIME TRANSPORTATION.—Section  
11 90(f) of title 14, United States Code, is amended by strik-  
12 ing the question mark.

13          (e) LONG-TERM LEASE AUTHORITY FOR LIGHT-  
14 HOUSE PROPERTY.—Section 672a(a) of title 14, United  
15 States Code, as amended by this Act, is further amended  
16 by striking “Section 321 of chapter 314 of the Act of June  
17 30, 1932 (40 U.S.C. 303b)” and inserting “Section 1302  
18 of title 40”.

19          (f) REQUIRED CONTRACT TERMS.—Section 565 of  
20 title 14, United States Code, is amended—

21               (1) in subsection (a) by striking “awarded or  
22 issued by the Coast Guard after the date of enact-  
23 ment of the Coast Guard Authorization Act of  
24 2010”; and

1           (2) in subsection (b)(1) by striking “after the  
2           date of enactment of the Coast Guard Authorization  
3           Act of 2010”.

4           (g) ACQUISITION PROGRAM BASELINE BREACH.—  
5           Section 575(c) of title 14, United States Code, is amended  
6           by striking “certification, with a supporting explanation,  
7           that” and inserting “determination, with a supporting ex-  
8           planation, of whether”.

9           (h) ENLISTMENTS; TERM, GRADE.—Section 351(a)  
10          of title 14, United States Code, is amended by inserting  
11          “the duration of their” before “minority”.

12          (i) MEMBERS OF THE AUXILIARY; STATUS.—Section  
13          823a(b)(9) of title 14, United States Code, is amended  
14          by striking “On or after January 1, 2001, section” and  
15          inserting “Section”.

16          (j) USE OF MEMBER’S FACILITIES.—Section 826(b)  
17          of title 14, United States Code, is amended by striking  
18          “section 154 of title 23, United States Code” and insert-  
19          ing “section 30102 of title 49”.

20          (k) AVAILABILITY OF APPROPRIATIONS.—Section  
21          830(b) of title 14, United States Code, is amended by  
22          striking “1954” and inserting “1986”.

23          **SEC. 3534. DEPARTMENT OF DEFENSE CONSULTATION.**

24          Section 566 of title 14, United States Code, is  
25          amended—

1           (1) in subsection (b) by striking “enter into”  
2           and inserting “maintain”; and  
3           (2) by striking subsection (d).

4 **SEC. 3535. REPEAL.**

5           Section 568 of title 14, United States Code, and the  
6 item relating to that section in the analysis for chapter  
7 15 of that title, are repealed.

8 **SEC. 3536. MISSION NEED STATEMENT.**

9           Section 569 of title 14, United States Code, is—

10           (1) amended in subsection (a)—

11                   (A) by striking “for fiscal year 2016” and  
12                   inserting “for fiscal year 2019”; and

13                   (B) by striking “, on the date on which the  
14                   President submits to Congress a budget for fis-  
15                   cal year 2019 under such section,”.

16 **SEC. 3537. CONTINUATION ON ACTIVE DUTY.**

17           Section 290(a) of title 14, United States Code, is  
18 amended by striking “Officers, other than the Com-  
19 mandant, serving” and inserting “Officers serving”.

20 **SEC. 3538. SYSTEM ACQUISITION AUTHORIZATION.**

21           (a) REQUIREMENT FOR PRIOR AUTHORIZATION OF  
22 APPROPRIATIONS.—Section 2701(2) of title 14, United  
23 States Code, is amended by striking “and aircraft” and  
24 inserting “aircraft, and systems”.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
2 2702(2) of title 14, United States Code, is amended by  
3 striking “and aircraft” and inserting “aircraft, and sys-  
4 tems”.

5 **SEC. 3539. INVENTORY OF REAL PROPERTY.**

6 Section 679 of title 14, United States Code, is  
7 amended—

8 (1) in subsection (a) by striking “Not later  
9 than September 30, 2015, the Commandant shall es-  
10 tablish” and inserting “The Commandant shall  
11 maintain”; and

12 (2) by striking subsection (b) and inserting the  
13 following:

14 “(b) UPDATES.—The Commandant shall update in-  
15 formation on each unit of real property included in the  
16 inventory required under subsection (a) not later than 30  
17 days after any change relating to the control of such prop-  
18 erty.”.

19 **CHAPTER 2—MARITIME**  
20 **TRANSPORTATION**

21 **SEC. 3541. DEFINITIONS.**

22 (a) IN GENERAL.—

23 (1) Section 2101 of title 46, United States  
24 Code, is amended—



1 (A) by inserting after paragraph (4) the  
2 following:

3 “( ) ‘Commandant’ means the Commandant of  
4 the Coast Guard.”;

5 (B) by striking the semicolon at the end of  
6 paragraph (14) and inserting a period; and

7 (C) by redesignating the paragraphs of  
8 such section in order as paragraphs (1) through  
9 (54), respectively.

10 (2) Section 3701 of title 46, United States  
11 Code, is amended by redesignating paragraphs (3)  
12 and (4) as paragraphs (2) and (3) respectively.

13 (b) CONFORMING AMENDMENTS.—

14 (1) Section 114(o)(3) of the Marine Mammal  
15 Protection Act of 1972 (16 U.S.C. 1383a(o)(3)) is  
16 amended—

17 (A) by striking “section 2101(11a)” and  
18 inserting “section 2101(12)”; and

19 (B) by striking “section 2101(11b)” and  
20 inserting “section 2101(13)”.

21 (2) Section 3(3) of the Magnuson-Stevens Fish-  
22 ery Conservation and Management Act (16 U.S.C.  
23 1802(3)), is amended by striking “section  
24 2101(21a)” and inserting “section 2101(30)”.

1           (3) Section 1992(d)(7) of title 18, United  
2 States Code, is amended by striking “section  
3 2101(22)” and inserting “section 2101(31)”.

4           (4) Section 12(e) of the Fishermen’s Protective  
5 Act of 1967 (22 U.S.C. 1980b(e)) is amended by  
6 striking “section 2101(11a)” and inserting “section  
7 2101(12)”.

8           (5) Section 311(a)(26)(D) of the Federal Water  
9 Pollution Control Act (33 U.S.C. 1321(a)(26)(D)) is  
10 amended by striking “section 2101(17a)” and in-  
11 sserting “section 2101(23)”.

12           (6) Section 2113(3) of title 46, United States  
13 Code, is amended by striking “section 2101(42)(A)”  
14 and inserting “section 2101(51)(A)”.

15           (7) Section 2116(d)(1) of title 46, United  
16 States Code, is amended by striking “Coast Guard  
17 Commandant” and inserting “Commandant”.

18           (8) Section 3202(a)(1)(A) of title 46, United  
19 States Code, is amended by striking “section  
20 2101(21)(A)” and inserting “section 2101(29)(A)”.

21           (9) Section 3507 of title 46, United States  
22 Code, is amended—

23                   (A) in subsection (k)(1), by striking “sec-  
24 tion 2101(22)” and inserting “section  
25 2101(31)”; and

1 (B) by striking subsection (l) and inserting  
2 the following:

3 “(l) DEFINITION.—In this section and section 3508,  
4 the term ‘owner’ means the owner, charterer, managing  
5 operator, master, or other individual in charge of a ves-  
6 sel.”.

7 (10) Section 4105 of title 46, United States  
8 Code, is amended—

9 (A) in subsection (b)(1), by striking “sec-  
10 tion 2101(42)” and inserting “section  
11 2101(51)”; and

12 (B) in subsection (c), by striking “section  
13 2101(42)(A)” and inserting “section  
14 2101(51)(A)”.

15 (11) Section 6101(i)(4) of title 46, United  
16 States Code, is amended by striking “of the Coast  
17 Guard”.

18 (12) Section 7510(e)(1) of title 46, United  
19 States Code, is amended by striking “Commandant  
20 of the Coast Guard” and inserting “Commandant”.

21 (13) Section 7706(a) of title 46, United States  
22 Code, is amended by striking “of the Coast Guard”.

23 (14) Section 8108(a)(1) of title 46, United  
24 States Code, is amended by striking “of the Coast  
25 Guard”.

1           (15) Section 12119(a)(3) of title 46, United  
2 States Code, is amended by striking “section  
3 2101(20)” and inserting “section 2101(26)”.

4           (16) Section 80302(d) of title 46, United States  
5 Code, is amended by striking “of the Coast Guard”  
6 the first place it appears.

7           (17) Section 1101 of title 49, United States  
8 Code, is amended by striking “Section 2101(17a)”  
9 and inserting “Section 2101(23)”.

10 **SEC. 3542. AUTHORITY TO EXEMPT VESSELS.**

11           (a) IN GENERAL.—Section 2113 of title 46, United  
12 States Code, is amended—

13           (1) by adding “and” after the semicolon at the  
14 end of paragraph (3); and

15           (2) by striking paragraphs (4) and (5) and in-  
16 serting the following:

17           “(4) maintain different structural fire protec-  
18 tion, manning, operating, and equipment require-  
19 ments for vessels that satisfied requirements set  
20 forth in the Passenger Vessel Safety Act of 1993  
21 (Public Law 103–206) before June 21, 1994.”.

22           (b) CONFORMING AMENDMENTS.—Section 3306(i) of  
23 title 46, United States Code, is amended by striking “sec-  
24 tion 2113(5)” and inserting “section 2113(4)”.

1 **SEC. 3543. PASSENGER VESSELS.**

2 (a) Section 3507 of title 46, United States Code, is  
3 amended—

4 (1) by striking subsection (a)(3);

5 (2) in subsection (e)(2), by striking “services  
6 confidential” and inserting “services as confiden-  
7 tial”; and

8 (3) in subsection (i), by striking “Within 6  
9 months after the date of enactment of the Cruise  
10 Vessel Security and Safety Act of 2010, the Sec-  
11 retary shall issue” and insert “The Secretary shall  
12 maintain”.

13 (b) Section 3508 of title 46, United States Code, is  
14 amended—

15 (1) in subsection (a), by striking “Within 1  
16 year after the date of enactment of the Cruise Vessel  
17 Security and Safety Act of 2010, the” and inserting  
18 “The”, and by striking “develop” and inserting  
19 “maintain”;

20 (2) in subsection (c), by striking “Beginning 2  
21 years after the standards are established under sub-  
22 section (b), no” and inserting “No”;

23 (3) by striking subsection (d) and redesignating  
24 subsections (e) and (f) as subsections (d) and (e),  
25 respectively; and

1           (4) in subsection (e), as redesignated by para-  
2           graph (3), by striking “subsection (e)” each place it  
3           appears and inserting “subsection (d)”.

4 **SEC. 3544. TANK VESSELS.**

5           (a) Section 3703a of title 46, United States Code,  
6 is amended—

7           (1) in subsection (b), by striking paragraph (3)  
8           and redesignating paragraphs (4), (5), and (6) as  
9           paragraphs (3), (4), and (5), respectively;

10          (2) in subsection (c)(2)—

11           (A) by striking “that is delivered” and in-  
12           serting “that was delivered”;

13           (B) by striking “that qualifies” and insert-  
14           ing “that qualified”; and

15           (C) by striking “after January 1, 2015,”;

16          (3) in subsection (c)(3)—

17           (A) by striking “that is delivered” and in-  
18           serting “that was delivered”; and

19           (B) by striking “that qualifies” and insert-  
20           ing “that qualified”;

21          (4) by striking subsection (c)(3)(A) and insert-  
22          ing the following:

23           “(A) in the case of a vessel of at least 5,000  
24           gross tons but less than 15,000 gross tons as meas-  
25           ured under section 14502, or an alternate tonnage

1 measured under section 14302 as prescribed by the  
2 Secretary under section 14104, if the vessel is 25  
3 years old or older and has a single hull, or is 30  
4 years old or older and has a double bottom or double  
5 sides;”;

6 (5) by striking subsection (c)(3)(B) and insert-  
7 ing the following:

8 “(B) in the case of a vessel of at least 15,000  
9 gross tons but less than 30,000 gross tons as meas-  
10 ured under section 14502, or an alternate tonnage  
11 measured under section 14302 as prescribed by the  
12 Secretary under section 14104, if the vessel is 25  
13 years old or older and has a single hull, or is 30  
14 years old or older and has a double bottom or double  
15 sides; and”;

16 (6) by striking subsection (c)(3)(C) and insert-  
17 ing the following:

18 “(C) in the case of a vessel of at least 30,000  
19 gross tons as measured under section 14502, or an  
20 alternate tonnage measured under section 14302 as  
21 prescribed by the Secretary under section 14104, if  
22 the vessel is 23 years old or older and has a single  
23 hull, or is 28 years old or older and has a double  
24 bottom or double sides.”; and

25 (7) in subsection (e)—

1 (A) in paragraph (1), by striking “and ex-  
2 cept as otherwise provided in paragraphs (2)  
3 and (3) of this subsection”; and

4 (B) by striking paragraph (2) and redesign-  
5 ating paragraph (3) as paragraph (2).

6 (b) Section 3705 of title 46, United States Code, is  
7 amended—

8 (1) in subsection (b)—

9 (A) by striking paragraph (2);

10 (B) by striking “(1)”; and

11 (C) by redesignating subparagraphs (A)  
12 and (B) as paragraphs (1) and (2), respectively;  
13 and

14 (2) in subsection (c), by striking “before Janu-  
15 ary 2, 1986, or the date on which the tanker reaches  
16 15 years of age, whichever is later”.

17 (c) Section 3706(d) of title 46, United States Code,  
18 is amended by striking “before January 2, 1986, or the  
19 date on which it reaches 15 years of age, whichever is  
20 later”.

21 (d) Section 1001(32)(A) of the Oil Pollution Act of  
22 1990 (33 U.S.C. 2701(32)(A)) is amended by striking  
23 “(other than a vessel described in section 3703a(b)(3) of  
24 title 46, United States Code)”.



1 **SEC. 3545. GROUNDS FOR DENIAL OR REVOCATION.**

2 (a) Section 7503 of title 46, United States Code, is  
3 amended to read as follows:

4 **“§ 7503. Dangerous drugs as grounds for denial**

5 “A license, certificate of registry, or merchant mari-  
6 ner’s document authorized to be issued under this part  
7 may be denied to an individual who—

8 “(1) within 10 years before applying for the li-  
9 cense, certificate, or document, has been convicted of  
10 violating a dangerous drug law of the United States  
11 or of a State; or

12 “(2) when applying, has ever been a user of, or  
13 addicted to, a dangerous drug unless the individual  
14 provides satisfactory proof that the individual is  
15 cured.”.

16 (b) Section 7704 of title 46, United States Code, is  
17 amended by redesignating subsections (b) and (c) as sub-  
18 sections (a) and (b), respectively.

19 **SEC. 3546. MISCELLANEOUS CORRECTIONS TO TITLE 46,**  
20 **U.S.C.**

21 (a) Section 2110 of title 46, United States Code, is  
22 amended by striking subsection (k).

23 (b) Section 2116(c) of title 46, United States Code,  
24 is amended by striking “Beginning with fiscal year 2011  
25 and each fiscal year thereafter, the” and inserting “The”.

1 (c) Section 3302(g)(2) of title 46, United States  
2 Code, is amended by striking “After December 31, 1988,  
3 this” and inserting “This”.

4 (d) Section 6101(j) of title 46, United States Code,  
5 is amended by striking “, as soon as possible, and no later  
6 than January 1, 2005,”.

7 (e) Section 7505 of title 46, United States Code, is  
8 amended by striking “section 206(b)(7) of the National  
9 Driver Register Act of 1982 (23 U.S.C. 401 note)” and  
10 inserting “section 30305(b)(7) of title 49”.

11 (f) Section 7702(c)(1) of title 46, United States  
12 Code, is amended by striking “section 206(b)(4) of the  
13 National Driver Register Act of 1982 (23 U.S.C. 401  
14 note)” and inserting “section 30305(b)(7) of title 49”.

15 (g) Section 8106(f) of title 46, United States Code,  
16 is amended by striking paragraph (3) and inserting the  
17 following:

18 “(3) CONTINUING VIOLATIONS.—The maximum  
19 amount of a civil penalty for a violation under this  
20 subsection shall be \$100,000.”.

21 (h) Section 8703 of title 46, United States Code, is  
22 amended by redesignating subsection (c) as subsection (b).

23 (i) Section 11113 of title 46, United States Code, is  
24 amended—

1 (1) in subsection (a)(4)(A) by striking “para-  
2 graph (2)” and inserting “paragraph (3)”; and

3 (2) in subsection (c)(2)(B)—

4 (A) by striking “section 2(9)(a)” and in-  
5 serting “section 2(a)(9)(A)”; and

6 (B) by striking “33 U.S.C. 1901(9)(a)”  
7 and inserting “33 U.S.C. 1901(a)(9)(A)”.

8 (j) Section 12113(d)(2)(C)(iii) of title 46, United  
9 States Code, is amended by striking “118 Stat. 2887)”  
10 and inserting “118 Stat. 2887))”.

11 (k) Section 13107(c)(2) of title 46, United States  
12 Code, is amended by striking “On and after October 1,  
13 2016, no” and inserting “No”.

14 (l) Section 31322(a)(4)(B) of title 46, United States  
15 Code, is amended by striking “state” and inserting  
16 “State”.

17 (m) Section 52101(d) of title 46, United States Code,  
18 is amended by striking “(50 App. U.S.C. 459(a))” and  
19 inserting “(50 U.S.C. 3808(a))”.

20 (n) The analysis for chapter 531 of title 46, United  
21 States Code, is amended by striking the item relating to  
22 section 53109:

23 (o) Section 53106(a)(1) of title 46, United States  
24 Code, is amended by striking subparagraphs (A), (B), (C),

1 and (D), and by redesignating subparagraphs (E), (F),  
2 and (G) as subparagraphs (A), (B), and (C), respectively.

3 (p) Section 53111 of title 46, United States Code,  
4 is amended by striking paragraphs (1) through (4), and  
5 by redesignating paragraphs (5), (6), and (7) as para-  
6 graphs (1), (2), and (3), respectively.

7 (q) Section 53501 of title 46, United States Code,  
8 is amended—

9 (1) in paragraph (5)(A)(iii), by striking “trans-  
10 portation trade trade or” and inserting “transpor-  
11 tation trade or”;

12 (2) by redesignating paragraph (8) as para-  
13 graph (9);

14 (3) by striking the second paragraph (7) (relat-  
15 ing to the definition of “United States foreign  
16 trade”); and

17 (4) by inserting after the first paragraph (7)  
18 the following:

19 “(8) UNITED STATES FOREIGN TRADE.—The  
20 term ‘United States foreign trade’ includes those  
21 areas in domestic trade in which a vessel built with  
22 a construction-differential subsidy is allowed to oper-  
23 ate under the first sentence of section 506 of the  
24 Merchant Marine Act, 1936.”.

1 (r) Section 54101(f) of title 46, United States Code,  
2 is amended by striking paragraph (2) and inserting the  
3 following:

4 “(2) MINIMUM STANDARDS FOR PAYMENT OR  
5 REIMBURSEMENT.—Each application submitted  
6 under paragraph (1) shall include a comprehensive  
7 description of—

8 “(A) the need for the project;

9 “(B) the methodology for implementing the  
10 project; and

11 “(C) any existing programs or arrange-  
12 ments that can be used to supplement or lever-  
13 age assistance under the program.”.

14 (s) Section 55305(d)(2)(D) of title 46, United States  
15 Code, is amended by striking “421(c)(1)” and inserting  
16 “1303(a)(1)”.

17 (t) The analysis for chapter 575 of title 46, United  
18 States Code, is amended in the item relating to section  
19 57533 by adding a period at the end.

20 (u) Section 57532(d) of title 46, United States Code,  
21 is amended by striking “(50 App. U.S.C. 1291(a), (c),  
22 1293(c), 1294)” and inserting “(50 U.S.C. 4701(a), (c),  
23 4703(c), and 4704)”.

1 (v) Section 60303(c) of title 46, United States Code,  
2 is amended in by striking “Subsection (a) section does”  
3 and inserting “Subsection (a) does”.

4 **SEC. 3547. MISCELLANEOUS CORRECTIONS TO OIL POLLU-**  
5 **TION ACT OF 1990.**

6 (a) Section 2 of the Oil Pollution Act of 1990 (33  
7 U.S.C. 2701 note) is amended by—

8 (1) inserting after the item relating to section  
9 5007 the following:

“Sec. 5008. North Pacific Marine Research Institute.”.

10 (2) striking the item relating to section 6003.

11 (b) Section 1003(d)(5) of the Oil Pollution Act of  
12 1990 (33 U.S.C. 2703(d)(5)) is amended by inserting  
13 “section” before “1002(a)”.

14 (c) Section 1004(d)(2)(C) of the Oil Pollution Act of  
15 1990 (33 U.S.C. 2704(d)(2)(C)) is amended by striking  
16 “under this subparagraph (A)” and inserting “under sub-  
17 paragraph (A)”.

18 (d) Section 4303 of the Oil Pollution Act of 1990 (33  
19 U.S.C. 2716a) is amended—

20 (1) in subsection (a), by striking “subsection  
21 (c)(2)” and inserting “subsection (b)(2)”; and

22 (2) in subsection (b), by striking “this section  
23 1016” and inserting “section 1016”.

24 (e) Section 5002(l)(2) of the Oil Pollution Act of  
25 1990 (33 U.S.C. 2732(l)(2)) is amended by striking “Gen-

1 eral Accounting Office” and inserting “Government Ac-  
2 countability Office”.

3 **SEC. 3548. MISCELLANEOUS CORRECTIONS.**

4 (a) Section 1 of the Act of June 15, 1917 (chapter  
5 30; 50 U.S.C. 191), is amended by striking “the Secretary  
6 of the Treasury” and inserting “the Secretary of the de-  
7 partment in which the Coast Guard is operating”.

8 (b) Section 5(b) of the Act entitled “An Act to regu-  
9 late the construction of bridges over navigable waters”,  
10 approved March 23, 1906, popularly known as the Bridge  
11 Act of 1906 (chapter 1130; 33 U.S.C. 495(b)), is amended  
12 by striking “\$5,000 for a violation occurring in 2004;  
13 \$10,000 for a violation occurring in 2005; \$15,000 for a  
14 violation occurring in 2006; \$20,000 for a violation occur-  
15 ring in 2007; and”.

16 (c) Section 5(f) of the Act to Prevent Pollution from  
17 Ships (33 U.S.C. 1904(f)) is amended to read as follows:

18 “(f) SHIP CLEARANCE; REFUSAL OR REVOCATION.—  
19 If a ship is under a detention order under this section,  
20 the Secretary may refuse or revoke the clearance required  
21 by section 60105 of title 46, United States Code.”.

22 **SEC. 3549. MODIFICATION OF BOUNDARIES OF WHITE**  
23 **SANDS NATIONAL MONUMENT AND WHITE**  
24 **SANDS MISSILE RANGE.**

25 (a) DEFINITIONS.—In this section:

1           (1) MISSILE RANGE.—The term “missile  
2 range” means the White Sands Missile Range, New  
3 Mexico, administered by the Secretary of the Army.

4           (2) MONUMENT.—The term “monument”  
5 means the White Sands National Monument, New  
6 Mexico, established by Presidential Proclamation  
7 No. 2025 (16 U.S.C. 431 note), dated January 18,  
8 1933, and administered by the Secretary.

9           (3) PUBLIC LAND ORDER.—The term “Public  
10 Land Order” means Public Land Order 833, dated  
11 May 21, 1952 (17 Fed. Reg. 4822).

12           (4) SECRETARY.—The term “Secretary” means  
13 the Secretary of the Interior.

14           (5) MILITARY MUNITIONS.—The term “military  
15 munitions” has the meaning given the term in sec-  
16 tion 101(e)(4) of title 10, United States Code.

17           (6) MUNITIONS DEBRIS.—The term “munitions  
18 debris” means remnants of military munitions re-  
19 maining after munitions use, demilitarization, or dis-  
20 posal.

21           (b) TRANSFERS OF ADMINISTRATIVE JURISDIC-  
22 TION.—

23           (1) TRANSFER OF ADMINISTRATIVE JURISDIC-  
24 TION TO THE SECRETARY.—



1 (A) IN GENERAL.—Administrative jurisdic-  
2 tion over the land described in subparagraph  
3 (B) is transferred from the Secretary of the  
4 Army to the Secretary.

5 (B) DESCRIPTION OF LAND.—The land re-  
6 ferred to in subparagraph (A) is the land gen-  
7 erally depicted as “Transfer DOA to NPS (Na-  
8 tional Park Service)” on the map titled “White  
9 Sands National Monument (WHSA) & White  
10 Sands Missile Range (WSMR) New Proposed  
11 White Sands National Monument Boundary”,  
12 created April 20, 2018, comprising—

13 (i) approximately 2,826 acres of land  
14 within the monument that is under the ju-  
15 risdiction of the Secretary of the Army;  
16 and

17 (ii) approximately 5,766 acres of land  
18 within the missile range that is abutting  
19 the monument.

20 (2) TRANSFER OF ADMINISTRATIVE JURISDIC-  
21 TION TO THE SECRETARY OF THE ARMY.—

22 (A) IN GENERAL.—Administrative jurisdic-  
23 tion over the land described in subparagraph  
24 (B) is transferred from the Secretary to the  
25 Secretary of the Army.

1 (B) DESCRIPTION OF LAND.—The land re-  
2 ferred to in subparagraph (A) is the approxi-  
3 mately 3,737 acres of land within the monu-  
4 ment abutting the missile range, as generally  
5 depicted on the map described in paragraph  
6 (1)(B) as “Transfer NPS to DOA (Department  
7 of the Army)”.

8 (c) BOUNDARY MODIFICATIONS.—

9 (1) MONUMENT.—

10 (A) IN GENERAL.—Following transfers in  
11 subsection (b), the boundary of the monument  
12 is modified as generally depicted as “New Pro-  
13 posed WHSA Boundary” on the map described  
14 in subsection (b)(1)(B).

15 (B) MAP.—

16 (i) IN GENERAL.—The Secretary, in  
17 coordination with the Secretary of the  
18 Army, shall prepare and keep on file for  
19 public inspection a map and legal descrip-  
20 tion depicting the revised boundary of the  
21 monument.

22 (ii) EFFECT.—The map and legal de-  
23 scription shall have the same force and ef-  
24 fect as if included in this Act, except that  
25 the Secretary may correct clerical and ty-

1                   pographical errors in the legal description  
2                   and map.

3                   (2) MISSILE RANGE.—The Public Land Order  
4                   is modified to exclude the land transferred to the  
5                   Secretary under subsection (b)(1) and to include the  
6                   land transferred to the Secretary of the Army under  
7                   subsection (b)(1).

8                   (3) CONFORMING AMENDMENT.—Section 2854  
9                   of Public Law 104–201 (54 U.S.C. 320301 note) is  
10                  repealed.

11                  (d) ADMINISTRATION.—

12                  (1) MONUMENT.—The Secretary shall admin-  
13                  ister the land transferred under subsection (b)(1) in  
14                  accordance with laws (including regulations) applica-  
15                  ble to the monument.

16                  (2) MISSILE RANGE.—Subject to paragraph (3),  
17                  the Secretary of the Army shall administer the land  
18                  transferred to the Secretary of the Army under sub-  
19                  section (b)(2) as part of the missile range.

20                  (3) FENCE.—

21                  (A) IN GENERAL.—The Secretary of the  
22                  Army shall continue to allow the Secretary to  
23                  maintain the fence shown on the map described  
24                  in subsection (b)(1)(B) until such time as the

1 Secretary determines that the fence is unneces-  
2 sary for the management of the monument.

3 (B) REMOVAL.—If the Secretary deter-  
4 mines that the fence is unnecessary for the  
5 management of the monument under subpara-  
6 graph (A), the Secretary shall promptly remove  
7 the fence at the expense of the Department of  
8 the Interior.

9 (4) MILITARY MUNITIONS AND MUNITIONS DE-  
10 BRIS.—

11 (A) RESPONSE ACTION.—With respect to  
12 any Federal liability, the Secretary of the Army  
13 shall remain responsible for any response action  
14 addressing military munitions or munitions de-  
15 bris on the land transferred under subsection  
16 (b)(1) to the same extent as on the day before  
17 the date of enactment of this Act.

18 (B) ACCESS.—At the request of the Sec-  
19 retary and subject to available appropriations,  
20 the Secretary of the Army shall have access to  
21 the land transferred under subsection (b)(1) for  
22 the purposes of conducting investigations of  
23 military munitions or munitions debris on the  
24 transferred land.

1 (C) APPLICABLE LAW.—Any activities un-  
 2 dertaken under this subsection shall be carried  
 3 out in accordance with the Comprehensive En-  
 4 vironmental Response, Compensation, and Li-  
 5 ability Act of 1980 (42 U.S.C. 9601 et seq.).

6 **DIVISION D—COAST GUARD**  
 7 **AUTHORIZATION ACT OF 2017**

8 **SEC. 4001. SHORT TITLE.**

9 This division may be cited as the “Coast Guard Au-  
 10 thorization Act of 2017”.

11 **SEC. 4002. TABLE OF CONTENTS.**

12 The table of contents for this division is the following:

Sec. 4001. Short title.

Sec. 4002. Table of contents.

TITLE XLI—REORGANIZATION OF TITLE 14, UNITED STATES  
 CODE

Sec. 4101. Initial matter.

Sec. 4102. Subtitle I.

Sec. 4103. Chapter 1.

Sec. 4104. Chapter 3.

Sec. 4105. Chapter 5.

Sec. 4106. Chapter 7.

Sec. 4107. Chapter 9.

Sec. 4108. Chapter 11.

Sec. 4109. Subtitle II.

Sec. 4110. Chapter 19.

Sec. 4111. Part II.

Sec. 4112. Chapter 21.

Sec. 4113. Chapter 23.

Sec. 4114. Chapter 25.

Sec. 4115. Part III.

Sec. 4116. Chapter 27.

Sec. 4117. Chapter 29.

Sec. 4118. Subtitle III and chapter 37.

Sec. 4119. Chapter 39.

Sec. 4120. Chapter 41.

Sec. 4121. Subtitle IV and chapter 49.

Sec. 4122. Chapter 51.

Sec. 4123. References.

Sec. 4124. Rule of construction.

#### TITLE XLII—AUTHORIZATIONS

- Sec. 4201. Amendments to title 14, United States Code, as amended by title XLI of this division.
- Sec. 4202. Authorizations of appropriations.
- Sec. 4203. Authorized levels of military strength and training.
- Sec. 4204. Authorization of amounts for Fast Response Cutters.
- Sec. 4205. Authorization of amounts for shoreside infrastructure.
- Sec. 4206. Authorization of amounts for aircraft improvements.

#### TITLE XLIII—COAST GUARD

- Sec. 4301. Amendments to title 14, United States Code, as amended by title XLI of this division.
- Sec. 4302. Primary duties.
- Sec. 4303. National Coast Guard Museum.
- Sec. 4304. Unmanned aircraft.
- Sec. 4305. Coast Guard health-care professionals; licensure portability.
- Sec. 4306. Training; emergency response providers.
- Sec. 4307. Incentive contracts for Coast Guard yard and industrial establishments.
- Sec. 4308. Confidential investigative expenses.
- Sec. 4309. Regular captains; retirement.
- Sec. 4310. Conversion, alteration, and repair projects.
- Sec. 4311. Contracting for major acquisitions programs.
- Sec. 4312. Officer promotion zones.
- Sec. 4313. Cross reference.
- Sec. 4314. Commissioned service retirement.
- Sec. 4315. Leave for birth or adoption of child.
- Sec. 4316. Clothing at time of discharge.
- Sec. 4317. Unfunded priorities list.
- Sec. 4318. Safety of vessels of the Armed Forces.
- Sec. 4319. Protecting against unmanned aircraft.
- Sec. 4320. Air facilities.

#### TITLE XLIV—PORTS AND WATERWAYS SAFETY

- Sec. 4401. Codification of Ports and Waterways Safety Act.
- Sec. 4402. Conforming amendments.
- Sec. 4403. Transitional and savings provisions.
- Sec. 4404. Rule of construction.
- Sec. 4405. Advisory committee: repeal.
- Sec. 4406. Regattas and marine parades.
- Sec. 4407. Regulation of vessels in territorial waters of United States.
- Sec. 4408. Port, harbor, and coastal facility security.

#### TITLE XLV—MARITIME TRANSPORTATION SAFETY

- Sec. 4501. Consistency in marine inspections.
- Sec. 4502. Uninspected passenger vessels in St. Louis County, Minnesota.
- Sec. 4503. Engine cut-off switch requirements.
- Sec. 4504. Exception from survival craft requirements.
- Sec. 4505. Safety standards.
- Sec. 4506. Fishing safety grants.
- Sec. 4507. Fishing, fish tender, and fish processing vessel certification.

- Sec. 4508. Deadline for compliance with alternate safety compliance program.
- Sec. 4509. Termination of unsafe operations; technical correction.
- Sec. 4510. Technical corrections: Licenses, certificates of registry, and merchant mariner documents.
- Sec. 4511. Clarification of logbook entries.
- Sec. 4512. Certificates of documentation for recreational vessels.
- Sec. 4513. Numbering for undocumented barges.
- Sec. 4514. Backup global positioning system.
- Sec. 4515. Scientific personnel.
- Sec. 4516. Transparency.

#### TITLE XLVI—ADVISORY COMMITTEES

- Sec. 4601. National maritime transportation advisory committees.
- Sec. 4602. Maritime Security Advisory Committees.

#### TITLE XLVII—FEDERAL MARITIME COMMISSION

- Sec. 4701. Short title.
- Sec. 4702. Authorization of appropriations.
- Sec. 4703. Reporting on impact of alliances on competition.
- Sec. 4704. Definition of certain covered services.
- Sec. 4705. Reports filed with the Commission.
- Sec. 4706. Public participation.
- Sec. 4707. Ocean transportation intermediaries.
- Sec. 4708. Common carriers.
- Sec. 4709. Negotiations.
- Sec. 4710. Injunctive relief sought by the Commission.
- Sec. 4711. Discussions.
- Sec. 4712. Transparency.
- Sec. 4713. Study of bankruptcy preparation and response.
- Sec. 4714. Agreements unaffected.

#### TITLE XLVIII—MISCELLANEOUS

- Sec. 4801. Repeal of obsolete reporting requirement.
- Sec. 4802. Corrections to provisions enacted by Coast Guard Authorization Acts.
- Sec. 4803. Officer evaluation report.
- Sec. 4804. Extension of authority.
- Sec. 4805. Coast Guard ROTC program.
- Sec. 4806. Currency detection canine team program.
- Sec. 4807. Center of expertise for Great Lakes oil spill search and response.
- Sec. 4808. Public safety answering points and maritime search and rescue coordination.
- Sec. 4809. Ship shoal lighthouse transfer: repeal.
- Sec. 4810. Land exchange, Ayakulik Island, Alaska.
- Sec. 4811. Use of Tract 43.
- Sec. 4812. Coast Guard maritime domain awareness.
- Sec. 4813. Monitoring.
- Sec. 4814. Reimbursements for non-Federal construction costs of certain aids to navigation.
- Sec. 4815. Towing safety management system fees.
- Sec. 4816. Oil spill disbursements auditing and report.
- Sec. 4817. Fleet requirements assessment and strategy.
- Sec. 4818. National Security Cutter.

- Sec. 4819. Acquisition plan for inland waterway and river tenders and bay-class icebreakers.
- Sec. 4820. Great Lakes icebreaker acquisition.
- Sec. 4821. Polar icebreakers.
- Sec. 4822. Strategic assets in the Arctic.
- Sec. 4823. Arctic planning criteria.
- Sec. 4824. Vessel response plan audit.
- Sec. 4825. Waters deemed not navigable waters of the United States for certain purposes.
- Sec. 4826. Documentation of recreational vessels.
- Sec. 4827. Equipment requirements; exemption from throwable personal flotation devices requirement.
- Sec. 4828. Visual distress signals and alternative use.
- Sec. 4829. Radar refresher training.
- Sec. 4830. Commercial fishing vessel safety national communications plan.
- Sec. 4831. Authorization for marine debris program.
- Sec. 4832. Atlantic Coast port access route study recommendations.
- Sec. 4833. Drawbridges.
- Sec. 4834. Waiver.
- Sec. 4835. Vessel waiver.
- Sec. 4836. Temporary limitations.
- Sec. 4837. Transfer of Coast Guard property in Jupiter Island, Florida, for inclusion in Hobe Sound National Wildlife Refuge.
- Sec. 4838. Emergency response.
- Sec. 4839. Drawbridges consultation.

1 **TITLE XLI—REORGANIZATION**  
 2 **OF TITLE 14, UNITED STATES**  
 3 **CODE**

4 **SEC. 4101. INITIAL MATTER.**

5 Title 14, United States Code, is amended by striking  
 6 the title designation, the title heading, and the table of  
 7 parts at the beginning and inserting the following:

8 **“TITLE 14—COAST GUARD**

“Subtitle	Sec.
<b>“I. Establishment, Powers, Duties, and Administration ....</b>	<b>101</b>
<b>“II. Personnel .....</b>	<b>1901</b>
<b>“III. Coast Guard Reserve and Auxiliary .....</b>	<b>3701</b>
<b>“IV. Coast Guard Authorizations and Reports to Congress .....</b>	<b>4901”.</b>



1 **SEC. 4102. SUBTITLE I.**

2 Part I of title 14, United States Code, is amended  
 3 by striking the part designation, the part heading, and the  
 4 table of chapters at the beginning and inserting the fol-  
 5 lowing:

6 **“Subtitle I—Establishment, Powers,**  
 7 **Duties, and Administration**

“Chap.	Sec.
<b>“1. Establishment and Duties</b> .....	<b>101</b>
<b>“3. Composition and Organization</b> .....	<b>301</b>
<b>“5. Functions and Powers</b> .....	<b>501</b>
<b>“7. Cooperation</b> .....	<b>701</b>
<b>“9. Administration</b> .....	<b>901</b>
<b>“11. Acquisitions</b> .....	<b>1101”.</b>

8 **SEC. 4103. CHAPTER 1.**

9 (a) INITIAL MATTER.—Chapter 1 of title 14, United  
 10 States Code, is amended by striking the chapter designa-  
 11 tion, the chapter heading, and the table of sections at the  
 12 beginning and inserting the following:

13 **“CHAPTER 1—ESTABLISHMENT AND**  
 14 **DUTIES**

“Sec.
“101. Establishment of Coast Guard.
“102. Primary duties.
“103. Department in which the Coast Guard operates.
“104. Removing restrictions.
“105. Secretary defined.”.

15 (b) REDESIGNATIONS AND TRANSFERS.—

16 (1) REQUIREMENT.—The sections of title 14,  
 17 United States Code, identified in the table provided  
 18 in paragraph (2) are amended—

1 (A) by redesignating the sections as de-  
2 scribed in the table; and

3 (B) by transferring the sections, as nec-  
4 essary, so that the sections appear after the  
5 table of sections for chapter 1 of such title (as  
6 added by subsection (a)), in the order in which  
7 the sections are presented in the table.

8 (2) TABLE.—The table referred to in paragraph  
9 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
1	Establishment of Coast Guard	101
2	Primary duties	102
3	Department in which the Coast Guard operates	103
652	Removing restrictions	104
4	Secretary defined	105

10 **SEC. 4104. CHAPTER 3.**

11 (a) INITIAL MATTER.—Chapter 3 of title 14, United  
12 States Code, is amended by striking the chapter designa-  
13 tion, the chapter heading, and the table of sections at the  
14 beginning and inserting the following:

15 **“CHAPTER 3—COMPOSITION AND**  
16 **ORGANIZATION**

“Sec.

“301. Grades and ratings.

“302. Commandant; appointment.

“303. Retirement of Commandant.

- “304. Vice Commandant; appointment.
- “305. Vice admirals.
- “306. Retirement.
- “307. Vice admirals and admiral, continuity of grade.
- “308. Chief Acquisition Officer.
- “309. Office of the Coast Guard Reserve; Director.
- “310. Chief of Staff to President: appointment.
- “311. Captains of the port.
- “312. Prevention and response workforces.
- “313. Centers of expertise for Coast Guard prevention and response.
- “314. Marine industry training program.
- “315. Training course on workings of Congress.
- “316. National Coast Guard Museum.
- “317. United States Coast Guard Band; composition; director.
- “318. Environmental Compliance and Restoration Program.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
 3 United States Code, identified in the table provided  
 4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
 6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
 8 essary, so that the sections appear after the  
 9 table of sections for chapter 3 of such title (as  
 10 added by subsection (a)), in the order in which  
 11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
 13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
41	Grades and ratings	301
44	Commandant; appointment	302
46	Retirement of Commandant	303

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
47	Vice Commandant; appointment	304
50	Vice admirals	305
51	Retirement	306
52	Vice admirals and admiral, continuity of grade	307
56	Chief Acquisition Officer	308
53	Office of the Coast Guard Reserve; Director	309
54	Chief of Staff to President: appointment	310
57	Prevention and response workforces	312
58	Centers of expertise for Coast Guard prevention and response	313
59	Marine industry training program	314
60	Training course on workings of Congress	315
98	National Coast Guard Museum	316
336	United States Coast Guard Band; composition; director	317

1 (c) ADDITIONAL CHANGES.—

2 (1) IN GENERAL.—Chapter 3 of title 14, United  
3 States Code, is further amended—

4 (A) by inserting after section 310 (as so  
5 redesignated and transferred under subsection  
6 (b)) the following:

7 **“§ 311. Captains of the port**

8 “Any officer, including any petty officer, may be des-  
9 ignated by the Commandant as captain of the port or  
10 ports or adjacent high seas or waters over which the

1 United States has jurisdiction, as the Commandant deems  
2 necessary to facilitate execution of Coast Guard duties.”;  
3 and

4 (B) by inserting after section 317 (as so  
5 redesignated and transferred under subsection  
6 (b)) the following:

7 **“§ 318. Environmental Compliance and Restoration**  
8 **Program**

9 “(a) DEFINITIONS.—For the purposes of this sec-  
10 tion—

11 “(1) ‘environment’, ‘facility’, ‘person’, ‘release’,  
12 ‘removal’, ‘remedial’, and ‘response’ have the same  
13 meaning they have in section 101 of the Comprehen-  
14 sive Environmental Response, Compensation, and  
15 Liability Act (42 U.S.C. 9601);

16 “(2) ‘hazardous substance’ has the same mean-  
17 ing it has in section 101 of the Comprehensive Envi-  
18 ronmental Response, Compensation, and Liability  
19 Act (42 U.S.C. 9601), except that it also includes  
20 the meaning given ‘oil’ in section 311 of the Federal  
21 Water Pollution Control Act (33 U.S.C. 1321); and

22 “(3) ‘pollutant’ has the same meaning it has in  
23 section 502 of the Federal Water Pollution Control  
24 Act (33 U.S.C. 1362).

25 “(b) PROGRAM.—

1           “(1) The Secretary shall carry out a program  
2 of environmental compliance and restoration at cur-  
3 rent and former Coast Guard facilities.

4           “(2) Program goals include:

5               “(A) Identifying, investigating, and clean-  
6 ing up contamination from hazardous sub-  
7 stances and pollutants.

8               “(B) Correcting other environmental dam-  
9 age that poses an imminent and substantial  
10 danger to the public health or welfare or to the  
11 environment.

12               “(C) Demolishing and removing unsafe  
13 buildings and structures, including buildings  
14 and structures at former Coast Guard facilities.

15               “(D) Preventing contamination from haz-  
16 ardous substances and pollutants at current  
17 Coast Guard facilities.

18           “(3)(A) The Secretary shall respond to releases  
19 of hazardous substances and pollutants—

20               “(i) at each Coast Guard facility the  
21 United States owns, leases, or otherwise pos-  
22 sesses;

23               “(ii) at each Coast Guard facility the  
24 United States owned, leased, or otherwise pos-  
25 sessed when the actions leading to contamina-

1           tion from hazardous substances or pollutants  
2           occurred; and

3                   “(iii) on each vessel the Coast Guard owns  
4           or operates.

5                   “(B) Subparagraph (A) of this paragraph does  
6           not apply to a removal or remedial action when a po-  
7           tentially responsible person responds under section  
8           122 of the Comprehensive Environmental Response,  
9           Compensation, and Liability Act (42 U.S.C. 9622).

10                   “(C) The Secretary shall pay a fee or charge  
11           imposed by a State authority for permit services for  
12           disposing of hazardous substances or pollutants from  
13           Coast Guard facilities to the same extent that non-  
14           governmental entities are required to pay for permit  
15           services. This subparagraph does not apply to a pay-  
16           ment that is the responsibility of a lessee, con-  
17           tractor, or other private person.

18                   “(4) The Secretary may agree with another  
19           Federal agency for that agency to assist in carrying  
20           out the Secretary’s responsibilities under this sec-  
21           tion. The Secretary may enter into contracts, coop-  
22           erative agreements, and grant agreements with State  
23           and local governments to assist in carrying out the  
24           Secretary’s responsibilities under this section. Serv-  
25           ices that may be obtained under this paragraph in-

1 include identifying, investigating, and cleaning up off-  
2 site contamination that may have resulted from the  
3 release of a hazardous substance or pollutant at a  
4 Coast Guard facility.

5 “(5) Section 119 of the Comprehensive Envi-  
6 ronmental Response, Compensation, and Liability  
7 Act (42 U.S.C. 9619) applies to response action con-  
8 tractors that carry out response actions under this  
9 section. The Coast Guard shall indemnify response  
10 action contractors to the extent that adequate insur-  
11 ance is not generally available at a fair price at the  
12 time the contractor enters into the contract to cover  
13 the contractor’s reasonable, potential, long-term li-  
14 ability.

15 “(c) ENVIRONMENTAL COMPLIANCE AND RESTORA-  
16 TION ACCOUNT.—

17 “(1) There is established for the Coast Guard  
18 an account known as the Coast Guard Environ-  
19 mental Compliance and Restoration Account. All  
20 sums appropriated to carry out the Coast Guard’s  
21 environmental compliance and restoration functions  
22 under this section or another law shall be credited  
23 or transferred to the account and remain available  
24 until expended.



1           “(2) Funds may be obligated or expended from  
2           the account to carry out the Coast Guard’s environ-  
3           mental compliance and restoration functions under  
4           this section or another law.

5           “(3) In proposing the budget for any fiscal year  
6           under section 1105 of title 31, the President shall  
7           set forth separately the amount requested for the  
8           Coast Guard’s environmental compliance and res-  
9           toration activities under this section or another law.

10           “(4) Amounts recovered under section 107 of  
11           the Comprehensive Environmental Response, Com-  
12           pensation, and Liability Act (42 U.S.C. 9607) for  
13           the Secretary’s response actions at current and  
14           former Coast Guard facilities shall be credited to the  
15           account.

16           “(d) ANNUAL LIST OF PROJECTS TO CONGRESS.—  
17           The Commandant of the Coast Guard shall submit to the  
18           Committee on Transportation and Infrastructure of the  
19           House of Representatives and the Committee on Com-  
20           merce, Science, and Transportation of the Senate a  
21           prioritized list of projects eligible for environmental com-  
22           pliance and restoration funding for each fiscal year con-  
23           current with the President’s budget submission for that  
24           fiscal year.”.

1           (2) CONFORMING REPEALS.—Sections 634,  
2           690, 691, 692, and 693 of title 14, United States  
3           Code, are repealed.

4 **SEC. 4105. CHAPTER 5.**

5           (a) INITIAL MATTER.—Chapter 5 of title 14, United  
6 States Code, is amended by striking the chapter designa-  
7 tion, the chapter heading, and the table of sections at the  
8 beginning and inserting the following:

9           **“CHAPTER 5—FUNCTIONS AND POWERS**

                  “SUBCHAPTER I—GENERAL POWERS

“Sec.

“501. Secretary; general powers.

“502. Delegation of powers by the Secretary.

“503. Regulations.

“504. Commandant; general powers.

“505. Functions and powers vested in the Commandant.

“506. Prospective payment of funds necessary to provide medical care.

“507. Appointment of judges.

                  “SUBCHAPTER II—LIFE SAVING AND LAW ENFORCEMENT AUTHORITIES

“521. Saving life and property.

“522. Law enforcement.

“523. Enforcement authority.

“524. Enforcement of coastwise trade laws.

“525. Special agents of the Coast Guard Investigative Service law enforcement  
                  authority.

“526. Stopping vessels; indemnity for firing at or into vessel.

“527. Safety of naval vessels.

                  “SUBCHAPTER III—AIDS TO NAVIGATION

“541. Aids to navigation authorized.

“542. Unauthorized aids to maritime navigation; penalty.

“543. Interference with aids to navigation; penalty.

“544. Aids to maritime navigation; penalty.

“545. Marking of obstructions.

“546. Deposit of damage payments.

“547. Rewards for apprehension of persons interfering with aids to navigation.

                  “SUBCHAPTER IV—MISCELLANEOUS

“561. Icebreaking in polar regions.

“562. Appeals and waivers.

“563. Notification of certain determinations.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 5 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
92	Secretary; general powers	501
631	Delegation of powers by the Secretary	502
633	Regulations	503
93	Commandant; general powers	504
632	Functions and powers vested in the Commandant	505
520	Prospective payment of funds necessary to provide medical care	506
153	Appointment of judges	507
88	Saving life and property	521
89	Law enforcement	522
99	Enforcement authority	523

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
100	Enforcement of coastwise trade laws	524
95	Special agents of the Coast Guard Investigative Service law enforcement authority	525
637	Stopping vessels; indemnity for firing at or into vessel	526
91	Safety of naval vessels	527
81	Aids to navigation authorized	541
83	Unauthorized aids to maritime navigation; penalty	542
84	Interference with aids to navigation; penalty	543
85	Aids to maritime navigation; penalty	544
86	Marking of obstructions	545
642	Deposit of damage payments	546
643	Rewards for apprehension of persons interfering with aids to navigation	547
87	Icebreaking in polar regions	561
101	Appeals and waivers	562
103	Notification of certain determinations	563

1 (c) ADDITIONAL CHANGES.—Chapter 5 of title 14,  
2 United States Code, is further amended—

3 (1) by inserting before section 501 (as so redesi-  
4 gnated and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER I—GENERAL POWERS”;

7 (2) by inserting before section 521 (as so redesi-  
8 gnated and transferred under subsection (b)) the  
9 following:

1 “SUBCHAPTER II—LIFE SAVING AND LAW  
2 ENFORCEMENT AUTHORITIES”;

3 (3) by inserting before section 541 (as so reded-  
4 igned and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER III—AIDS TO NAVIGATION”;

7 and

8 (4) by inserting before section 561 (as so reded-  
9 igned and transferred under subsection (b)) the  
10 following:

11 “SUBCHAPTER IV—MISCELLANEOUS”.

12 **SEC. 4106. CHAPTER 7.**

13 (a) INITIAL MATTER.—Chapter 7 of title 14, United  
14 States Code, is amended by striking the chapter designa-  
15 tion, the chapter heading, and the table of sections at the  
16 beginning and inserting the following:

17 **“CHAPTER 7—COOPERATION**

“Sec.

“701. Cooperation with other agencies, States, territories, and political subdivi-  
sions.

“702. State Department.

“703. Treasury Department.

“704. Department of the Army and Department of the Air Force.

“705. Navy Department.

“706. United States Postal Service.

“707. Department of Commerce.

“708. Department of Health and Human Services.

“709. Maritime instruction.

“710. Assistance to foreign governments and maritime authorities.

“711. Coast Guard officers as attachés to missions.

“712. Contracts with Government-owned establishments for work and material.

“713. Nonappropriated fund instrumentalities: contracts with other agencies and  
instrumentalities to provide or obtain goods and services.

“714. Arctic maritime domain awareness.

“715. Oceanographic research.

“716. Arctic maritime transportation.

“717. Agreements.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 7 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
141	Cooperation with other agencies, States, territories, and political subdivisions	701
142	State Department	702
143	Treasury Department	703
144	Department of the Army and Department of the Air Force	704
145	Navy Department	705
146	United States Postal Service	706
147	Department of Commerce	707
147a	Department of Health and Human Services	708

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
148	Maritime instruction	709
149	Assistance to foreign governments and maritime authorities	710
150	Coast Guard officers as attachés to missions	711
151	Contracts with Government-owned establishments for work and material	712
152	Nonappropriated fund instrumentalities: contracts with other agencies and instrumentalities to provide or obtain goods and services	713
154	Arctic maritime domain awareness	714
94	Oceanographic research	715
90	Arctic maritime transportation	716
102	Agreements	717

1 **SEC. 4107. CHAPTER 9.**

2 (a) INITIAL MATTER.—Chapter 9 of title 14, United  
3 States Code, is amended by striking the chapter designa-  
4 tion, the chapter heading, and the table of sections at the  
5 beginning and inserting the following:

6 **“CHAPTER 9—ADMINISTRATION**

“SUBCHAPTER I—REAL AND PERSONAL PROPERTY

“Sec.

“901. Disposal of certain material.

“902. Employment of draftsmen and engineers.

“903. Use of certain appropriated funds.

“904. Local hire.

“905. Procurement authority for family housing.

“906. Air Station Cape Cod Improvements.

“907. Long-term lease of special purpose facilities.

“908. Long-term lease authority for lighthouse property.

“909. Small boat station rescue capability.

“910. Small boat station closures.

“911. Search and rescue center standards.

“912. Air facility closures.

- “913. Turnkey selection procedures.  
 “914. Disposition of infrastructure related to E-LORAN.

“SUBCHAPTER II—MISCELLANEOUS

- “931. Oaths required for boards.  
 “932. Administration of oaths.  
 “933. Coast Guard ensigns and pennants.  
 “934. Penalty for unauthorized use of words ‘Coast Guard’.  
 “935. Coast Guard band recordings for commercial sale.  
 “936. Confidentiality of medical quality assurance records; qualified immunity for participants.  
 “937. Admiralty claims against the United States.  
 “938. Claims for damage to property of the United States.  
 “939. Accounting for industrial work.  
 “940. Supplies and equipment from stock.  
 “941. Coast Guard Supply Fund.  
 “942. Public and commercial vessels and other watercraft; sale of fuel, supplies, and services.  
 “943. Arms and ammunition; immunity from taxation.  
 “944. Confidential investigative expenses.  
 “945. Assistance to film producers.  
 “946. User fees.  
 “947. Vessel construction bonding requirements.  
 “948. Contracts for medical care for retirees, dependents, and survivors: alternative delivery of health care.  
 “949. Telephone installation and charges.  
 “950. Designation, powers, and accountability of deputy disbursing officials.  
 “951. Aircraft accident investigations.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
 3 United States Code, identified in the table provided  
 4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
 6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
 8 essary, so that the sections appear after the  
 9 table of sections for chapter 9 of such title (as  
 10 added by subsection (a)), in the order in which  
 11 the sections are presented in the table.



1 (2) TABLE.—The table referred to in paragraph  
 2 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
641	Disposal of certain material	901
653	Employment of draftsmen and engineers	902
656	Use of certain appropriated funds	903
666	Local hire	904
670	Procurement authority for family housing	905
671	Air Station Cape Cod Improvements	906
672	Long-term lease of special purpose facilities	907
672a	Long-term lease authority for lighthouse property	908
674	Small boat station rescue capability	909
675	Small boat station closures	910
676	Search and rescue center standards	911
676a	Air facility closures	912
677	Turnkey selection procedures	913
681	Disposition of infrastructure related to E-LORAN	914
635	Oaths required for boards	931
636	Administration of oaths	932
638	Coast Guard ensigns and pennants	933
639	Penalty for unauthorized use of words “Coast Guard”	934
640	Coast Guard band recordings for commercial sale	935
645	Confidentiality of medical quality assurance records; qualified immunity for participants	936
646	Admiralty claims against the United States	937

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
647	Claims for damage to property of the United States	938
648	Accounting for industrial work	939
649	Supplies and equipment from stock	940
650	Coast Guard Supply Fund	941
654	Public and commercial vessels and other watercraft; sale of fuel, supplies, and services	942
655	Arms and ammunition; immunity from taxation	943
658	Confidential investigative expenses	944
659	Assistance to film producers	945
664	User fees	946
667	Vessel construction bonding requirements	947
668	Contracts for medical care for retirees, dependents, and survivors: alternative delivery of health care	948
669	Telephone installation and charges	949
673	Designation, powers, and accountability of deputy disbursing officials	950
678	Aircraft accident investigations	951

1 (c) ADDITIONAL CHANGES.—Chapter 9 of title 14,  
2 United States Code, is further amended—

3 (1) by inserting before section 901 (as so reded-  
4 igned and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER I—REAL AND PERSONAL  
7 PROPERTY”;

8 and

1           (2) by inserting before section 931 (as so reded-  
 2           ignated and transferred under subsection (b)) the  
 3           following:

4           “SUBCHAPTER II—MISCELLANEOUS”.

5   **SEC. 4108. CHAPTER 11.**

6           (a) INITIAL MATTER.—Chapter 11 of title 14, United  
 7   States Code, is amended by striking the chapter designa-  
 8   tion, the chapter heading, and the table of sections at the  
 9   beginning and inserting the following:

10           **“CHAPTER 11—ACQUISITIONS**

                  “SUBCHAPTER I—GENERAL PROVISIONS

“Sec.

“1101. Acquisition directorate.

“1102. Improvements in Coast Guard acquisition management.

“1103. Role of Vice Commandant in major acquisition programs.

“1104. Recognition of Coast Guard personnel for excellence in acquisition.

“1105. Prohibition on use of lead systems integrators.

“1106. Required contract terms.

“1107. Extension of major acquisition program contracts.

“1108. Department of Defense consultation.

“1109. Undefined contractual actions.

“1110. Guidance on excessive pass-through charges.

“1111. Mission need statement.

                  “SUBCHAPTER II—IMPROVED ACQUISITION PROCESS AND PROCEDURES

“1131. Identification of major system acquisitions.

“1132. Acquisition.

“1133. Preliminary development and demonstration.

“1134. Acquisition, production, deployment, and support.

“1135. Acquisition program baseline breach.

“1136. Acquisition approval authority.

                  “SUBCHAPTER III—PROCUREMENT

“1151. Restriction on construction of vessels in foreign shipyards.

“1152. Advance procurement funding.

“1153. Prohibition on overhaul, repair, and maintenance of Coast Guard vessels  
                   in foreign shipyards.

“1154. Procurement of buoy chain.

                  “SUBCHAPTER IV—DEFINITIONS

“1171. Definitions.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 11 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
561	Acquisition directorate	1101
562	Improvements in Coast Guard acquisition management	1102
578	Role of Vice Commandant in major acquisition programs	1103
563	Recognition of Coast Guard personnel for excellence in acquisition	1104
564	Prohibition on use of lead systems integrators	1105
565	Required contract terms	1106
579	Extension of major acquisition program contracts	1107
566	Department of Defense consultation	1108
567	Undefinitized contractual actions	1109

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
568	Guidance on excessive pass-through charges	1110
569	Mission need statement	1111
571	Identification of major system acquisitions	1131
572	Acquisition	1132
573	Preliminary development and demonstration	1133
574	Acquisition, production, deployment, and support	1134
575	Acquisition program baseline breach	1135
576	Acquisition approval authority	1136
665	Restriction on construction of vessels in foreign shipyards	1151
577	Advance procurement funding	1152
96	Prohibition on overhaul, repair, and maintenance of Coast Guard vessels in foreign shipyards	1153
97	Procurement of buoy chain	1154
581	Definitions	1171

1 (c) ADDITIONAL CHANGES.—Chapter 11 of title 14,  
2 United States Code, is further amended—

3 (1) by striking all subdivision designations and  
4 headings in such chapter, except for—

5 (A) the chapter designation and heading  
6 added by subsection (a);

7 (B) the subchapter designations and head-  
8 ings added by this subsection; and

9 (C) any designation or heading of a section  
10 or a subdivision of a section;

1 (2) by inserting before section 1101 (as so re-  
 2 designated and transferred under subsection (b)) the  
 3 following:

4 “SUBCHAPTER I—GENERAL PROVISIONS”;

5 (3) by inserting before section 1131 (as so re-  
 6 designated and transferred under subsection (b)) the  
 7 following:

8 “SUBCHAPTER II—IMPROVED ACQUISITION  
 9 PROCESS AND PROCEDURES”;

10 (4) by inserting before section 1151 (as so re-  
 11 designated and transferred under subsection (b)) the  
 12 following:

13 “SUBCHAPTER III—PROCUREMENT”;

14 and

15 (5) by inserting before section 1171 (as so re-  
 16 designated and transferred under subsection (b)) the  
 17 following:

18 “SUBCHAPTER IV—DEFINITIONS”.

19 **SEC. 4109. SUBTITLE II.**

20 (a) INITIAL MATTER.—Title 14, United States Code,  
 21 is further amended by inserting after chapter 11 (as  
 22 amended by section 4108 of this title) the following:

23 **“Subtitle II—Personnel**

“Chap.	Sec.
“19. Coast Guard Academy .....	1901
“21. Personnel; Officers .....	2101
“23. Personnel; Enlisted .....	2301
“25. Personnel; General Provisions .....	2501

<b>“27. Pay, Allowances, Awards, and Other Rights and Benefits .....</b>	<b>2701</b>
<b>“29. Coast Guard Family Support, Child Care, and Housing .....</b>	<b>2901”.</b>

1 (b) RESERVED CHAPTER NUMBERS.—

2 (1) CHAPTER 13.—Chapter 13 of title 14,  
3 United States Code, is amended by striking the  
4 chapter designation, the chapter heading, and the  
5 table of sections at the beginning.

6 (2) CHAPTER 14.—Chapter 14 of title 14,  
7 United States Code, is amended—

8 (A) by striking the chapter designation,  
9 the chapter heading, and the table of sections  
10 at the beginning; and

11 (B) by striking the subchapter designation  
12 and the subchapter heading for each of the sub-  
13 chapters of such chapter.

14 (3) CHAPTER 15.—Chapter 15 of title 14,  
15 United States Code, is amended—

16 (A) by striking the chapter designation,  
17 the chapter heading, and the table of sections  
18 at the beginning; and

19 (B) by striking the subchapter designation  
20 and the subchapter heading for each of the sub-  
21 chapters of such chapter.

22 (4) CHAPTER 17.—Chapter 17 of title 14,  
23 United States Code, is amended by striking the

1 chapter designation, the chapter heading, and the  
2 table of sections at the beginning.

3 (5) CHAPTER 18.—Chapter 18 of title 14,  
4 United States Code, is amended by striking the  
5 chapter designation, the chapter heading, and the  
6 table of sections at the beginning.

7 **SEC. 4110. CHAPTER 19.**

8 (a) INITIAL MATTER.—Chapter 19 of title 14, United  
9 States Code, is amended by striking the chapter designa-  
10 tion, the chapter heading, and the table of sections at the  
11 beginning and inserting the following:

12 **“CHAPTER 19—COAST GUARD ACADEMY**

“SUBCHAPTER I—ADMINISTRATION

“Sec.

“1901. Administration of Academy.

“1902. Policy on sexual harassment and sexual violence.

“1903. Annual Board of Visitors.

“1904. Participation in Federal, State, or other educational research grants.

“SUBCHAPTER II—CADETS

“1921. Corps of Cadets authorized strength.

“1922. Appointments.

“1923. Admission of foreign nationals for instruction; restrictions; conditions.

“1924. Conduct.

“1925. Agreement.

“1926. Cadet applicants; preappointment travel to Academy.

“1927. Cadets; initial clothing allowance.

“1928. Cadets; degree of bachelor of science.

“1929. Cadets; appointment as ensign.

“1930. Cadets: charges and fees for attendance; limitation.

“SUBCHAPTER III—FACULTY

“1941. Civilian teaching staff.

“1942. Permanent commissioned teaching staff; composition.

“1943. Appointment of permanent commissioned teaching staff.

“1944. Grade of permanent commissioned teaching staff.

“1945. Retirement of permanent commissioned teaching staff.

“1946. Credit for service as member of civilian teaching staff.



“1947. Assignment of personnel as instructors.

“1948. Marine safety curriculum.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 19 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
181	Administration of Academy	1901
200	Policy on sexual harassment and sexual violence	1902
194	Annual Board of Visitors	1903
196	Participation in Federal, State, or other educational research grants	1904
195	Admission of foreign nationals for instruction; restrictions; conditions	1923
181a	Cadet applicants; preappointment travel to Academy	1926
183	Cadets; initial clothing allowance	1927

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
184	Cadets; degree of bachelor of science	1928
185	Cadets; appointment as ensign	1929
197	Cadets: charges and fees for attendance; limitation	1930
186	Civilian teaching staff	1941
187	Permanent commissioned teaching staff; composition	1942
188	Appointment of permanent commissioned teaching staff	1943
189	Grade of permanent commissioned teaching staff	1944
190	Retirement of permanent commissioned teaching staff	1945
191	Credit for service as member of civilian teaching staff	1946
192	Assignment of personnel as instructors	1947
199	Marine safety curriculum	1948

1 (c) ADDITIONAL CHANGES.—

2 (1) IN GENERAL.—Chapter 19 of title 14,  
3 United States Code, is further amended—

4 (A) by inserting before section 1901 (as so  
5 redesignated and transferred under subsection

6 (b)) the following:

7 “SUBCHAPTER I—ADMINISTRATION”;

8 (B) by inserting before section 1923 (as so  
9 redesignated and transferred under subsection

10 (b)) the following:

## 1                   “SUBCHAPTER II—CADETS

2   **“§ 1921. Corps of Cadets authorized strength**

3           “The number of cadets appointed annually to the  
4 Academy shall be as determined by the Secretary but the  
5 number appointed in any one year shall not exceed six  
6 hundred.

7   **“§ 1922. Appointments**

8           “Appointments to cadetships shall be made under  
9 regulations prescribed by the Secretary, who shall deter-  
10 mine age limits, methods of selection of applicants, term  
11 of service as a cadet before graduation, and all other mat-  
12 ters affecting such appointments. In the administration of  
13 this section, the Secretary shall take such action as may  
14 be necessary and appropriate to insure that female individ-  
15 uals shall be eligible for appointment and admission to the  
16 Coast Guard Academy, and that the relevant standards  
17 required for appointment, admission, training, graduation,  
18 and commissioning of female individuals shall be the same  
19 as those required for male individuals, except for those  
20 minimum essential adjustments in such standards re-  
21 quired because of physiological differences between male  
22 and female individuals.”;

23                   (C) by inserting before section 1926 (as so  
24                   redesignated and transferred under subsection  
25                   (b)) the following:

1 **“§ 1924. Conduct**

2 “The Secretary may summarily dismiss from the  
3 Coast Guard any cadet who, during his cadetship, is found  
4 unsatisfactory in either studies or conduct, or may be  
5 deemed not adapted for a career in the Coast Guard. Ca-  
6 dets shall be subject to rules governing discipline pre-  
7 scribed by the Commandant.

8 **“§ 1925. Agreement**

9 “(a) Each cadet shall sign an agreement with respect  
10 to the cadet’s length of service in the Coast Guard. The  
11 agreement shall provide that the cadet agrees to the fol-  
12 lowing:

13 “(1) That the cadet will complete the course of  
14 instruction at the Coast Guard Academy.

15 “(2) That upon graduation from the Coast  
16 Guard Academy the cadet—

17 “(A) will accept an appointment, if ten-  
18 dered, as a commissioned officer of the Coast  
19 Guard; and

20 “(B) will serve on active duty for at least  
21 five years immediately after such appointment.

22 “(3) That if an appointment described in para-  
23 graph (2) is not tendered or if the cadet is permitted  
24 to resign as a regular officer before the completion  
25 of the commissioned service obligation of the cadet,  
26 the cadet—

1           “(A) will accept an appointment as a com-  
2           missioned officer in the Coast Guard Reserve;  
3           and

4           “(B) will remain in that reserve component  
5           until completion of the commissioned service ob-  
6           ligation of the cadet.

7           “(b)(1) The Secretary may transfer to the Coast  
8           Guard Reserve, and may order to active duty for such pe-  
9           riod of time as the Secretary prescribes (but not to exceed  
10          four years), a cadet who breaches an agreement under  
11          subsection (a). The period of time for which a cadet is  
12          ordered to active duty under this paragraph may be deter-  
13          mined without regard to section 651(a) of title 10.

14          “(2) A cadet who is transferred to the Coast Guard  
15          Reserve under paragraph (1) shall be transferred in an  
16          appropriate enlisted grade or rating, as determined by the  
17          Secretary.

18          “(3) For the purposes of paragraph (1), a cadet shall  
19          be considered to have breached an agreement under sub-  
20          section (a) if the cadet is separated from the Coast Guard  
21          Academy under circumstances which the Secretary deter-  
22          mines constitute a breach by the cadet of the cadet’s  
23          agreement to complete the course of instruction at the  
24          Coast Guard Academy and accept an appointment as a

1 commissioned officer upon graduation from the Coast  
2 Guard Academy.

3 “(c) The Secretary shall prescribe regulations to  
4 carry out this section. Those regulations shall include—

5 “(1) standards for determining what con-  
6 stitutes, for the purpose of subsection (b), a breach  
7 of an agreement under subsection (a);

8 “(2) procedures for determining whether such a  
9 breach has occurred; and

10 “(3) standards for determining the period of  
11 time for which a person may be ordered to serve on  
12 active duty under subsection (b).

13 “(d) In this section, ‘commissioned service obliga-  
14 tion’, with respect to an officer who is a graduate of the  
15 Academy, means the period beginning on the date of the  
16 officer’s appointment as a commissioned officer and end-  
17 ing on the sixth anniversary of such appointment or, at  
18 the discretion of the Secretary, any later date up to the  
19 eighth anniversary of such appointment.

20 “(e)(1) This section does not apply to a cadet who  
21 is not a citizen or national of the United States.

22 “(2) In the case of a cadet who is a minor and who  
23 has parents or a guardian, the cadet may sign the agree-  
24 ment required by subsection (a) only with the consent of  
25 the parent or guardian.

1 “(f) A cadet or former cadet who does not fulfill the  
 2 terms of the obligation to serve as specified under section  
 3 (a), or the alternative obligation imposed under subsection  
 4 (b), shall be subject to the repayment provisions of section  
 5 303a(e) of title 37.”; and

6 (D) by inserting before section 1941 (as so  
 7 redesignated and transferred under subsection  
 8 (b)) the following:

9 “SUBCHAPTER III—FACULTY”.

10 (2) CONFORMING REPEAL.—Section 182 of title  
 11 14, United States Code, is repealed.

12 **SEC. 4111. PART II.**

13 Part II of title 14, United States Code, is amended  
 14 by striking the part designation, the part heading, and the  
 15 table of chapters at the beginning.

16 **SEC. 4112. CHAPTER 21.**

17 (a) INITIAL MATTER.—Chapter 21 of title 14, United  
 18 States Code, is amended by striking the chapter designa-  
 19 tion, the chapter heading, and the table of sections at the  
 20 beginning and inserting the following:

21 **“CHAPTER 21—PERSONNEL; OFFICERS**

“SUBCHAPTER I—APPOINTMENT AND PROMOTION

“Sec.

“2101. Original appointment of permanent commissioned officers.

“2102. Active duty promotion list.

“2103. Number and distribution of commissioned officers on active duty pro-  
 motion list.

“2104. Appointment of temporary officers.

“2105. Rank of warrant officers.

- “2106. Selection boards; convening of boards.
  - “2107. Selection boards; composition of boards.
  - “2108. Selection boards; notice of convening; communication with board.
  - “2109. Selection boards; oath of members.
  - “2110. Number of officers to be selected for promotion.
  - “2111. Promotion zones.
  - “2112. Promotion year; defined.
  - “2113. Eligibility of officers for consideration for promotion.
  - “2114. United States Deputy Marshals in Alaska.
  - “2115. Selection boards; information to be furnished boards.
  - “2116. Officers to be recommended for promotion.
  - “2117. Selection boards; reports.
  - “2118. Selection boards; submission of reports.
  - “2119. Failure of selection for promotion.
  - “2120. Special selection boards; correction of errors.
  - “2121. Promotions; appointments.
  - “2122. Removal of officer from list of selectees for promotion.
  - “2123. Promotions; acceptance; oath of office.
  - “2124. Promotions; pay and allowances.
  - “2125. Wartime temporary service promotions.
  - “2126. Promotion of officers not included on active duty promotion list.
  - “2127. Recall to active duty during war or national emergency.
  - “2128. Recall to active duty with consent of officer.
  - “2129. Aviation cadets; appointment as Reserve officers.
- “SUBCHAPTER II—DISCHARGES; RETIREMENTS; REVOCATION OF COMMISSIONS;  
SEPARATION FOR CAUSE
- “2141. Revocation of commissions during first five years of commissioned service.
  - “2142. Regular lieutenants (junior grade); separation for failure of selection for promotion.
  - “2143. Regular lieutenants; separation for failure of selection for promotion; continuation.
  - “2144. Regular Coast Guard; officers serving under temporary appointments.
  - “2145. Regular lieutenant commanders and commanders; retirement for failure of selection for promotion.
  - “2146. Discharge in lieu of retirement; separation pay.
  - “2147. Regular warrant officers: separation pay.
  - “2148. Separation for failure of selection for promotion or continuation; time of.
  - “2149. Regular captains; retirement.
  - “2150. Captains; continuation on active duty; involuntary retirement.
  - “2151. Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirement.
  - “2152. Voluntary retirement after twenty years’ service.
  - “2153. Voluntary retirement after thirty years’ service.
  - “2154. Compulsory retirement.
  - “2155. Retirement for physical disability after selection for promotion; grade in which retired.
  - “2156. Deferment of retirement or separation for medical reasons.
  - “2157. Flag officers.
  - “2158. Review of records of officers.
  - “2159. Boards of inquiry.
  - “2160. Boards of review.



“2161. Composition of boards.

“2162. Rights and procedures.

“2163. Removal of officer from active duty; action by Secretary.

“2164. Officers considered for removal; retirement or discharge; separation benefits.

“2165. Relief of retired officer promoted while on active duty.

“SUBCHAPTER III—GENERAL PROVISIONS

“2181. Physical fitness of officers.

“2182. Multirater assessment of certain personnel.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 21 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
211	Original appointment of permanent commissioned officers	2101
41a	Active duty promotion list	2102
42	Number and distribution of commissioned officers on active duty promotion list	2103
214	Appointment of temporary officers	2104

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
215	Rank of warrant officers	2105
251	Selection boards; convening of boards	2106
252	Selection boards; composition of boards	2107
253	Selection boards; notice of convening; communication with board	2108
254	Selection boards; oath of members	2109
255	Number of officers to be selected for promotion	2110
256	Promotion zones	2111
256a	Promotion year; defined	2112
257	Eligibility of officers for consideration for promotion	2113
258	Selection boards; information to be furnished boards	2115
259	Officers to be recommended for promotion	2116
260	Selection boards; reports	2117
261	Selection boards; submission of reports	2118
262	Failure of selection for promotion	2119
263	Special selection boards; correction of errors	2120
271	Promotions; appointments	2121
272	Removal of officer from list of selectees for promotion	2122
273	Promotions; acceptance; oath of office	2123
274	Promotions; pay and allowances	2124
275	Wartime temporary service promotions	2125
276	Promotion of officers not included on active duty promotion list	2126
331	Recall to active duty during war or national emergency	2127
332	Recall to active duty with consent of officer	2128

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
373	Aviation cadets; appointment as Reserve officers	2129
281	Revocation of commissions during first five years of commissioned service	2141
282	Regular lieutenants (junior grade); separation for failure of selection for promotion	2142
283	Regular lieutenants; separation for failure of selection for promotion; continuation	2143
284	Regular Coast Guard; officers serving under temporary appointments	2144
285	Regular lieutenant commanders and commanders; retirement for failure of selection for promotion	2145
286	Discharge in lieu of retirement; separation pay	2146
286a	Regular warrant officers: separation pay	2147
287	Separation for failure of selection for promotion or continuation; time of	2148
288	Regular captains; retirement	2149
289	Captains; continuation on active duty; involuntary retirement	2150
290	Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirement	2151
291	Voluntary retirement after twenty years' service	2152
292	Voluntary retirement after thirty years' service	2153
293	Compulsory retirement	2154
294	Retirement for physical disability after selection for promotion; grade in which retired	2155
295	Deferment of retirement or separation for medical reasons	2156
296	Flag officers	2157
321	Review of records of officers	2158

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
322	Boards of inquiry	2159
323	Boards of review	2160
324	Composition of boards	2161
325	Rights and procedures	2162
326	Removal of officer from active duty; action by Secretary	2163
327	Officers considered for removal; retirement or discharge; separation benefits	2164
333	Relief of retired officer promoted while on active duty	2165
335	Physical fitness of officers	2181
429	Multirater assessment of certain personnel	2182

1 (c) ADDITIONAL CHANGES.—Chapter 21 of title 14,  
2 United States Code, is further amended—

3 (1) by striking all subchapter designations and  
4 headings in such chapter, except for the subchapter  
5 designations and headings added by this subsection;

6 (2) by inserting before section 2101 (as so re-  
7 designated and transferred under subsection (b)) the  
8 following:

9 “SUBCHAPTER I—APPOINTMENT AND  
10 PROMOTION”;

11 (3) by inserting before section 2115 (as so re-  
12 designated and transferred under subsection (b)) the  
13 following:

1 **“§ 2114. United States Deputy Marshals in Alaska**

2 “Commissioned officers may be appointed as United  
3 States Deputy Marshals in Alaska.”;

4 (4) by inserting before section 2141 (as so re-  
5 designated and transferred under subsection (b)) the  
6 following:

7 “SUBCHAPTER II—DISCHARGES; RETIRE-  
8 MENTS; REVOCATION OF COMMISSIONS;  
9 SEPARATION FOR CAUSE”;

10 and

11 (5) by inserting before section 2181 (as so re-  
12 designated and transferred under subsection (b)) the  
13 following:

14 “SUBCHAPTER III—GENERAL PROVISIONS”.

15 **SEC. 4113. CHAPTER 23.**

16 (a) INITIAL MATTER.—Chapter 23 of title 14, United  
17 States Code, is amended by striking the chapter designa-  
18 tion, the chapter heading, and the table of sections at the  
19 beginning and inserting the following:

20 **“CHAPTER 23—PERSONNEL; ENLISTED**

“Sec.

“2301. Recruiting campaigns.

“2302. Enlistments; term, grade.

“2303. Promotion.

“2304. Compulsory retirement at age of sixty-two.

“2305. Voluntary retirement after thirty years’ service.

“2306. Voluntary retirement after twenty years’ service.

“2307. Retirement of enlisted members: increase in retired pay.

“2308. Recall to active duty during war or national emergency.

“2309. Recall to active duty with consent of member.

“2310. Relief of retired enlisted member promoted while on active duty.

“2311. Retirement in cases where higher grade or rating has been held.

“2312. Extension of enlistments.

“2313. Retention beyond term of enlistment in case of disability.

“2314. Detention beyond term of enlistment.

“2315. Inclusion of certain conditions in enlistment contract.

“2316. Discharge within three months before expiration of enlistment.

“2317. Aviation cadets; procurement; transfer.

“2318. Aviation cadets; benefits.

“2319. Critical skill training bonus.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 23 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
350	Recruiting campaigns	2301
351	Enlistments; term, grade	2302
352	Promotion	2303
353	Compulsory retirement at age of sixty-two	2304
354	Voluntary retirement after thirty years' service	2305
355	Voluntary retirement after twenty years' service	2306

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
357	Retirement of enlisted members: increase in retired pay	2307
359	Recall to active duty during war or national emergency	2308
360	Recall to active duty with consent of member	2309
361	Relief of retired enlisted member promoted while on active duty	2310
362	Retirement in cases where higher grade or rating has been held	2311
365	Extension of enlistments	2312
366	Retention beyond term of enlistment in case of disability	2313
367	Detention beyond term of enlistment	2314
369	Inclusion of certain conditions in enlistment contract	2315
370	Discharge within three months before expiration of enlistment	2316
371	Aviation cadets; procurement; transfer	2317
372	Aviation cadets; benefits	2318
374	Critical skill training bonus	2319

1 **SEC. 4114. CHAPTER 25.**

2 (a) INITIAL MATTER.—Chapter 25 of title 14, United  
3 States Code, is amended by striking the chapter designa-  
4 tion, the chapter heading, and the table of sections at the  
5 beginning and inserting the following:

6 **“CHAPTER 25—PERSONNEL; GENERAL**  
7 **PROVISIONS**

“SUBCHAPTER I—GENERAL PROVISIONS

- “Sec.  
 “2501. Grade on retirement.  
 “2502. Retirement.  
 “2503. Status of recalled personnel.  
 “2504. Computation of retired pay.  
 “2505. Limitations on retirement and retired pay.  
 “2506. Suspension of payment of retired pay of members who are absent from  
 the United States to avoid prosecution.  
 “2507. Board for Correction of Military Records deadline.  
 “2508. Emergency leave retention authority.  
 “2509. Prohibition of certain involuntary administrative separations.  
 “2510. Sea service letters.  
 “2511. Investigations of flag officers and Senior Executive Service employees.  
 “2512. Leave policies for the Coast Guard.  
 “2513. Computation of length of service.

“SUBCHAPTER II—LIGHTHOUSE SERVICE

“2531. Personnel of former Lighthouse Service.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
 3 United States Code, identified in the table provided  
 4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
 6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
 8 essary, so that the sections appear after the  
 9 table of sections for chapter 25 of such title (as  
 10 added by subsection (a)), in the order in which  
 11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
 13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
334	Grade on retirement	2501



Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
421	Retirement	2502
422	Status of recalled personnel	2503
423	Computation of retired pay	2504
424	Limitations on retirement and retired pay	2505
424a	Suspension of payment of retired pay of members who are absent from the United States to avoid prosecution	2506
425	Board for Correction of Military Records deadline	2507
426	Emergency leave retention authority	2508
427	Prohibition of certain involuntary administrative separations	2509
428	Sea service letters	2510
430	Investigations of flag officers and Senior Executive Service employees	2511
431	Leave policies for the Coast Guard	2512
467	Computation of length of service	2513
432	Personnel of former Lighthouse Service	2531

1 (c) ADDITIONAL CHANGES.—Chapter 25 of title 14,  
2 United States Code, is further amended—

3 (1) by inserting before section 2501 (as so re-  
4 designated and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER I—GENERAL PROVISIONS”;

7 and

1           (2) by inserting before section 2531 (as so re-  
2           designated and transferred under subsection (b)) the  
3           following:

4           “SUBCHAPTER II—LIGHTHOUSE SERVICE”.

5   **SEC. 4115. PART III.**

6           Part III of title 14, United States Code, is amended  
7           by striking the part designation, the part heading, and the  
8           table of chapters at the beginning.

9   **SEC. 4116. CHAPTER 27.**

10          (a) INITIAL MATTER.—Chapter 27 of title 14, United  
11          States Code, is amended by striking the chapter designa-  
12          tion, the chapter heading, and the table of sections at the  
13          beginning and inserting the following:

14   **“CHAPTER           27—PAY,           ALLOWANCES,**  
15   **AWARDS, AND OTHER RIGHTS AND**  
16   **BENEFITS**

          “SUBCHAPTER I—PERSONNEL RIGHTS AND BENEFITS

“Sec.

“2701. Procurement of personnel.

“2702. Training.

“2703. Contingent expenses.

“2704. Equipment to prevent accidents.

“2705. Clothing at time of discharge for good of service.

“2706. Right to wear uniform.

“2707. Protection of uniform.

“2708. Clothing for officers and enlisted personnel.

“2709. Procurement and sale of stores to members and civilian employees.

“2710. Disposition of effects of decedents.

“2711. Deserters; payment of expenses incident to apprehension and delivery;  
          penalties.

“2712. Payment for the apprehension of stragglers.

          “SUBCHAPTER II—AWARDS

“2731. Delegation of powers to make awards; rules and regulations.

“2732. Medal of honor.

- “2733. Medal of honor: duplicate medal.
- “2734. Medal of honor: presentation of Medal of Honor Flag.
- “2735. Coast Guard cross.
- “2736. Distinguished service medal.
- “2737. Silver star medal.
- “2738. Distinguished flying cross.
- “2739. Coast Guard medal.
- “2740. Insignia for additional awards.
- “2741. Time limit on award; report concerning deed.
- “2742. Honorable subsequent service as condition to award.
- “2743. Posthumous awards.
- “2744. Life-saving medals.
- “2745. Replacement of medals.
- “2746. Award of other medals.
- “2747. Awards and insignia for excellence in service or conduct.
- “2748. Presentation of United States flag upon retirement.

“SUBCHAPTER III—PAYMENTS

- “2761. Persons discharged as result of court-martial; allowances to.
- “2762. Shore patrol duty; payment of expenses.
- “2763. Compensatory absence from duty for military personnel at isolated duty stations.
- “2764. Monetary allowance for transportation of household effects.
- “2765. Retroactive payment of pay and allowances delayed by administrative error or oversight.
- “2766. Travel card management.
- “2767. Reimbursement for medical-related travel expenses for certain persons residing on islands in the continental United States.
- “2768. Annual audit of pay and allowances of members undergoing permanent change of station.
- “2769. Remission of indebtedness.
- “2770. Special instruction at universities.
- “2771. Attendance at professional meetings.
- “2772. Education loan repayment program.
- “2773. Rations or commutation therefor in money.
- “2774. Sales of ration supplies to messes.
- “2775. Flight rations.
- “2776. Payments at time of discharge for good of service.
- “2777. Clothing for destitute shipwrecked persons.
- “2778. Advancement of public funds to personnel.
- “2779. Transportation to and from certain places of employment.”.

1           (b) REDESIGNATIONS AND TRANSFERS.—

2                   (1) REQUIREMENT.—The sections of title 14,  
 3           United States Code, identified in the table provided  
 4           in paragraph (2) are amended—

5                           (A) by redesignating the sections as de-  
 6                           scribed in the table; and

1 (B) by transferring the sections, as nec-  
 2 essary, so that the sections appear after the  
 3 table of sections for chapter 27 of such title (as  
 4 added by subsection (a)), in the order in which  
 5 the sections are presented in the table.

6 (2) TABLE.—The table referred to in paragraph  
 7 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
468	Procurement of personnel	2701
469	Training	2702
476	Contingent expenses	2703
477	Equipment to prevent accidents	2704
482	Clothing at time of discharge for good of service	2705
483	Right to wear uniform	2706
484	Protection of uniform	2707
485	Clothing for officers and enlisted personnel	2708
487	Procurement and sale of stores to members and civilian employees	2709
507	Disposition of effects of decedents	2710
508	Deserters; payment of expenses incident to apprehension and delivery; penalties	2711
644	Payment for the apprehension of stragglers	2712
499	Delegation of powers to make awards; rules and regulations	2731
491	Medal of honor	2732
504	Medal of honor: duplicate medal	2733

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
505	Medal of honor: presentation of Medal of Honor Flag	2734
491a	Coast Guard cross	2735
492	Distinguished service medal	2736
492a	Silver star medal	2737
492b	Distinguished flying cross	2738
493	Coast Guard medal	2739
494	Insignia for additional awards	2740
496	Time limit on award; report concerning deed	2741
497	Honorable subsequent service as condition to award	2742
498	Posthumous awards	2743
500	Life-saving medals	2744
501	Replacement of medals	2745
502	Award of other medals	2746
503	Awards and insignia for excellence in service or conduct	2747
516	Presentation of United States flag upon retirement	2748
509	Persons discharged as result of court-martial; allowances to	2761
510	Shore patrol duty; payment of expenses	2762
511	Compensatory absence from duty for military personnel at isolated duty stations	2763
512	Monetary allowance for transportation of household effects	2764
513	Retroactive payment of pay and allowances delayed by administrative error or oversight	2765
517	Travel card management	2766

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
518	Reimbursement for medical-related travel expenses for certain persons residing on islands in the continental United States	2767
519	Annual audit of pay and allowances of members undergoing permanent change of station	2768
461	Remission of indebtedness	2769
470	Special instruction at universities	2770
471	Attendance at professional meetings	2771
472	Education loan repayment program	2772
478	Rations or commutation therefor in money	2773
479	Sales of ration supplies to messes	2774
480	Flight rations	2775
481	Payments at time of discharge for good of service	2776
486	Clothing for destitute shipwrecked persons	2777
488	Advancement of public funds to personnel	2778
660	Transportation to and from certain places of employment	2779

1 (c) ADDITIONAL CHANGES.—Chapter 27 of title 14,  
2 United States Code, is further amended—

3 (1) by inserting before section 2701 (as so re-  
4 designated and transferred under subsection (b)) the  
5 following:

1 “SUBCHAPTER I—PERSONNEL RIGHTS AND  
2 BENEFITS”;

3 (2) by inserting before section 2731 (as so re-  
4 designated and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER II—AWARDS”;

7 and

8 (3) by inserting before section 2761 (as so re-  
9 designated and transferred under subsection (b)) the  
10 following:

11 “SUBCHAPTER III—PAYMENTS”.

12 **SEC. 4117. CHAPTER 29.**

13 (a) INITIAL MATTER.—Chapter 29 of title 14, United  
14 States Code, is amended by striking the chapter designa-  
15 tion, the chapter heading, and the table of sections at the  
16 beginning and inserting the following:

17 **“CHAPTER 29—COAST GUARD FAMILY**  
18 **SUPPORT, CHILD CARE, AND HOUSING**

“SUBCHAPTER I—COAST GUARD FAMILIES

“Sec.

“2901. Work-life policies and programs.

“2902. Surveys of Coast Guard families.

“2903. Reimbursement for adoption expenses.

“2904. Education and training opportunities for Coast Guard spouses.

“2905. Youth sponsorship initiatives.

“2906. Dependent school children.

“SUBCHAPTER II—COAST GUARD CHILD CARE

“2921. Definitions.

“2922. Child development services.

“2923. Child development center standards and inspections.

“2924. Child development center employees.

“2925. Parent partnerships with child development centers.

“SUBCHAPTER III—HOUSING

“2941. Definitions.

“2942. General authority.

“2943. Leasing and hiring of quarters; rental of inadequate housing.

“2944. Retired service members and dependents serving on advisory committees.

“2945. Conveyance of real property.

“2946. Coast Guard Housing Fund.

“2947. Reports.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 29 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
531	Work-life policies and programs	2901
532	Surveys of Coast Guard families	2902
541	Reimbursement for adoption expenses	2903
542	Education and training opportunities for Coast Guard spouses	2904



Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
543	Youth sponsorship initiatives	2905
544	Dependent school children	2906
551	Definitions	2921
552	Child development services	2922
553	Child development center standards and inspections	2923
554	Child development center employees	2924
555	Parent partnerships with child development centers	2925
680	Definitions	2941
681	General authority	2942
475	Leasing and hiring of quarters; rental of inadequate housing	2943
680	Retired service members and dependents serving on advisory committees	2944
685	Conveyance of real property	2945
687	Coast Guard Housing Fund	2946
688	Reports	2947

1 (c) ADDITIONAL CHANGES.—Chapter 29 of title 14,  
2 United States Code, is further amended—

3 (1) by inserting before section 2901 (as so re-  
4 designated and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER I—COAST GUARD FAMILIES”;

7 (2) by inserting before section 2921 (as so re-  
8 designated and transferred under subsection (b)) the  
9 following:

1 “SUBCHAPTER II—COAST GUARD CHILD CARE”;

2 and

3 (3) by inserting before section 2941 (as so re-  
 4 designated and transferred under subsection (b)) the  
 5 following:

6 “SUBCHAPTER III—HOUSING”.

7 **SEC. 4118. SUBTITLE III AND CHAPTER 37.**

8 (a) INITIAL MATTER.—Title 14, United States Code,  
 9 is further amended by adding after chapter 29 (as amend-  
 10 ed by section 4117 of this title) the following:

11 **“Subtitle III—Coast Guard Reserve**  
 12 **and Auxiliary**

“Chap.	Sec.
<b>“37. Coast Guard Reserve</b> .....	<b>3701</b>
<b>“39. Coast Guard Auxiliary</b> .....	<b>3901</b>
<b>“41. General Provisions for Coast Guard Reserve and Auxiliary</b> .....	<b>4101</b>

13 **“CHAPTER 1—COAST GUARD RESERVE**

“SUBCHAPTER I—ADMINISTRATION

“Sec.

“3701. Organization.

“3702. Authorized strength.

“3703. Coast Guard Reserve Boards.

“3704. Grades and ratings; military authority.

“3705. Benefits.

“3706. Temporary members of the Reserve; eligibility and compensation.

“3707. Temporary members of the Reserve; disability or death benefits.

“3708. Temporary members of the Reserve; certificate of honorable service.

“3709. Reserve student aviation pilots; Reserve aviation pilots; appointments in  
 commissioned grade.

“3710. Reserve student pre-commissioning assistance program.

“3711. Appointment or wartime promotion; retention of grade upon release from  
 active duty.

“3712. Exclusiveness of service.

“3713. Active duty for emergency augmentation of regular forces.

“3714. Enlistment of members engaged in schooling.

“SUBCHAPTER II—PERSONNEL

- “3731. Definitions.
- “3732. Applicability of this subchapter.
- “3733. Suspension of this subchapter in time of war or national emergency.
- “3734. Effect of this subchapter on retirement and retired pay.
- “3735. Authorized number of officers.
- “3736. Precedence.
- “3737. Running mates.
- “3738. Constructive credit upon initial appointment.
- “3739. Promotion of Reserve officers on active duty.
- “3740. Promotion; recommendations of selection boards.
- “3741. Selection boards; appointment.
- “3742. Establishment of promotion zones under running mate system.
- “3743. Eligibility for promotion.
- “3744. Recommendation for promotion of an officer previously removed from an active status.
- “3745. Qualifications for promotion.
- “3746. Promotion; acceptance; oath of office.
- “3747. Date of rank upon promotion; entitlement to pay.
- “3748. Type of promotion; temporary.
- “3749. Effect of removal by the President or failure of consent of the Senate.
- “3750. Failure of selection for promotion.
- “3751. Failure of selection and removal from an active status.
- “3752. Retention boards; removal from an active status to provide a flow of promotion.
- “3753. Maximum ages for retention in an active status.
- “3754. Rear admiral and rear admiral (lower half); maximum service in grade.
- “3755. Appointment of a former Navy or Coast Guard officer.
- “3756. Grade on entry upon active duty.
- “3757. Recall of a retired officer; grade upon release.”.

1           (b) REDESIGNATIONS AND TRANSFERS.—

2                   (1) REQUIREMENT.—The sections of title 14,  
3           United States Code, identified in the table provided  
4           in paragraph (2) are amended—

5                           (A) by redesignating the sections as de-  
6                           scribed in the table; and

7                           (B) by transferring the sections, as nec-  
8                           essary, so that the sections appear after the  
9                           table of sections for chapter 37 of such title (as  
10                          added by subsection (a)), in the order in which  
11                          the sections are presented in the table.

1 (2) TABLE.—The table referred to in paragraph  
 2 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
701	Organization	3701
702	Authorized strength	3702
703	Coast Guard Reserve Boards	3703
704	Grades and ratings; military authority	3704
705	Benefits	3705
706	Temporary members of the Reserve; eligibility and compensation	3706
707	Temporary members of the Reserve; disability or death benefits	3707
708	Temporary members of the Reserve; certificate of honorable service	3708
709	Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade	3709
709a	Reserve student pre-commissioning assistance program	3710
710	Appointment or wartime promotion; retention of grade upon release from active duty	3711
711	Exclusiveness of service	3712
712	Active duty for emergency augmentation of regular forces	3713
713	Enlistment of members engaged in schooling	3714
720	Definitions	3731
721	Applicability of this subchapter	3732
722	Suspension of this subchapter in time of war or national emergency	3733
723	Effect of this subchapter on retirement and retired pay	3734

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
724	Authorized number of officers	3735
725	Precedence	3736
726	Running mates	3737
727	Constructive credit upon initial appointment	3738
728	Promotion of Reserve officers on active duty	3739
729	Promotion; recommendations of selection boards	3740
730	Selection boards; appointment	3741
731	Establishment of promotion zones under running mate system	3742
732	Eligibility for promotion	3743
733	Recommendation for promotion of an officer previously removed from an active status	3744
734	Qualifications for promotion	3745
735	Promotion; acceptance; oath of office	3746
736	Date of rank upon promotion; entitlement to pay	3747
737	Type of promotion; temporary	3748
738	Effect of removal by the President or failure of consent of the Senate	3749
739	Failure of selection for promotion	3750
740	Failure of selection and removal from an active status	3751
741	Retention boards; removal from an active status to provide a flow of promotion	3752
742	Maximum ages for retention in an active status	3753
743	Rear admiral and rear admiral (lower half); maximum service in grade	3754
744	Appointment of a former Navy or Coast Guard officer	3755

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
745	Grade on entry upon active duty	3756
746	Recall of a retired officer; grade upon release	3757

1 (c) ADDITIONAL CHANGES.—Chapter 37 of title 14,  
2 United States Code, is further amended—

3 (1) by inserting before section 3701 (as so re-  
4 designated and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER I—ADMINISTRATION”;

7 and

8 (2) by inserting before section 3731 (as so re-  
9 designated and transferred under subsection (b)) the  
10 following:

11 “SUBCHAPTER II—PERSONNEL”.

12 **SEC. 4119. CHAPTER 39.**

13 (a) INITIAL MATTER.—Title 14, United States Code,  
14 is further amended by adding after chapter 37 (as added  
15 by section 4118 of this title) the following:

16 **“CHAPTER 39—COAST GUARD AUXILIARY**

“Sec.

“3901. Administration of the Coast Guard Auxiliary.

“3902. Purpose of the Coast Guard Auxiliary.

“3903. Eligibility; enrollments.

“3904. Members of the Auxiliary; status.

“3905. Disenrollment.

“3906. Membership in other organizations.

“3907. Use of member’s facilities.

“3908. Vessel deemed public vessel.

“3909. Aircraft deemed public aircraft.

“3910. Radio station deemed government station.

“3911. Availability of appropriations.

“3912. Assignment and performance of duties.

“3913. Injury or death in line of duty.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 39 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
821	Administration of the Coast Guard Auxiliary	3901
822	Purpose of the Coast Guard Auxiliary	3902
823	Eligibility; enrollments	3903
823a	Members of the Auxiliary; status	3904
824	Disenrollment	3905
825	Membership in other organizations	3906
826	Use of member’s facilities	3907
827	Vessel deemed public vessel	3908

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
828	Aircraft deemed public aircraft	3909
829	Radio station deemed government station	3910
830	Availability of appropriations	3911
831	Assignment and performance of duties	3912
832	Injury or death in line of duty	3913

1 **SEC. 4120. CHAPTER 41.**

2 (a) INITIAL MATTER.—Title 14, United States Code,  
3 is further amended by adding after chapter 39 (as added  
4 by section 4119 of this title) the following:

5 **“CHAPTER 41—GENERAL PROVISIONS FOR**  
6 **COAST GUARD RESERVE AND AUXILIARY**

“Sec.

“4101. Flags; pennants; uniforms and insignia.

“4102. Penalty.

“4103. Limitation on rights of members of the Auxiliary and temporary members of the Reserve.

“4104. Availability of facilities and appropriations.”.

7 (b) REDESIGNATIONS AND TRANSFERS.—

8 (1) REQUIREMENT.—The sections of title 14,  
9 United States Code, identified in the table provided  
10 in paragraph (2) are amended—

11 (A) by redesignating the sections as de-  
12 scribed in the table; and

13 (B) by transferring the sections, as nec-  
14 essary, so that the sections appear after the  
15 table of sections for chapter 41 of such title (as



1 added by subsection (a)), in the order in which  
 2 the sections are presented in the table.

3 (2) TABLE.—The table referred to in paragraph  
 4 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
891	Flags; pennants; uniforms and insignia	4101
892	Penalty	4102
893	Limitation on rights of members of the Auxiliary and temporary members of the Reserve	4103
894	Availability of facilities and appropriations	4104

5 **SEC. 4121. SUBTITLE IV AND CHAPTER 49.**

6 (a) INITIAL MATTER.—Title 14, United States Code,  
 7 is further amended by adding after chapter 41 (as added  
 8 by section 4120 of this title) the following:

9 **“Subtitle IV—Coast Guard Author-**  
 10 **izations and Reports to Con-**  
 11 **gress**

“Chap.	Sec.
<b>“49. Authorizations</b> .....	<b>4901</b>
<b>“51. Reports</b> .....	<b>5101</b>

12 **“CHAPTER 49—AUTHORIZATIONS**

- “Sec.
- “4901. Requirement for prior authorization of appropriations.
- “4902. Authorization of appropriations.
- “4903. Authorization of personnel end strengths.
- “4904. Authorized levels of military strength and training.”.

13 (b) REDESIGNATIONS AND TRANSFERS.—

1 (1) REQUIREMENT.—The sections of title 14,  
 2 United States Code, identified in the table provided  
 3 in paragraph (2) are amended—

4 (A) by redesignating the sections as de-  
 5 scribed in the table; and

6 (B) by transferring the sections, as nec-  
 7 essary, so that the sections appear after the  
 8 table of sections for chapter 49 of such title (as  
 9 added by subsection (a)), in the order in which  
 10 the sections are presented in the table.

11 (2) TABLE.—The table referred to in paragraph  
 12 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
2701	Requirement for prior authorization of appropriations	4901
2702	Authorization of appropriations	4902
2703	Authorization of personnel end strengths	4903
2704	Authorized levels of military strength and training	4904

13 **SEC. 4122. CHAPTER 51.**

14 (a) INITIAL MATTER.—Title 14, United States Code,  
 15 is further amended by adding after chapter 49 (as added  
 16 by section 4121 of this title) the following:

17 **“CHAPTER 51—REPORTS**

“Sec.

“5101. Transmission of annual Coast Guard authorization request.

“5102. Capital investment plan.

“5103. Major acquisitions.

“5104. Manpower requirements plan.

“5105. Inventory of real property.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 51 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
2901	Transmission of annual Coast Guard authorization request	5101
2902	Capital investment plan	5102
2903	Major acquisitions	5103
2904	Manpower requirements plan	5104
679	Inventory of real property	5105

1 **SEC. 4123. REFERENCES.**

2 (a) **DEFINITIONS.**—In this section, the following defi-  
3 nitions apply:

4 (1) **REDESIGNATED SECTION.**—The term “re-  
5 designated section” means a section of title 14,  
6 United States Code, that is redesignated by this  
7 title, as that section is so redesignated.

8 (2) **SOURCE SECTION.**—The term “source sec-  
9 tion” means a section of title 14, United States  
10 Code, that is redesignated by this title, as that sec-  
11 tion was in effect before the redesignation.

12 (b) **REFERENCE TO SOURCE SECTION.**—

13 (1) **TREATMENT OF REFERENCE.**—A reference  
14 to a source section, including a reference in a regu-  
15 lation, order, or other law, is deemed to refer to the  
16 corresponding redesignated section.

17 (2) **TITLE 14.**—In title 14, United States Code,  
18 each reference in the text of such title to a source  
19 section is amended by striking such reference and  
20 inserting a reference to the appropriate, as deter-  
21 mined using the tables located in this title, redesi-  
22 gnated section.

23 (c) **OTHER CONFORMING AMENDMENTS.**—

24 (1) **REFERENCE TO SECTION 182.**—Section  
25 1923(c) of title 14, United States Code, as so redes-

1       ignated by this title, is further amended by striking  
2       “section 182” and inserting “section 1922”.

3               (2) REFERENCES TO CHAPTER 11.—Title 14,  
4       United States Code, is further amended—

5                       (A) in section 2146(d), as so redesignated  
6                       by this title, by striking “chapter 11 of this  
7                       title” and inserting “this chapter”; and

8                       (B) in section 3739, as so redesignated by  
9                       this title, by striking “chapter 11” each place  
10                      that it appears and inserting “chapter 21”.

11               (3) REFERENCE TO CHAPTER 13.—Section  
12       3705(b) of title 14, United States Code, as so redesi-  
13       gnated by this title, is further amended by striking  
14       “chapter 13” and inserting “chapter 27”.

15               (4) REFERENCE TO CHAPTER 15.—Section  
16       308(b)(3) of title 14, United States Code, as so re-  
17       designated by this title, is further amended by strik-  
18       ing “chapter 15” and inserting “chapter 11”.

19               (5) REFERENCES TO CHAPTER 19.—Title 14,  
20       United States Code, is further amended—

21                       (A) in section 4901(4), as so redesignated  
22                       by this title, by striking “chapter 19” and in-  
23                       serting “section 318”; and

1 (B) in section 4902(4), as so redesignated  
2 by this title, by striking “chapter 19” and in-  
3 serting “section 318”.

4 (6) REFERENCE TO CHAPTER 23.—Section  
5 701(a) of title 14, United States Code, as so redesi-  
6 gnated by this title, is further amended by striking  
7 “chapter 23” and inserting “chapter 39”.

8 **SEC. 4124. RULE OF CONSTRUCTION.**

9 This title, including the amendments made by this  
10 title, is intended only to reorganize title 14, United States  
11 Code, and may not be construed to alter—

12 (1) the effect of a provision of title 14, United  
13 States Code, including any authority or requirement  
14 therein;

15 (2) a department or agency interpretation with  
16 respect to title 14, United States Code; or

17 (3) a judicial interpretation with respect to title  
18 14, United States Code.

19 **TITLE XLII—AUTHORIZATIONS**

20 **SEC. 4201. AMENDMENTS TO TITLE 14, UNITED STATES**  
21 **CODE, AS AMENDED BY TITLE XLI OF THIS DI-**  
22 **VISION.**

23 Except as otherwise expressly provided, whenever in  
24 this title an amendment or repeal is expressed in terms  
25 of an amendment to, or a repeal of, a section or other

1 provision of title 14, United States Code, the reference  
2 shall be considered to be made to title 14, United States  
3 Code, as amended by title XLI of this division.

4 **SEC. 4202. AUTHORIZATIONS OF APPROPRIATIONS.**

5 (a) IN GENERAL.—Section 4902 of title 14, United  
6 States Code, is amended to read as follows:

7 **“§ 4902. Authorizations of appropriations**

8 “(a) FISCAL YEAR 2018.—Funds are authorized to  
9 be appropriated for fiscal year 2018 for necessary ex-  
10 penses of the Coast Guard as follows:

11 “(1) For the operation and maintenance of the  
12 Coast Guard, not otherwise provided for,  
13 \$7,210,313,000 for fiscal year 2018.

14 “(2) For the acquisition, construction, renova-  
15 tion, and improvement of aids to navigation, shore  
16 facilities, vessels, and aircraft, including equipment  
17 related thereto, and for maintenance, rehabilitation,  
18 lease, and operation of facilities and equipment,  
19 \$2,694,745,000 for fiscal year 2018.

20 “(3) For the Coast Guard Reserve program, in-  
21 cluding operations and maintenance of the program,  
22 personnel and training costs, equipment, and serv-  
23 ices, \$114,875,000 for fiscal year 2018.

1           “(4) For the environmental compliance and res-  
2           toration functions of the Coast Guard under chapter  
3           3 of this title, \$13,397,000 for fiscal year 2018.

4           “(5) To the Commandant of the Coast Guard  
5           for research, development, test, and evaluation of  
6           technologies, materials, and human factors directly  
7           related to improving the performance of the Coast  
8           Guard’s mission with respect to search and rescue,  
9           aids to navigation, marine safety, marine environ-  
10          mental protection, enforcement of laws and treaties,  
11          ice operations, oceanographic research, and defense  
12          readiness, and for maintenance, rehabilitation, lease,  
13          and operation of facilities and equipment,  
14          \$29,141,000 for fiscal year 2018.

15          “(b) FISCAL YEAR 2019.—Funds are authorized to  
16          be appropriated for fiscal year 2019 for necessary ex-  
17          penses of the Coast Guard as follows:

18               “(1)(A) For the operation and maintenance of  
19               the Coast Guard, not otherwise provided for,  
20               \$7,914,195,000 for fiscal year 2019.

21               “(B) Of the amount authorized under subpara-  
22               graph (A)—

23                       “(i) \$16,701,000 shall be for environ-  
24                       mental compliance and restoration; and



1           “(ii) \$199,360,000 shall be for the Coast  
2           Guard’s Medicare-eligible retiree health care  
3           fund contribution to the Department of De-  
4           fense.

5           “(2) For the procurement, construction, renova-  
6           tion, and improvement of aids to navigation, shore  
7           facilities, vessels, and aircraft, including equipment  
8           related thereto, and for maintenance, rehabilitation,  
9           lease, and operation of facilities and equipment,  
10          \$2,694,745,000 for fiscal year 2019.

11          “(3) To the Commandant of the Coast Guard  
12          for research, development, test, and evaluation of  
13          technologies, materials, and human factors directly  
14          related to improving the performance of the Coast  
15          Guard’s mission with respect to search and rescue,  
16          aids to navigation, marine safety, marine environ-  
17          mental protection, enforcement of laws and treaties,  
18          ice operations, oceanographic research, and defense  
19          readiness, and for maintenance, rehabilitation, lease,  
20          and operation of facilities and equipment,  
21          \$29,141,000 for fiscal year 2019.”.

22          (b) REPEAL.—On October 1, 2018—

23                 (1) section 4902(a) of title 14, United States  
24                 Code, as amended by subsection (a), shall be re-  
25                 pealed; and

1           (2) subsection 4902(b) of title 14, United  
2 States Code, as amended by subsection (a), shall be  
3 amended by striking “(b) FISCAL YEAR 2019.—”.

4 **SEC. 4203. AUTHORIZED LEVELS OF MILITARY STRENGTH**  
5 **AND TRAINING.**

6 Section 4904 of title 14, United States Code, is  
7 amended—

8           (1) in subsection (a), by striking “for each of  
9 fiscal years 2016 and 2017” and inserting “for fis-  
10 cal year 2018 and 44,500 for fiscal year 2019”; and

11           (2) in subsection (b), by striking “fiscal years  
12 2016 and 2017” and inserting “fiscal years 2018  
13 and 2019”.

14 **SEC. 4204. AUTHORIZATION OF AMOUNTS FOR FAST RE-**  
15 **SPONSE CUTTERS.**

16           (a) IN GENERAL.—Of the amounts authorized under  
17 section 4902 of title 14, United States Code, as amended  
18 by this division, for each of fiscal years 2018 and 2019  
19 up to \$167,500,000 is authorized for the acquisition of  
20 3 Fast Response Cutters.

21           (b) TREATMENT OF ACQUIRED CUTTERS.—Any cut-  
22 ters acquired pursuant to subsection (a) shall be in addi-  
23 tion to the 58 cutters approved under the existing acquisi-  
24 tion baseline.

1 **SEC. 4205. AUTHORIZATION OF AMOUNTS FOR SHORESIDE**  
2 **INFRASTRUCTURE.**

3 Of the amounts authorized under section 4902 of title  
4 14, United States Code, as amended by this division, for  
5 each of fiscal years 2018 and 2019 up to \$167,500,000  
6 is authorized for the Secretary of the department in which  
7 the Coast Guard is operating to fund the acquisition, con-  
8 struction, rebuilding, or improvement of Coast Guard  
9 shoreside infrastructure and facilities necessary to support  
10 Coast Guard operations and readiness.

11 **SEC. 4206. AUTHORIZATION OF AMOUNTS FOR AIRCRAFT**  
12 **IMPROVEMENTS.**

13 Of the amounts authorized under section 4902 of title  
14 14, United States Code, as amended by this division, for  
15 each of fiscal years 2018 and 2019 up to \$3,500,000 is  
16 authorized for the Secretary of the department in which  
17 the Coast Guard is operating to fund analysis and pro-  
18 gram development for improvements to or the replacement  
19 of rotary-wing aircraft.

20 **TITLE XLIII—COAST GUARD**

21 **SEC. 4301. AMENDMENTS TO TITLE 14, UNITED STATES**  
22 **CODE, AS AMENDED BY TITLE XLI OF THIS DI-**  
23 **VISION.**

24 Except as otherwise expressly provided, whenever in  
25 this title an amendment or repeal is expressed in terms  
26 of an amendment to, or a repeal of, a section or other

1 provision of title 14, United States Code, the reference  
2 shall be considered to be made to title 14, United States  
3 Code, as amended by title XLI of this division.

4 **SEC. 4302. PRIMARY DUTIES.**

5 Section 102(7) of title 14, United States Code, is  
6 amended to read as follows:

7 “(7) maintain a state of readiness to assist in  
8 the defense of the United States, including when  
9 functioning as a specialized service in the Navy pur-  
10 suant to section 103.”.

11 **SEC. 4303. NATIONAL COAST GUARD MUSEUM.**

12 Section 316 of title 14, United States Code, is  
13 amended to read as follows:

14 **“§ 316. National Coast Guard Museum**

15 “(a) ESTABLISHMENT.—The Commandant may es-  
16 tablish a National Coast Guard Museum, on lands which  
17 will be federally owned and administered by the Coast  
18 Guard, and are located in New London, Connecticut, at,  
19 or in close proximity to, the Coast Guard Academy.

20 “(b) LIMITATION ON EXPENDITURES.—

21 “(1) The Secretary shall not expend any funds  
22 appropriated to the Coast Guard on the construction  
23 of any museum established under this section.

24 “(2) The Secretary shall fund the National  
25 Coast Guard Museum with nonappropriated and

1 non-Federal funds to the maximum extent prac-  
2 ticable. The priority use of Federal funds should be  
3 to preserve and protect historic Coast Guard arti-  
4 facts, including the design, fabrication, and installa-  
5 tion of exhibits or displays in which such artifacts  
6 are included.

7 “(3) The Secretary may expend funds appro-  
8 priated to the Coast Guard on the engineering and  
9 design of a National Coast Guard Museum.

10 “(c) FUNDING PLAN.—Before the date on which the  
11 Commandant establishes a National Coast Guard Museum  
12 under subsection (a), the Commandant shall provide to the  
13 Committee on Commerce, Science, and Transportation of  
14 the Senate and the Committee on Transportation and In-  
15 frastructure of the House of Representatives a plan for  
16 constructing, operating, and maintaining such a museum,  
17 including—

18 “(1) estimated planning, engineering, design,  
19 construction, operation, and maintenance costs;

20 “(2) the extent to which appropriated, non-  
21 appropriated, and non-Federal funds will be used for  
22 such purposes, including the extent to which there is  
23 any shortfall in funding for engineering, design, or  
24 construction; and

1           “(3) a certification by the Inspector General of  
 2           the department in which the Coast Guard is oper-  
 3           ating that the estimates provided pursuant to para-  
 4           graphs (1) and (2) are reasonable and realistic.

5           “(d) AUTHORITY.—The Commandant may not estab-  
 6           lish a national Coast Guard museum except as set forth  
 7           in this section.”.

8   **SEC. 4304. UNMANNED AIRCRAFT.**

9           (a) LAND-BASED UNMANNED AIRCRAFT SYSTEM  
 10          PROGRAM.—Chapter 3 of title 14, United States Code, is  
 11          amended by adding at the end the following:

12       **“§ 319. Land-based unmanned aircraft system pro-**  
 13       **gram**

14           “(a) IN GENERAL.—Subject to the availability of ap-  
 15          propriations, the Secretary shall establish a land-based un-  
 16          manned aircraft system program under the control of the  
 17          Commandant.

18           “(b) UNMANNED AIRCRAFT SYSTEM DEFINED.—In  
 19          this section, the term ‘unmanned aircraft system’ has the  
 20          meaning given that term in section 331 of the FAA Mod-  
 21          ernization and Reform Act of 2012 (49 U.S.C. 40101  
 22          note).”.

23           (b) LIMITATION ON UNMANNED AIRCRAFT SYS-  
 24          TEMS.—Chapter 11 of title 14, United States Code, is  
 25          amended by inserting after section 1154 the following:

1 **“§ 1155. Limitation on unmanned aircraft systems**

2 “(a) IN GENERAL.—During any fiscal year for which  
3 funds are appropriated for the design or construction of  
4 an Offshore Patrol Cutter, the Commandant—

5 “(1) may not award a contract for design of an  
6 unmanned aircraft system for use by the Coast  
7 Guard; and

8 “(2) may lease, acquire, or acquire the services  
9 of an unmanned aircraft system only if such sys-  
10 tem—

11 “(A) has been part of a program of record  
12 of, procured by, or used by a Federal entity (or  
13 funds for research, development, test, and eval-  
14 uation have been received from a Federal entity  
15 with regard to such system) before the date on  
16 which the Commandant leases, acquires, or ac-  
17 quires the services of the system; and

18 “(B) is leased, acquired, or utilized by the  
19 Commandant through an agreement with a  
20 Federal entity, unless such an agreement is not  
21 practicable or would be less cost-effective than  
22 an independent contract action by the Coast  
23 Guard.

24 “(b) SMALL UNMANNED AIRCRAFT EXEMPTION.—  
25 Subsection (a)(2) does not apply to small unmanned air-  
26 craft.

1       “(c) DEFINITIONS.—In this section, the terms ‘small  
2 unmanned aircraft’ and ‘unmanned aircraft system’ have  
3 the meanings given those terms in section 331 of the FAA  
4 Modernization and Reform Act of 2012 (49 U.S.C. 40101  
5 note).”.

6       (c) CLERICAL AMENDMENTS.—

7           (1) CHAPTER 3.—The analysis for chapter 3 of  
8 title 14, United States Code, is amended by adding  
9 at the end the following:

“319. Land-based unmanned aircraft system program.”.

10           (2) CHAPTER 11.—The analysis for chapter 11  
11 of title 14, United States Code, is amended by in-  
12 sserting after the item relating to section 1154 the  
13 following:

“1155. Limitation on unmanned aircraft systems.”.

14       (d) CONFORMING AMENDMENT.—Subsection (c) of  
15 section 1105 of title 14, United States Code, is repealed.

16 **SEC. 4305. COAST GUARD HEALTH-CARE PROFESSIONALS;  
17 LICENSURE PORTABILITY.**

18       (a) IN GENERAL.—Chapter 5 of title 14, United  
19 States Code, is amended by inserting after section 507 the  
20 following:

21 **“§ 508. Coast Guard health-care professionals; licen-  
22 sure portability**

23       “(a) IN GENERAL.—Notwithstanding any other pro-  
24 vision of law regarding the licensure of health-care pro-



1 viders, a health-care professional described in subsection  
2 (b) may practice the health profession or professions of  
3 the health-care professional at any location in any State,  
4 the District of Columbia, or a Commonwealth, territory,  
5 or possession of the United States, regardless of where  
6 such health-care professional or the patient is located, if  
7 the practice is within the scope of the authorized Federal  
8 duties of such health-care professional.

9 “(b) DESCRIBED INDIVIDUALS.—A health-care pro-  
10 fessional described in this subsection is an individual—

11 “(1) who is—

12 “(A) a member of the Coast Guard;

13 “(B) a civilian employee of the Coast  
14 Guard;

15 “(C) a member of the Public Health Serv-  
16 ice who is assigned to the Coast Guard; or

17 “(D) any other health-care professional  
18 credentialed and privileged at a Federal health-  
19 care institution or location specially designated  
20 by the Secretary; and

21 “(2) who—

22 “(A) has a current license to practice med-  
23 icine, osteopathic medicine, dentistry, or an-  
24 other health profession; and

1           “(B) is performing authorized duties for  
2           the Coast Guard.

3           “(c) DEFINITIONS.—In this section, the terms ‘li-  
4 cense’ and ‘health-care professional’ have the meanings  
5 given those terms in section 1094(e) of title 10.”.

6           (b) CLERICAL AMENDMENT.—The analysis for chap-  
7 ter 5 of title 14, United States Code, is amended by insert-  
8 ing after the item relating to section 507 the following:  
          “508. Coast Guard health-care professionals; licensure portability.”.

9           (c) ELECTRONIC HEALTH RECORDS.—

10           (1) SYSTEM.—The Commandant of the Coast  
11 Guard is authorized to procure for the Coast Guard  
12 an electronic health record system that—

13           (A) has been competitively awarded by the  
14 Department of Defense; and

15           (B) ensures full integration with the De-  
16 partment of Defense electronic health record  
17 systems.

18           (2) SUPPORT SERVICES.—

19           (A) IN GENERAL.—The Commandant is  
20 authorized to procure support services for the  
21 electronic health record system procured under  
22 paragraph (1) necessary to ensure full integra-  
23 tion with the Department of Defense electronic  
24 health record systems.

1 (B) SCOPE.—Support services procured  
2 pursuant to this paragraph may include services  
3 for the following:

4 (i) System integration support.

5 (ii) Hosting support.

6 (iii) Training, testing, technical, and  
7 data migration support.

8 (iv) Hardware support.

9 (v) Any other support the Com-  
10 mandant considers appropriate.

11 (3) AUTHORIZED PROCUREMENT ACTIONS.—

12 The Commandant is authorized to procure an elec-  
13 tronic health record system under this subsection  
14 through the following:

15 (A) A task order under the Department of  
16 Defense electronic health record contract.

17 (B) A sole source contract award.

18 (C) An agreement made pursuant to sec-  
19 tions 1535 and 1536 of title 31, United States  
20 Code.

21 (D) A contract or other procurement vehi-  
22 cle otherwise authorized.

23 (4) COMPETITION IN CONTRACTING; EXEMP-  
24 TION.—Procurement of an electronic health record  
25 system and support services pursuant to this sub-

1 section shall be exempt from the competition re-  
2 quirements of section 2304 of title 10, United States  
3 Code.

4 **SEC. 4306. TRAINING; EMERGENCY RESPONSE PROVIDERS.**

5 (a) IN GENERAL.—Chapter 7 of title 14, United  
6 States Code, is amended by adding at the end the fol-  
7 lowing:

8 **“§ 718. Training; emergency response providers**

9 “(a) IN GENERAL.—The Commandant may, on a re-  
10 imburseable or a non-reimbursable basis, make a training  
11 available to emergency response providers whenever the  
12 Commandant determines that—

13 “(1) a member of the Coast Guard, who is  
14 scheduled to participate in such training, is unable  
15 or unavailable to participate in such training;

16 “(2) no other member of the Coast Guard, who  
17 is assigned to the unit to which the member of the  
18 Coast Guard who is unable or unavailable to partici-  
19 pate in such training is assigned, is able or available  
20 to participate in such training; and

21 “(3) such training, if made available to such  
22 emergency response providers, would further the  
23 goal of interoperability among Federal agencies,  
24 non-Federal governmental agencies, or both.

1       “(b) EMERGENCY RESPONSE PROVIDERS DE-  
2 FINED.—In this section, the term ‘emergency response  
3 providers’ has the meaning given that term in section 2  
4 of the Homeland Security Act of 2002 (6 U.S.C. 101).

5       “(c) TREATMENT OF REIMBURSEMENT.—Any reim-  
6 bursements for a training that the Coast Guard receives  
7 under this section shall be credited to the appropriation  
8 used to pay the costs for such training.

9       “(d) STATUS; LIMITATION ON LIABILITY.—

10           “(1) STATUS.—Any individual to whom, as an  
11 emergency response provider, training is made avail-  
12 able under this section, who is not otherwise a Fed-  
13 eral employee, shall not, because of that training, be  
14 considered a Federal employee for any purpose (in-  
15 cluding the purposes of chapter 81 of title 5 (relat-  
16 ing to compensation for injury) and sections 2671  
17 through 2680 of title 28 (relating to tort claims)).

18           “(2) LIMITATION ON LIABILITY.—The United  
19 States shall not be liable for actions taken by an in-  
20 dividual in the course of training made available  
21 under this section.”.

22       (b) CLERICAL AMENDMENT.—The analysis for chap-  
23 ter 7 of title 14, United States Code, is amended by add-  
24 ing at the end the following:

“718. Training; emergency response providers.”.

1 **SEC. 4307. INCENTIVE CONTRACTS FOR COAST GUARD**  
2 **YARD AND INDUSTRIAL ESTABLISHMENTS.**

3 Section 939 of title 14, United States Code, is  
4 amended—

5 (1) by inserting before “The Secretary may”  
6 the following: “(a) IN GENERAL.—”;

7 (2) in subsection (a), as so designated by para-  
8 graph (1) of this section, by striking the period at  
9 the end of the last sentence and inserting “or in ac-  
10 cordance with subsection (b).”;

11 (3) by adding at the end the following:

12 “(b) INCENTIVE CONTRACTS.—

13 “(1) The parties to an order for industrial work  
14 to be performed by the Coast Guard Yard or a  
15 Coast Guard industrial establishment designated  
16 under subsection (a) may enter into an order or a  
17 cost-plus-incentive-fee order in accordance with this  
18 subsection.

19 “(2) If such parties enter into such an order or  
20 a cost-plus-incentive-fee order, an agreed-upon  
21 amount of any adjustment described in subsection  
22 (a) may be distributed as an incentive to the wage-  
23 grade industrial employees who complete the order.

24 “(3) Before entering into such an order or cost-  
25 plus-incentive-fee order such parties must agree that  
26 the wage-grade employees of the Coast Guard Yard

1 or Coast Guard industrial establishment will take ac-  
2 tion to improve the delivery schedule or technical  
3 performance agreed to in the order for industrial  
4 work to which such parties initially agreed.

5 “(4) Notwithstanding any other provision of  
6 law, if the industrial workforce of the Coast Guard  
7 Yard or Coast Guard industrial establishment satis-  
8 fies the performance target established in such an  
9 order or cost-plus-incentive-fee order—

10 “(A) the adjustment to be made pursuant  
11 to subsection (a) shall be reduced by an agreed-  
12 upon amount and distributed to such wage-  
13 grade industrial employees; and

14 “(B) the remainder of the adjustment shall  
15 be credited to the appropriation for such order  
16 current at that time.”.

17 **SEC. 4308. CONFIDENTIAL INVESTIGATIVE EXPENSES.**

18 Section 944 of title 14, United States Code, is  
19 amended by striking “\$45,000” and inserting  
20 “\$250,000”.

21 **SEC. 4309. REGULAR CAPTAINS; RETIREMENT.**

22 Section 2149(a) of title 14, United States Code, is  
23 amended—

24 (1) by striking “zone is” and inserting “zone,  
25 or from being placed at the top of the list of select-

1 es promulgated by the Secretary under section  
2 2121(a) of this title, is”; and

3 (2) by striking the period at the end and insert-  
4 ing “or placed at the top of the list of selectees, as  
5 applicable.”.

6 **SEC. 4310. CONVERSION, ALTERATION, AND REPAIR**  
7 **PROJECTS.**

8 (a) IN GENERAL.—Chapter 9 of title 14, United  
9 States Code, as amended by this division, is further  
10 amended by inserting after section 951 the following:

11 **“§ 952. Construction of Coast Guard vessels and as-**  
12 **signment of vessel projects**

13 “The assignment of Coast Guard vessel conversion,  
14 alteration, and repair projects shall be based on economic  
15 and military considerations and may not be restricted by  
16 a requirement that certain parts of Coast Guard shipwork  
17 be assigned to a particular type of shipyard or geo-  
18 graphical area or by a similar requirement.”.

19 (b) CLERICAL AMENDMENT.—The analysis for chap-  
20 ter 9 of title 14, United States Code, is amended by insert-  
21 ing after the item relating to section 951 the following:

“952. Construction of Coast Guard vessels and assignment of vessel projects.”.



1 **SEC. 4311. CONTRACTING FOR MAJOR ACQUISITIONS PRO-**  
2 **GRAMS.**

3 (a) GENERAL ACQUISITION AUTHORITY.—Section  
4 501(d) of title 14, United States Code, is amended by in-  
5 serting “aircraft, and systems,” after “vessels,”.

6 (b) CONTRACTING AUTHORITY.—Chapter 11 of title  
7 14, United States Code, as amended by this division, is  
8 further amended by inserting after section 1136 the fol-  
9 lowing:

10 **“§ 1137. Contracting for major acquisitions programs**

11 “(a) IN GENERAL.—In carrying out authorities pro-  
12 vided to the Secretary to design, construct, accept, or oth-  
13 erwise acquire assets and systems under section 501(d),  
14 the Secretary, acting through the Commandant or the  
15 head of an integrated program office established for a  
16 major acquisition program, may enter into contracts for  
17 a major acquisition program.

18 “(b) AUTHORIZED METHODS.—Contracts entered  
19 into under subsection (a)—

20 “(1) may be block buy contracts;

21 “(2) may be incrementally funded;

22 “(3) may include combined purchases, also  
23 known as economic order quantity purchases, of—

24 “(A) materials and components; and

25 “(B) long lead time materials; and

1           “(4) as provided in section 2306b of title 10,  
2           may be multiyear contracts.

3           “(c) SUBJECT TO APPROPRIATIONS.—Any contract  
4 entered into under subsection (a) shall provide that any  
5 obligation of the United States to make a payment under  
6 the contract is subject to the availability of amounts spe-  
7 cifically provided in advance for that purpose in subse-  
8 quent appropriations Acts.”.

9           (c) CLERICAL AMENDMENT.—The analysis for chap-  
10 ter 11 of title 14, United States Code, as amended by this  
11 division, is further amended by inserting after the item  
12 relating to section 1136 the following:

“1137. Contracting for major acquisitions programs.”.

13           (d) CONFORMING AMENDMENTS.—The following pro-  
14 visions are repealed:

15           (1) Section 223 of the Howard Coble Coast  
16 Guard and Maritime Transportation Act of 2014  
17 (14 U.S.C. 1152 note), and the item relating to that  
18 section in the table of contents in section 2 of such  
19 Act.

20           (2) Section 221(a) of the Coast Guard and  
21 Maritime Transportation Act of 2012 (14 U.S.C.  
22 1133 note).

23           (3) Section 207(a) of the Coast Guard Author-  
24 ization Act of 2016 (14 U.S.C. 561 note).

1 (e) INTERNAL REGULATIONS AND POLICY.—Not  
2 later than 180 days after the date of enactment of this  
3 Act, the Secretary of the department in which the Coast  
4 Guard is operating shall establish the internal regulations  
5 and policies necessary to exercise the authorities provided  
6 under this section, including the amendments made in this  
7 section.

8 (f) MULTIYEAR CONTRACTS.—The Secretary of the  
9 department in which the Coast Guard is operating is au-  
10 thorized to enter into a multiyear contract for the procure-  
11 ment of a tenth, eleventh, and twelfth National Security  
12 Cutter and associated government-furnished equipment.

13 **SEC. 4312. OFFICER PROMOTION ZONES.**

14 Section 2111(a) of title 14, United States Code, is  
15 amended by striking “six-tenths.” and inserting “one-  
16 half.”.

17 **SEC. 4313. CROSS REFERENCE.**

18 Section 2129(a) of title 14, United States Code, is  
19 amended by inserting “designated under section 2317”  
20 after “cadet”.

21 **SEC. 4314. COMMISSIONED SERVICE RETIREMENT.**

22 For Coast Guard officers who retire in fiscal year  
23 2018 or 2019, the President may reduce the period of ac-  
24 tive commissioned service required under section 2152 of

1 title 14, United States Code, to a period of not less than  
2 8 years.

3 **SEC. 4315. LEAVE FOR BIRTH OR ADOPTION OF CHILD.**

4 (a) POLICY.—Section 2512 of title 14, United States  
5 Code, is amended—

6 (1) by striking “Not later than 1 year” and in-  
7 serting the following:

8 “(a) IN GENERAL.—Except as provided in subsection  
9 (b), not later than 1 year”; and

10 (2) by adding at the end the following:

11 “(b) LEAVE ASSOCIATED WITH BIRTH OR ADOPTION  
12 OF CHILD.—Notwithstanding subsection (a), sections 701  
13 and 704 of title 10, or any other provision of law, all offi-  
14 cers and enlisted members of the Coast Guard shall be  
15 authorized leave associated with the birth or adoption of  
16 a child during the 1-year period immediately following  
17 such birth or adoption and, at the discretion of the Com-  
18 manding Officer, such officer or enlisted member shall be  
19 permitted—

20 “(1) to take such leave in increments; and

21 “(2) to use flexible work schedules (pursuant to  
22 a program established by the Secretary in accord-  
23 ance with chapter 61 of title 5).”.

24 (b) FLEXIBLE WORK SCHEDULES.—Not later than  
25 180 days after the date of enactment of this Act, the Sec-

1 retary of the department in which the Coast Guard is op-  
2 erating shall ensure that a flexible work schedule program  
3 under chapter 61 of title 5, United States Code, is in place  
4 for officers and enlisted members of the Coast Guard.

5 **SEC. 4316. CLOTHING AT TIME OF DISCHARGE.**

6 Section 2705 of title 14, United States Code, and the  
7 item relating to that section in the analysis for chapter  
8 27 of that title, are repealed.

9 **SEC. 4317. UNFUNDED PRIORITIES LIST.**

10 (a) IN GENERAL.—Section 5102 of title 14, United  
11 States Code, is amended—

12 (1) by striking subsection (a) and inserting the  
13 following:

14 “(a) IN GENERAL.—On the date on which the Presi-  
15 dent submits to Congress a budget pursuant to section  
16 1105 of title 31, the Commandant shall submit to the  
17 Committee on Transportation and Infrastructure of the  
18 House of Representatives and the Committee on Com-  
19 merce, Science, and Transportation of the Senate a capital  
20 investment plan for the Coast Guard that identifies for  
21 each capital asset for which appropriations are proposed  
22 in that budget—

23 “(1) the proposed appropriations included in  
24 the budget;

1           “(2) the total estimated cost of completion  
2           based on the proposed appropriations included in the  
3           budget;

4           “(3) projected funding levels for each fiscal  
5           year for the next 5 fiscal years or until project com-  
6           pletion, whichever is earlier;

7           “(4) an estimated completion date based on the  
8           proposed appropriations included in the budget; and

9           “(5) an acquisition program baseline, as appli-  
10          cable.”; and

11          (2) by striking subsection (c) and inserting the  
12          following:

13          “(c) DEFINITIONS.—In this section, the term ‘new  
14          capital asset’ means—

15                 “(1) an acquisition program that does not have  
16                 an approved acquisition program baseline; or

17                 “(2) the acquisition of a capital asset in excess  
18                 of the number included in the approved acquisition  
19                 program baseline.”.

20          (b) UNFUNDED PRIORITIES.—Chapter 51 of title 14,  
21          United States Code, is amended by adding at the end the  
22          following:

23          **“§ 5106. Unfunded priorities list**

24                 “(a) IN GENERAL.—On the date on which the Presi-  
25                 dent submits to Congress a budget pursuant to section

1 1105 of title 31, the Commandant shall submit to the  
2 Committee on Transportation and Infrastructure of the  
3 House of Representatives and the Committee on Com-  
4 merce, Science, and Transportation of the Senate a list  
5 of each unfunded priority for the Coast Guard.

6 “(b) PRIORITIZATION.—The list required under sub-  
7 section (a) shall present the unfunded priorities in order  
8 from the highest priority to the lowest, as determined by  
9 the Commandant.

10 “(c) UNFUNDED PRIORITY DEFINED.—In this sec-  
11 tion, the term ‘unfunded priority’ means a program or  
12 mission requirement that—

13 “(1) has not been selected for funding in the  
14 applicable proposed budget;

15 “(2) is necessary to fulfill a requirement associ-  
16 ated with an operational need; and

17 “(3) the Commandant would have rec-  
18 ommended for inclusion in the applicable proposed  
19 budget had additional resources been available or  
20 had the requirement emerged before the budget was  
21 submitted.”.

22 (c) CLERICAL AMENDMENT.—The analysis for chap-  
23 ter 51 of title 14, United States Code, is amended by add-  
24 ing at the end the following:

“5106. Unfunded priorities list.”.

1 **SEC. 4318. SAFETY OF VESSELS OF THE ARMED FORCES.**

2 (a) IN GENERAL.—Section 527 of title 14, United  
3 States Code, is amended—

4 (1) in the heading, by striking “**naval ves-**  
5 **sels**” and inserting “**vessels of the Armed**  
6 **Forces**”;

7 (2) in subsection (a), by striking “United  
8 States naval vessel” and inserting “vessel of the  
9 Armed Forces”;

10 (3) in subsection (b)—

11 (A) by striking “senior naval officer  
12 present in command” and inserting “senior offi-  
13 cer present in command”; and

14 (B) by striking “United States naval ves-  
15 sel” and inserting “vessel of the Armed  
16 Forces”; and

17 (4) by adding at the end the following:

18 “(e) For purposes of this title, the term ‘vessel of the  
19 Armed Forces’ means—

20 “(1) any vessel owned or operated by the De-  
21 partment of Defense or the Coast Guard, other than  
22 a time- or voyage-chartered vessel; and

23 “(2) any vessel owned and operated by the De-  
24 partment of Transportation that is designated by  
25 the Secretary of the department in which the Coast



1 Guard is operating as a vessel equivalent to a vessel  
2 described in paragraph (1).”.

3 (b) CLERICAL AMENDMENT.—The analysis for chap-  
4 ter 5 of title 14, United States Code, is further amended  
5 by striking the item relating to section 527 and inserting  
6 the following:

“527. Safety of vessels of the Armed Forces.”.

7 (c) CONFORMING AMENDMENTS.—Section  
8 2510(a)(1) of title 14, United States Code, is amended—

9 (1) by striking “armed forces” and inserting  
10 “Armed Forces”; and

11 (2) by striking “section 101(a) of title 10” and  
12 inserting “section 527(e)”.

13 **SEC. 4319. PROTECTING AGAINST UNMANNED AIRCRAFT.**

14 (a) IN GENERAL.—Chapter 5 of title 14, United  
15 States Code, as amended by this division, is further  
16 amended by inserting after section 527 the following:

17 **“§ 528. Protecting against unmanned aircraft**

18 “(a) AUTHORITY.—Notwithstanding title 18 (includ-  
19 ing section 32, section 1030, sections 2510–2522, and sec-  
20 tions 3121–3127), and section 46502 of title 49, the Sec-  
21 retary, or the Secretary’s designee, may take such actions  
22 described in subsection (c)(1) as are necessary to mitigate  
23 the threat, as defined by the Secretary in consultation with  
24 the Secretary of Transportation, that an unmanned air-

1 craft system or unmanned aircraft poses to the safety or  
2 security of a covered vessel or aircraft.

3 “(b) COORDINATION WITH THE SECRETARY OF  
4 TRANSPORTATION.—The Secretary, or the Secretary’s  
5 designee, shall coordinate with the Secretary of Transpor-  
6 tation, including the Administrator of the Federal Avia-  
7 tion Administration, before issuing any guidance or imple-  
8 menting any program or procedures to carry out this sec-  
9 tion that might affect aviation safety, civilian aviation and  
10 aerospace operations, aircraft airworthiness, or the use of  
11 the airspace.

12 “(c) ACTIONS DESCRIBED.—

13 “(1) The actions described in this paragraph  
14 are the following:

15 “(A) Detect, identify, monitor, and track  
16 the unmanned aircraft system or unmanned air-  
17 craft, without prior consent, including by means  
18 of intercept or other access of a wire, oral, or  
19 electronic communication used to control the  
20 unmanned aircraft system or unmanned air-  
21 craft.

22 “(B) Warn the operator of the unmanned  
23 aircraft system or unmanned aircraft, including  
24 by passive or active, and direct or indirect phys-

1 ical, electronic, radio, and electromagnetic  
2 means.

3 “(C) Disrupt control of the unmanned air-  
4 craft system or unmanned aircraft, without  
5 prior consent, including by disabling the un-  
6 manned aircraft system or unmanned aircraft  
7 by intercepting, interfering, or causing inter-  
8 ference with wire, oral, electronic, or radio com-  
9 munications used to control the unmanned air-  
10 craft system or unmanned aircraft.

11 “(D) Seize or exercise control of the un-  
12 manned aircraft system or unmanned aircraft.

13 “(E) Seize or otherwise confiscate the un-  
14 manned aircraft system or unmanned aircraft.

15 “(F) Use reasonable force to disable, dam-  
16 age, or destroy the unmanned aircraft system  
17 or unmanned aircraft.

18 “(2) The Secretary shall develop the actions de-  
19 scribed in paragraph (1) in coordination with the  
20 Secretary of Transportation.

21 “(d) FORFEITURE.—Any unmanned aircraft system  
22 or unmanned aircraft described in subsection (a) that is  
23 seized by the Secretary is subject to forfeiture to the  
24 United States.

1       “(e) REGULATIONS.—The Secretary and the Sec-  
2 retary of Transportation may prescribe regulations and  
3 shall issue guidance in the respective areas of each Sec-  
4 retary to carry out this section. The Secretary and the  
5 Secretary of Transportation shall coordinate in the devel-  
6 opment of such guidance.

7       “(f) DEFINITIONS.—In this section:

8               “(1) The term ‘covered vessel or aircraft’ means  
9 a vessel or aircraft that—

10                       “(A)(i) is a vessel or aircraft operated by  
11 the Coast Guard; or

12                       “(ii) is a vessel the Coast Guard is assist-  
13 ing or escorting;

14                       “(B) is located in the United States (in-  
15 cluding the territories and possessions of the  
16 United States); and

17                       “(C) is directly involved in a mission of the  
18 Coast Guard pertaining to—

19                               “(i) assisting or escorting a vessel of  
20 the Department of Defense;

21                               “(ii) assisting or escorting a vessel of  
22 national security significance, a high inter-  
23 est vessel, a high capacity passenger vessel,  
24 or a high value unit, as those terms are de-  
25 fined by the Secretary;

1 “(iii) section 91(a) of this title;

2 “(iv) assistance in protecting the  
3 President or the Vice President (or other  
4 officer next in order of succession to the  
5 Office of the President) pursuant to the  
6 Presidential Protection Assistance Act of  
7 1976 (18 U.S.C. 3056 note);

8 “(v) protection of a National Special  
9 Security Event, as designated by the Sec-  
10 retary;

11 “(vi) air defense of the United States,  
12 including air sovereignty, ground-based air  
13 defense, and the National Capital Region  
14 integrated air defense system; or

15 “(vii) a search and rescue operation.

16 “(2) The terms ‘electronic communication’,  
17 ‘intercept’, ‘oral communication’, and ‘wire commu-  
18 nication’ have the meaning given those terms in sec-  
19 tion 2510 of title 18.

20 “(3) The term ‘National Special Security  
21 Event’ has the meaning given the term in section  
22 2001 of the Homeland Security Act of 2002 (6  
23 U.S.C. 601).

24 “(4) The terms ‘unmanned aircraft’ and ‘un-  
25 manned aircraft system’ have the meanings given

1 those terms in section 331 of the FAA Moderniza-  
2 tion and Reform Act of 2012 (Public Law 112–95;  
3 49 U.S.C. 40101 note).

4 “(g) PRESERVATION OF APPROPRIATE AUTHOR-  
5 ITY.—

6 “(1) Nothing in this section may be construed  
7 to vest in the Secretary any authority of the Sec-  
8 retary of Transportation or the Administrator of the  
9 Federal Aviation Administration under title 49.

10 “(2) Nothing in this section may be construed  
11 to vest in the Secretary of Transportation or the Ad-  
12 ministrator of the Federal Aviation Administration  
13 any authority of the Secretary under title 14.

14 “(h) PRIVACY PROTECTION.—Regulations or guid-  
15 ance issued under subsection (e) shall ensure that—

16 “(1) the interception or acquisition of or access  
17 to communications to or from an unmanned aircraft  
18 system under this section is conducted in a manner  
19 consistent with the Fourth Amendment to the  
20 United States Constitution and applicable Federal  
21 law;

22 “(2) communications to or from an unmanned  
23 aircraft system are intercepted, acquired, or accessed  
24 only to the extent necessary to support a function of  
25 the Department;

1           “(3) records of such communications are not  
2 maintained for more than 180 days unless the Sec-  
3 retary determines that maintenance of such  
4 records—

5           “(A) is necessary to support one or more  
6 functions of the Department; or

7           “(B) is required for a longer period to sup-  
8 port a civilian law enforcement agency or by  
9 any other applicable law or regulation; and

10          “(4) such communications are not disclosed  
11 outside the Department unless the disclosure—

12          “(A) would fulfill a function of the Depart-  
13 ment;

14          “(B) would support a civilian law enforce-  
15 ment agency or enforcement activities of a reg-  
16 ulatory agency in connection with a criminal or  
17 civil investigation of, or any regulatory action  
18 with regard to, any activity described under  
19 subsection (c); or

20          “(C) is otherwise required by law or regu-  
21 lation.

22          “(i) SEMI-ANNUAL BRIEFINGS REQUIRED.—

23          “(1) Not less than 180 days after the date of  
24 the enactment of the Coast Guard Authorization Act  
25 of 2017, and every 6 months thereafter until the au-

1       thority terminates pursuant to subsection (j), the Sec-  
2       retary and the Secretary of Transportation shall  
3       jointly provide a briefing to the Committee on Com-  
4       merce, Science, and Transportation of the Senate  
5       and the Committee on Transportation and Infra-  
6       structure of the House of Representatives on the ac-  
7       tivities carried out pursuant to this section. Such  
8       briefings shall include—

9               “(A) policies, programs, and procedures to  
10              mitigate or eliminate impacts of such activities  
11              to the National Airspace System;

12             “(B) a description of each instance where  
13              an action described in subsection (c)(1) has  
14              been taken;

15             “(C) how the Secretaries have informed  
16              the public as to the possible use of authorities  
17              under this section; and

18             “(D) how the Secretaries have engaged  
19              with Federal, State, and local law enforcement  
20              agencies to implement and use such authorities.

21             “(2) Each briefing under paragraph (1) shall be  
22              in unclassified form, but may be accompanied by an  
23              additional classified briefing.

24             “(j) TERMINATION OF AUTHORITY.—The authority  
25              pursuant to this section shall expire on December 31,



1 2020, for Department missions unless the President of the  
2 United States certifies to Congress, not less than 45 days  
3 prior to the expiration date that retaining authority pursu-  
4 ant to this section is in the national security interests of  
5 the United States, thereby extending the authority for  
6 those mission areas an additional 180 days.”.

7 (b) CLERICAL AMENDMENT.—The analysis for chap-  
8 ter 5 of title 14, United States Code, as amended by this  
9 division, is further amended by inserting after the item  
10 relating to section 527 the following:

“528. Protecting against unmanned aircraft.”.

11 **SEC. 4320. AIR FACILITIES.**

12 Section 912 of title 14, United States Code, is  
13 amended—

14 (1) by striking subsection (a);

15 (2) by redesignating subsections (b) and (c) as  
16 subsections (a) and (b), respectively;

17 (3) in subsection (a) as redesignated—

18 (A) by amending paragraph (3) to read as  
19 follows:

20 “(3) PUBLIC NOTICE AND COMMENT.—

21 “(A) IN GENERAL.—Prior to closing an air  
22 facility, the Secretary shall provide opportuni-  
23 ties for public comment, including the con-  
24 vening of public meetings in communities in the  
25 area of responsibility of the air facility with re-

1           gard to the proposed closure or cessation of op-  
2           erations at the air facility.

3           “(B) PUBLIC MEETINGS.—Prior to con-  
4           vening a public meeting under subparagraph  
5           (A), the Secretary shall notify each congres-  
6           sional office representing any portion of the  
7           area of responsibility of the air station that is  
8           the subject to such public meeting of the sched-  
9           ule and location of such public meeting.”;

10           (B) in paragraph (4)—

11           (i) in the matter preceding subpara-  
12           graph (A) by striking “2015” and insert-  
13           ing “2017”; and

14           (ii) by amending subparagraph (A) to  
15           read as follows:

16           “(A) submit to the Congress a proposal for  
17           such closure, cessation, or reduction in oper-  
18           ations along with the budget of the President  
19           submitted to Congress under section 1105(a) of  
20           title 31 that includes—

21           “(i) a discussion of the determination  
22           made by the Secretary pursuant to para-  
23           graph (2); and

1 “(ii) a report summarizing the public  
2 comments received by the Secretary under  
3 paragraph (3)”; and

4 (C) by adding at the end the following:

5 “(5) CONGRESSIONAL REVIEW.—The Secretary  
6 may not close, cease operations, or significantly re-  
7 duce personnel and use of a Coast Guard air facility  
8 for which a written notice is provided under para-  
9 graph (4)(A) until a period of 18 months beginning  
10 on the date on which such notice is provided has  
11 elapsed.”.

12 **TITLE XLIV—PORTS AND**  
13 **WATERWAYS SAFETY**

14 **SEC. 4401. CODIFICATION OF PORTS AND WATERWAYS**  
15 **SAFETY ACT.**

16 (a) CODIFICATION.—Subtitle VII of title 46, United  
17 States Code, is amended by inserting before chapter 701  
18 the following:

19 **“CHAPTER 700—PORTS AND WATERWAYS**  
20 **SAFETY**

“SUBCHAPTER A—VESSEL OPERATIONS

“70001. Vessel traffic services.

“70002. Special powers.

“70003. Port access routes.

“70004. Considerations by Secretary.

“70005. International agreements.

“SUBCHAPTER B—PORTS AND WATERWAYS SAFETY

“70011. Waterfront safety.

“70012. Navigational hazards.

“70013. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States.

“SUBCHAPTER C—CONDITION FOR ENTRY INTO PORTS IN THE UNITED STATES

“70021. Conditions for entry to ports in the united states.

“SUBCHAPTER D—DEFINITIONS, REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICABILITY

“70031. Definitions.

“70032. Saint Lawrence Seaway.

“70033. Limitation on application to foreign vessels.

“70034. Regulations.

“70035. Investigatory powers.

“70036. Enforcement.

1 “SUBCHAPTER I—VESSEL OPERATIONS

2 **“§ 70001. Vessel traffic services**

3 “(a) Subject to the requirements of section 70004,  
4 the Secretary—

5 “(1) in any port or place under the jurisdiction  
6 of the United States, in the navigable waters of the  
7 United States, or in any area covered by an inter-  
8 national agreement negotiated pursuant to section  
9 70005, may construct, operate, maintain, improve,  
10 or expand vessel traffic services, that consist of  
11 measures for controlling or supervising vessel traffic  
12 or for protecting navigation and the marine environ-  
13 ment and that may include one or more of reporting  
14 and operating requirements, surveillance and com-  
15 munications systems, routing systems, and fairways;

16 “(2) shall require appropriate vessels that oper-  
17 ate in an area of a vessel traffic service to utilize or  
18 comply with that service;

1           “(3)(A) may require vessels to install and use  
2 specified navigation equipment, communications  
3 equipment, electronic relative motion analyzer equip-  
4 ment, or any electronic or other device necessary to  
5 comply with a vessel traffic service or that is nec-  
6 essary in the interests of vessel safety.

7           “(B) Notwithstanding subparagraph (A), the  
8 Secretary shall not require fishing vessels under 300  
9 gross tons as measured under section 14502, or an  
10 alternate tonnage measured under section 14302 as  
11 prescribed by the Secretary under section 14104, or  
12 recreational vessels 65 feet or less to possess or use  
13 the equipment or devices required by this subsection  
14 solely under the authority of this chapter;

15           “(4) may control vessel traffic in areas subject  
16 to the jurisdiction of the United States that the Sec-  
17 retary determines to be hazardous, or under condi-  
18 tions of reduced visibility, adverse weather, vessel  
19 congestion, or other hazardous circumstances, by—

20           “(A) specifying times of entry, movement,  
21 or departure;

22           “(B) establishing vessel traffic routing  
23 schemes;

1           “(C) establishing vessel size, speed, or  
2           draft limitations and vessel operating condi-  
3           tions; and

4           “(D) restricting operation, in any haz-  
5           ardous area or under hazardous conditions, to  
6           vessels that have particular operating character-  
7           istics or capabilities that the Secretary con-  
8           siders necessary for safe operation under the  
9           circumstances;

10          “(5) may require the receipt of prearrival mes-  
11          sages from any vessel, destined for a port or place  
12          subject to the jurisdiction of the United States, in  
13          sufficient time to permit advance vessel traffic plan-  
14          ning before port entry, which shall include any infor-  
15          mation that is not already a matter of record and  
16          that the Secretary determines necessary for the con-  
17          trol of the vessel and the safety of the port or the  
18          marine environment; and

19          “(6) may prohibit the use on vessels of elec-  
20          tronic or other devices that interfere with commu-  
21          nication and navigation equipment, except that such  
22          authority shall not apply to electronic or other de-  
23          vices certified to transmit in the maritime services  
24          by the Federal Communications Commission and

1 used within the frequency bands 157.1875–157.4375  
2 MHz and 161.7875–162.0375 MHz.

3 “(b) COOPERATIVE AGREEMENTS.—

4 “(1) IN GENERAL.—The Secretary may enter  
5 into cooperative agreements with public or private  
6 agencies, authorities, associations, institutions, cor-  
7 porations, organizations, or other persons to carry  
8 out the functions under subsection (a)(1).

9 “(2) LIMITATION.—

10 “(A) A nongovernmental entity may not  
11 under this subsection carry out an inherently  
12 governmental function.

13 “(B) As used in this paragraph, the term  
14 ‘inherently governmental function’ means any  
15 activity that is so intimately related to the pub-  
16 lic interest as to mandate performance by an  
17 officer or employee of the Federal Government,  
18 including an activity that requires either the ex-  
19 ercise of discretion in applying the authority of  
20 the Government or the use of judgment in mak-  
21 ing a decision for the Government.

22 “(c) LIMITATION OF LIABILITY FOR COAST GUARD  
23 VESSEL TRAFFIC SERVICE PILOTS AND NON-FEDERAL  
24 VESSEL TRAFFIC SERVICE OPERATORS.—

1           “(1) COAST GUARD VESSEL TRAFFIC SERVICE  
2           PILOTS.—Any pilot, acting in the course and scope  
3           of his or her duties while at a Coast Guard Vessel  
4           Traffic Service, who provides information, advice, or  
5           communication assistance while under the super-  
6           vision of a Coast Guard officer, member, or em-  
7           ployee shall not be liable for damages caused by or  
8           related to such assistance unless the acts or omis-  
9           sions of such pilot constitute gross negligence or  
10          willful misconduct.

11          “(2) NON-FEDERAL VESSEL TRAFFIC SERVICE  
12          OPERATORS.—An entity operating a non-Federal  
13          vessel traffic information service or advisory service  
14          pursuant to a duly executed written agreement with  
15          the Coast Guard, and any pilot acting on behalf of  
16          such entity, is not liable for damages caused by or  
17          related to information, advice, or communication as-  
18          sistance provided by such entity or pilot while so op-  
19          erating or acting unless the acts or omissions of  
20          such entity or pilot constitute gross negligence or  
21          willful misconduct.

22          **“§ 70002. Special powers**

23          “The Secretary may order any vessel, in a port or  
24          place subject to the jurisdiction of the United States or



1 in the navigable waters of the United States, to operate  
2 or anchor in a manner the Secretary directs if—

3 “(1) the Secretary has reasonable cause to be-  
4 lieve such vessel does not comply with any regulation  
5 issued under section 70034 or any other applicable  
6 law or treaty;

7 “(2) the Secretary determines such vessel does  
8 not satisfy the conditions for port entry set forth in  
9 section 70021 of this title; or

10 “(3) by reason of weather, visibility, sea condi-  
11 tions, port congestion, other hazardous cir-  
12 cumstances, or the condition of such vessel, the Sec-  
13 retary is satisfied such direction is justified in the  
14 interest of safety.

15 **“§ 70003. Port access routes**

16 “(a) AUTHORITY TO DESIGNATE.—Except as pro-  
17 vided in subsection (b) and subject to the requirements  
18 of subsection (c), in order to provide safe access routes  
19 for the movement of vessel traffic proceeding to or from  
20 ports or places subject to the jurisdiction of the United  
21 States, the Secretary shall designate necessary fairways  
22 and traffic separation schemes for vessels operating in the  
23 territorial sea of the United States and in high seas ap-  
24 proaches, outside the territorial sea, to such ports or  
25 places. Such a designation shall recognize, within the des-

1 igned area, the paramount right of navigation over all  
2 other uses.

3 “(b) LIMITATION.—

4 “(1) IN GENERAL.—No designation may be  
5 made by the Secretary under this section if—

6 “(A) the Secretary determines such a des-  
7 igation, as implemented, would deprive any  
8 person of the effective exercise of a right grant-  
9 ed by a lease or permit executed or issued  
10 under other applicable provisions of law; and

11 “(B) such right has become vested before  
12 the time of publication of the notice required by  
13 paragraph (1) of subsection (c).

14 “(2) CONSULTATION REQUIRED.—The Sec-  
15 retary shall make the determination under para-  
16 graph (1)(A) after consultation with the head of the  
17 agency responsible for executing the lease or issuing  
18 the permit.

19 “(c) CONSIDERATION OF OTHER USES.—Before  
20 making a designation under subsection (a), and in accord-  
21 ance with the requirements of section 70004, the Sec-  
22 retary shall—

23 “(1) undertake a study of the potential traffic  
24 density and the need for safe access routes for ves-  
25 sels in any area for which fairways or traffic separa-

1       tion schemes are proposed or that may otherwise be  
2       considered and publish notice of such undertaking in  
3       the Federal Register;

4               “(2) in consultation with the Secretary of State,  
5       the Secretary of the Interior, the Secretary of Com-  
6       merce, the Secretary of the Army, and the Gov-  
7       ernors of affected States, as their responsibilities  
8       may require, take into account all other uses of the  
9       area under consideration, including, as appropriate,  
10      the exploration for, or exploitation of, oil, gas, or  
11      other mineral resources, the construction or oper-  
12      ation of deepwater ports or other structures on or  
13      above the seabed or subsoil of the submerged lands  
14      or the Outer Continental Shelf of the United States,  
15      the establishment or operation of marine or estua-  
16      rine sanctuaries, and activities involving recreational  
17      or commercial fishing; and

18              “(3) to the extent practicable, reconcile the  
19      need for safe access routes with the needs of all  
20      other reasonable uses of the area involved.

21              “(d) STUDY.—In carrying out the Secretary’s respon-  
22      sibilities under subsection (c), the Secretary shall—

23              “(1) proceed expeditiously to complete any  
24      study undertaken; and

1           “(2) after completion of such a study, promptly—  
2

3                   “(A) issue a notice of proposed rulemaking  
4           for the designation contemplated; or

5                   “(B) publish in the Federal Register a notice  
6           that no designation is contemplated as a result of the study and the reason for such determination.  
7  
8

9           “(e) IMPLEMENTATION OF DESIGNATION.—In connection with a designation made under this section, the  
10 Secretary—  
11

12                   “(1) shall issue reasonable rules and regulations  
13           governing the use of such designated areas, including rules and regulations regarding the applicability  
14           of rules 9 and 10 of the International Regulations for Preventing Collisions at Sea, 1972, relating to  
15           narrow channels and traffic separation schemes, respectively, in waters where such regulations apply;  
16  
17  
18

19                   “(2) to the extent that the Secretary finds reasonable and necessary to effectuate the purposes of  
20           the designation, make the use of designated fairways and traffic separation schemes mandatory for specific  
21           types and sizes of vessels, foreign and domestic, operating in the territorial sea of the United States  
22           and for specific types and sizes of vessels of the  
23  
24  
25

1 United States operating on the high seas beyond the  
2 territorial sea of the United States;

3 “(3) may, from time to time, as necessary, ad-  
4 just the location or limits of designated fairways or  
5 traffic separation schemes in order to accommodate  
6 the needs of other uses that cannot be reasonably  
7 accommodated otherwise, except that such an ad-  
8 justment may not, in the judgment of the Secretary,  
9 unacceptably adversely affect the purpose for which  
10 the existing designation was made and the need for  
11 which continues; and

12 “(4) shall, through appropriate channels—

13 “(A) notify cognizant international organi-  
14 zations of any designation, or adjustment there-  
15 of; and

16 “(B) take action to seek the cooperation of  
17 foreign States in making it mandatory for ves-  
18 sels under their control to use, to the same ex-  
19 tent as required by the Secretary for vessels of  
20 the United States, any fairway or traffic sepa-  
21 ration scheme designated under this section in  
22 any area of the high seas.

23 **“§ 70004. Considerations by Secretary**

24 “In carrying out the duties of the Secretary under  
25 sections 70001, 70002, and 70003, the Secretary shall—

1           “(1) take into account all relevant factors con-  
2           cerning navigation and vessel safety, protection of  
3           the marine environment, and the safety and security  
4           of United States ports and waterways, including—

5                   “(A) the scope and degree of the risk or  
6                   hazard involved;

7                   “(B) vessel traffic characteristics and  
8                   trends, including traffic volume, the sizes and  
9                   types of vessels involved, potential interference  
10                  with the flow of commercial traffic, the presence  
11                  of any unusual cargoes, and other similar fac-  
12                  tors;

13                  “(C) port and waterway configurations and  
14                  variations in local conditions of geography, cli-  
15                  mate, and other similar factors;

16                  “(D) the need for granting exemptions for  
17                  the installation and use of equipment or devices  
18                  for use with vessel traffic services for certain  
19                  classes of small vessels, such as self-propelled  
20                  fishing vessels and recreational vessels;

21                  “(E) the proximity of fishing grounds, oil  
22                  and gas drilling and production operations, or  
23                  any other potential or actual conflicting activ-  
24                  ity;

25                  “(F) environmental factors;

1 “(G) economic impact and effects;

2 “(H) existing vessel traffic services; and

3 “(I) local practices and customs, including  
4 voluntary arrangements and agreements within  
5 the maritime community; and

6 “(2) at the earliest possible time, consult with  
7 and receive and consider the views of representatives  
8 of the maritime community, ports and harbor au-  
9 thorities or associations, environmental groups, and  
10 other persons who may be affected by the proposed  
11 actions.

12 **“§ 70005. International agreements**

13 “(a) TRANSMITTAL OF REGULATIONS.—The Sec-  
14 retary shall transmit, via the Secretary of State, to appro-  
15 priate international bodies or forums, any regulations  
16 issued under this subchapter, for consideration as inter-  
17 national standards.

18 “(b) AGREEMENTS.—The President is authorized  
19 and encouraged to—

20 “(1) enter into negotiations and conclude and  
21 execute agreements with neighboring nations, to es-  
22 tablish compatible vessel standards and vessel traffic  
23 services, and to establish, operate, and maintain  
24 international vessel traffic services, in areas and  
25 under circumstances of mutual concern; and

1           “(2) enter into negotiations, through appro-  
2           priate international bodies, and conclude and execute  
3           agreements to establish vessel traffic services in ap-  
4           propriate areas of the high seas.

5           “(c) OPERATIONS.—The Secretary, pursuant to any  
6           agreement negotiated under subsection (b) that is binding  
7           upon the United States in accordance with constitutional  
8           requirements, may—

9           “(1) require vessels operating in an area of a  
10          vessel traffic service to utilize or to comply with the  
11          vessel traffic service, including the carrying or in-  
12          stallation of equipment and devices as necessary for  
13          the use of the service; and

14          “(2) waive, by order or regulation, the applica-  
15          tion of any United States law or regulation con-  
16          cerning the design, construction, operation, equip-  
17          ment, personnel qualifications, and manning stand-  
18          ards for vessels operating in waters over which the  
19          United States exercises jurisdiction if such vessel is  
20          not en route to or from a United States port or  
21          place, and if vessels en route to or from a United  
22          States port or place are accorded equivalent waivers  
23          of laws and regulations of the neighboring nation,  
24          when operating in waters over which that nation ex-  
25          ercises jurisdiction.



1       “(d) SHIP REPORTING SYSTEMS.—The Secretary, in  
2 cooperation with the International Maritime Organization,  
3 may implement and enforce two mandatory ship reporting  
4 systems, consistent with international law, with respect to  
5 vessels subject to such reporting systems entering the fol-  
6 lowing areas of the Atlantic Ocean:

7           “(1) Cape Cod Bay, Massachusetts Bay, and  
8 Great South Channel (in the area generally bounded  
9 by a line starting from a point on Cape Ann, Massa-  
10 chusetts at 42 deg. 39’ N., 70 deg. 37’ W; then  
11 northeast to 42 deg. 45’ N., 70 deg. 13’ W; then  
12 southeast to 42 deg. 10’ N., 68 deg. 31’ W, then  
13 south to 41 deg. 00’ N., 68 deg. 31’ W; then west  
14 to 41 deg. 00’ N., 69 deg. 17’ W; then northeast to  
15 42 deg. 05’ N., 70 deg. 02’ W, then west to 42 deg.  
16 04’ N., 70 deg. 10’ W; and then along the Massa-  
17 chusetts shoreline of Cape Cod Bay and Massachu-  
18 setts Bay back to the point on Cape Ann at 42 deg.  
19 39’ N., 70 deg. 37’ W).

20           “(2) In the coastal waters of the Southeastern  
21 United States within about 25 nm along a 90 nm  
22 stretch of the Atlantic seaboard (in an area gen-  
23 erally extending from the shoreline east to longitude  
24 80 deg. 51.6’ W with the southern and northern

1 boundary at latitudes 30 deg. 00' N., 31 deg. 27'  
2 N., respectively).

3 “SUBCHAPTER II—PORTS AND WATERWAYS  
4 SAFETY

5 “§ 70011. **Waterfront safety**

6 “(a) IN GENERAL.—The Secretary may take such ac-  
7 tion as is necessary to—

8 “(1) prevent damage to, or the destruction of,  
9 any bridge or other structure on or in the navigable  
10 waters of the United States, or any land structure  
11 or shore area immediately adjacent to such waters;  
12 and

13 “(2) protect the navigable waters and the re-  
14 sources therein from harm resulting from vessel or  
15 structure damage, destruction, or loss.

16 “(b) ACTIONS AUTHORIZED.—Actions authorized by  
17 subsection (a) include—

18 “(1) establishing procedures, measures, and  
19 standards for the handling, loading, unloading, stor-  
20 age, stowage, and movement on a structure (includ-  
21 ing the emergency removal, control, and disposition)  
22 of explosives or other dangerous articles and sub-  
23 stances, including oil or hazardous material as those  
24 terms are defined in section 2101;

1           “(2) prescribing minimum safety equipment re-  
2           quirements for a structure to assure adequate pro-  
3           tection from fire, explosion, natural disaster, and  
4           other serious accidents or casualties;

5           “(3) establishing water or waterfront safety  
6           zones, or other measures, for limited, controlled, or  
7           conditional access and activity when necessary for  
8           the protection of any vessel, structure, waters, or  
9           shore area; and

10           “(4) establishing procedures for examination to  
11           assure compliance with the requirements prescribed  
12           under this section.

13           “(c) STATE LAW.—Nothing in this section, with re-  
14           spect to structures, prohibits a State or political subdivi-  
15           sion thereof from prescribing higher safety equipment re-  
16           quirements or safety standards than those that may be  
17           prescribed by regulations under this section.

18           **“§ 70012. Navigational hazards**

19           “(a) REPORTING PROCEDURE.—The Secretary shall  
20           establish a program to encourage fishermen and other ves-  
21           sel operators to report potential or existing navigational  
22           hazards involving pipelines to the Secretary through Coast  
23           Guard field offices.

24           “(b) SECRETARY’S RESPONSE.—

1           “(1) NOTIFICATION BY THE OPERATOR OF A  
2 PIPELINE.—Upon notification by the operator of a  
3 pipeline of a hazard to navigation with respect to  
4 that pipeline, the Secretary shall immediately notify  
5 Coast Guard headquarters, the Pipeline and Haz-  
6 ardous Materials Safety Administration, other af-  
7 fected Federal and State agencies, and vessel owners  
8 and operators in the pipeline’s vicinity.

9           “(2) NOTIFICATION BY OTHER PERSONS.—  
10 Upon notification by any other person of a hazard  
11 or potential hazard to navigation with respect to a  
12 pipeline, the Secretary shall promptly determine  
13 whether a hazard exists, and if so shall immediately  
14 notify Coast Guard headquarters, the Pipeline and  
15 Hazardous Materials Safety Administration, other  
16 affected Federal and State agencies, vessel owners  
17 and operators in the pipeline’s vicinity, and the  
18 owner and operator of the pipeline.

19           “(c) PIPELINE DEFINED.—For purposes of this sec-  
20 tion, the term ‘pipeline’ has the meaning given the term  
21 ‘pipeline facility’ in section 60101(a)(18) of title 49.

1 **“§ 70013. Requirement to notify Coast Guard of re-**  
2 **lease of objects into the navigable waters**  
3 **of the United States**

4 “(a) REQUIREMENT.—As soon as a person has  
5 knowledge of any release from a vessel or facility into the  
6 navigable waters of the United States of any object that  
7 creates an obstruction prohibited under section 10 of the  
8 Act of March 3, 1899, popularly known as the Rivers and  
9 Harbors Appropriations Act of 1899 (33 U.S.C. 403),  
10 such person shall notify the Secretary and the Secretary  
11 of the Army of such release.

12 “(b) RESTRICTION ON USE OF NOTIFICATION.—Any  
13 notification provided by an individual in accordance with  
14 subsection (a) may not be used against such individual  
15 in any criminal case, except a prosecution for perjury or  
16 for giving a false statement.

17 **“SUBCHAPTER III—CONDITION FOR ENTRY**  
18 **INTO PORTS IN THE UNITED STATES**  
19 **“§ 70021. Conditions for entry to ports in the United**  
20 **States**

21 “(a) IN GENERAL.—No vessel that is subject to chap-  
22 ter 37 shall operate in the navigable waters of the United  
23 States or transfer cargo or residue in any port or place  
24 under the jurisdiction of the United States, if such ves-  
25 sel—

1           “(1) has a history of accidents, pollution inci-  
2 dents, or serious repair problems that, as determined  
3 by the Secretary, creates reason to believe that such  
4 vessel may be unsafe or may create a threat to the  
5 marine environment;

6           “(2) fails to comply with any applicable regula-  
7 tion issued under section 70034, chapter 37, or any  
8 other applicable law or treaty;

9           “(3) discharges oil or hazardous material in vio-  
10 lation of any law of the United States or in a man-  
11 ner or quantities inconsistent with any treaty to  
12 which the United States is a party;

13           “(4) does not comply with any applicable vessel  
14 traffic service requirements;

15           “(5) is manned by one or more officers who are  
16 licensed by a certificating State that the Secretary  
17 has determined, pursuant to section 9101 of title 46,  
18 does not have standards for licensing and certifi-  
19 cation of seafarers that are comparable to or more  
20 stringent than United States standards or inter-  
21 national standards that are accepted by the United  
22 States;

23           “(6) is not manned in compliance with manning  
24 levels as determined by the Secretary to be necessary  
25 to insure the safe navigation of the vessel; or

1           “(7) while underway, does not have at least one  
2 licensed deck officer on the navigation bridge who is  
3 capable of clearly understanding English.

4           “(b) EXCEPTIONS.—

5           “(1) IN GENERAL.—The Secretary may allow  
6 provisional entry of a vessel that is not in compli-  
7 ance with subsection (a), if the owner or operator of  
8 such vessel proves, to the satisfaction of the Sec-  
9 retary, that such vessel is not unsafe or a threat to  
10 the marine environment, and if such entry is nec-  
11 essary for the safety of the vessel or persons aboard.

12           “(2) PROVISIONS NOT APPLICABLE.—Para-  
13 graphs (1), (2), (3), and (4) of subsection (a) of this  
14 section shall not apply to a vessel allowed provisional  
15 entry under paragraph (1) if the owner or operator  
16 of such vessel proves, to the satisfaction of the Sec-  
17 retary, that such vessel is no longer unsafe or a  
18 threat to the marine environment, and is no longer  
19 in violation of any applicable law, treaty, regulation,  
20 or condition, as appropriate.

1 “SUBCHAPTER IV—DEFINITIONS, REGULA-  
2 TIONS, ENFORCEMENT, INVESTIGATORY  
3 POWERS, APPLICABILITY

4 “§ 70031. Definitions

5 “As used in subchapters A through C and this sub-  
6 chapter, unless the context otherwise requires:

7 “(1) The term ‘marine environment’ means—

8 “(A) the navigable waters of the United  
9 States and the land and resources therein and  
10 thereunder;

11 “(B) the waters and fishery resources of  
12 any area over which the United States asserts  
13 exclusive fishery management authority;

14 “(C) the seabed and subsoil of the Outer  
15 Continental Shelf of the United States, the re-  
16 sources thereof, and the waters superjacent  
17 thereto; and

18 “(D) the recreational, economic, and scenic  
19 values of such waters and resources.

20 “(2) The term ‘Secretary’ means the Secretary  
21 of the department in which the Coast Guard is oper-  
22 ating, except that such term means the Secretary of  
23 Transportation with respect to the application of  
24 this chapter to the Saint Lawrence Seaway.



1           “(3) The term ‘navigable waters of the United  
2 States’ includes all waters of the territorial sea of  
3 the United States as described in Presidential Pro-  
4 clamation No. 5928 of December 27, 1988.

5 **“§ 70032. Saint Lawrence Seaway**

6           “The authority granted to the Secretary under sec-  
7 tions 70001, 70002, 70003, 7004, and 70011 may not be  
8 delegated with respect to the Saint Lawrence Seaway to  
9 any agency other than the Saint Lawrence Seaway Devel-  
10 opment Corporation. Any other authority granted the Sec-  
11 retary under subchapters A through C and this subchapter  
12 shall be delegated by the Secretary to the Saint Lawrence  
13 Seaway Development Corporation to the extent the Sec-  
14 retary determines such delegation is necessary for the  
15 proper operation of the Saint Lawrence Seaway.

16 **“§ 70033. Limitation on application to foreign vessels**

17           “Except pursuant to international treaty, convention,  
18 or agreement, to which the United States is a party, sub-  
19 chapters A through C and this subchapter shall not apply  
20 to any foreign vessel that is not destined for, or departing  
21 from, a port or place subject to the jurisdiction of the  
22 United States and that is in—

23           “(1) innocent passage through the territorial  
24 sea of the United States; or

1           “(2) transit through the navigable waters of the  
2           United States that form a part of an international  
3           strait.

4   **“§ 70034. Regulations**

5           “(a) IN GENERAL.—In accordance with section 553  
6           of title 5, the Secretary shall issue, and may from time  
7           to time amend or repeal, regulations necessary to imple-  
8           ment subchapters A through C and this subchapter.

9           “(b) CONSULTATION.—In the exercise of the regu-  
10          latory authority under subchapters A through C and this  
11          subchapter, the Secretary shall consult with, and receive  
12          and consider the views of all interested persons, includ-  
13          ing—

14                 “(1) interested Federal departments and agen-  
15                 cies;

16                 “(2) officials of State and local governments;

17                 “(3) representatives of the maritime commu-  
18                 nity;

19                 “(4) representatives of port and harbor authori-  
20                 ties or associations;

21                 “(5) representatives of environmental groups;

22                 “(6) any other interested persons who are  
23                 knowledgeable or experienced in dealing with prob-  
24                 lems involving vessel safety, port and waterways

1 safety, and protection of the marine environment;  
2 and

3 “(7) advisory committees consisting of all inter-  
4 ested segments of the public when the establishment  
5 of such committees is considered necessary because  
6 the issues involved are highly complex or controver-  
7 sial.

8 **“§ 70035. Investigatory powers**

9 “(a) SECRETARY.—The Secretary may investigate  
10 any incident, accident, or act involving the loss or destruc-  
11 tion of, or damage to, any structure subject to subchapters  
12 A through C and this subchapter, or that affects or may  
13 affect the safety or environmental quality of the ports,  
14 harbors, or navigable waters of the United States.

15 “(b) POWERS.—In an investigation under this sec-  
16 tion, the Secretary may issue subpoenas to require the at-  
17 tendance of witnesses and the production of documents or  
18 other evidence relating to such incident, accident, or act.  
19 If any person refuses to obey a subpoena, the Secretary  
20 may request the Attorney General to invoke the aid of the  
21 appropriate district court of the United States to compel  
22 compliance with the subpoena. Any district court of the  
23 United States may, in the case of refusal to obey a sub-  
24 poena, issue an order requiring compliance with the sub-  
25 poena, and failure to obey the order may be punished by

1 the court as contempt. Witnesses may be paid fees for  
2 travel and attendance at rates not exceeding those allowed  
3 in a district court of the United States.

4 **“§ 70036. Enforcement**

5 “(a) CIVIL PENALTY.—

6 “(1) IN GENERAL.—Any person who is found  
7 by the Secretary, after notice and an opportunity for  
8 a hearing, to have violated subchapters A through C  
9 or this subchapter or a regulation issued under sub-  
10 chapters A through C or this subchapter shall be lia-  
11 ble to the United States for a civil penalty, not to  
12 exceed \$25,000 for each violation. Each day of a  
13 continuing violation shall constitute a separate viola-  
14 tion. The amount of such civil penalty shall be as-  
15 sessed by the Secretary, or the Secretary’s designee,  
16 by written notice. In determining the amount of  
17 such penalty, the Secretary shall take into account  
18 the nature, circumstances, extent, and gravity of the  
19 prohibited acts committed and, with respect to the  
20 violator, the degree of culpability, any history of  
21 prior offenses, ability to pay, and such other matters  
22 as justice may require.

23 “(2) COMPROMISE, MODIFICATION, OR REMIS-  
24 SION.—The Secretary may compromise, modify, or  
25 remit, with or without conditions, any civil penalty

1 that is subject to imposition or that has been im-  
2 posed under this section.

3 “(3) FAILURE TO PAY PENALTY.—If any per-  
4 son fails to pay an assessment of a civil penalty  
5 after it has become final, the Secretary may refer  
6 the matter to the Attorney General of the United  
7 States, for collection in any appropriate district  
8 court of the United States.

9 “(b) CRIMINAL PENALTY.—

10 “(1) CLASS D FELONY.—Any person who will-  
11 fully and knowingly violates subchapters A through  
12 C or this subchapter or any regulation issued there-  
13 under commits a class D felony.

14 “(2) CLASS C FELONY.—Any person who, in  
15 the willful and knowing violation of subchapters A  
16 through C or this subchapter or of any regulation  
17 issued thereunder, uses a dangerous weapon, or en-  
18 gages in conduct that causes bodily injury or fear of  
19 imminent bodily injury to any officer authorized to  
20 enforce the provisions of such a subchapter or the  
21 regulations issued under such subchapter, commits a  
22 class C felony.

23 “(c) IN REM LIABILITY.—Any vessel that is used in  
24 violation of subchapters A, B, or C or this subchapter,  
25 or any regulations issued under such subchapter, shall be

1 liable in rem for any civil penalty assessed pursuant to  
2 subsection (a) and may be proceeded against in the United  
3 States district court for any district in which such vessel  
4 may be found.

5 “(d) INJUNCTION.—The United States district courts  
6 shall have jurisdiction to restrain violations of subchapter  
7 A, B, or C or this subchapter or of regulations issued  
8 under such subchapter, for cause shown.

9 “(e) DENIAL OF ENTRY.—Except as provided in sec-  
10 tion 70021, the Secretary may, subject to recognized prin-  
11 ciples of international law, deny entry by any vessel that  
12 is not in compliance with subchapter A, B, or C or this  
13 subchapter or the regulations issued under such sub-  
14 chapter—

15 “(1) into the navigable waters of the United  
16 States; or

17 “(2) to any port or place under the jurisdiction  
18 of the United States.

19 “(f) WITHHOLDING OF CLEARANCE.—

20 “(1) IN GENERAL.—If any owner, operator, or  
21 individual in charge of a vessel is liable for a penalty  
22 or fine under this section, or if reasonable cause ex-  
23 ists to believe that the owner, operator, or individual  
24 in charge may be subject to a penalty or fine under  
25 this section, the Secretary of the Treasury, upon the

1 request of the Secretary, shall with respect to such  
 2 vessel refuse or revoke any clearance required by  
 3 section 60105 of title 46.

4 “(2) GRANTING CLEARANCE REFUSED OR RE-  
 5 VOKED.—Clearance refused or revoked under this  
 6 subsection may be granted upon filing of a bond or  
 7 other surety satisfactory to the Secretary.”.

8 (b) CLERICAL AMENDMENT.—The analysis at the be-  
 9 ginning of such subtitle is amended by inserting before  
 10 the item relating to chapter 701 the following:

“700. Ports and Waterways Safety .....70001.”.

11 **SEC. 4402. CONFORMING AMENDMENTS.**

12 (a) ELECTRONIC CHARTS.—

13 (1) TRANSFER OF PROVISION.—Section 4A of  
 14 the Ports and Waterways Safety Act (33 U.S.C.  
 15 1223a)—

16 (A) is redesignated as section 3105 of title  
 17 46, United States Code, and transferred to ap-  
 18 pear after section 3104 of that title; and

19 (B) is amended by striking subsection (b)  
 20 and inserting the following:

21 “(b) LIMITATION ON APPLICATION.—Except pursu-  
 22 ant to an international treaty, convention, or agreement,  
 23 to which the United States is a party, this section shall  
 24 not apply to any foreign vessel that is not destined for,

1 or departing from, a port or place subject to the jurisdic-  
2 tion of the United States and that is in—

3 “(1) innocent passage through the territorial  
4 sea of the United States; or

5 “(2) transit through the navigable waters of the  
6 United States that form a part of an international  
7 strait.”.

8 (2) CLERICAL AMENDMENT.—The analysis at  
9 the beginning of chapter 31 of such title is amended  
10 by adding at the end the following:

“3105. Electronic charts.”.

11 (b) PORT, HARBOR, AND COASTAL FACILITY SECUR-  
12 RITY.—

13 (1) TRANSFER OF PROVISIONS.—So much of  
14 section 7 of the Ports and Waterways Safety Act  
15 (33 U.S.C. 1226) as precedes subsection (c) of that  
16 section is redesignated as section 70116 of title 46,  
17 United States Code, and transferred so as to replace  
18 section 70116 of that title, as in effect before the  
19 enactment of this Act.

20 (2) DEFINITIONS, ADMINISTRATION, AND EN-  
21 FORCEMENT.—Section 70116 of title 46, United  
22 States Code, as amended by paragraph (1) of this  
23 subsection, is amended by adding at the end the fol-  
24 lowing:



1       “(c) DEFINITIONS, ADMINISTRATION, AND EN-  
2 FORCEMENT.—This section shall be treated as part of  
3 chapter 700 for purposes of sections 70031, 70032,  
4 70034, 70035, and 70036.”.

5           (3) CLERICAL AMENDMENT.—The analysis at  
6 the beginning of chapter 701 of such title is amend-  
7 ed by striking the item relating to section 70116 and  
8 inserting the following:

“70116. Port, harbor, and coastal facility security.”.

9           (c) NONDISCLOSURE OF PORT SECURITY PLANS.—  
10 Subsection (c) of section 7 of the Ports and Waterways  
11 Safety Act (33 U.S.C. 1226), as so designated before the  
12 application of subsection (b)(1) of this section—

13           (1) is redesignated as subsection (f) of section  
14 70103 of title 46, United States Code, and trans-  
15 ferred so as to appear after subsection (e) of such  
16 section; and

17           (2) is amended by striking “this Act” and in-  
18 serting “this chapter”.

19           (d) REPEAL.—Section 2307 of title 46, United States  
20 Code, and the item relating to that section in the analysis  
21 at the beginning of chapter 23 of that title, are repealed.

22           (e) REPEAL.—The Ports and Waterways Safety Act  
23 (33 U.S.C. 1221–1231, 1232–1232b), as amended by this  
24 division, is repealed.

1 **SEC. 4403. TRANSITIONAL AND SAVINGS PROVISIONS.**

2 (a) **DEFINITIONS.**—In this section:

3 (1) **SOURCE PROVISION.**—The term “source  
4 provision” means a provision of law that is replaced  
5 by a title 46 provision under this title.

6 (2) **TITLE 46 PROVISION.**—The term “title 46  
7 provision” means a provision of title 46, United  
8 States Code, that is enacted by section 4402 of this  
9 title.

10 (b) **CUTOFF DATE.**—The title 46 provisions replace  
11 certain provisions of law enacted before the date of the  
12 enactment of this Act. If a law enacted after that date  
13 amends or repeals a source provision, that law is deemed  
14 to amend or repeal, as the case may be, the corresponding  
15 title 46 provision. If a law enacted after that date is other-  
16 wise inconsistent with a title 46 provision or a provision  
17 of this title, that law supersedes the title 46 provision or  
18 provision of this title to the extent of the inconsistency.

19 (c) **ORIGINAL DATE OF ENACTMENT UNCHANGED.**—  
20 For purposes of determining whether one provision of law  
21 supersedes another based on enactment later in time, a  
22 title 46 provision is deemed to have been enacted on the  
23 date of enactment of the source provision that the title  
24 46 provision replaces.

25 (d) **REFERENCES TO TITLE 46 PROVISIONS.**—A ref-  
26 erence to a title 46 provision, including a reference in a

1 regulation, order, or other law, is deemed to refer to the  
2 corresponding source provision.

3 (e) REFERENCES TO SOURCE PROVISIONS.—A ref-  
4 erence to a source provision, including a reference in a  
5 regulation, order, or other law, is deemed to refer to the  
6 corresponding title 46 provision.

7 (f) REGULATIONS, ORDERS, AND OTHER ADMINIS-  
8 TRATIVE ACTIONS.—A regulation, order, or other admin-  
9 istrative action in effect under a source provision con-  
10 tinues in effect under the corresponding title 46 provision.

11 (g) ACTIONS TAKEN AND OFFENSES COMMITTED.—  
12 An action taken or an offense committed under a source  
13 provision is deemed to have been taken or committed  
14 under the corresponding title 46 provision.

15 **SEC. 4404. RULE OF CONSTRUCTION.**

16 This title, including the amendments made by this  
17 title, is intended only to transfer provisions of the Ports  
18 and Waterways Safety Act to title 46, United States Code,  
19 and may not be construed to alter—

20 (1) the effect of a provision of the Ports and  
21 Waterways Safety Act, including any authority or  
22 requirement therein;

23 (2) a department or agency interpretation with  
24 respect to the Ports and Waterways Safety Act; or

1 (3) a judicial interpretation with respect to the  
2 Ports and Waterways Safety Act.

3 **SEC. 4405. ADVISORY COMMITTEE: REPEAL.**

4 Section 18 of the Coast Guard Authorization Act of  
5 1991 (Public Law 102–241; 105 Stat. 2213) is repealed.

6 **SEC. 4406. REGATTAS AND MARINE PARADES.**

7 (a) IN GENERAL.—Chapter 700 of title 46, United  
8 States Code, as established by section 4401 of this title,  
9 is amended by adding at the end the following:

10 “SUBCHAPTER V—REGATTAS AND MARINE  
11 PARADES

12 “§ 70041. **Regattas and marine parades**

13 “(a) IN GENERAL.—The Commandant of the Coast  
14 Guard may issue regulations to promote the safety of life  
15 on navigable waters during regattas or marine parades.

16 “(b) DETAIL AND USE OF VESSELS.—To enforce  
17 regulations issued under this section—

18 “(1) the Commandant may detail any public  
19 vessel in the service of the Coast Guard and make  
20 use of any private vessel tendered gratuitously for  
21 that purpose; and

22 “(2) upon the request of the Commandant, the  
23 head of any other Federal department or agency  
24 may enforce the regulations by means of any public

1 vessel of such department and any private vessel  
2 tendered gratuitously for that purpose.

3 “(c) TRANSFER OF AUTHORITY.—The authority of  
4 the Commandant under this section may be transferred  
5 by the President for any special occasion to the head of  
6 another Federal department or agency whenever in the  
7 President’s judgment such transfer is desirable.

8 “(d) PENALTIES.—

9 “(1) IN GENERAL.—For any violation of regula-  
10 tions issued pursuant to this section the following  
11 penalties shall be incurred:

12 “(A) A licensed officer shall be liable to  
13 suspension or revocation of license in the man-  
14 ner prescribed by law for incompetency or mis-  
15 conduct.

16 “(B) Any person in charge of the naviga-  
17 tion of a vessel other than a licensed officer  
18 shall be liable to a penalty of \$5,000.

19 “(C) The owner of a vessel (including any  
20 corporate officer of a corporation owning the  
21 vessel) actually on board shall be liable to a  
22 penalty of \$5,000, unless the violation of regu-  
23 lations occurred without the owner’s knowledge.

24 “(D) Any other person shall be liable to a  
25 penalty of \$2,500.

1               “(2) MITIGATION OR REMISSION.—The Com-  
2       mandant may mitigate or remit any penalty provided  
3       for in this subsection in the manner prescribed by  
4       law for the mitigation or remission of penalties for  
5       violation of the navigation laws.”.

6               (b) CLERICAL AMENDMENT.—The analysis for chap-  
7       ter 700 of title 46, United States Code, as established by  
8       section 4401 of this title, is amended by adding at the  
9       end the following:

“SUBCHAPTER E—REGATTAS AND MARINE PARADES  
“70041. Regattas and marine parades.”.

10              (c) REPEAL.—The Act of April 28, 1908 (35 Stat.  
11       69, chapter 151; 33 U.S.C. 1233 et seq.), is repealed.

12       **SEC. 4407. REGULATION OF VESSELS IN TERRITORIAL**  
13                                 **WATERS OF UNITED STATES.**

14              (a) ESTABLISHMENT OF SUBCHAPTER F.—Chapter  
15       700 of title 46, United States Code, as established by sec-  
16       tion 4401 of this title, is amended by adding at the end  
17       the following:

18       “SUBCHAPTER VI—REGULATION OF VESSELS  
19       IN TERRITORIAL WATERS OF UNITED STATES

20       **“§ 70054. Definitions**

21              “In this subchapter:

22                      “(1) UNITED STATES.—The term ‘United  
23       States’ includes all territory and waters, continental

1 or insular, subject to the jurisdiction of the United  
2 States.

3 “(2) TERRITORIAL WATERS.—The term ‘terri-  
4 torial waters of the United States’ includes all  
5 waters of the territorial sea of the United States as  
6 described in Presidential Proclamation 5928 of De-  
7 cember 27, 1988.”.

8 (b) REGULATION OF ANCHORAGE AND MOVEMENT  
9 OF VESSELS DURING NATIONAL EMERGENCY.—Section 1  
10 of title II of the Act of June 15, 1917 (40 Stat. 220, chap-  
11 ter 30; 50 U.S.C. 191), is amended—

12 (1) by striking the section designation and all  
13 that follows before “by proclamation” and inserting  
14 the following:

15 **“§ 70051. Regulation of anchorage and movement of**  
16 **vessels during national emergency**

17 “Whenever the President”;

18 (2) by striking “of the Treasury”;

19 (3) by striking “of the department in which the  
20 Coast Guard is operating”;

21 (4) by striking “this title” and inserting “this  
22 subchapter”; and

23 (5) by transferring the section so that the sec-  
24 tion appears before section 70054 of title 46, United

1 States Code (as added by subsection (a) of this sec-  
2 tion).

3 (c) SEIZURE AND FORFEITURE OF VESSEL; FINE  
4 AND IMPRISONMENT.—Section 2 of title II of the Act of  
5 June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 192),  
6 is amended—

7 (1) by striking the section designation and all  
8 that follows before “agent,” and inserting the fol-  
9 lowing:

10 **“§ 70052. Seizure and forfeiture of vessel; fine and im-  
11 prisonment**

12 “(a) IN GENERAL.—If any owner,”;

13 (2) by striking “this title” each place it appears  
14 and inserting “this subchapter”; and

15 (3) by transferring the section so that the sec-  
16 tion appears after section 70051 of title 46, United  
17 States Code (as transferred by subsection (b) of this  
18 section).

19 (d) ENFORCEMENT PROVISIONS.—Section 4 of title  
20 II of the Act of June 15, 1917 (40 Stat. 220, chapter  
21 30; 50 U.S.C. 194), is amended—

22 (1) by striking all before “may employ” and in-  
23 serting the following:

24 **“§ 70053. Enforcement provisions**

25 “The President”;



1 (2) by striking “the purpose of this title” and  
 2 inserting “this subchapter”; and

3 (3) by transferring the section so that the sec-  
 4 tion appears after section 70052 of title 46, United  
 5 States Code (as transferred by subsection (c) of this  
 6 section).

7 (e) CLERICAL AMENDMENT.—The analysis for chap-  
 8 ter 700 of title 46, United States Code, as established by  
 9 section 4401 of this title, is amended by adding at the  
 10 end the following:

“SUBCHAPTER F—REGULATION OF VESSELS IN TERRITORIAL WATERS OF  
 UNITED STATES

“70051. Regulation of anchorage and movement of vessels during national emer-  
 gency.

“70052. Seizure and forfeiture of vessel; fine and imprisonment.

“70053. Enforcement provisions.

“70054. Definitions.”.

11 **SEC. 4408. PORT, HARBOR, AND COASTAL FACILITY SECUR-**  
 12 **RITY.**

13 (a) TRANSFER OF PROVISIONS.—So much of section  
 14 7 of the Ports and Waterways Safety Act (33 U.S.C.  
 15 1226) as precedes subsection (c) of that section is redesign-  
 16 nated as section 70102a of title 46, United States Code,  
 17 and transferred so as to appear after section 70102 of  
 18 that title.

19 (b) DEFINITIONS, ADMINISTRATION, AND ENFORCE-  
 20 MENT.—Section 70102a of title 46, United States Code,  
 21 as amended by paragraph (1) of this subsection, is amend-  
 22 ed by adding at the end the following:

1       “(c) DEFINITIONS, ADMINISTRATION, AND EN-  
2       FORCEMENT.—This section shall be treated as part of  
3       chapter 700 for purposes of sections 70031, 70032,  
4       70034, 70035, and 70036.”.

5       (c) CLERICAL AMENDMENT.—The analysis at the be-  
6       ginning of chapter 701 of such title is amended by insert-  
7       ing after the item relating to section 70102 the following:  
      “70102a. Port, harbor, and coastal facility security.”.

8       (d) NONDISCLOSURE OF PORT SECURITY PLANS.—  
9       Subsection (c) of section 7 of the Ports and Waterways  
10      Safety Act (33 U.S.C. 1226), as so designated before the  
11      application of subsection (b)(1) of this section—

12             (1) is redesignated as subsection (f) of section  
13             70103 of title 46, United States Code, and trans-  
14             ferred so as to appear after subsection (e) of such  
15             section; and

16             (2) is amended by striking “this Act” and in-  
17             serting “this chapter”.

18                             **TITLE XLV—MARITIME**  
19                             **TRANSPORTATION SAFETY**

20     **SEC. 4501. CONSISTENCY IN MARINE INSPECTIONS.**

21       (a) IN GENERAL.—Section 3305 of title 46, United  
22       States Code, is amended by adding at the end the fol-  
23       lowing:

24             “(d)(1) The Commandant of the Coast Guard shall  
25       ensure that Officers in Charge, Marine Inspections con-

1 sistently interpret regulations and standards under this  
2 subtitle and chapter 700 to avoid disruption and undue  
3 expense to industry.

4 “(2)(A) Subject to subparagraph (B), in the event of  
5 a disagreement regarding the condition of a vessel or the  
6 interpretation of a regulation or standard referred to in  
7 subsection (a) between a local Officer in Charge, Marine  
8 Inspection conducting an inspection of the vessel and the  
9 Officer in Charge, Marine Inspection that issued the most  
10 recent certificate of inspection for the vessel, such Officers  
11 shall seek to resolve such disagreement.

12 “(B) If a disagreement described in subparagraph  
13 (A) involves vessel design or plan review, the Coast Guard  
14 marine safety center shall be included in all efforts to re-  
15 solve such disagreement.

16 “(C) If a disagreement described in subparagraph  
17 (A) or (B) cannot be resolved, the local Officer in Charge,  
18 Marine Inspection shall submit to the Commandant of the  
19 Coast Guard, through the cognizant Coast Guard district  
20 commander, a request for a final agency determination of  
21 the matter in disagreement.

22 “(3) The Commandant of the Coast Guard shall—  
23 “(A) provide to each person affected by a deci-  
24 sion or action by an Officer in Charge, Marine In-  
25 spection or by the Coast Guard marine safety center

1 all information necessary for such person to exercise  
2 any right to appeal such decision or action; and

3 “(B) if such an appeal is filed, process such ap-  
4 peal under parts 1 through 4 of title 46, Code of  
5 Federal Regulations, as in effect on the date of en-  
6 actment of the Coast Guard Authorization Act of  
7 2017.

8 “(4) In this section, the term ‘Officer in Charge, Ma-  
9 rine Inspection’ means any person from the civilian or  
10 military branch of the Coast Guard who—

11 “(A) is designated as such by the Commandant;  
12 and

13 “(B) under the superintendence and direction  
14 of the cognizant Coast Guard district commander, is  
15 in charge of an inspection zone for the performance  
16 of duties with respect to the inspections under, and  
17 enforcement and administration of, subtitle II, chap-  
18 ter 700, and regulations under such laws.”.

19 (b) REPORT ON MARINE INSPECTOR TRAINING.—  
20 Not later than 1 year after the date of the enactment of  
21 this Act, the Commandant of the Coast Guard shall sub-  
22 mit to the Committee on Commerce, Science, and Trans-  
23 portation of the Senate and the Committee on Transpor-  
24 tation and Infrastructure of the House of Representatives  
25 a report on the training, experience, and qualifications re-

1 quired for assignment as a marine inspector under section  
2 312 of title 14, United States Code, including—

3 (1) a description of any continuing education  
4 requirement, including a specific list of the required  
5 courses;

6 (2) a description of the training, including a  
7 specific list of the included courses, offered to a  
8 journeyman or an advanced journeyman marine in-  
9 spector to advance inspection expertise;

10 (3) a description of any training that was of-  
11 fered in the 15-year period before the date of the en-  
12 actment of this Act, but is no longer required or of-  
13 fered, including a specific list of the included  
14 courses, including the senior marine inspector course  
15 and any plan review courses;

16 (4) a justification for why a course described in  
17 paragraph (3) is no longer required or offered; and

18 (5) a list of the course content the Com-  
19 mandant considers necessary to promote consistency  
20 among marine inspectors in an environment of in-  
21 creasingly complex vessels and vessel systems.

22 **SEC. 4502. UNINSPECTED PASSENGER VESSELS IN ST.**  
23 **LOUIS COUNTY, MINNESOTA.**

24 Section 4105 of title 46, United States Code, amend-  
25 ed—

1 (1) by redesignating subsection (c) as sub-  
2 section (d); and

3 (2) by inserting after subsection (b) the fol-  
4 lowing:

5 “(c) In applying this title with respect to an  
6 uninspected vessel of less than 25 feet overall in length  
7 that carries passengers on Crane Lake or waters contig-  
8 uous to such lake in St. Louis County, Minnesota, the Sec-  
9 retary shall substitute ‘12 passengers’ for ‘6 passengers’  
10 each place it appears in section 2101(42).”.

11 **SEC. 4503. ENGINE CUT-OFF SWITCH REQUIREMENTS.**

12 (a) IN GENERAL.—Chapter 43 of title 46, United  
13 States Code, is amended by adding at the end the fol-  
14 lowing:

15 **“§ 4312. Engine cut-off switches**

16 “(a) INSTALLATION REQUIREMENT.—A manufac-  
17 turer, distributor, or dealer that installs propulsion ma-  
18 chinery and associated starting controls on a covered rec-  
19 reational vessel shall equip such vessel with an engine cut-  
20 off switch and engine cut-off switch link that meet Amer-  
21 ican Boat and Yacht Council Standard A-33, as in effect  
22 on the date of the enactment of the Coast Guard Author-  
23 ization Act of 2017.

24 “(b) EDUCATION ON CUT-OFF SWITCHES.—The  
25 Commandant of the Coast Guard, through the National

1 Boating Safety Advisory Committee established under sec-  
2 tion 15105, may initiate a boating safety program on the  
3 use and benefits of cut-off switches for recreational ves-  
4 sels.

5 “(c) AVAILABILITY OF STANDARD FOR INSPEC-  
6 TION.—

7 “(1) IN GENERAL.—Not later than 90 days  
8 after the date of the enactment of this section, the  
9 Commandant shall transmit American Boat and  
10 Yacht Council Standard A-33, as in effect on the  
11 date of enactment of the Coast Guard Authorization  
12 Act of 2017, to—

13 “(A) the Committee on Transportation and  
14 Infrastructure of the House of Representatives;

15 “(B) the Committee on Commerce,  
16 Science, and Transportation of the Senate; and

17 “(C) the Coast Guard Office of Design and  
18 Engineering Standards; and

19 “(D) the National Archives and Records  
20 Administration.

21 “(2) AVAILABILITY.—The standard submitted  
22 under paragraph (1) shall be kept on file and avail-  
23 able for public inspection at such Coast Guard office  
24 and the National Archives and Records Administra-  
25 tion.

1 “(d) DEFINITIONS.—In this section:

2 “(1) COVERED RECREATIONAL VESSEL.—The  
3 term ‘covered recreational vessel’ means a rec-  
4 reational vessel that is—

5 “(A) less than 26 feet overall in length;  
6 and

7 “(B) capable of developing 115 pounds or  
8 more of static thrust.

9 “(2) DEALER.—The term ‘dealer’ means any  
10 person who is engaged in the sale and distribution  
11 of recreational vessels or associated equipment to  
12 purchasers whom the seller in good faith believes to  
13 be purchasing any such vessel or associated equip-  
14 ment for purposes other than resale.

15 “(3) DISTRIBUTOR.—The term ‘distributor’  
16 means any person engaged in the sale and distribu-  
17 tion of recreational vessels and associated equipment  
18 for the purposes of resale.

19 “(4) MANUFACTURER.—The term ‘equipment  
20 manufacturer’ means any person engaged in the  
21 manufacture, construction, or assembly of rec-  
22 reational vessels or associated equipment, or the im-  
23 portation of recreational vessels into the United  
24 States for subsequent sale.



1           “(5) PROPULSION MACHINERY.—The term ‘pro-  
2        pulsion machinery’ means a self-contained propul-  
3        sion system, and includes, but is not limited to, in-  
4        board engines, outboard motors, and sterndrive en-  
5        gines.

6           “(6) STATIC THRUST.—The term ‘static thrust’  
7        means the forward or backwards thrust developed by  
8        propulsion machinery while stationary.”.

9           (b) CLERICAL AMENDMENT.—The analysis at the be-  
10       ginning of such chapter is amended by adding at the end  
11       the following:

“4312. Engine cut-off switches.”.

12           (c) EFFECTIVE DATE.—Section 4312 of title 46,  
13       United States Code, as amended by this section, shall take  
14       effect one year after the date of the enactment of this Act.

15       **SEC. 4504. EXCEPTION FROM SURVIVAL CRAFT REQUIRE-**  
16                               **MENTS.**

17       Section 4502(b) of title 46, United States Code, is  
18       amended—

19           (1) in paragraph (2)(B), by striking “a survival  
20        craft” and inserting “subject to paragraph (3), a  
21        survival craft”;

22           (2) by adding at the end the following:

23           “(3) Except for a nonapplicable vessel, an auxil-  
24        iary craft shall satisfy the equipment requirement  
25        under paragraph (2)(B) if such craft is—

1           “(A) necessary for normal fishing oper-  
2           ations;

3           “(B) readily accessible during an emer-  
4           gency; and

5           “(C) capable, in accordance with the Coast  
6           Guard capacity rating, when applicable, of safe-  
7           ly holding all individuals on board the vessel to  
8           which the craft functions as an auxiliary.”; and

9           (3) by adding at the end the following:

10          “(k) For the purposes of this section, the term ‘auxil-  
11          iary craft’ means a vessel that is carried onboard a fishing  
12          vessel and is normally used to support fishing oper-  
13          ations.”.

14          **SEC. 4505. SAFETY STANDARDS.**

15          Section 4502(f) of title 46, United States Code, is  
16          amended by striking paragraphs (2) and (3) and inserting  
17          the following:

18                 “(2) shall examine at dockside a vessel de-  
19                 scribed in subsection (b) at least once every 5 years,  
20                 but may require an exam at dockside every 2 years  
21                 for certain vessels described in subsection (b) if re-  
22                 quested by the owner or operator; and

23                 “(3) shall issue a certificate of compliance to a  
24                 vessel meeting the requirements of this chapter and  
25                 satisfying the requirements in paragraph (2).”.

1 **SEC. 4506. FISHING SAFETY GRANTS.**

2 Section 4502 of title 46, United States Code, is  
3 amended—

4 (1) in subsections (i) and (j), by striking “Sec-  
5 retary” each place it appears and inserting “Sec-  
6 retary of Health and Human Services”;

7 (2) in subsection (i)(2), as amended by para-  
8 graph (1), by inserting “, in consultation with and  
9 based on criteria established by the Commandant of  
10 the Coast Guard” after “Health and Human Serv-  
11 ices”;

12 (3) in subsection (i)(3), by striking “75” and  
13 inserting “50”;

14 (4) in subsection (i)(4), by striking  
15 “\$3,000,000 for each of fiscal years 2015 through  
16 2017” and inserting “\$3,000,000 for each of fiscal  
17 years 2018 through 2019”;

18 (5) in subsection (j)(2), as amended by para-  
19 graph (1), by inserting “, in consultation with and  
20 based on criteria established by the Commandant of  
21 the Coast Guard,” after “Health and Human Serv-  
22 ices”;

23 (6) in subsection (j)(3), by striking “75” and  
24 inserting “50”; and

25 (7) in subsection (j)(4), by striking  
26 “\$3,000,000 for each fiscal years 2015 through

1       2017” and inserting “\$3,000,000 for each of fiscal  
2       years 2018 through 2019”.

3       **SEC. 4507. FISHING, FISH TENDER, AND FISH PROCESSING**  
4                               **VESSEL CERTIFICATION.**

5       Section 4503(f) of title 46, United States Code, as  
6       redesignated by section 4508 of this title, is further  
7       amended to read as follows:

8               “(f)(1) For purposes of this section and section  
9       4503a, the term ‘built’ means, with respect to a vessel,  
10       that the vessel’s construction has reached any of the fol-  
11       lowing stages:

12                       “(A) The vessel’s keel is laid.

13                       “(B) Construction identifiable with the vessel  
14       has begun and assembly of that vessel has com-  
15       menced comprising of at least 50 metric tons or one  
16       percent of the estimated mass of all structural mate-  
17       rial, whichever is less.

18               “(2) In the case of a vessel greater than 79 feet over-  
19       all in length, for purposes of paragraph (1)(A) a keel is  
20       deemed to be laid when a marine surveyor affirms that  
21       a structure adequate for serving as a keel for such vessel  
22       is in place and identified for use in the construction of  
23       such vessel.”.

1 **SEC. 4508. DEADLINE FOR COMPLIANCE WITH ALTERNATE**  
2 **SAFETY COMPLIANCE PROGRAM.**

3 (a) IN GENERAL.—Section 4503(d) of title 46,  
4 United States Code, is redesignated as section 4503a and  
5 transferred to appear after section 4503 of such title.

6 (b) FISHING, FISH TENDER, AND FISH PROCESSING  
7 VESSEL CERTIFICATION.—Section 4503 of title 46,  
8 United States Code, is amended—

9 (1) by redesignating subsections (e), (f), and  
10 (g) as subsections (d), (e), and (f), respectively;

11 (2) in subsection (b), by striking “subsection  
12 (d)” and inserting “section 4503a”;

13 (3) in subsection (c)(2)(B)(ii)(I), by striking  
14 “subsection (e)” and inserting “subsection (d)”;

15 (4) in subsection (c)(2)(B)(ii)(II), by striking  
16 “subsection (f)” and inserting “subsection (e)”;

17 (5) in subsection (e)(1), as amended by para-  
18 graph (1) of this subsection, by striking “subsection  
19 (e)” each place it appears and inserting “subsection  
20 (d)”;

21 (6) in subsection (e)(2), as amended by para-  
22 graph (1) of this subsection, by striking “subsection  
23 (e)” each place it appears and inserting “subsection  
24 (d)”;

25 (c) ALTERNATE SAFETY COMPLIANCE PROGRAM.—  
26 Section 4503a of title 46, United States Code, as redesignig-

1 nated and transferred by subsection (a) of this section,  
2 is amended—

3 (1) by redesignating paragraphs (1), (2), (3),  
4 (4), and (5) as subsections (a), (b), (c), (d), and (e),  
5 respectively;

6 (2) by inserting before subsection (a), as so re-  
7 designated, the following:

8 **“§ 4503a. Alternate safety compliance program”;**

9 (3) in subsection (a), as redesignated by para-  
10 graph (1) of this subsection, by striking “After Jan-  
11 uary 1, 2020,” and all that follows through “the  
12 Secretary, if” and inserting “Subject to subsection  
13 (c), beginning on the date that is 3 years after the  
14 date that the Secretary prescribes an alternate safe-  
15 ty compliance program, a fishing vessel, fish proc-  
16 essing vessel, or fish tender vessel to which section  
17 4502(b) of this title applies shall comply with such  
18 an alternate safety compliance program, if”;

19 (4) in subsection (a), as so redesignated, by re-  
20 designating subparagraphs (A), (B), and (C) as  
21 paragraphs (1), (2), and (3), respectively;

22 (5) in subsection (b), as so redesignated, by  
23 striking “establishes standards for an alternate safe-  
24 ty compliance program, shall comply with such an  
25 alternative safety compliance program that is devel-

1       oped in cooperation with the commercial fishing in-  
2       dustry and prescribed by the Secretary” and insert-  
3       ing “prescribes an alternate safety compliance pro-  
4       gram under subsection (a), shall comply with such  
5       an alternate safety compliance program”;

6               (6) by amending subsection (c), as so redesign-  
7       nated, to read as follows:

8       “(c) For purposes of subsection (a), a separate alter-  
9       nate safety compliance program may be developed for a  
10      specific region or specific fishery.”;

11             (7) in subsection (d), as so redesignated—

12               (A) by striking “paragraph (1)” and in-  
13      serting “subsection (a)”; and

14               (B) by striking “that paragraph” each  
15      place it appears and inserting “that sub-  
16      section”;

17             (8) in subsection (e), as so redesignated, by—

18               (A) inserting “is not eligible to participate  
19      in an alternative safety compliance program  
20      prescribed under subsection (a) and” after  
21      “July 1, 2012”; and

22               (B) redesignating subparagraphs (A) and  
23      (B) as paragraphs (1) and (2), respectively;

24             (9) by adding at the end the following:

1       “(f) For the purposes of this section, the term ‘built’  
2 has the meaning given that term in section 4503(f).”.

3       (d) CLERICAL AMENDMENT.—The analysis at the be-  
4 ginning of chapter 45 of such title is amended by inserting  
5 after the item relating to section 4503 the following  
“4503a. Alternate safety compliance program.”.

6       (e) CONFORMING AMENDMENT.—Section 3104 of  
7 title 46, United States Code, is amended by striking “sec-  
8 tion 4503(e)” and inserting “section 4503(d)”.

9       (f) FINAL RULE.—Not later than 1 year after the  
10 date of enactment of this Act, the Secretary of the depart-  
11 ment in which the Coast Guard is operating shall issue  
12 a final rule implementing the requirements enumerated in  
13 section 4503(d) of title 46, as amended by subsection  
14 (b)(1) of this section.

15       (g) ALTERNATE SAFETY COMPLIANCE PROGRAM  
16 STATUS REPORT.—

17           (1) IN GENERAL.—Not later than January 1,  
18 2019, the Secretary of the department in which the  
19 Coast Guard is operating shall submit to the Com-  
20 mittee on Transportation and Infrastructure of the  
21 House of Representatives and the Committee on  
22 Commerce, Science, and Transportation of the Sen-  
23 ate a report on the status of the development of the  
24 alternate safety compliance program directed by sec-



1 tion 4503a of title 46, United States Code, as redesi-  
2 gnated by subsection (c).

3 (2) CONTENTS.—The report required under  
4 paragraph (1) shall include discussion of—

5 (A) steps taken in the rulemaking process  
6 to establish the alternate safety compliance pro-  
7 gram;

8 (B) communication and collaboration be-  
9 tween the Coast Guard, the department in  
10 which the Coast Guard is operating, and the  
11 commercial fishing vessel industry regarding  
12 the development of the alternate safety compli-  
13 ance program;

14 (C) consideration given to developing alter-  
15 nate safety compliance programs for specific re-  
16 gions and fisheries, as authorized in section  
17 4503a(c) of such title, as redesignated by sub-  
18 section (c);

19 (D) any identified legislative changes nec-  
20 essary to implement an effective alternate safe-  
21 ty compliance program; and

22 (E) the timeline and planned actions that  
23 will be taken to implement regulations nec-  
24 essary to fully establish an alternate safety  
25 compliance program before January 1, 2020.

1 **SEC. 4509. TERMINATION OF UNSAFE OPERATIONS; TECH-**  
2 **NICAL CORRECTION.**

3 Section 4505(2) of title 46, United States Code, is  
4 amended—

5 (1) by striking “4503(1)” and inserting  
6 “4503(a)(2)”; and

7 (2) by inserting before the period the following:  
8 “, except that this paragraph shall not apply with  
9 respect to a vessel to which section 4503a applies”.

10 **SEC. 4510. TECHNICAL CORRECTIONS: LICENSES, CERTIFI-**  
11 **CATES OF REGISTRY, AND MERCHANT MAR-**  
12 **INER DOCUMENTS.**

13 Title 46, United States Code, is amended—

14 (1) in section 7106(b), by striking “merchant  
15 mariner’s document,” and inserting “license,”;

16 (2) in section 7107(b), by striking “merchant  
17 mariner’s document,” and inserting “certificate of  
18 registry,”;

19 (3) in section 7507(b)(1), by striking “licenses  
20 or certificates of registry” and inserting “merchant  
21 mariner documents”; and

22 (4) in section 7507(b)(2) by striking “merchant  
23 mariner’s document.” and inserting “license or cer-  
24 tificate of registry.”.

1 **SEC. 4511. CLARIFICATION OF LOGBOOK ENTRIES.**

2 (a) IN GENERAL.—Section 11304 of title 46, United  
3 States Code, is amended—

4 (1) in subsection (a), by striking “an official  
5 logbook, which” and inserting “a logbook, which  
6 may be in any form, including electronic, and”; and

7 (2) in subsection (b), by amending paragraph  
8 (3) to read as follows:

9 “(3) Each illness of, and injury to, a seaman of  
10 the vessel, the nature of the illness or injury, and  
11 the medical treatment provided for the injury or ill-  
12 ness.”.

13 (b) TECHNICAL AMENDMENT.—Section 11304(b) is  
14 amended by striking “log book” and inserting “logbook”.

15 **SEC. 4512. CERTIFICATES OF DOCUMENTATION FOR REC-**  
16 **REATIONAL VESSELS.**

17 Section 12105 of title 46, United States Code, is  
18 amended by adding at the end the following:

19 “(e) EFFECTIVE PERIOD.—

20 “(1) IN GENERAL.—Except as provided in para-  
21 graphs (2) and (3), a certificate of documentation  
22 issued under this part is valid for a 1-year period  
23 and may be renewed for additional 1-year periods.

24 “(2) RECREATIONAL VESSELS.—

25 “(A) IN GENERAL.—A certificate of docu-  
26 mentation for a recreational vessel and the re-

1 newal of such a certificate shall be effective for  
2 a 5-year period.

3 “(B) PHASE-IN PERIOD.—During the pe-  
4 riod beginning January 1, 2019, and ending  
5 December 31, 2021, the owner or operator of a  
6 recreational vessel may choose a period of effec-  
7 tiveness of between 1 and 5 years for such a  
8 certificate of documentation for such vessel or  
9 the renewal thereof.

10 “(C) FEES.—

11 “(i) REQUIREMENT.—The Secretary  
12 shall assess and collect a fee—

13 “(I) for the issuance of a certifi-  
14 cate of documentation for a rec-  
15 reational vessel that is equivalent to  
16 the fee established for the issuance of  
17 a certificate of documentation under  
18 section 2110; and

19 “(II) for the renewal of a certifi-  
20 cate of documentation for a rec-  
21 reational vessel that is equivalent to  
22 the number of years of effectiveness of  
23 the certificate of documentation multi-  
24 plied by the fee established for the re-

1                   newal of a certificate of documenta-  
2                   tion under section 2110.

3                   “(ii) TREATMENT.—Fees collected  
4                   under this subsection—

5                   “(I) shall be credited to the ac-  
6                   count from which the costs of such  
7                   issuance or renewal were paid; and

8                   “(II) may remain available until  
9                   expended.

10                  “(3) NOTICE OF CHANGE IN INFORMATION.—

11                  “(A) REQUIREMENT.—The owner of a ves-  
12                  sel shall notify the Coast Guard of each change  
13                  in the information on which the issuance of the  
14                  certificate of documentation for the vessel is  
15                  based that occurs before the expiration of the  
16                  certificate under this subsection, by not later  
17                  than 30 days after such change.

18                  “(B) TERMINATION OF CERTIFICATE.—  
19                  The certificate of documentation for a vessel  
20                  shall terminate upon the expiration of such 30-  
21                  day period if the owner has not notified the  
22                  Coast Guard of such change before the end of  
23                  such period.

24                  “(4) STATE AND LOCAL AUTHORITY TO RE-  
25                  MOVE ABANDONED AND DERELICT VESSELS.—Noth-

1       ing in this section shall be construed to limit the au-  
2       thority of a State or local authority from taking ac-  
3       tion to remove an abandoned or derelict vessel.”.

4   **SEC. 4513. NUMBERING FOR UNDOCUMENTED BARGES.**

5       Section 12301(b) of title 46, United States Code, is  
6   amended—

7           (1) by striking “shall” and inserting “may”;

8       and

9           (2) by inserting “of” after “barge”.

10   **SEC. 4514. BACKUP GLOBAL POSITIONING SYSTEM.**

11       (a) **SHORT TITLE.**—This section may be cited as the  
12   “National Timing Resilience and Security Act of 2018”.

13       (b) **IN GENERAL.**—Chapter 3 of title 49, United  
14   States Code, is amended by adding at the end the fol-  
15   lowing:

16   **“§ 312. Alternative timing system**

17       “(a) **IN GENERAL.**—Subject to the availability of ap-  
18   propriations and not later than 3 years after the date of  
19   the enactment of the National Timing Resilience and Se-  
20   curity Act of 2018, the Secretary shall establish a land-  
21   based, resilient, and reliable alternative timing system—

22           “(1) to reduce critical dependencies on, and  
23       provide a complement to and backup for, the timing  
24       component of the Global Positioning System; and

1           “(2) to ensure the availability of uncorrupted  
2           and non-degraded timing signals for military and ci-  
3           vilian users in the event that GPS timing signals are  
4           corrupted, degraded, unreliable, or otherwise un-  
5           available.

6           “(b) ESTABLISHMENT OF REQUIREMENTS.—

7           “(1) IN GENERAL.—Not later than 180 days  
8           after the date of enactment of the National Timing  
9           Resilience and Security Act of 2018, the Secretary  
10          shall establish requirements for the procurement of  
11          a land-based complement to and backup for the tim-  
12          ing component of GPS.

13          “(2) REQUIREMENTS.—The Secretary shall  
14          consider the following requirements for the system,  
15          to the degree practicable:

16                 “(A) Be wireless.

17                 “(B) Be terrestrial.

18                 “(C) Provide wide-area coverage.

19                 “(D) Be synchronized with coordinated  
20          universal time.

21                 “(E) Be resilient and extremely difficult to  
22          disrupt or degrade.

23                 “(F) Be able to penetrate underground  
24          and inside buildings.

1           “(G) Be capable of deployment to remote  
2 locations.

3           “(H) Incorporate the expertise of the pri-  
4 vate sector with respect to development, build-  
5 ing, and installation.

6           “(I) Be interoperable with and complement  
7 other similar positioning, navigation, and tim-  
8 ing systems, including enhanced long-range  
9 navigation systems and Nationwide Differential  
10 GPS systems.

11           “(J) Be available for use by Federal and  
12 non-Federal government agencies for public  
13 purposes at no cost.

14           “(K) Be capable of adaptation and expan-  
15 sion to provide position and navigation capabili-  
16 ties.

17           “(L) Incorporate the recommendations and  
18 next actions from any GPS back-up capability  
19 demonstration program initiated and completed  
20 by the Secretary, in coordination with other  
21 Federal agencies.

22           “(M) Incorporate such other requirements  
23 determined necessary by the Secretary.

24           “(c) IMPLEMENTATION PLAN.—Not later than 1 year  
25 after the date of enactment of the National Timing Resil-



1 ience and Security Act of 2018, the Secretary shall provide  
2 to the Committee on Commerce, Science, and Transpor-  
3 tation of the Senate and the Committee on Transportation  
4 and Infrastructure of the House of Representatives a plan  
5 to implement the establishment of the system authorized  
6 by subsection (a). Such plan shall describe the work nec-  
7 essary to provide a follow-on complementary and backup  
8 positioning and navigation capability.

9 “(d) FUNDING.—

10 “(1) IN GENERAL.—The Secretary of the de-  
11 partment in which the Coast Guard is operating  
12 shall transfer, without reimbursement, to the Sec-  
13 retary to carry out this section the following:

14 “(A) Notwithstanding section 914 of title  
15 14, or any other provision of law, such infra-  
16 structure comprising the Long-Range Naviga-  
17 tion (LORAN) system, including any real and  
18 personal property under the administrative con-  
19 trol of the Coast Guard and used for the  
20 LORAN system, as the Secretary determines  
21 necessary for the purposes described in sub-  
22 section (a).

23 “(B) Any funds specifically appropriated  
24 or made available for the purposes described in  
25 subsection (a), and such funds shall remain

1 available until expended, without fiscal year  
2 limitation.

3 “(2) LIABILITIES AND RESPONSIBILITIES.—

4 “(A) Nothing in this subsection may be  
5 construed to limit the application of or other-  
6 wise affect section 120(h) of the Comprehensive  
7 Environmental Response, Compensation, and  
8 Liability Act of 1980 (42 U.S.C. 9620(h)).

9 “(B) The Secretary shall assume all envi-  
10 ronmental compliance and restoration respon-  
11 sibilities and liabilities associated with real  
12 property transferred under paragraph (1)(A).

13 “(e) AGREEMENT.—

14 “(1) IN GENERAL.—Federal agencies may not  
15 make commitments under this section (including co-  
16 operative agreements (as that term is defined under  
17 section 6305 of title 31), leases, service contracts, or  
18 any other type of commitment) unless funds are spe-  
19 cifically provided for such purposes in advance in  
20 subsequent appropriations Acts, and only to the ex-  
21 tent that the full extent of anticipated costs stem-  
22 ming from such commitments is recorded as an obli-  
23 gation up front and in full at the time it is made.

24 “(2) COMPETITION REQUIRED.—The Secretary  
25 shall use competitive procedures similar to those au-

1       thorized under section 2667 of title 10 in selecting  
2       an entity to enter into an agreement to fulfill the  
3       purpose or this section.

4               “(3) DETERMINATION.—Prior to entering into  
5       any agreement under this subsection, the Secretary  
6       must determine that the use of such agreement is in  
7       the best financial interest of the Federal Govern-  
8       ment.

9       “(f) DEFINITIONS.—In this section:

10               “(1) ENTITY.—The term ‘entity’ means a non-  
11       Federal entity with the demonstrated technical ex-  
12       pertise and requisite administrative and financial re-  
13       sources to meet any such terms and conditions as  
14       may be established by the Secretary.

15               “(2) GPS.—The term ‘GPS’ means the Global  
16       Positioning System.

17               “(3) SECRETARY.—The term ‘Secretary’ means  
18       the Secretary of Transportation.”.

19       “(c) TABLE OF CONTENTS.—The table of contents for  
20       chapter 3 of title 49, United States Code, is amended by  
21       adding at the end the following:

      “312. Alternative timing system.”.

22       **SEC. 4515. SCIENTIFIC PERSONNEL.**

23       Section 2101(31) of title 46, United States Code, is  
24       amended—

1           (1) by inserting “(A) Subject to subparagraph  
2           (B),” before the text; and

3           (2) by adding at the end the following:

4           “(B)(i) Such term includes an individual who is  
5           on board an oceanographic research vessel only to—

6                   “(I) engage in scientific research;

7                   “(II) instruct in oceanography or lim-  
8                   nology; or

9                   “(III) receive instruction in oceanography  
10                  or limnology.

11           “(ii) For purposes of clause (i), the age of an  
12           individual may not be considered in determining  
13           whether the individual is described in such clause.”.

14 **SEC. 4516. TRANSPARENCY.**

15           (a) **IN GENERAL.**—The Commandant of the Coast  
16           Guard shall publish any letter of determination issued by  
17           the Coast Guard National Vessel Documentation Center  
18           after the date of the enactment of this Act on the National  
19           Vessel Documentation Center website not later than 30  
20           days after the date of issuance of such letter of determina-  
21           tion.

22           (b) **AUDIT.**—

23           (1) **IN GENERAL.**—The Comptroller General of  
24           the United States shall conduct an audit, the results  
25           of which shall be made publicly available, of—

1 (A) the method or process by which the  
2 Coast Guard National Vessel Documentation  
3 Center develops policy for and documents com-  
4 pliance with the requirements of section 67.97  
5 of title 46, Code of Federal Regulations, for the  
6 purpose of issuing endorsements under section  
7 12112 and 12113 of title 46, United States  
8 Code;

9 (B) the coordination between the Coast  
10 Guard and U.S. Customs and Border Protec-  
11 tion with respect to the enforcement of such re-  
12 quirements; and

13 (C) the extent to which the Secretary of  
14 the department in which the Coast Guard is op-  
15 erating and the Secretary of Transportation,  
16 through the Maritime Administration, have  
17 published and disseminated information to pro-  
18 mote compliance with applicable vessel con-  
19 struction requirements.

20 (2) REPORT.—Not later than 90 days after the  
21 audit under paragraph (1) is complete, the Comp-  
22 troller General of the United States shall submit to  
23 the Committee on Commerce, Science, and Trans-  
24 portation of the Senate and the Committee on  
25 Transportation and Infrastructure of the House of

1 Representatives a report regarding the results of  
2 and recommendations made pursuant to such audit.

3 (c) OUTLINE.—Not later than 180 days after the  
4 date of the submission of the Comptroller General of the  
5 United States report required under subsection (b), the  
6 Commandant of the Coast Guard shall submit to the Com-  
7 mittee on Commerce, Science, and Transportation of the  
8 Senate and the Committee on Transportation and Infra-  
9 structure of the House of Representatives an outline of  
10 plans—

11 (1) to enhance the transparency of the docu-  
12 mentation process, and communications with the  
13 maritime industry regarding such process over the  
14 next 5 years; and

15 (2) to implement the recommendations made by  
16 the Comptroller General of the United States in the  
17 report required under subsection (b)(2).

18 **TITLE XLVI—ADVISORY**  
19 **COMMITTEES**

20 **SEC. 4601. NATIONAL MARITIME TRANSPORTATION ADVI-**  
21 **SORY COMMITTEES.**

22 (a) IN GENERAL.—Subtitle II of title 46, United  
23 States Code, is amended by adding at the end the fol-  
24 lowing:

1                   **“PART K—NATIONAL MARITIME**  
2                   **TRANSPORTATION ADVISORY COMMITTEES**  
3                   **“CHAPTER 151—NATIONAL MARITIME**  
4                   **TRANSPORTATION ADVISORY COM-**  
5                   **MITTEES**

“Sec.

“15101. National Chemical Transportation Safety Advisory Committee.

“15102. National Commercial Fishing Safety Advisory Committee.

“15103. National Merchant Marine Personnel Advisory Committee.

“15104. National Merchant Mariner Medical Advisory Committee.

“15105. National Boating Safety Advisory Committee.

“15106. National Offshore Safety Advisory Committee.

“15107. National Navigation Safety Advisory Committee.

“15108. National Towing Safety Advisory Committee.

“15109. Administration.

6                   **“§ 15101. National Chemical Transportation Safety**  
7                   **Advisory Committee**

8                   “(a) ESTABLISHMENT.—There is established a Na-  
9                   tional Chemical Transportation Safety Advisory Com-  
10                   mittee (in this section referred to as the ‘Committee’).

11                   “(b) FUNCTION.—The Committee shall advise the  
12                   Secretary on matters relating to the safe and secure ma-  
13                   rine transportation of hazardous materials.

14                   “(c) MEMBERSHIP.—

15                   “(1) IN GENERAL.—The Committee shall con-  
16                   sist of not more than 25 members appointed by the  
17                   Secretary in accordance with this section and section  
18                   15109 of this chapter.

19                   “(2) EXPERTISE.—Each member of the Com-  
20                   mittee shall have particular expertise, knowledge,

1 and experience in matters relating to the function of  
2 the Committee.

3 “(3) REPRESENTATION.—Each member of the  
4 Committee shall represent 1 of the following:

5 “(A) Chemical manufacturing entities.

6 “(B) Entities related to marine handling  
7 or transportation of chemicals.

8 “(C) Vessel design and construction enti-  
9 ties.

10 “(D) Marine safety or security entities.

11 “(E) Marine environmental protection enti-  
12 ties.

13 “(4) DISTRIBUTION.—The Secretary shall,  
14 based on the needs of the Coast Guard, determine  
15 the number of members of the Committee who rep-  
16 resent each entity specified in paragraph (3). Nei-  
17 ther this paragraph nor any other provision of law  
18 shall be construed to require an equal distribution of  
19 members representing each entity specified in para-  
20 graph (3).

21 **“§ 15102. National Commercial Fishing Safety Advi-  
22 sory Committee**

23 “(a) ESTABLISHMENT.—There is established a Na-  
24 tional Commercial Fishing Safety Advisory Committee (in  
25 this section referred to as the ‘Committee’).



1 “(b) FUNCTION.—The Committee shall—

2 “(1) advise the Secretary on matters relating to  
3 the safe operation of vessels to which chapter 45 of  
4 this title applies, including the matters of—

5 “(A) navigation safety;

6 “(B) safety equipment and procedures;

7 “(C) marine insurance;

8 “(D) vessel design, construction, mainte-  
9 nance, and operation; and

10 “(E) personnel qualifications and training;

11 and

12 “(2) review regulations proposed under chapter  
13 45 of this title (during preparation of the regula-  
14 tions).

15 “(c) MEMBERSHIP.—

16 “(1) IN GENERAL.—The Committee shall con-  
17 sist of 18 members appointed by the Secretary in ac-  
18 cordance with this section and section 15109 of this  
19 chapter.

20 “(2) EXPERTISE.—Each member of the Com-  
21 mittee shall have particular expertise, knowledge,  
22 and experience in matters relating to the function of  
23 the Committee.

24 “(3) REPRESENTATION.—Members of the Com-  
25 mittee shall be appointed as follows:

1           “(A) 10 members shall represent the com-  
2           mercial fishing industry and—

3                   “(i) as a group, shall together reflect  
4                   a regional and representational balance;  
5                   and

6                   “(ii) as individuals, shall each have  
7                   experience—

8                           “(I) in the operation of vessels to  
9                           which chapter 45 of this title applies;  
10                          or

11                           “(II) as a crew member or proc-  
12                           essing line worker on a fish processing  
13                           vessel.

14           “(B) 1 member shall represent naval archi-  
15           tects and marine engineers.

16           “(C) 1 member shall represent manufac-  
17           turers of equipment for vessels to which chapter  
18           45 of this title applies.

19           “(D) 1 member shall represent education  
20           and training professionals related to fishing ves-  
21           sel, fish processing vessel, and fish tender vessel  
22           safety and personnel qualifications.

23           “(E) 1 member shall represent under-  
24           writers that insure vessels to which chapter 45  
25           of this title applies.

1           “(F) 1 member shall represent owners of  
2 vessels to which chapter 45 of this title applies.

3           “(G) 3 members shall represent the gen-  
4 eral public and, to the extent possible, shall in-  
5 clude—

6                   “(i) an independent expert or consult-  
7 ant in maritime safety;

8                   “(ii) a marine surveyor who provides  
9 services to vessels to which chapter 45 of  
10 this title applies; and

11                   “(iii) a person familiar with issues af-  
12 fecting fishing communities and the fami-  
13 lies of fishermen.

14 **“§ 15103. National Merchant Marine Personnel Advi-  
15 sory Committee**

16           “(a) ESTABLISHMENT.—There is established a Na-  
17 tional Merchant Marine Personnel Advisory Committee (in  
18 this section referred to as the ‘Committee’).

19           “(b) FUNCTION.—The Committee shall advise the  
20 Secretary on matters relating to personnel in the United  
21 States merchant marine, including the training, qualifica-  
22 tions, certification, documentation, and fitness of mari-  
23 ners.

24           “(c) MEMBERSHIP.—

1           “(1) IN GENERAL.—The Committee shall con-  
2           sist of 19 members appointed by the Secretary in ac-  
3           cordance with this section and section 15109 of this  
4           chapter.

5           “(2) EXPERTISE.—Each member of the Com-  
6           mittee shall have particular expertise, knowledge,  
7           and experience in matters relating to the function of  
8           the Committee.

9           “(3) REPRESENTATION.—Members of the Com-  
10          mittee shall be appointed as follows:

11           “(A) 9 members shall represent mariners  
12          and, of the 9—

13           “(i) each shall—

14           “(I) be a citizen of the United  
15           States; and

16           “(II) hold an active license or  
17           certificate issued under chapter 71 of  
18           this title or a merchant mariner docu-  
19           ment issued under chapter 73 of this  
20           title;

21           “(ii) 3 shall be deck officers who rep-  
22           resent merchant marine deck officers and,  
23           of the 3—

24           “(I) 2 shall be licensed for oceans  
25           any gross tons;

1           “(II) 1 shall be licensed for in-  
2 land river route with a limited or un-  
3 limited tonnage;

4           “(III) 2 shall have a master’s li-  
5 cense or a master of towing vessels li-  
6 cense;

7           “(IV) 1 shall have significant  
8 tanker experience; and

9           “(V) to the extent practicable—

10                 “(aa) 1 shall represent  
11 labor; and

12                 “(bb) 1 shall represent man-  
13 agement;

14           “(iii) 3 shall be engineering officers  
15 who represent merchant marine engineer-  
16 ing officers and, of the 3—

17                 “(I) 2 shall be licensed as chief  
18 engineer any horsepower;

19                 “(II) 1 shall be licensed as either  
20 a limited chief engineer or a des-  
21 ignated duty engineer; and

22           “(III) to the extent practicable—

23                 “(aa) 1 shall represent  
24 labor; and

1                   “(bb) 1 shall represent man-  
2                   agement;

3                   “(iv) 2 shall be unlicensed seamen  
4                   who represent merchant marine unlicensed  
5                   seaman and, of the 2—

6                   “(I) 1 shall represent able-bodied  
7                   seamen; and

8                   “(II) 1 shall represent qualified  
9                   members of the engine department;  
10                  and

11                  “(v) 1 shall be a pilot who represents  
12                  merchant marine pilots.

13                  “(B) 6 members shall represent marine  
14                  educators and, of the 6—

15                  “(i) 3 shall be marine educators who  
16                  represent maritime academies and, of the  
17                  3—

18                  “(I) 2 shall represent State mari-  
19                  time academies (and are jointly rec-  
20                  ommended by such academies); and

21                  “(II) 1 shall represent either  
22                  State maritime academies or the  
23                  United States Merchant Marine Acad-  
24                  emy; and

1                   “(ii) 3 shall be marine educators who  
2                   represent other maritime training institu-  
3                   tions and, of the 3, 1 shall represent the  
4                   small vessel industry.

5                   “(C) 2 members shall represent shipping  
6                   companies employed in ship operation manage-  
7                   ment.

8                   “(D) 2 members shall represent the gen-  
9                   eral public.

10 **“§ 15104. National Merchant Mariner Medical Advi-  
11                   sory Committee**

12                   “(a) ESTABLISHMENT.—There is established a Na-  
13                   tional Merchant Mariner Medical Advisory Committee (in  
14                   this section referred to as the ‘Committee’).

15                   “(b) FUNCTION.—The Committee shall advise the  
16                   Secretary on matters relating to—

17                   “(1) medical certification determinations for the  
18                   issuance of licenses, certification of registry, and  
19                   merchant mariners’ documents with respect to mer-  
20                   chant mariners;

21                   “(2) medical standards and guidelines for the  
22                   physical qualifications of operators of commercial  
23                   vessels;

24                   “(3) medical examiner education; and

25                   “(4) medical research.

1 “(c) MEMBERSHIP.—

2 “(1) IN GENERAL.—The Committee shall con-  
3 sist of 14 members appointed by the Secretary in ac-  
4 cordance with this section and section 15109 of this  
5 chapter.

6 “(2) EXPERTISE.—Each member of the Com-  
7 mittee shall have particular expertise, knowledge,  
8 and experience in matters relating to the function of  
9 the Committee.

10 “(3) REPRESENTATION.—Members of the Com-  
11 mittee shall be appointed as follows:

12 “(A) 9 shall represent health-care profes-  
13 sionals and have particular expertise, knowl-  
14 edge, and experience regarding the medical ex-  
15 aminations of merchant mariners or occupa-  
16 tional medicine.

17 “(B) 5 shall represent professional mari-  
18 ners and have particular expertise, knowledge,  
19 and experience in occupational requirements for  
20 mariners.

21 **“§ 15105. National Boating Safety Advisory Com-**  
22 **mittee**

23 “(a) ESTABLISHMENT.—There is established a Na-  
24 tional Boating Safety Advisory Committee (in this section  
25 referred to as the ‘Committee’).



1       “(b) FUNCTION.—The Committee shall advise the  
2 Secretary on matters relating to national boating safety.

3       “(c) MEMBERSHIP.—

4             “(1) IN GENERAL.—The Committee shall con-  
5 sist of 21 members appointed by the Secretary in ac-  
6 cordance with this section and section 15109 of this  
7 chapter.

8             “(2) EXPERTISE.—Each member of the Com-  
9 mittee shall have particular expertise, knowledge,  
10 and experience in matters relating to the function of  
11 the Committee.

12            “(3) REPRESENTATION.—Members of the Com-  
13 mittee shall be appointed as follows:

14               “(A) 7 members shall represent State offi-  
15 cials responsible for State boating safety pro-  
16 grams.

17               “(B) 7 members shall represent rec-  
18 reational vessel and associated equipment man-  
19 ufacturers.

20               “(C) 7 members shall represent the gen-  
21 eral public or national recreational boating or-  
22 ganizations and, of the 7, at least 5 shall rep-  
23 resent national recreational boating organiza-  
24 tions.

1 **“§ 15106. National Offshore Safety Advisory Com-**  
2 **mittee**

3 “(a) ESTABLISHMENT.—There is established a Na-  
4 tional Offshore Safety Advisory Committee (in this section  
5 referred to as the ‘Committee’).

6 “(b) FUNCTION.—The Committee shall advise the  
7 Secretary on matters relating to activities directly involved  
8 with, or in support of, the exploration of offshore mineral  
9 and energy resources, to the extent that such matters are  
10 within the jurisdiction of the Coast Guard.

11 “(c) MEMBERSHIP.—

12 “(1) IN GENERAL.—The Committee shall con-  
13 sist of 15 members appointed by the Secretary in ac-  
14 cordance with this section and section 15109 of this  
15 chapter.

16 “(2) EXPERTISE.—Each member of the Com-  
17 mittee shall have particular expertise, knowledge,  
18 and experience in matters relating to the function of  
19 the Committee.

20 “(3) REPRESENTATION.—Members of the Com-  
21 mittee shall be appointed as follows:

22 “(A) 2 members shall represent entities  
23 engaged in the production of petroleum.

24 “(B) 2 members shall represent entities  
25 engaged in offshore drilling.

1           “(C) 2 members shall represent entities en-  
2           gaged in the support, by offshore supply vessels  
3           or other vessels, of offshore mineral and oil op-  
4           erations, including geophysical services.

5           “(D) 1 member shall represent entities en-  
6           gaged in the construction of offshore explo-  
7           ration and recovery facilities.

8           “(E) 1 member shall represent entities en-  
9           gaged in diving services related to offshore con-  
10          struction, inspection, and maintenance.

11          “(F) 1 member shall represent entities en-  
12          gaged in safety and training services related to  
13          offshore exploration and construction.

14          “(G) 1 member shall represent entities en-  
15          gaged in pipelaying services related to offshore  
16          construction.

17          “(H) 2 members shall represent individuals  
18          employed in offshore operations and, of the 2,  
19          1 shall have recent practical experience on a  
20          vessel or offshore unit involved in the offshore  
21          mineral and energy industry.

22          “(I) 1 member shall represent national en-  
23          vironmental entities.

24          “(J) 1 member shall represent deepwater  
25          ports.

1                   “(K) 1 member shall represent the general  
2                   public (but not a specific environmental group).

3   **“§ 15107. National Navigation Safety Advisory Com-**  
4                   **mittee**

5           “(a) ESTABLISHMENT.—There is established a Na-  
6   tional Navigation Safety Advisory Committee (in this sec-  
7   tion referred to as the ‘Committee’).

8           “(b) FUNCTION.—The Committee shall advise the  
9   Secretary on matters relating to maritime collisions,  
10 rammings, and groundings, Inland Rules of the Road,  
11 International Rules of the Road, navigation regulations  
12 and equipment, routing measures, marine information,  
13 and aids to navigation systems.

14          “(c) MEMBERSHIP.—

15               “(1) IN GENERAL.—The Committee shall con-  
16   sist of not more than 21 members appointed by the  
17   Secretary in accordance with this section and section  
18   15109 of this chapter.

19               “(2) EXPERTISE.—Each member of the Com-  
20   mittee shall have particular expertise, knowledge,  
21   and experience in matters relating to the function of  
22   the Committee.

23               “(3) REPRESENTATION.—Each member of the  
24   Committee shall represent 1 of the following:

1           “(A) Commercial vessel owners or opera-  
2           tors.

3           “(B) Professional mariners.

4           “(C) Recreational boaters.

5           “(D) The recreational boating industry.

6           “(E) State agencies responsible for vessel  
7           or port safety.

8           “(F) The Maritime Law Association.

9           “(4) DISTRIBUTION.—The Secretary shall,  
10          based on the needs of the Coast Guard, determine  
11          the number of members of the Committee who rep-  
12          resent each entity specified in paragraph (3). Nei-  
13          ther this paragraph nor any other provision of law  
14          shall be construed to require an equal distribution of  
15          members representing each entity specified in para-  
16          graph (3).

17       **“§ 15108. National Towing Safety Advisory Committee**

18           “(a) ESTABLISHMENT.—There is established a Na-  
19          tional Towing Safety Advisory Committee (in this section  
20          referred to as the ‘Committee’).

21           “(b) FUNCTION.—The Committee shall advise the  
22          Secretary on matters relating to shallow-draft inland navi-  
23          gation, coastal waterway navigation, and towing safety.

24           “(c) MEMBERSHIP.—

1           “(1) IN GENERAL.—The Committee shall con-  
2           sist of 18 members appointed by the Secretary in ac-  
3           cordance with this section and section 15109 of this  
4           chapter.

5           “(2) EXPERTISE.—Each member of the Com-  
6           mittee shall have particular expertise, knowledge,  
7           and experience in matters relating to the function of  
8           the Committee.

9           “(3) REPRESENTATION.—Members of the Com-  
10          mittee shall be appointed as follows:

11                 “(A) 7 members shall represent the barge  
12                 and towing industry, reflecting a regional geo-  
13                 graphic balance.

14                 “(B) 1 member shall represent the offshore  
15                 mineral and oil supply vessel industry.

16                 “(C) 1 member shall represent masters  
17                 and pilots of towing vessels who hold active li-  
18                 censes and have experience on the Western Riv-  
19                 ers and the Gulf Intracoastal Waterway.

20                 “(D) 1 member shall represent masters of  
21                 towing vessels in offshore service who hold ac-  
22                 tive licenses.

23                 “(E) 1 member shall represent masters of  
24                 active ship-docking or harbor towing vessels.

1           “(F) 1 member shall represent licensed  
2           and unlicensed towing vessel engineers with for-  
3           mal training and experience.

4           “(G) 2 members shall represent port dis-  
5           tricts, authorities, or terminal operators.

6           “(H) 2 members shall represent shippers  
7           and, of the 2, 1 shall be engaged in the ship-  
8           ment of oil or hazardous materials by barge.

9           “(I) 2 members shall represent the general  
10          public.

11   **“§ 15109. Administration**

12          “(a) MEETINGS.—Each committee established under  
13          this chapter shall, at least once each year, meet at the  
14          call of the Secretary or a majority of the members of the  
15          committee.

16          “(b) EMPLOYEE STATUS.—A member of a committee  
17          established under this chapter shall not be considered an  
18          employee of the Federal Government by reason of service  
19          on such committee, except for the purposes of the fol-  
20          lowing:

21                 “(1) Chapter 81 of title 5.

22                 “(2) Chapter 171 of title 28 and any other  
23          Federal law relating to tort liability.

24          “(c) COMPENSATION.—Notwithstanding subsection  
25          (b), a member of a committee established under this chap-

1 ter, when actually engaged in the performance of the du-  
2 ties of such committee, may—

3 “(1) receive compensation at a rate established  
4 by the Secretary, not to exceed the maximum daily  
5 rate payable under section 5376 of title 5; or

6 “(2) if not compensated in accordance with  
7 paragraph (1)—

8 “(A) be reimbursed for actual and reason-  
9 able expenses incurred in the performance of  
10 such duties; or

11 “(B) be allowed travel expenses, including  
12 per diem in lieu of subsistence, as authorized by  
13 section 5703 of title 5.

14 “(d) ACCEPTANCE OF VOLUNTEER SERVICES.—A  
15 member of a committee established under this chapter  
16 may serve on such committee on a voluntary basis without  
17 pay without regard to section 1342 of title 31 or any other  
18 law.

19 “(e) STATUS OF MEMBERS.—

20 “(1) IN GENERAL.—Except as provided in para-  
21 graph (2), with respect to a member of a committee  
22 established under this chapter whom the Secretary  
23 appoints to represent an entity or group—



1           “(A) the member is authorized to rep-  
2           resent the interests of the applicable entity or  
3           group; and

4           “(B) requirements under Federal law that  
5           would interfere with such representation and  
6           that apply to a special Government employee  
7           (as defined in section 202(a) of title 18), in-  
8           cluding requirements relating to employee con-  
9           duct, political activities, ethics, conflicts of in-  
10          terest, and corruption, do not apply to the  
11          member.

12          “(2) EXCEPTION.—Notwithstanding subsection  
13          (b), a member of a committee established under this  
14          chapter shall be treated as a special Government em-  
15          ployee for purposes of the committee service of the  
16          member if—

17                 “(A) the Secretary appointed the member  
18                 to represent the general public; or

19                 “(B) the member, without regard to serv-  
20                 ice on the committee, is a special Government  
21                 employee.

22          “(f) SERVICE ON COMMITTEE.—

23                 “(1) SOLICITATION OF NOMINATIONS.—Before  
24                 appointing an individual as a member of a com-  
25                 mittee established under this chapter, the Secretary

1 shall publish, in the Federal Register, a timely no-  
2 tice soliciting nominations for membership on such  
3 committee.

4 “(2) APPOINTMENTS.—

5 “(A) IN GENERAL.—After considering  
6 nominations received pursuant to a notice pub-  
7 lished under paragraph (1), the Secretary may,  
8 as necessary, appoint a member to the applica-  
9 ble committee established under this chapter.

10 “(B) PROHIBITION.—The Secretary shall  
11 not seek, consider, or otherwise use information  
12 concerning the political affiliation of a nominee  
13 in making an appointment to any committee es-  
14 tablished under this chapter.

15 “(3) SERVICE AT PLEASURE OF THE SEC-  
16 RETARY.—

17 “(A) IN GENERAL.—Each member of a  
18 committee established under this chapter shall  
19 serve at the pleasure of the Secretary.

20 “(B) EXCEPTION.—Notwithstanding sub-  
21 paragraph (A), a member of the committee es-  
22 tablished under section 15102 may only be re-  
23 moved prior to the end of the term of that  
24 member for just cause.

1           “(4) SECURITY BACKGROUND EXAMINATIONS.—  
2           The Secretary may require an individual to have  
3           passed an appropriate security background examina-  
4           tion before appointment to a committee established  
5           under this chapter.

6           “(5) PROHIBITION.—

7                   “(A) IN GENERAL.—Except as provided in  
8                   subparagraph (B), a Federal employee may not  
9                   be appointed as a member of a committee es-  
10                  tablished under this chapter.

11                   “(B) SPECIAL RULE FOR NATIONAL MER-  
12                  CHANT MARINE PERSONNEL ADVISORY COM-  
13                  MITTEE.—The Secretary may appoint a Federal  
14                  employee to serve as a member of the National  
15                  Merchant Marine Personnel Advisory Com-  
16                  mittee to represent the interests of the United  
17                  States Merchant Marine Academy and, notwith-  
18                  standing paragraphs (1) and (2), may do so  
19                  without soliciting, receiving, or considering  
20                  nominations for such appointment.

21           “(6) TERMS.—

22                   “(A) IN GENERAL.—The term of each  
23                  member of a committee established under this  
24                  chapter shall expire on December 31 of the

1           third full year after the effective date of the ap-  
2           pointment.

3           “(B) CONTINUED SERVICE AFTER TERM.—

4           When the term of a member of a committee es-  
5           tablished under this chapter ends, the member,  
6           for a period not to exceed 1 year, may continue  
7           to serve as a member until a successor is ap-  
8           pointed.

9           “(7) VACANCIES.—A vacancy on a committee  
10          established under this chapter shall be filled in the  
11          same manner as the original appointment.

12          “(8) SPECIAL RULE FOR REAPPOINTMENTS.—

13          Notwithstanding paragraphs (1) and (2), the Sec-  
14          retary may reappoint a member of a committee es-  
15          tablished under this chapter for any term, other  
16          than the first term of the member, without solici-  
17          ting, receiving, or considering nominations for such  
18          appointment.

19          “(g) STAFF SERVICES.—The Secretary shall furnish  
20          to each committee established under this chapter any staff  
21          and services considered by the Secretary to be necessary  
22          for the conduct of the committee’s functions.

23          “(h) CHAIRMAN; VICE CHAIRMAN.—

1           “(1) IN GENERAL.—Each committee established  
2 under this chapter shall elect a Chairman and Vice  
3 Chairman from among the committee’s members.

4           “(2) VICE CHAIRMAN ACTING AS CHAIRMAN.—  
5 The Vice Chairman shall act as Chairman in the ab-  
6 sence or incapacity of, or in the event of a vacancy  
7 in the office of, the Chairman.

8           “(i) SUBCOMMITTEES AND WORKING GROUPS.—

9           “(1) IN GENERAL.—The Chairman of a com-  
10 mittee established under this chapter may establish  
11 and disestablish subcommittees and working groups  
12 for any purpose consistent with the function of the  
13 committee.

14           “(2) PARTICIPANTS.—Subject to conditions im-  
15 posed by the Chairman, members of a committee es-  
16 tablished under this chapter and additional persons  
17 drawn from entities or groups designated by this  
18 chapter to be represented on the committee or the  
19 general public may be assigned to subcommittees  
20 and working groups established under paragraph  
21 (1).

22           “(3) CHAIR.—Only committee members may  
23 chair subcommittees and working groups established  
24 under paragraph (1).

1       “(j) CONSULTATION, ADVICE, REPORTS, AND REC-  
2 OMMENDATIONS.—

3               “(1) CONSULTATION.—

4                       “(A) IN GENERAL.—Before taking any sig-  
5 nificant action, the Secretary shall consult with,  
6 and consider the information, advice, and rec-  
7 ommendations of, a committee established  
8 under this chapter if the function of the com-  
9 mittee is to advise the Secretary on matters re-  
10 lated to the significant action.

11                      “(B) INCLUSION.—For purposes of this  
12 paragraph, regulations proposed under chapter  
13 45 of this title are significant actions.

14               “(2) ADVICE, REPORTS, AND RECOMMENDA-  
15 TIONS.—Each committee established under this  
16 chapter shall submit, in writing, to the Secretary its  
17 advice, reports, and recommendations, in a form and  
18 at a frequency determined appropriate by the com-  
19 mittee.

20               “(3) EXPLANATION OF ACTIONS TAKEN.—Not  
21 later than 60 days after the date on which the Sec-  
22 retary receives recommendations from a committee  
23 under paragraph (2), the Secretary shall—

24                      “(A) publish the recommendations on a  
25 website accessible at no charge to the public;

1           “(B) if the recommendations are from the  
2 committee established under section 15102, es-  
3 tablish a mechanism for the submission of pub-  
4 lic comments on the recommendations; and

5           “(C) respond, in writing, to the committee  
6 regarding the recommendations, including by  
7 providing an explanation of actions taken re-  
8 garding the recommendations.

9           “(4) SUBMISSION TO CONGRESS.—

10           “(A) IN GENERAL.—The Secretary shall  
11 submit to the Committee on Transportation and  
12 Infrastructure of the House of Representatives  
13 and the Committee on Commerce, Science, and  
14 Transportation of the Senate the advice, re-  
15 ports, and recommendations received from com-  
16 mittees under paragraph (2).

17           “(B) ADDITIONAL SUBMISSION.—With re-  
18 spect to a committee established under section  
19 70112 and to which this section applies, the  
20 Secretary shall submit the advice, reports, and  
21 recommendations received from the committee  
22 under paragraph (2) to the Committee on  
23 Homeland Security of the House of Representa-  
24 tives in addition to the committees specified in  
25 subparagraph (A).

1       “(k) OBSERVERS.—Any Federal agency with matters  
2 under such agency’s administrative jurisdiction related to  
3 the function of a committee established under this chapter  
4 may designate a representative to—

5               “(1) attend any meeting of such committee; and

6               “(2) participate as an observer at meetings of  
7 such committee that relate to such a matter.

8       “(l) TERMINATION.—Each committee established  
9 under this chapter shall terminate on September 30,  
10 2027.”.

11       (b) CLERICAL AMENDMENT.—The analysis for sub-  
12 title II of title 46, United States Code, is amended by in-  
13 serting after the item relating to chapter 147 the fol-  
14 lowing:

“Part K—National Maritime Transportation Advisory Committees

**“151. National Maritime Transportation Advisory Com-  
mittees .....15101”.**

15       (c) CONFORMING AMENDMENTS.—

16               (1) COMMERCIAL FISHING SAFETY ADVISORY  
17 COMMITTEE.—Section 4508 of title 46, United  
18 States Code, and the item relating to that section in  
19 the analysis for chapter 45 of that title, are re-  
20 pealed.

21               (2) MERCHANT MARINER MEDICAL ADVISORY  
22 COMMITTEE.—Section 7115 of title 46, United  
23 States Code, and the item relating to that section in



1 the analysis for chapter 71 of that title, are re-  
2 pealed.

3 (3) MERCHANT MARINE PERSONNEL ADVISORY  
4 COMMITTEE.—

5 (A) REPEAL.—Section 8108 of title 46,  
6 United States Code, and the item relating to  
7 that section in the analysis for chapter 81 of  
8 that title, are repealed.

9 (B) CONFORMING AMENDMENT.—Section  
10 7510(c)(1)(C) of title 46, United States Code,  
11 is amended by inserting “National” before  
12 “Merchant Marine”.

13 (4) NATIONAL BOATING SAFETY ADVISORY  
14 COUNCIL.—

15 (A) REPEAL.—Section 13110 of title 46,  
16 United States Code, and the item relating to  
17 that section in the analysis for chapter 131 of  
18 that title, are repealed.

19 (B) CONFORMING AMENDMENTS.—

20 (i) REGULATIONS.—Section  
21 4302(c)(4) of title 46, United States Code,  
22 is amended by striking “Council estab-  
23 lished under section 13110 of this title”  
24 and inserting “Committee established  
25 under section 15105 of this title”.

1 (ii) REPAIR AND REPLACEMENT OF  
2 DEFECTS.—Section 4310(f) of title 46,  
3 United States Code, is amended by strik-  
4 ing “Advisory Council” and inserting “Ad-  
5 visory Committee”.

6 (5) NAVIGATION SAFETY ADVISORY COUNCIL.—  
7 Section 5 of the Inland Navigational Rules Act of  
8 1980 (33 U.S.C. 2073) is repealed.

9 (6) TOWING SAFETY ADVISORY COMMITTEE.—

10 (A) REPEAL.—Public Law 96–380 (33  
11 U.S.C. 1231a) is repealed.

12 (B) CONFORMING AMENDMENTS.—

13 (i) REDUCTION OF OIL SPILLS FROM  
14 SINGLE HULL NON-SELF-PROPELLED TANK  
15 VESSELS.—Section 3719 of title 46,  
16 United States Code, is amended by insert-  
17 ing “National” before “Towing Safety”.

18 (ii) SAFETY EQUIPMENT.—Section  
19 4102(f)(1) of title 46, United States Code,  
20 is amended by inserting “National” before  
21 “Towing Safety”.

22 (d) TREATMENT OF EXISTING COUNCILS AND COM-  
23 MITTEES.—Notwithstanding any other provision of law—

24 (1) an advisory council or committee substan-  
25 tially similar to an advisory committee established

1 under chapter 151 of title 46, United States Code,  
2 as added by this division, and that was in force or  
3 in effect on the day before the date of enactment of  
4 this section, including a council or committee the au-  
5 thority for which was repealed under subsection (c),  
6 may remain in force or in effect for a period of 2  
7 years from the date of enactment of this section, in-  
8 cluding that the charter, membership, and other as-  
9 pects of the council or committee may remain in  
10 force or in effect; and

11 (2) during the 2-year period referenced in para-  
12 graph (1)—

13 (A) requirements relating to the applicable  
14 advisory committee established under chapter  
15 151 of title 46, United States Code, shall be  
16 treated as satisfied by the substantially similar  
17 advisory council or committee; and

18 (B) the enactment of this section, includ-  
19 ing the amendments made in this section, shall  
20 not be the basis—

21 (i) to deem, find, or declare such  
22 council or committee, including the char-  
23 ter, membership, and other aspects thereof,  
24 void, not in force, or not in effect;

- 1 (ii) to suspend the activities of such  
2 council or committee; or  
3 (iii) to bar the members of such coun-  
4 cil or committee from meeting.

5 **SEC. 4602. MARITIME SECURITY ADVISORY COMMITTEES.**

6 (a) IN GENERAL.—Section 70112 of title 46, United  
7 States Code, is amended to read as follows:

8 **“§ 70112. Maritime Security Advisory Committees**

9 “(a) NATIONAL MARITIME SECURITY ADVISORY  
10 COMMITTEE.—

11 “(1) ESTABLISHMENT.—There is established a  
12 National Maritime Security Advisory Committee (in  
13 this subsection referred to as the ‘Committee’).

14 “(2) FUNCTION.—The Committee shall advise  
15 the Secretary on matters relating to national mari-  
16 time security.

17 “(3) MEMBERSHIP.—

18 “(A) IN GENERAL.—The Committee shall  
19 consist of at least 8 members, but not more  
20 than 21 members, appointed by the Secretary  
21 in accordance with this subsection and section  
22 15109 of this title.

23 “(B) EXPERTISE.—Each member of the  
24 Committee shall have particular expertise,

1 knowledge, and experience in matters relating  
2 to the function of the Committee.

3 “(C) REPRESENTATION.—Each of the fol-  
4 lowing shall be represented by at least 1 mem-  
5 ber of the Committee:

6 “(i) Port authorities.

7 “(ii) Facilities owners and operators.

8 “(iii) Terminal owners and operators.

9 “(iv) Vessel owners and operators.

10 “(v) Maritime labor organizations.

11 “(vi) The academic community.

12 “(vii) State and local governments.

13 “(viii) The maritime industry.

14 “(D) DISTRIBUTION.—If the Committee  
15 consists of at least 8 members who, together,  
16 satisfy the minimum representation require-  
17 ments of subparagraph (C), the Secretary shall,  
18 based on the needs of the Coast Guard, deter-  
19 mine the number of additional members of the  
20 Committee who represent each entity specified  
21 in that subparagraph. Neither this subpara-  
22 graph nor any other provision of law shall be  
23 construed to require an equal distribution of  
24 members representing each entity specified in  
25 subparagraph (C).

1           “(4) ADMINISTRATION.—For purposes of sec-  
2           tion 15109 of this title, the Committee shall be  
3           treated as a committee established under chapter  
4           151 of such title.

5           “(b) AREA MARITIME SECURITY ADVISORY COMMIT-  
6           TEES.—

7           “(1) IN GENERAL.—

8           “(A) ESTABLISHMENT.—The Secretary  
9           may—

10                   “(i) establish an Area Maritime Secu-  
11                   rity Advisory Committee for any port area  
12                   of the United States; and

13                   “(ii) request such a committee to re-  
14                   view the proposed Area Maritime Trans-  
15                   portation Security Plan developed under  
16                   section 70103(b) and make recommenda-  
17                   tions to the Secretary that the committee  
18                   considers appropriate.

19           “(B) ADDITIONAL FUNCTIONS AND MEET-  
20           INGS.—A committee established under this sub-  
21           section for an area—

22                   “(i) may advise, consult with, report  
23                   to, and make recommendations to the Sec-  
24                   retary on matters relating to maritime se-  
25                   curity in that area;

1           “(ii) may make available to the Con-  
2           gress recommendations that the committee  
3           makes to the Secretary; and

4           “(iii) shall meet at the call of—

5                   “(I) the Secretary, who shall call  
6                   such a meeting at least once during  
7                   each calendar year; or

8                   “(II) a majority of the com-  
9                   mittee.

10          “(2) MEMBERSHIP.—

11                   “(A) IN GENERAL.—Each committee es-  
12                   tablished under this subsection shall consist of  
13                   at least 7 members appointed by the Secretary,  
14                   each of whom has at least 5 years practical ex-  
15                   perience in maritime security operations.

16                   “(B) TERMS.—The term of each member  
17                   of a committee established under this sub-  
18                   section shall be for a period of not more than  
19                   5 years, specified by the Secretary.

20                   “(C) NOTICE.—Before appointing an indi-  
21                   vidual to a position on a committee established  
22                   under this subsection, the Secretary shall pub-  
23                   lish a notice in the Federal Register soliciting  
24                   nominations for membership on the committee.

1           “(D) BACKGROUND EXAMINATIONS.—The  
2 Secretary may require an individual to have  
3 passed an appropriate security background ex-  
4 amination before appointment to a committee  
5 established under this subsection.

6           “(E) REPRESENTATION.—Each committee  
7 established under this subsection shall be com-  
8 posed of individuals who represent the interests  
9 of the port industry, terminal operators, port  
10 labor organizations, and other users of the port  
11 areas.

12           “(3) CHAIRPERSON AND VICE CHAIRPERSON.—

13           “(A) IN GENERAL.—Each committee es-  
14 tablished under this subsection shall elect 1 of  
15 the committee’s members as the Chairperson  
16 and 1 of the committee’s members as the Vice  
17 Chairperson.

18           “(B) VICE CHAIRPERSON ACTING AS  
19 CHAIRPERSON.—The Vice Chairperson shall act  
20 as Chairperson in the absence or incapacity of  
21 the Chairperson, or in the event of a vacancy in  
22 the office of the Chairperson.

23           “(4) OBSERVERS.—

24           “(A) IN GENERAL.—The Secretary shall,  
25 and the head of any other interested Federal



1 agency may, designate a representative to par-  
2 ticipate as an observer with a committee estab-  
3 lished under this subsection.

4 “(B) ROLE.—The Secretary’s designated  
5 representative to a committee established under  
6 this subsection shall act as the executive sec-  
7 retary of the committee and shall perform the  
8 duties set forth in section 10(c) of the Federal  
9 Advisory Committee Act (5 U.S.C. App.).

10 “(5) CONSIDERATION OF VIEWS.—The Sec-  
11 retary shall consider the information, advice, and  
12 recommendations of each committee established  
13 under this subsection in formulating policy regarding  
14 matters affecting maritime security.

15 “(6) COMPENSATION AND EXPENSES.—

16 “(A) IN GENERAL.—A member of a com-  
17 mittee established under this subsection, when  
18 attending meetings of the committee or when  
19 otherwise engaged in the business of the com-  
20 mittee, is entitled to receive—

21 “(i) compensation at a rate fixed by  
22 the Secretary, not exceeding the daily  
23 equivalent of the current rate of basic pay  
24 in effect for GS–15 of the General Sched-

1           ule under section 5332 of title 5 including  
2           travel time; and

3                   “(ii) travel or transportation expenses  
4           under section 5703 of title 5.

5                   “(B) STATUS.—A member of a committee  
6           established under this subsection shall not be  
7           considered to be an officer or employee of the  
8           United States for any purpose based on the re-  
9           ceipt of any payment under this paragraph.

10                   “(7) FACA.—The Federal Advisory Committee  
11           Act (5 U.S.C. App.) does not apply to a committee  
12           established under this subsection.”.

13           (b) TREATMENT OF EXISTING COMMITTEE.—Not-  
14           withstanding any other provision of law—

15                   (1) an advisory committee substantially similar  
16           to the National Maritime Security Advisory Com-  
17           mittee established under section 70112(a) of title  
18           46, United States Code, as amended by this section,  
19           and that was in force or in effect on the day before  
20           the date of enactment of this section, may remain in  
21           force or in effect for a period of 2 years from the  
22           date of enactment of this section, including that the  
23           charter, membership, and other aspects of the com-  
24           mittee may remain in force or in effect; and

1 (2) during the 2-year period referenced in para-  
2 graph (1)—

3 (A) requirements relating to the National  
4 Maritime Security Advisory Committee estab-  
5 lished under section 70112(a) of title 46,  
6 United States Code, as amended by this sec-  
7 tion, shall be treated as satisfied by the sub-  
8 stantially similar advisory committee; and

9 (B) the enactment of this section, includ-  
10 ing the amendments made in this section, shall  
11 not be the basis—

12 (i) to deem, find, or declare such com-  
13 mittee, including the charter, membership,  
14 and other aspects thereof, void, not in  
15 force, or not in effect;

16 (ii) to suspend the activities of such  
17 committee; or

18 (iii) to bar the members of such com-  
19 mittee from meeting.

20 **TITLE XLVII—FEDERAL**  
21 **MARITIME COMMISSION**

22 **SEC. 4701. SHORT TITLE.**

23 This title may be cited as the “Federal Maritime  
24 Commission Authorization Act of 2017”.

1 **SEC. 4702. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 308 of title 46, United States Code, is  
3 amended by striking “\$24,700,000 for each of fiscal years  
4 2016 and 2017” and inserting “\$28,012,310 for fiscal  
5 year 2018 and \$28,544,543 for fiscal year 2019”.

6 **SEC. 4703. REPORTING ON IMPACT OF ALLIANCES ON COM-**  
7 **PETITION.**

8 Section 306 of title 46, United States Code, is  
9 amended—

10 (1) in subsection (b)—

11 (A) in paragraph (4), by striking “; and”  
12 and inserting a semicolon;

13 (B) in paragraph (5), by striking the pe-  
14 riod at the end and inserting “; and”; and

15 (C) by adding at the end the following:

16 “(6) an analysis of the impacts on competition  
17 for the purchase of certain covered services by alli-  
18 ances of ocean common carriers acting pursuant to  
19 an agreement under this part between or among  
20 ocean common carriers, including a summary of ac-  
21 tions, including corrective actions, taken by the  
22 Commission to promote such competition.”; and

23 (2) by adding at the end the following:

24 “(c) DEFINITION OF CERTAIN COVERED SERV-  
25 ICES.—In this section, the term ‘certain covered services’  
26 has the meaning given the term in section 40102.”.

1 **SEC. 4704. DEFINITION OF CERTAIN COVERED SERVICES.**

2 Section 40102 of title 46, United States Code, is  
3 amended—

4 (1) by redesignating paragraphs (5) through  
5 (25) as paragraphs (6) through (26), respectively;  
6 and

7 (2) by inserting after paragraph (4), the fol-  
8 lowing:

9 “(5) CERTAIN COVERED SERVICES.—For pur-  
10 poses of sections 41105 and 41307, the term ‘cer-  
11 tain covered services’ means, with respect to a ves-  
12 sel—

13 “(A) the berthing or bunkering of the ves-  
14 sel;

15 “(B) the loading or unloading of cargo to  
16 or from the vessel to or from a point on a wharf  
17 or terminal;

18 “(C) the positioning, removal, or replace-  
19 ment of buoys related to the movement of the  
20 vessel; and

21 “(D) with respect to injunctive relief under  
22 section 41307, towing vessel services provided  
23 to such a vessel.”.

24 **SEC. 4705. REPORTS FILED WITH THE COMMISSION.**

25 Section 40104(a) of title 46, United States Code, is  
26 amended to read as follows:

1       “(a) REPORTS.—

2               “(1) IN GENERAL.—The Federal Maritime  
3 Commission may require a common carrier or ma-  
4 rine terminal operator, or an officer, receiver, trust-  
5 ee, lessee, agent, or employee of the common carrier  
6 or marine terminal operator to file with the Commis-  
7 sion a periodical or special report, an account,  
8 record, rate, or charge, or a memorandum of facts  
9 and transactions related to the business of the com-  
10 mon carrier or marine terminal operator, as applica-  
11 ble.

12               “(2) REQUIREMENTS.—Any report, account,  
13 record, rate, charge, or memorandum required to be  
14 filed under paragraph (1) shall—

15                       “(A) be made under oath if the Commis-  
16 sion requires; and

17                       “(B) be filed in the form and within the  
18 time prescribed by the Commission.

19               “(3) LIMITATION.—The Commission shall—

20                       “(A) limit the scope of any filing ordered  
21 under this section to fulfill the objective of the  
22 order; and

23                       “(B) provide a reasonable period of time  
24 for respondents to respond based upon their ca-  
25 pabilities and the scope of the order.”.

1 **SEC. 4706. PUBLIC PARTICIPATION.**

2 (a) NOTICE OF FILING.—Section 40304(a) of title  
3 46, United States Code, is amended to read as follows:

4 “(a) NOTICE OF FILING.—Not later than 7 days  
5 after the date an agreement is filed, the Federal Maritime  
6 Commission shall—

7 “(1) transmit a notice of the filing to the Fed-  
8 eral Register for publication; and

9 “(2) request interested persons to submit rel-  
10 evant information and documents.”.

11 (b) REQUEST FOR INFORMATION AND DOCU-  
12 MENTS.—Section 40304(d) of title 46, United States  
13 Code, is amended by striking “section” and inserting  
14 “part”.

15 (c) SAVING CLAUSE.—Nothing in this section, or the  
16 amendments made by this section, may be construed—

17 (1) to prevent the Federal Maritime Commis-  
18 sion from requesting from a person, at any time, any  
19 additional information or documents the Commission  
20 considers necessary to carry out chapter 403 of title  
21 46, United States Code;

22 (2) to prescribe a specific deadline for the sub-  
23 mission of relevant information and documents in re-  
24 sponse to a request under section 40304(a)(2) of  
25 title 46, United States Code; or

1           (3) to limit the authority of the Commission to  
2           request information under section 40304(d) of title  
3           46, United States Code.

4 **SEC. 4707. OCEAN TRANSPORTATION INTERMEDIARIES.**

5           (a) **LICENSE REQUIREMENT.**—Section 40901(a) of  
6 title 46, United States Code, is amended by inserting “ad-  
7 vertise, hold oneself out, or” after “may not”.

8           (b) **APPLICABILITY.**—Section 40901 of title 46,  
9 United States Code, is amended by adding at the end the  
10 following:

11           “(c) **APPLICABILITY.**—Subsection (a) and section  
12 40902 do not apply to a person that performs ocean trans-  
13 portation intermediary services on behalf of an ocean  
14 transportation intermediary for which it is a disclosed  
15 agent.”.

16           (c) **FINANCIAL RESPONSIBILITY.**—Section 40902(a)  
17 of title 46, United States Code, is amended by inserting  
18 “advertise, hold oneself out, or” after “may not”.

19 **SEC. 4708. COMMON CARRIERS.**

20           (a) Section 41104 of title 46, United States Code,  
21 is amended—

22           (1) in the matter preceding paragraph (1), by  
23 inserting “(a) **IN GENERAL.**—” before “A common  
24 carrier”;

25           (2) in subsection (a), as designated—



1 (A) by amending paragraph (11) to read  
2 as follows:

3 “(11) knowingly and willfully accept cargo from  
4 or transport cargo for the account of a non-vessel-  
5 operating common carrier that does not have a tariff  
6 as required by section 40501 of this title, or an  
7 ocean transportation intermediary that does not  
8 have a bond, insurance, or other surety as required  
9 by section 40902 of this title;”;

10 (B) in paragraph (12), by striking the pe-  
11 riod at the end and inserting “; or”; and

12 (C) by adding at the end the following:

13 “(13) continue to participate simultaneously in  
14 a rate discussion agreement and an agreement to  
15 share vessels, in the same trade, if the interplay of  
16 the authorities exercised by the specified agreements  
17 is likely, by a reduction in competition, to produce  
18 an unreasonable reduction in transportation service  
19 or an unreasonable increase in transportation cost.”;  
20 and

21 (3) by adding at the end the following:

22 “(b) RULE OF CONSTRUCTION.—Notwithstanding  
23 any other provision of law, there is no private right of ac-  
24 tion to enforce the prohibition under subsection (a)(13).

1       “(c) AGREEMENT VIOLATION.—Participants in an  
2 agreement found by the Commission to violate subsection  
3 (a)(13) shall have 90 days from the date of such Commis-  
4 sion finding to withdraw from the agreement as necessary  
5 to comply with that subsection.”.

6       (b) APPLICATION.—Section 41104(a)(13) of title 46,  
7 United States Code, as amended, shall apply to any agree-  
8 ment filed or with an effective date before, on, or after  
9 the date of enactment of this Act.

10 **SEC. 4709. NEGOTIATIONS.**

11       (a) CONCERTED ACTION.—Section 41105 of title 46,  
12 United States Code, is amended—

13           (1) by redesignating paragraphs (5) through  
14 (8) as paragraphs (7) through (10), respectively;  
15 and

16           (2) by inserting after paragraph (4) the fol-  
17 lowing:

18           “(5) negotiate with a tug or towing vessel serv-  
19 ice provider on any matter relating to rates or serv-  
20 ices provided within the United States by those tugs  
21 or towing vessels;

22           “(6) with respect to a vessel operated by an  
23 ocean common carrier within the United States, ne-  
24 gotiate for the purchase of certain covered services,  
25 unless the negotiations and any resulting agreements

1 are not in violation of the antitrust laws and are  
2 consistent with the purposes of this part, except that  
3 this paragraph does not prohibit the setting and  
4 publishing of a joint through rate by a conference,  
5 joint venture, or association of ocean common car-  
6 riers;”.

7 (b) **AUTHORITY.**—Chapter 411 of title 46, United  
8 States Code, is amended—

9 (1) by inserting after section 41105 the fol-  
10 lowing:

11 **“§ 41105A. Authority**

12 “Nothing in section 41105, as amended by the Fed-  
13 eral Maritime Commission Authorization Act of 2017,  
14 shall be construed to limit the authority of the Depart-  
15 ment of Justice regarding antitrust matters.”; and

16 (2) in the analysis at the beginning of chapter  
17 411, by inserting after the item relating to section  
18 41105 the following:

“41105A. Authority.”.

19 (c) **EXEMPTION.**—Section 40307(b)(1) of title 46,  
20 United States Code, is amended by inserting “tug opera-  
21 tors,” after “motor carriers,”.

22 **SEC. 4710. INJUNCTIVE RELIEF SOUGHT BY THE COMMIS-**  
23 **SION.**

24 (a) **IN GENERAL.**—Section 41307(b) of title 46,  
25 United States Code is amended—

1           (1) in paragraph (1) by inserting “or to sub-  
2           stantially lessen competition in the purchasing of  
3           certain covered services” after “transportation cost”;  
4           and

5           (2) by adding at the end the following:

6           “(4) COMPETITION FACTORS.—In making a de-  
7           termination under this subsection regarding whether  
8           an agreement is likely to substantially lessen com-  
9           petition in the purchasing of certain covered serv-  
10          ices, the Commission may consider any relevant  
11          competition factors in affected markets, including,  
12          without limitation, the competitive effect of agree-  
13          ments other than the agreement under review.”.

14          (b) APPLICATION.—Section 41307(b) of title 46,  
15          United States Code, as amended, shall apply to any agree-  
16          ment filed or with an effective date before, on, or after  
17          the date of enactment of this Act.

18          **SEC. 4711. DISCUSSIONS.**

19          (a) IN GENERAL.—Section 303 of title 46, United  
20          States Code, is amended to read as follows:

21          **“§ 303. Meetings**

22          “(a) IN GENERAL.—The Federal Maritime Commis-  
23          sion shall be deemed to be an agency for purposes of sec-  
24          tion 552b of title 5.

1       “(b) RECORD.—The Commission, through its sec-  
2 retary, shall keep a record of its meetings and the votes  
3 taken on any action, order, contract, or financial trans-  
4 action of the Commission.

5       “(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

6           “(1) IN GENERAL.—Notwithstanding section  
7 552b of title 5, a majority of the Commissioners  
8 may hold a meeting that is not open to public obser-  
9 vation to discuss official agency business if—

10           “(A) no formal or informal vote or other  
11 official agency action is taken at the meeting;

12           “(B) each individual present at the meet-  
13 ing is a Commissioner or an employee of the  
14 Commission;

15           “(C) at least 1 Commissioner from each  
16 political party is present at the meeting, if ap-  
17 plicable; and

18           “(D) the General Counsel of the Commis-  
19 sion is present at the meeting.

20           “(2) DISCLOSURE OF NONPUBLIC COLLABO-  
21 RATIVE DISCUSSIONS.—Except as provided under  
22 paragraph (3), not later than 2 business days after  
23 the conclusion of a meeting under paragraph (1),  
24 the Commission shall make available to the public,  
25 in a place easily accessible to the public—

1           “(A) a list of the individuals present at the  
2 meeting; and

3           “(B) a summary of the matters discussed  
4 at the meeting, except for any matters the  
5 Commission properly determines may be with-  
6 held from the public under section 552b(c) of  
7 title 5.

8           “(3) EXCEPTION.—If the Commission properly  
9 determines matters may be withheld from the public  
10 under section 555b(c) of title 5, the Commission  
11 shall provide a summary with as much general infor-  
12 mation as possible on those matters withheld from  
13 the public.

14           “(4) ONGOING PROCEEDINGS.—If a meeting  
15 under paragraph (1) directly relates to an ongoing  
16 proceeding before the Commission, the Commission  
17 shall make the disclosure under paragraph (2) on  
18 the date of the final Commission decision.

19           “(5) PRESERVATION OF OPEN MEETINGS RE-  
20 QUIREMENTS FOR AGENCY ACTION.—Nothing in this  
21 subsection may be construed to limit the applica-  
22 bility of section 552b of title 5 with respect to a  
23 meeting of the Commissioners other than that de-  
24 scribed in this subsection.

1           “(6) STATUTORY CONSTRUCTION.—Nothing in  
2 this subsection may be construed—

3           “(A) to limit the applicability of section  
4 552b of title 5 with respect to any information  
5 which is proposed to be withheld from the pub-  
6 lic under paragraph (2)(B) of this subsection;  
7 or

8           “(B) to authorize the Commission to with-  
9 hold from any individual any record that is ac-  
10 cessible to that individual under section 552a of  
11 title 5.”.

12       (b) TABLE OF CONTENTS.—The analysis at the be-  
13 ginning of chapter 3 of title 46, United States Code, is  
14 amended by amending the item relating to section 303 to  
15 read as follows:

“303. Meetings.”.

16 **SEC. 4712. TRANSPARENCY.**

17       (a) IN GENERAL.—Beginning not later than 60 days  
18 after the date of enactment of this Act, the Federal Mari-  
19 time Commission shall submit to the Committee on Com-  
20 merce, Science, and Transportation of the Senate and the  
21 Committee on Transportation and Infrastructure of the  
22 House of Representatives biannual reports that describe  
23 the Commission’s progress toward addressing the issues  
24 raised in each unfinished regulatory proceeding, regardless

1 of whether the proceeding is subject to a statutory or regu-  
2 latory deadline.

3 (b) **FORMAT OF REPORTS.**—Each report under sub-  
4 section (a) shall, among other things, clearly identify for  
5 each unfinished regulatory proceeding—

6 (1) the popular title;

7 (2) the current stage of the proceeding;

8 (3) an abstract of the proceeding;

9 (4) what prompted the action in question;

10 (5) any applicable statutory, regulatory, or judi-  
11 cial deadline;

12 (6) the associated docket number;

13 (7) the date the rulemaking was initiated;

14 (8) a date for the next action; and

15 (9) if a date for next action identified in the  
16 previous report is not met, the reason for the delay.

17 **SEC. 4713. STUDY OF BANKRUPTCY PREPARATION AND RE-**  
18 **SPONSE.**

19 (a) **STUDY.**—The Comptroller General of the United  
20 States shall conduct a study that examines the immediate  
21 aftermath of a major ocean carrier bankruptcy and its im-  
22 pact through the supply chain. The study shall consider  
23 any financial mechanisms that could be used to mitigate  
24 the impact of any future bankruptcy events on the supply  
25 chain.



1 (b) REPORT.—No later than 1 year after the date  
2 of enactment of this Act, the Comptroller General of the  
3 United States shall submit to the Committee on Com-  
4 merce, Science, and Transportation of the Senate and the  
5 Committee on Transportation and Infrastructure of the  
6 House of Representatives a report containing the findings,  
7 conclusions, and recommendations, if any, from the study  
8 required under subsection (a).

9 **SEC. 4714. AGREEMENTS UNAFFECTED.**

10 Nothing in this division may be construed—

11 (1) to limit or amend the definition of “agree-  
12 ment” in section 40102(1) of title 46, United States  
13 Code, with respect to the exclusion of maritime labor  
14 agreements; or

15 (2) to apply to a maritime labor agreement (as  
16 defined in section 40102(15) of that title).

17 **TITLE XLVIII—MISCELLANEOUS**

18 **SEC. 4801. REPEAL OF OBSOLETE REPORTING REQUIRE-**  
19 **MENT.**

20 Subsection (h) of section 888 of the Homeland Secu-  
21 rity Act of 2002 (6 U.S.C. 468) is repealed.

22 **SEC. 4802. CORRECTIONS TO PROVISIONS ENACTED BY**  
23 **COAST GUARD AUTHORIZATION ACTS.**

24 Section 604(b) of the Howard Coble Coast Guard and  
25 Maritime Transportation Act of 2014 (Public Law 113–

1 281; 128 Stat. 3061) is amended by inserting “and fishery  
2 endorsement” after “endorsement”.

3 **SEC. 4803. OFFICER EVALUATION REPORT.**

4 (a) IN GENERAL.—Not later than 3 years after the  
5 date of the enactment of this Act, the Commandant of  
6 the Coast Guard shall reduce lieutenant junior grade eval-  
7 uation reports to the same length as an ensign or place  
8 lieutenant junior grade evaluations on an annual schedule.

9 (b) SURVEYS.—Not later than 1 year after the date  
10 of the enactment of this Act, the Commandant of the  
11 Coast Guard shall conduct surveys of—

12 (1) outgoing promotion board members and as-  
13 signment officers to determine, at a minimum—

14 (A) which sections of the officer evaluation  
15 report were most useful;

16 (B) which sections of the officer evaluation  
17 report were least useful;

18 (C) how to better reflect high performers;

19 and

20 (D) any recommendations for improving  
21 the officer evaluation report; and

22 (2) at least 10 percent of the officers from each  
23 grade of officers from O1 to O6 to determine how  
24 much time each member of the rating chain spends

1 on that member's portion of the officer evaluation  
2 report.

3 (c) REVISIONS.—

4 (1) IN GENERAL.—Not later than 4 years after  
5 the date of the completion of the surveys required by  
6 subsection (b), the Commandant of the Coast Guard  
7 shall revise the officer evaluation report, and provide  
8 corresponding directions, taking into account the re-  
9 quirements under paragraph (2).

10 (2) REQUIREMENTS.—In revising the officer  
11 evaluation report under paragraph (1), the Com-  
12 mandant shall—

13 (A) consider the findings of the surveys  
14 under subsection (b);

15 (B) improve administrative efficiency;

16 (C) reduce and streamline performance di-  
17 mensions and narrative text;

18 (D) eliminate redundancy with the officer  
19 specialty management system and any other  
20 record information systems that are used dur-  
21 ing the officer assignment or promotion process;

22 (E) provide for fairness and equity for  
23 Coast Guard officers with regard to promotion  
24 boards, selection panels, and the assignment  
25 process; and

1 (F) ensure officer evaluation responsibil-  
2 ities can be accomplished within normal work-  
3 ing hours—

4 (i) to minimize any impact to officer  
5 duties; and

6 (ii) to eliminate any need for an offi-  
7 cer to take liberty or leave for administra-  
8 tive purposes.

9 (d) REPORT.—

10 (1) IN GENERAL.—Not later than 545 days  
11 after the date of the enactment of this Act, the  
12 Commandant of the Coast Guard shall submit to the  
13 Committee on Commerce, Science, and Transpor-  
14 tation of the Senate and the Committee on Trans-  
15 portation and Infrastructure of the House of Rep-  
16 resentatives a report on the findings of the surveys  
17 under subsection (b).

18 (2) FORMAT.—The report under paragraph (1)  
19 shall be formatted by each rank, type of board, and  
20 position, as applicable.

21 **SEC. 4804. EXTENSION OF AUTHORITY.**

22 Section 404 of the Coast Guard Authorization Act  
23 of 2010 (Public Law 111–281; 124 Stat. 2950) is amend-  
24 ed—

1           (1) in subsection (a), in the text preceding  
2           paragraph (1), by striking “sections 3304, 5333,  
3           and 5753” and inserting “section 3304”; and

4           (2) by striking subsection (b), and redesignig-  
5           nating subsection (c) as subsection (b).

6 **SEC. 4805. COAST GUARD ROTC PROGRAM.**

7           Not later than 1 year after the date of enactment  
8           of this Act, the Commandant of the Coast Guard shall  
9           submit to the Committee on Commerce, Science, and  
10          Transportation of the Senate and the Committee on  
11          Transportation and Infrastructure of the House of Rep-  
12          resentatives a report on the costs and benefits of creating  
13          a Coast Guard Reserve Officers’ Training Corps Program  
14          based on the other Armed Forces programs.

15 **SEC. 4806. CURRENCY DETECTION CANINE TEAM PRO-**  
16 **GRAM.**

17          (a) DEFINITIONS.—In this section:

18           (1) CANINE CURRENCY DETECTION TEAM.—  
19           The term “canine currency detection team” means a  
20           canine and a canine handler that are trained to de-  
21           tect currency.

22           (2) SECRETARY.—The term “Secretary” means  
23           the Secretary of the department in which the Coast  
24           Guard is operating.

1 (b) ESTABLISHMENT.—Not later than 1 year after  
2 the date of enactment of this Act, the Secretary shall es-  
3 tablish a program to allow the use of canine currency de-  
4 tection teams for purposes of Coast Guard maritime law  
5 enforcement, including underway vessel boardings.

6 (c) OPERATION.—The Secretary may cooperate with,  
7 or enter into an agreement with, the head of another Fed-  
8 eral agency to meet the requirements under subsection (b).

9 **SEC. 4807. CENTER OF EXPERTISE FOR GREAT LAKES OIL**  
10 **SPILL SEARCH AND RESPONSE.**

11 (a) IN GENERAL.—Not later than 1 year after the  
12 date of enactment of this Act, the Commandant of the  
13 Coast Guard shall establish a Center of Expertise for  
14 Great Lakes Oil Spill Preparedness and Response (re-  
15 ferred to in this section as the “Center of Expertise”) in  
16 accordance with section 313 of title 14, United States  
17 Code, as amended by this division.

18 (b) LOCATION.—The Center of Expertise shall be lo-  
19 cated in close proximity to—

20 (1) critical crude oil transportation infrastruc-  
21 ture on and connecting the Great Lakes, such as  
22 submerged pipelines and high-traffic navigation  
23 locks; and

24 (2) an institution of higher education with ade-  
25 quate aquatic research laboratory facilities and capa-

1 bilities and expertise in Great Lakes aquatic ecology,  
2 environmental chemistry, fish and wildlife, and water  
3 resources.

4 (c) FUNCTIONS.—The Center of Expertise shall—

5 (1) monitor and assess, on an ongoing basis,  
6 the current state of knowledge regarding freshwater  
7 oil spill response technologies and the behavior and  
8 effects of oil spills in the Great Lakes;

9 (2) identify any significant gaps in Great Lakes  
10 oil spill research, including an assessment of major  
11 scientific or technological deficiencies in responses to  
12 past spills in the Great Lakes and other freshwater  
13 bodies, and seek to fill those gaps;

14 (3) conduct research, development, testing, and  
15 evaluation for freshwater oil spill response equip-  
16 ment, technologies, and techniques to mitigate and  
17 respond to oil spills in the Great Lakes;

18 (4) educate and train Federal, State, and local  
19 first responders located in Coast Guard District 9  
20 in—

21 (A) the incident command system struc-  
22 ture;

23 (B) Great Lakes oil spill response tech-  
24 niques and strategies; and

25 (C) public affairs; and

1           (5) work with academic and private sector re-  
 2           sponse training centers to develop and standardize  
 3           maritime oil spill response training and techniques  
 4           for use on the Great Lakes.

5           (d) DEFINITION.—In this section, the term “Great  
 6           Lakes” means Lake Superior, Lake Michigan, Lake  
 7           Huron, Lake Erie, and Lake Ontario.

8           **SEC. 4808. PUBLIC SAFETY ANSWERING POINTS AND MARI-**  
 9                                   **TIME SEARCH AND RESCUE COORDINATION.**

10           Not later than 180 days after the date of the enact-  
 11           ment of this Act—

12                   (1) the Secretary of the department in which  
 13                   the Coast Guard is operating acting through the  
 14                   Commandant of the Coast Guard shall review Coast  
 15                   Guard policies and procedures for public safety an-  
 16                   swering points and search-and-rescue coordination  
 17                   with State and local law enforcement entities in  
 18                   order to—

19                           (A) further minimize the possibility of  
 20                           maritime 911 calls being improperly routed;  
 21                           and

22                           (B) assure the Coast Guard is able to ef-  
 23                           fectively carry out the Coast Guard’s maritime  
 24                           search and rescue mission; and

25                   (2) the Commandant shall—



1 (A) formulate a national maritime public  
2 safety answering points policy; and

3 (B) submit a report to the Congress on  
4 such assessment and policy, which shall include  
5 an update to the report submitted in accord-  
6 ance with section 233 of the Howard Coble  
7 Coast Guard and Maritime Transportation Act  
8 of 2014.

9 **SEC. 4809. SHIP SHOAL LIGHTHOUSE TRANSFER: REPEAL.**

10 Effective January 1, 2021, section 27 of the Coast  
11 Guard Authorization Act of 1991 (Public Law 102–241;  
12 105 Stat. 2218) is repealed.

13 **SEC. 4810. LAND EXCHANGE, AYAKULIK ISLAND, ALASKA.**

14 (a) LAND EXCHANGE; AYAKULIK ISLAND, ALAS-  
15 KA.—If the owner of Ayakulik Island, Alaska, offers to  
16 exchange the Island for the Tract—

17 (1) within 10 days after receiving such offer,  
18 the Secretary shall provide notice of the offer to the  
19 Commandant;

20 (2) within 90 days after receiving the notice  
21 under paragraph (1), the Commandant shall develop  
22 and transmit to the Secretary proposed operational  
23 restrictions on commercial activity conducted on the  
24 Tract, including the right of the Commandant to—

1 (A) order the immediate termination, for a  
2 period of up to 72 hours, of any activity occur-  
3 ring on or from the Tract that violates or  
4 threatens to violate one or more of such restric-  
5 tions; or

6 (B) commence a civil action for appro-  
7 priate relief, including a permanent or tem-  
8 porary injunction enjoining the activity that vio-  
9 lates or threatens to violate such restrictions;

10 (3) within 90 days after receiving the proposed  
11 operational restrictions from the Commandant, the  
12 Secretary shall transmit such restrictions to the  
13 owner of Ayakulik Island; and

14 (4) within 30 days after transmitting the pro-  
15 posed operational restrictions to the owner of  
16 Ayakulik Island, and if the owner agrees to such re-  
17 strictions, the Secretary shall convey all right, title,  
18 and interest of the United States in and to the  
19 Tract to the owner, subject to an easement granted  
20 to the Commandant to enforce such restrictions, in  
21 exchange for all right, title, and interest of such  
22 owner in and to Ayakulik Island.

23 (b) BOUNDARY REVISIONS.—The Secretary may  
24 make technical and conforming revisions to the boundaries  
25 of the Tract before the date of the exchange.

1 (c) PUBLIC LAND ORDER.—Effective on the date of  
2 an exchange under subsection (a), Public Land Order  
3 5550 shall have no force or effect with respect to sub-  
4 merged lands that are part of the Tract.

5 (d) FAILURE TO TIMELY RESPOND TO NOTICE.—If  
6 the Commandant does not transmit proposed operational  
7 restrictions to the Secretary within 30 days after receiving  
8 the notice under subsection (a)(1), the Secretary shall, by  
9 not later than 60 days after transmitting such notice, con-  
10 vey all right, title, and interest of the United States in  
11 and to the Tract to the owner of Ayakulik Island in ex-  
12 change for all right, title, and interest of such owner in  
13 and to Ayakulik Island.

14 (e) CERCLA NOT AFFECTED.—This section and an  
15 exchange under this section shall not be construed to limit  
16 the application of or otherwise affect section 120(h) of the  
17 Comprehensive Environmental Response, Compensation,  
18 and Liability Act of 1980 (42 U.S.C. 9620(h)).

19 (f) DEFINITIONS.—In this section:

20 (1) COMMANDANT.—The term “Commandant”  
21 means the Secretary of the department in which the  
22 Coast Guard is operating, acting through the Com-  
23 mandant of the Coast Guard.

24 (2) SECRETARY.—The term “Secretary” means  
25 the Secretary of the Interior.

1           (3) TRACT.—The term “Tract” means the land  
2           (including submerged land) depicted as “PRO-  
3           POSED PROPERTY EXCHANGE AREA” on the  
4           survey titled “PROPOSED PROPERTY EX-  
5           CHANGE PARCEL” and dated 3/22/17.

6 **SEC. 4811. USE OF TRACT 43.**

7           Section 524(e)(2) of the Pribilof Island Transition  
8           Completion Act of 2016 (Public Law 114–120), as amend-  
9           ed by section 3533 of the Pribilof Island Transition Com-  
10          pletion Amendments Act of 2016 (subtitle B of title  
11          XXXV of Public Law 114-328), is amended by—

12           (1) striking “each month” and inserting “each  
13          April and October”; and

14           (2) striking “previous month” and inserting  
15          “previous six months”.

16 **SEC. 4812. COAST GUARD MARITIME DOMAIN AWARENESS.**

17          (a) IN GENERAL.—The Secretary of the department  
18          in which the Coast Guard is operating shall seek to enter  
19          into an arrangement with the National Academy of  
20          Sciences not later than 60 days after the date of the enact-  
21          ment of this Act under which the Academy shall prepare  
22          an assessment of available unmanned, autonomous, or re-  
23          motely controlled maritime domain awareness technologies  
24          for use by the Coast Guard.

25          (b) ASSESSMENT.—The assessment shall—

1           (1) describe the potential limitations of current  
2 and emerging unmanned technologies used in the  
3 maritime domain for—

4                   (A) ocean observation;

5                   (B) vessel monitoring and identification;

6                   (C) weather observation;

7                   (D) to the extent practicable for consider-  
8 ation by the Academy, intelligence gathering,  
9 surveillance, and reconnaissance; and

10                  (E) communications;

11           (2) examine how technologies described in para-  
12 graph (1) can help prioritize Federal investment by  
13 examining;

14                   (A) affordability, including acquisition, op-  
15 erations, and maintenance;

16                   (B) reliability;

17                   (C) versatility;

18                   (D) efficiency; and

19                   (E) estimated service life and persistence  
20 of effort; and

21           (3) analyze whether the use of new and emerg-  
22 ing maritime domain awareness technologies can be  
23 used to—

24                   (A) carry out Coast Guard missions at  
25 lower costs;

1 (B) expand the scope and range of Coast  
2 Guard maritime domain awareness;

3 (C) allow the Coast Guard to more effi-  
4 ciently and effectively allocate Coast Guard ves-  
5 sels, aircraft, and personnel; and

6 (D) identify adjustments that would be  
7 necessary in Coast Guard policies, procedures,  
8 and protocols to incorporate unmanned tech-  
9 nologies to enhance efficiency.

10 (c) REPORT TO CONGRESS.—Not later than 1 year  
11 after entering into an arrangement with the Secretary  
12 under subsection (a), the National Academy of Sciences  
13 shall submit the assessment prepared under this section  
14 to the Committees on Transportation and Infrastructure  
15 and Homeland Security of the House of Representatives  
16 and the Committee on Commerce, Science, and Transpor-  
17 tation of the Senate.

18 (d) USE OF INFORMATION.—In formulating costs  
19 pursuant to subsection (b), the National Academy of  
20 Sciences may utilize information from other Coast Guard  
21 reports, assessments, or analyses regarding existing Coast  
22 Guard manpower requirements or other reports, assess-  
23 ments, or analyses for the acquisition of unmanned, auton-  
24 omous, or remotely controlled technologies by the Federal  
25 Government.

1 **SEC. 4813. MONITORING.**

2 (a) IN GENERAL.—The Secretary of the department  
3 in which the Coast Guard is operating shall conduct a 1-  
4 year pilot program to determine the impact of persistent  
5 use of different types of surveillance systems on illegal  
6 maritime activities, including illegal, unreported, and un-  
7 regulated fishing, in the Western Pacific region.

8 (b) REQUIREMENTS.—The pilot program shall—

9 (1) consider the use of light aircraft-based de-  
10 tection systems that can identify potential illegal ac-  
11 tivity from high altitudes and produce enforcement-  
12 quality evidence at low altitudes; and

13 (2) be directed at detecting and deterring illegal  
14 maritime activities, including illegal, unreported, and  
15 unregulated fishing, and enhancing maritime domain  
16 awareness.

17 **SEC. 4814. REIMBURSEMENTS FOR NON-FEDERAL CON-**  
18 **STRUCTION COSTS OF CERTAIN AIDS TO**  
19 **NAVIGATION.**

20 (a) IN GENERAL.—Subject to the availability of  
21 amounts specifically provided in advance in subsequent ap-  
22 propriations Acts and in accordance with this section, the  
23 Commandant of the Coast Guard may reimburse a non-  
24 Federal entity for costs incurred by the entity for a cov-  
25 ered project.

1 (b) CONDITIONS.—The Commandant may not pro-  
2 vide reimbursement under subsection (a) with respect to  
3 a covered project unless—

4 (1) the need for the project is a result of the  
5 completion of construction with respect to a federally  
6 authorized navigation channel;

7 (2) the Commandant determines, through an  
8 appropriate navigation safety analysis, that the  
9 project is necessary to ensure safe marine transpor-  
10 tation;

11 (3) the Commandant approves the design of the  
12 project to ensure that it meets all applicable Coast  
13 Guard aids-to-navigation standards and require-  
14 ments;

15 (4) the non-Federal entity agrees to transfer  
16 the project upon completion to the Coast Guard for  
17 operation and maintenance by the Coast Guard as a  
18 Federal aid to navigation;

19 (5) the non-Federal entity carries out the  
20 project in accordance with the same laws and regula-  
21 tions that would apply to the Coast Guard if the  
22 Coast Guard carried out the project, including ob-  
23 taining all permits required for the project under  
24 Federal and State law; and



1           (6) the Commandant determines that the  
2           project satisfies such additional requirements as may  
3           be established by the Commandant.

4           (c) LIMITATIONS.—Reimbursements under sub-  
5           section (a) may not exceed the following:

6           (1) For a single covered project, \$5,000,000.

7           (2) For all covered projects in a single fiscal  
8           year, \$5,000,000.

9           (d) EXPIRATION.—The authority granted under this  
10          section shall expire on the date that is 4 years after the  
11          date of enactment of this section.

12          (e) COVERED PROJECT DEFINED.—In this section,  
13          the term “covered project” means a project carried out—

14               (1) by a non-Federal entity to construct and es-  
15               tablish an aid to navigation that facilitates safe and  
16               efficient marine transportation on a Federal naviga-  
17               tion project authorized by title I of the Water Re-  
18               sources Development Act of 2007 (Public Law 110–  
19               114); and

20               (2) in an area that was affected by Hurricane  
21               Harvey.

22       **SEC. 4815. TOWING SAFETY MANAGEMENT SYSTEM FEES.**

23          (a) REVIEW.—The Commandant of the Coast Guard  
24          shall—

1           (1) review and compare the costs to the Govern-  
2       ment of—

3           (A) towing vessel inspections performed by  
4       the Coast Guard; and

5           (B) such inspections performed by a third  
6       party; and

7           (2) based on such review and comparison, de-  
8       termine whether the costs to the Government of  
9       such inspections performed by a third party are dif-  
10      ferent than the costs to the Government of such in-  
11      spections performed by the Coast Guard.

12       (b) REVISION OF FEES.—If the Commandant deter-  
13      mines under subsection (a) that the costs to the Govern-  
14      ment of such inspections performed by a third party are  
15      different than the costs to the Government of such inspec-  
16      tions performed by the Coast Guard, then the Com-  
17      mandant shall revise the fee assessed by the Coast Guard  
18      for such inspections as necessary to conform to the re-  
19      quirements under section 9701 of title 31, United States  
20      Code, that such fee be based on the cost to the Govern-  
21      ment of such inspections and accurately reflect such costs.

22      **SEC. 4816. OIL SPILL DISBURSEMENTS AUDITING AND RE-**  
23                                      **PORT.**

24       Section 1012 of the Oil Pollution Act of 1990 (33  
25      U.S.C. 2712) is amended—

1 (1) by repealing subsection (g);

2 (2) in subsection (l)(1), by striking “Within one  
3 year after the date of enactment of the Coast Guard  
4 Authorization Act of 2010, and annually thereafter,”  
5 and inserting “Each year, on the date on which the  
6 President submits to Congress a budget under sec-  
7 tion 1105 of title 31, United States Code,”; and

8 (3) by amending subsection (l)(2) to read as  
9 follows:

10 “(2) CONTENTS.—The report shall include—

11 “(A) a list of each incident that—

12 “(i) occurred in the preceding fiscal  
13 year; and

14 “(ii) resulted in disbursements from  
15 the Fund, for removal costs and damages,  
16 totaling \$500,000 or more;

17 “(B) a list of each incident that—

18 “(i) occurred in the fiscal year pre-  
19 ceding the preceding fiscal year; and

20 “(ii) resulted in disbursements from  
21 the Fund, for removal costs and damages,  
22 totaling \$500,000 or more; and

23 “(C) an accounting of any amounts reim-  
24 bursed to the Fund in the preceding fiscal year  
25 that were recovered from a responsible party

1           for an incident that resulted in disbursements  
2           from the Fund, for removal costs and damages,  
3           totaling \$500,000 or more.”.

4 **SEC. 4817. FLEET REQUIREMENTS ASSESSMENT AND**  
5           **STRATEGY.**

6           (a) REPORT.—Not later than 1 year after the date  
7 of enactment of this Act, the Secretary of the department  
8 in which the Coast Guard is operating, in consultation  
9 with interested Federal and non-Federal stakeholders,  
10 shall submit to the Committee on Commerce, Science, and  
11 Transportation of the Senate and the Committee on  
12 Transportation and Infrastructure of the House of Rep-  
13 resentatives a report including—

14           (1) an assessment of Coast Guard at-sea oper-  
15           ational fleet requirements to support its statutory  
16           missions established in the Homeland Security Act  
17           of 2002 (6 U.S.C. 101 et seq.); and

18           (2) a strategic plan for meeting the require-  
19           ments identified under paragraph (1).

20           (b) CONTENTS.—The report under subsection (a)  
21 shall include—

22           (1) an assessment of—

23           (A) the extent to which the Coast Guard  
24           at-sea operational fleet requirements referred to  
25           in subsection (a)(1) are currently being met;

1 (B) the Coast Guard's current fleet, its  
2 operational lifespan, and how the anticipated  
3 changes in the age and distribution of vessels in  
4 the fleet will impact the ability to meet at-sea  
5 operational requirements;

6 (C) fleet operations and recommended im-  
7 provements to minimize costs and extend oper-  
8 ational vessel life spans; and

9 (D) the number of Fast Response Cutters,  
10 Offshore Patrol Cutters, and National Security  
11 Cutters needed to meet at-sea operational re-  
12 quirements as compared to planned acquisitions  
13 under the current programs of record;

14 (2) an analysis of—

15 (A) how the Coast Guard at-sea oper-  
16 ational fleet requirements are currently met, in-  
17 cluding the use of the Coast Guard's current  
18 cutter fleet, agreements with partners, char-  
19 tered vessels, and unmanned vehicle technology;  
20 and

21 (B) whether existing and planned cutter  
22 programs of record (including the Fast Re-  
23 sponse Cutter, Offshore Patrol Cutter, and Na-  
24 tional Security Cutter) will enable the Coast

1 Guard to meet at-sea operational requirements;  
2 and

3 (3) a description of—

4 (A) planned manned and unmanned vessel  
5 acquisition; and

6 (B) how such acquisitions will change the  
7 extent to which the Coast Guard at-sea oper-  
8 ational requirements are met.

9 (c) CONSULTATION AND TRANSPARENCY.—

10 (1) CONSULTATION.—In consulting with the  
11 Federal and non-Federal stakeholders under sub-  
12 section (a), the Secretary of the department in which  
13 the Coast Guard is operating shall—

14 (A) provide the stakeholders with opportu-  
15 nities for input—

16 (i) prior to initially drafting the re-  
17 port, including the assessment and stra-  
18 tegic plan; and

19 (ii) not later than 3 months prior to  
20 finalizing the report, including the assess-  
21 ment and strategic plan, for submission;  
22 and

23 (B) document the input and its disposition  
24 in the report.

1           (2) TRANSPARENCY.—All input provided under  
2           paragraph (1) shall be made available to the public.

3           (d) ENSURING MARITIME COVERAGE.—In order to  
4           meet Coast Guard mission requirements for search and  
5           rescue, ports, waterways, and coastal security, and mari-  
6           time environmental response during recapitalization of  
7           Coast Guard vessels, the Coast Guard shall ensure con-  
8           tinuity of the coverage, to the maximum extent prac-  
9           ticable, in the locations that may lose assets.

10 **SEC. 4818. NATIONAL SECURITY CUTTER.**

11           (a) STANDARD METHOD FOR TRACKING.—The Com-  
12           mandant of the Coast Guard may not certify an eighth  
13           National Security Cutter as Ready for Operations before  
14           the date on which the Commandant provides to the Com-  
15           mittee on Transportation and Infrastructure of the House  
16           of Representatives and the Committee on Commerce,  
17           Science, and Transportation of the Senate—

18           (1) a notification of a new standard method for  
19           tracking operational employment of Coast Guard  
20           major cutters that does not include time during  
21           which such a cutter is away from its homeport for  
22           maintenance or repair; and

23           (2) a report analyzing cost and performance for  
24           different approaches to achieving varied levels of

1 operational employment using the standard method  
2 required by paragraph (1) that, at a minimum—

3 (A) compares over a 30-year period the av-  
4 erage annualized baseline cost and perform-  
5 ances for a certified National Security Cutter  
6 that operated for 185 days away from homeport  
7 or an equivalent alternative measure of oper-  
8 ational tempo—

9 (i) against the cost of a 15 percent in-  
10 crease in days away from homeport or an  
11 equivalent alternative measure of oper-  
12 ational tempo for a National Security Cut-  
13 ter; and

14 (ii) against the cost of the acquisition  
15 and operation of an additional National  
16 Security Cutter; and

17 (B) examines the optimal level of oper-  
18 ational employment of National Security Cut-  
19 ters to balance National Security Cutter cost  
20 and mission performance.

21 (b) CONFORMING AMENDMENTS.—

22 (1) Section 221(b) of the Coast Guard and  
23 Maritime Transportation Act of 2012 (126 Stat.  
24 1560) is repealed.



1           (2) Section 204(c)(1) of the Coast Guard Au-  
2           thorization Act of 2016 (130 Stat. 35) is repealed.

3 **SEC. 4819. ACQUISITION PLAN FOR INLAND WATERWAY**  
4                   **AND RIVER TENDERS AND BAY-CLASS ICE-**  
5                   **BREAKERS.**

6           (a) ACQUISITION PLAN.—Not later than 270 days  
7 after the date of the enactment of this Act, the Com-  
8 mandant of the Coast Guard shall submit to the Com-  
9 mittee on Commerce, Science, and Transportation of the  
10 Senate and the Committee on Transportation and Infra-  
11 structure of the House of Representatives a plan to re-  
12 place or extend the life of the Coast Guard fleet of inland  
13 waterway and river tenders, and the Bay-class icebreakers.

14           (b) CONTENTS.—The plan under subsection (a) shall  
15 include—

16           (1) an analysis of the work required to extend  
17 the life of vessels described in subsection (a);

18           (2) recommendations for which, if any, such  
19 vessels it is cost effective to undertake a ship-life ex-  
20 tension or enhanced maintenance program;

21           (3) an analysis of the aids to navigation pro-  
22 gram to determine if advances in navigation tech-  
23 nology may reduce the needs for physical aids to  
24 navigation;

1           (4) recommendations for changes to physical  
2           aids to navigation and the distribution of such aids  
3           that reduce the need for the acquisition of vessels to  
4           replace the vessels described in subsection (a);

5           (5) a schedule for the acquisition of vessels to  
6           replace the vessels described in subsection (a), in-  
7           cluding the date on which the first vessel will be de-  
8           livered;

9           (6) the date such acquisition will be complete;

10          (7) a description of the order and location of re-  
11          placement vessels;

12          (8) an estimate of the cost per vessel and of the  
13          total cost of the acquisition program of record; and

14          (9) an analysis of whether existing vessels can  
15          be used.

16 **SEC. 4820. GREAT LAKES ICEBREAKER ACQUISITION.**

17          (a) ICEBREAKING ON THE GREAT LAKES.—For fiscal  
18          years 2018 and 2019, the Commandant of the Coast  
19          Guard may use funds made available pursuant to section  
20          4902 of title 14, United States Code, as amended by this  
21          division, for the construction of an icebreaker that is at  
22          least as capable as the Coast Guard Cutter *Mackinaw* to  
23          enhance icebreaking capacity on the Great Lakes.

24          (b) ACQUISITION PLAN.—Not later than 45 days  
25          after the date of enactment of this Act, the Commandant

1 shall submit a plan to the Committee on Commerce,  
2 Science, and Transportation of the Senate and the Com-  
3 mittee on Transportation and Infrastructure of the House  
4 of Representatives for acquiring an icebreaker described  
5 in subsections (a) and (b). Such plan shall include—

6 (1) the details and schedule of the acquisition  
7 activities to be completed; and

8 (2) a description of how the funding for Coast  
9 Guard acquisition, construction, and improvements  
10 that was appropriated under the Consolidated Ap-  
11 propriations Act, 2017 (Public Law 115–31) will be  
12 allocated to support the acquisition activities re-  
13 ferred to in paragraph (1).

14 **SEC. 4821. POLAR ICEBREAKERS.**

15 (a) ENHANCED MAINTENANCE PROGRAM FOR THE  
16 *POLAR STAR*.—

17 (1) IN GENERAL.—Subject to the availability of  
18 appropriations, the Commandant of the Coast Guard  
19 shall conduct an enhanced maintenance program on  
20 Coast Guard Cutter *Polar Star* (WAGB–10) to ex-  
21 tend the service life of such vessel until at least De-  
22 cember 31, 2025.

23 (2) REQUIREMENT FOR REPORT.—Not later  
24 than 180 days after the date of the enactment of the  
25 Coast Guard Authorization Act of 2017, the Sec-

1       retary of the department in which the Coast Guard  
2       is operating, in consultation with Naval Sea Systems  
3       Command, shall submit to the Committee on Com-  
4       merce, Science, and Transportation of the Senate  
5       and the Committee on Transportation and Infra-  
6       structure of the House of Representatives a detailed  
7       report describing a plan to extend the service life of  
8       the Coast Guard Cutter *Polar Star* (WAGB-10)  
9       until at least December 31, 2025, through an en-  
10      hanced maintenance program.

11           (3) CONTENT.—The report required by para-  
12      graph (2) shall include the following:

13           (A) An assessment and discussion of the  
14      enhanced maintenance program recommended  
15      by the National Academies of Sciences, Engi-  
16      neering, and Medicine’s Committee on Polar  
17      Icebreaker Cost Assessment in the letter report  
18      “Acquisition and Operation of Polar Ice-  
19      breakers: Fulfilling the Nation’s Needs”.

20           (B) An assessment and discussion of the  
21      Government Accountability Office’s concerns  
22      and recommendations regarding service life ex-  
23      tension work on Coast Guard Cutter *Polar Star*  
24      (WAGB-10) in the report “Status of the Coast

1 Guard's Polar Icebreaking Fleet Capability and  
2 Recapitalization Plan".

3 (C) Based upon a materiel condition as-  
4 sessment of the Coast Guard Cutter *Polar Star*  
5 (WAGB-10)—

6 (i) a description of the service life ex-  
7 tension needs of the vessel;

8 (ii) detailed information regarding  
9 planned shipyard work for each fiscal year  
10 to meet such needs; and

11 (iii) an estimate of the amount needed  
12 to be appropriated to complete the en-  
13 hanced maintenance program.

14 (D) A plan to ensure the vessel will main-  
15 tain seasonally operational status during the  
16 enhanced maintenance program.

17 (4) AUTHORIZATION OF APPROPRIATIONS.—

18 The Commandant of the Coast Guard may use  
19 funds made available pursuant to section 4902 of  
20 title 14, United States Code, as amended by section  
21 4202 of this division, for the enhanced maintenance  
22 program described in the report required by sub-  
23 section (a).

24 (b) OVERDUE REPORT.—Upon the date of enactment  
25 of the Coast Guard Authorization Act of 2017, the Sec-

1 retary of the department in which the Coast Guard is op-  
2 erating shall submit to the Committee on Commerce,  
3 Science, and Transportation of the Senate and the Com-  
4 mittee on Transportation and Infrastructure of the House  
5 of Representatives the polar icebreaker recapitalization  
6 plan required under section 3523 of the National Defense  
7 Authorization Act for Fiscal Year 2017 (Public Law 114–  
8 328).

9 (c) COAST GUARD AND MARITIME TRANSPORTATION  
10 ACT OF 2012; AMENDMENT.—Section 222 of the Coast  
11 Guard and Maritime Transportation Act of 2012 (Public  
12 Law 112–213), as amended, is further amended as fol-  
13 lows:

- 14 (1) by striking subsections (a) through (d);  
15 (2) by redesignating subsections (e) through (g)  
16 as subsections (a) through (c), respectively;  
17 (3) in subsection (a), as redesignated—  
18 (A) in the matter preceding paragraph (1),  
19 by striking “Except as provided in subsection  
20 (c), the Commandant” and inserting “The  
21 Commandant”;  
22 (B) in paragraph (1) by striking “Polar  
23 Sea or”;

1 (C) in paragraph (2) by striking “either of  
2 the vessels” and inserting “the Polar Star or  
3 the Polar Sea”; and

4 (D) in paragraph (3) by striking “either of  
5 the vessels” each place it appears and inserting  
6 “the Polar Star”.

7 **SEC. 4822. STRATEGIC ASSETS IN THE ARCTIC.**

8 (a) DEFINITION OF ARCTIC.—In this section, the  
9 term “Arctic” has the meaning given the term in section  
10 112 of the Arctic Research and Policy Act of 1984 (15  
11 U.S.C. 4111).

12 (b) SENSE OF CONGRESS.—It is the sense of Con-  
13 gress that—

14 (1) the Arctic continues to grow in significance  
15 to both the national security interests and the eco-  
16 nomic prosperity of the United States; and

17 (2) the Coast Guard must ensure it is posi-  
18 tioned to respond to any accident, incident, or threat  
19 with appropriate assets.

20 (c) REPORT.—Not later than 1 year after the date  
21 of enactment of this Act, the Commandant of the Coast  
22 Guard, in consultation with the Secretary of Defense and  
23 taking into consideration the Department of Defense 2016  
24 Arctic Strategy, shall submit to the Committee on Com-  
25 merce, Science, and Transportation of the Senate and the

1 Committee on Transportation and Infrastructure of the  
2 House of Representatives a report on the progress toward  
3 implementing the strategic objectives described in the  
4 United States Coast Guard Arctic Strategy dated May  
5 2013.

6 (d) CONTENTS.—The report under subsection (c)  
7 shall include—

8 (1) a description of the Coast Guard’s progress  
9 toward each strategic objective identified in the  
10 United States Coast Guard Arctic Strategy dated  
11 May 2013;

12 (2) an assessment of the assets and infrastruc-  
13 ture necessary to meet the strategic objectives iden-  
14 tified in the United States Coast Guard Arctic  
15 Strategy dated May 2013 based on factors such  
16 as—

17 (A) response time;

18 (B) coverage area;

19 (C) endurance on scene;

20 (D) presence; and

21 (E) deterrence;

22 (3) an analysis of the sufficiency of the dis-  
23 tribution of National Security Cutters, Offshore Pa-  
24 trol Cutters, and Fast Response Cutters both sta-  
25 tioned in various Alaskan ports and in other loca-



1 tions to meet the strategic objectives identified in  
2 the United States Coast Guard Arctic Strategy,  
3 dated May 2013;

4 (4) plans to provide communications throughout  
5 the entire Coastal Western Alaska Captain of the  
6 Port zone to improve waterway safety and mitigate  
7 close calls, collisions, and other dangerous inter-  
8 actions between the shipping industry and subsist-  
9 ence hunters;

10 (5) plans to prevent marine casualties, when  
11 possible, by ensuring vessels avoid environmentally  
12 sensitive areas and permanent security zones;

13 (6) an explanation of—

14 (A) whether it is feasible to establish a ves-  
15 sel traffic service, using existing resources or  
16 otherwise; and

17 (B) whether an Arctic Response Center of  
18 Expertise is necessary to address the gaps in  
19 experience, skills, equipment, resources, train-  
20 ing, and doctrine to prepare, respond to, and  
21 recover spilled oil in the Arctic; and

22 (7) an assessment of whether sufficient agree-  
23 ments are in place to ensure the Coast Guard is re-  
24 ceiving the information it needs to carry out its re-  
25 sponsibilities.

1 **SEC. 4823. ARCTIC PLANNING CRITERIA.**

2 (a) ALTERNATIVE PLANNING CRITERIA.—

3 (1) IN GENERAL.—For purposes of the Oil Pol-  
4 lution Act of 1990 (33 U.S.C. 2701 et seq.), the  
5 Commandant of the Coast Guard may approve a  
6 vessel response plan under section 311 of the Fed-  
7 eral Water Pollution Control Act (33 U.S.C. 1321)  
8 for a vessel operating in any area covered by the  
9 Captain of the Port Zone (as established by the  
10 Commandant) that includes the Arctic, if the Com-  
11 mandant verifies that—

12 (A) equipment required to be available for  
13 response under the plan has been tested and  
14 proven capable of operating in the environ-  
15 mental conditions expected in the area in which  
16 it is intended to be operated; and

17 (B) the operators of such equipment have  
18 conducted training on the equipment within the  
19 area covered by such Captain of the Port Zone.

20 (2) POST-APPROVAL REQUIREMENTS.—In ap-  
21 proving a vessel response plan under paragraph (1),  
22 the Commandant shall—

23 (A) require that the oil spill removal orga-  
24 nization identified in the vessel response plan  
25 conduct regular exercises and drills of the plan

1 in the area covered by the Captain of the Port  
2 Zone that includes the Arctic; and

3 (B) allow such oil spill removal organiza-  
4 tion to take credit for a response to an actual  
5 spill or release in the area covered by such Cap-  
6 tain of the Port Zone, instead of conducting an  
7 exercise or drill required under subparagraph  
8 (A), if the oil spill removal organization—

9 (i) documents which exercise or drill  
10 requirements were met during the re-  
11 sponse; and

12 (ii) submits a request for credit to,  
13 and receives approval from, the Com-  
14 mandant.

15 (b) REPORT.—

16 (1) IN GENERAL.—Not later than 120 days  
17 after the date of enactment of this Act, the Com-  
18 mandant of the Coast Guard shall submit to the  
19 Committee on Commerce, Science, and Transpor-  
20 tation of the Senate and the Committee on Trans-  
21 portation and Infrastructure of the House of Rep-  
22 resentatives a report on the oil spill prevention and  
23 response capabilities for the area covered by the  
24 Captain of the Port Zone (as established by the  
25 Commandant) that includes the Arctic.

1           (2) CONTENTS.—The report submitted under  
2 paragraph (1) shall include the following:

3           (A) A description of equipment and assets  
4 available for response under the vessel response  
5 plans approved for vessels operating in the area  
6 covered by the Captain of the Port Zone, in-  
7 cluding details on any providers of such equip-  
8 ment and assets.

9           (B) A description of the location of such  
10 equipment and assets, including an estimate of  
11 the time to deploy the equipment and assets.

12           (C) A determination of how effectively  
13 such equipment and assets are distributed  
14 throughout the area covered by the Captain of  
15 the Port Zone.

16           (D) A statement regarding whether the  
17 ability to maintain and deploy such equipment  
18 and assets is taken into account when meas-  
19 uring the equipment and assets available  
20 throughout the area covered by the Captain of  
21 the Port Zone.

22           (E) A validation of the port assessment  
23 visit process and response resource inventory  
24 for response under the vessel response plans ap-

1           proved for vessels operating in the area covered  
2           by the Captain of the Port Zone.

3           (F) A determination of the compliance rate  
4           with Federal vessel response plan regulations in  
5           the area covered by the Captain of the Port  
6           Zone during the previous 3 years.

7           (G) A description of the resources needed  
8           throughout the area covered by the Captain of  
9           the Port Zone to conduct port assessments, ex-  
10          ercises, response plan reviews, and spill re-  
11          sponses.

12          (c) DEFINITION OF ARCTIC.—In this section, the  
13          term “Arctic” has the meaning given the term under sec-  
14          tion 112 of the Arctic Research and Policy Act of 1984  
15          (15 U.S.C. 4111).

16          **SEC. 4824. VESSEL RESPONSE PLAN AUDIT.**

17          (a) IN GENERAL.—Not later than 1 year after the  
18          date of enactment of this Act, the Comptroller General  
19          of the United States shall complete and submit to the  
20          Committee on Commerce, Science, and Transportation of  
21          the Senate and the Committee on Transportation and In-  
22          frastructure of the House of Representatives a comprehen-  
23          sive review of the processes and resources used by the  
24          Coast Guard to implement vessel response plan require-

1 ments under section 311 of the Federal Water Pollution  
2 Control Act (33 U.S.C. 1321).

3 (b) REQUIRED ELEMENTS OF REVIEW.—The review  
4 required under subsection (a) shall, at a minimum, in-  
5 clude—

6 (1) a study, or an audit if appropriate, of the  
7 processes the Coast Guard uses—

8 (A) to approve the vessel response plans  
9 referred to in subsection (a);

10 (B) to approve alternate planning criteria  
11 used in lieu of National Planning Criteria in  
12 approving such plans;

13 (C) to verify compliance with such plans;  
14 and

15 (D) to act in the event of a failure to com-  
16 ply with the requirements of such plans;

17 (2) an examination of all Federal and State  
18 agency resources used by the Coast Guard in car-  
19 rying out the processes identified under paragraph  
20 (1), including—

21 (A) the current staffing model and organi-  
22 zation;

23 (B) data, software, simulators, systems, or  
24 other technology, including those pertaining to

1 weather, oil spill trajectory modeling, and risk  
2 management;

3 (C) the total amount of time per fiscal  
4 year expended by Coast Guard personnel to ap-  
5 prove and verify compliance with vessel re-  
6 sponse plans; and

7 (D) the average amount of time expended  
8 by the Coast Guard for approval of, and  
9 verification of compliance with, a single vessel  
10 response plan;

11 (3) an analysis of how, including by what  
12 means or methods, the processes identified under  
13 paragraph (1)—

14 (A) ensure compliance with applicable law;

15 (B) are implemented by the Coast Guard,  
16 including at the district and sector levels;

17 (C) are informed by public comment and  
18 engagement with States, Indian Tribes, and  
19 other regional stakeholders;

20 (D) ensure availability and adequate oper-  
21 ational capability and capacity of required as-  
22 sets and equipment, including in cases in which  
23 contractual obligations may limit the avail-  
24 ability of such assets and equipment for re-  
25 sponse;

1 (E) provide for adequate asset and equip-  
2 ment mobilization time requirements, particu-  
3 larly with respect to—

4 (i) calculation and establishment of  
5 such requirements;

6 (ii) verifying compliance with such re-  
7 quirements; and

8 (iii) factoring in weather, including  
9 specific regional adverse weather as de-  
10 fined in section 155.1020 of title 33, Code  
11 of Federal Regulations, in calculating, es-  
12 tablishing, and verifying compliance with  
13 such requirements;

14 (F) ensure response plan updates and ves-  
15 sel compliance when changes occur in response  
16 planning criteria, asset and equipment mobiliza-  
17 tion times, or regional response needs, such as  
18 trends in transportation of high gravity oils or  
19 changes in vessel traffic volume; and

20 (G) enable effective action by the Coast  
21 Guard in the event of a failure to comply with  
22 response plan requirements;

23 (4) a determination regarding whether asset  
24 and equipment mobilization time requirements under



1 approved vessel response plans can be met by the  
2 vessels to which they apply; and

3 (5) recommendations for improving the proc-  
4 esses identified under paragraph (1), including rec-  
5 ommendations regarding the sufficiency of Coast  
6 Guard resources dedicated to those processes.

7 **SEC. 4825. WATERS DEEMED NOT NAVIGABLE WATERS OF**  
8 **THE UNITED STATES FOR CERTAIN PUR-**  
9 **POSES.**

10 For purposes of the application of subtitle II of title  
11 46, United States Code, to the *Volunteer* (Hull Number  
12 CCA4108), the Illinois and Michigan Canal is deemed to  
13 not be navigable waters of the United States.

14 **SEC. 4826. DOCUMENTATION OF RECREATIONAL VESSELS.**

15 Coast Guard personnel performing nonrecreational  
16 vessel documentation functions under subchapter II of  
17 chapter 121 of title 46, United States Code, may perform  
18 recreational vessel documentation under section 12114 of  
19 such title in any fiscal year in which—

20 (1) funds available for Coast Guard operating  
21 expenses may not be used for expenses incurred for  
22 recreational vessel documentation;

23 (2) fees collected from owners of yachts and  
24 credited to such use are insufficient to pay expenses  
25 of recreational vessel documentation; and

1           (3) there is a backlog of applications for rec-  
2           reational vessel documentation.

3 **SEC. 4827. EQUIPMENT REQUIREMENTS; EXEMPTION FROM**  
4                           **THROWABLE PERSONAL FLOTATION DEVICES**  
5                           **REQUIREMENT.**

6           Not later than one year after the date of enactment  
7 of this Act, the Secretary of the department in which the  
8 Coast Guard is operating shall—

9           (1) prescribe regulations in part 160 of title 46,  
10          Code of Federal Regulations, that treat a marine  
11          throw bag, as that term is commonly used in the  
12          commercial whitewater rafting industry, as a type of  
13          lifesaving equipment; and

14          (2) revise section 175.17 of title 33, Code of  
15          Federal Regulations, to exempt rafts that are 16  
16          feet or more overall in length from the requirement  
17          to carry an additional throwable personal flotation  
18          device when such a marine throw bag is onboard and  
19          accessible.

20 **SEC. 4828. VISUAL DISTRESS SIGNALS AND ALTERNATIVE**  
21                           **USE.**

22          (a) IN GENERAL.—The Secretary of the department  
23 in which the Coast Guard is operating shall develop a per-  
24 formance standard for the alternative use and possession  
25 of visual distress alerting and locating signals as man-

1 dated by carriage requirements for recreational boats in  
2 subpart C of part 175 of title 33, Code of Federal Regula-  
3 tions.

4 (b) REGULATIONS.—Not later than 180 days after  
5 the performance standard for alternative use and posses-  
6 sion of visual distress alerting and locating signals is final-  
7 ized, the Secretary shall revise part 175 of title 33, Code  
8 of Federal Regulations, to allow for carriage of such alter-  
9 native signal devices.

10 **SEC. 4829. RADAR REFRESHER TRAINING.**

11 Not later than 60 days after the date of enactment  
12 of this Act, the Secretary of the department in which the  
13 Coast Guard is operating shall prescribe a final rule elimi-  
14 nating the requirement that a mariner actively using the  
15 mariner's credential complete an approved refresher or re-  
16 certification course to maintain a radar observer endorse-  
17 ment. This rulemaking shall be exempt from chapters 5  
18 and 6 of title 5, United States Code, and Executive Orders  
19 12866 and 13563.

20 **SEC. 4830. COMMERCIAL FISHING VESSEL SAFETY NA-**  
21 **TIONAL COMMUNICATIONS PLAN.**

22 (a) REQUIREMENT FOR PLAN.—Not later than 1  
23 year after the date of enactment of this Act, the Secretary  
24 of the department in which the Coast Guard is operating  
25 shall develop and submit to the Committee on Commerce,

1 Science, and Transportation of the Senate and the Com-  
2 mittee on Transportation and Infrastructure of the House  
3 of Representatives a national communications plan for the  
4 purposes of—

5 (1) disseminating information to the commer-  
6 cial fishing vessel industry;

7 (2) conducting outreach with the commercial  
8 fishing vessel industry;

9 (3) facilitating interaction with the commercial  
10 fishing vessel industry; and

11 (4) releasing information collected under section  
12 15102 of title 46, United States Code, as added by  
13 this division, to the commercial fishing vessel indus-  
14 try.

15 (b) CONTENT.—The plan required by subsection (a),  
16 and each annual update, shall—

17 (1) identify staff, resources, and systems avail-  
18 able to the Secretary to ensure the widest dissemina-  
19 tion of information to the commercial fishing vessel  
20 industry;

21 (2) include a means to document all commu-  
22 nication and outreach conducted with the commer-  
23 cial fishing vessel industry; and

24 (3) include a mechanism to measure effective-  
25 ness of such plan.

1 (c) IMPLEMENTATION.—Not later than one year after  
2 submission of the initial plan, the Secretary of the depart-  
3 ment in which the Coast Guard is operating shall imple-  
4 ment the plan and shall at a minimum—

5 (1) leverage Coast Guard staff, resources, and  
6 systems available;

7 (2) monitor implementation nationwide to en-  
8 sure adherence to plan contents;

9 (3) allow each Captain of the Port to adopt the  
10 most effective strategy and means to communicate  
11 with commercial fishing vessel industry in that Cap-  
12 tain of the Port Zone;

13 (4) document communication and outreach; and

14 (5) solicit feedback from the commercial fishing  
15 vessel industry.

16 (d) REPORT AND UPDATES.—The Secretary of the  
17 department in which the Coast Guard is operating shall—

18 (1) submit to the Committee on Commerce,  
19 Science, and Transportation of the Senate and the  
20 Committee on Transportation and Infrastructure of  
21 the House of Representatives a report on the effec-  
22 tiveness of the plan to date and any updates to en-  
23 sure maximum impact of the plan one year after the  
24 date of enactment of this Act, and every 4 years  
25 thereafter; and

1 (2) include in such report input from individual  
2 Captains of the Port and any feedback received from  
3 the commercial fishing vessel industry.

4 **SEC. 4831. AUTHORIZATION FOR MARINE DEBRIS PRO-**  
5 **GRAM.**

6 The Marine Debris Research, Prevention, and Reduc-  
7 tion Act is amended—

8 (1) in section 9 (33 U.S.C. 1958)—

9 (A) by striking the em-dash and all that  
10 follows through “(1)”; and

11 (B) by striking “; and” and all that follows  
12 through the end of the section and inserting a  
13 period; and

14 (2) by adding at the end the following:

15 **“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

16 “Of the amounts authorized for each fiscal year  
17 under section 4902 of title 14, United States Code, up  
18 to \$2,000,000 are authorized for the Commandant to  
19 carry out section 4 of this Act, of which not more than  
20 10 percent may be used for administrative costs.”.

21 **SEC. 4832. ATLANTIC COAST PORT ACCESS ROUTE STUDY**  
22 **RECOMMENDATIONS.**

23 Not later than 30 days after the date of the enact-  
24 ment of the Act, the Commandant of the Coast Guard  
25 shall notify the Committee on Transportation and Infra-

1 structure of the House of Representatives and the Com-  
2 mittee on Commerce, Science, and Transportation of the  
3 Senate of action taken to carry out the recommendations  
4 contained in the final report issued by the Atlantic Coast  
5 Port Access Route Study (ACPARS) workgroup for which  
6 notice of availability was published March 14, 2016 (81  
7 Fed. Reg. 13307).

8 **SEC. 4833. DRAWBRIDGES.**

9 Section 5 of the Act entitled “An Act making appro-  
10 priations for the construction, repair, and preservation of  
11 certain public works on rivers and harbors, and for other  
12 purposes”, approved August 18, 1894 (33 U.S.C. 499),  
13 is amended by adding at the end the following:

14 “(d) TEMPORARY CHANGES TO DRAWBRIDGE OPER-  
15 ATING SCHEDULES.—Notwithstanding section 553 of title  
16 5, United States Code, whenever a temporary change to  
17 the operating schedule of a drawbridge, lasting 180 days  
18 or less—

19 “(1) is approved—

20 “(A) the Secretary of the department in  
21 which the Coast Guard is operating shall—

22 “(i) issue a deviation approval letter  
23 to the bridge owner; and

24 “(ii) announce the temporary change  
25 in—

1                   “(I) the Local Notice to Mari-  
2                   ners;

3                   “(II) a broadcast notice to mari-  
4                   ners and through radio stations; or

5                   “(III) such other local media as  
6                   the Secretary considers appropriate;  
7                   and

8                   “(B) the bridge owner, except a railroad  
9                   bridge owner, shall notify—

10                   “(i) the public by publishing notice of  
11                   the temporary change in a newspaper of  
12                   general circulation published in the place  
13                   where the bridge is located;

14                   “(ii) the department, agency, or office  
15                   of transportation with jurisdiction over the  
16                   roadway that abuts the approaches to the  
17                   bridge; and

18                   “(iii) the law enforcement organiza-  
19                   tion with jurisdiction over the roadway  
20                   that abuts the approaches to the bridge; or

21                   “(2) is denied, the Secretary of the department  
22                   in which the Coast Guard is operating shall—

23                   “(A) not later than 10 days after the date  
24                   of receipt of the request, provide the bridge  
25                   owner in writing the reasons for the denial, in-



1 including any supporting data and evidence used  
2 to make the determination; and

3 “(B) provide the bridge owner a reasonable  
4 opportunity to address each reason for the de-  
5 nial and resubmit the request.

6 “(e) DRAWBRIDGE MOVEMENTS.—The Secretary of  
7 the department in which the Coast Guard is operating—

8 “(1) shall require a drawbridge operator to  
9 record each movement of the drawbridge in a log-  
10 book;

11 “(2) may inspect the logbook to ensure draw-  
12 bridge movement is in accordance with the posted  
13 operating schedule;

14 “(3) shall review whether deviations from the  
15 posted operating schedule are impairing vehicular  
16 and pedestrian traffic; and

17 “(4) may determine if the operating schedule  
18 should be adjusted for efficiency of maritime or ve-  
19 hicular and pedestrian traffic.

20 “(f) REQUIREMENTS.—

21 “(1) LOGBOOKS.—An operator of a drawbridge  
22 built across a navigable river or other water of the  
23 United States—

1           “(A) that opens the draw of such bridge  
2 for the passage of a vessel, shall record in a  
3 logbook—

4                   “(i) the bridge identification and date  
5 of each opening;

6                   “(ii) the bridge tender or operator for  
7 each opening;

8                   “(iii) each time it is opened for navi-  
9 gation;

10                   “(iv) each time it is closed for naviga-  
11 tion;

12                   “(v) the number and direction of ves-  
13 sels passing through during each opening;

14                   “(vi) the types of vessels passing  
15 through during each opening;

16                   “(vii) an estimated or known size  
17 (height, length, and beam) of the largest  
18 vessel passing through during each open-  
19 ing;

20                   “(viii) for each vessel, the vessel name  
21 and registration number if easily observ-  
22 able; and

23                   “(ix) all maintenance openings, mal-  
24 functions, or other comments; and

1           “(B) that remains open to navigation but  
2 closes to allow for trains to cross, shall record  
3 in a logbook—

4                   “(i) the bridge identification and date  
5 of each opening and closing;

6                   “(ii) the bridge tender or operator;

7                   “(iii) each time it is opened to naviga-  
8 tion;

9                   “(iv) each time it is closed to naviga-  
10 tion; and

11                   “(v) all maintenance openings, clos-  
12 ings, malfunctions, or other comments.

13           “(2) MAINTENANCE OF LOGBOOKS.—A draw-  
14 bridge operator shall maintain logbooks required  
15 under paragraph (1) for not less than 5 years.

16           “(3) SUBMISSION OF LOGBOOKS.—At the re-  
17 quest of the Secretary of the department in which  
18 the Coast Guard is operating, a drawbridge operator  
19 shall submit to the Secretary the logbook required  
20 under paragraph (1) as the Secretary considers nec-  
21 essary to carry out this section.

22           “(4) EXEMPTION.—The requirements under  
23 paragraph (1) shall be exempt from sections 3501 to  
24 3521 of title 44, United States Code.”.

1 **SEC. 4834. WAIVER.**

2 Section 8902 of title 46, United States Code, shall  
3 not apply to the chain ferry DIANE (United States official  
4 number CG002692) when such vessel is operating on the  
5 Kalamazoo River in Saugatuck, Michigan.

6 **SEC. 4835. VESSEL WAIVER.**

7 (a) IN GENERAL.—Upon enactment of this Act and  
8 notwithstanding sections (a)(2)(A) and 12113(a)(2) of  
9 title 46, United States Code, the Secretary shall issue a  
10 certificate of documentation with coastwise and fishery en-  
11 dorsements to the certificated vessel.

12 (b) REPLACEMENT VESSEL.—The certificated vessel  
13 shall qualify and not be precluded from operating as an  
14 Amendment 80 replacement vessel under the provisions of  
15 part 679 of title 50, Code of Federal Regulations.

16 (c) COAST GUARD REVIEW AND DETERMINATION.—

17 (1) REVIEW.—Not later than 30 days after the  
18 date of enactment of this section, the Secretary shall  
19 conduct and complete a review of the use of certain  
20 foreign fabricated steel components in the hull or su-  
21 perstructure of the certificated vessel.

22 (2) DETERMINATION.—Based on the review  
23 conducted under paragraph (1), the Secretary shall  
24 determine whether the shipyard that constructed the  
25 certificated vessel or the purchaser of the certifi-  
26 cated vessel knew before such components were pro-

1 cured or installed that the use of such components  
2 would violate requirements under sections  
3 12112(a)(2)(A) and 12113(a)(2) of title 46, United  
4 States Code.

5 (3) REVOCATION.—If the Secretary determines  
6 under paragraph (2) that the shipyard that con-  
7 structed the certificated vessel or the purchaser of  
8 the certificated vessel knew before such components  
9 were procured or installed that the use of such com-  
10 ponents would violate requirements under sections  
11 12112(a)(2)(A) and 12113(a)(2) of title 46, United  
12 States Code, the Secretary shall immediately revoke  
13 the certificate of documentation issued under sub-  
14 section (a).

15 (4) USE OF DOCUMENTS.—In conducting the  
16 review required under paragraph (1), the Secretary  
17 may request and review any information, cor-  
18 respondence, or documents related to the construc-  
19 tion of the certificated vessel, including from the  
20 shipyard that constructed the certificated vessel and  
21 the purchaser of the certificated vessel.

22 (d) TERMINATION.—If the contract for purchase of  
23 the certificated vessel that is in effect on the date of the  
24 enactment of this Act is terminated, the purchasing party  
25 to that contract shall be prohibited from entering into a

1 subsequent contract or agreement for purchase of such  
2 vessel.

3 (e) DEFINITION.—In this section—

4 (1) the term “Secretary” means the Secretary  
5 of the department in which the Coast Guard is oper-  
6 ating, acting through the Commandant of the Coast  
7 Guard; and

8 (2) the term “certificated vessel” means the  
9 vessel *America’s Finest* (United States official num-  
10 ber 1276760).

11 **SEC. 4836. TEMPORARY LIMITATIONS.**

12 (a) LIMITATIONS.—

13 (1) IN GENERAL.—Upon the Coast Guard  
14 issuing a certificate of documentation with coastwise  
15 and fishery endorsements for the vessel “AMER-  
16 ICA’S FINEST” (United States official number  
17 1276760), and subject to subsection (b), the vessels  
18 described in paragraph (2) shall not collectively ex-  
19 ceed—

20 (A) the percentage of the harvest available  
21 in any Gulf of Alaska groundfish fisheries  
22 (other than fisheries subject to a limited access  
23 privilege program created by the North Pacific  
24 Fishery Management Council) that is equivalent  
25 to the total harvest by the vessels described in

1 paragraph (2) in those fisheries in the calendar  
2 years that a vessel described in paragraph (2)  
3 had harvest from 2012 through 2017 relative to  
4 the total allowable catch available to such ves-  
5 sels in the calendar years 2012 through 2017;  
6 or

7 (B) the percentage of processing of deliv-  
8 eries from other vessels in any Bering Sea,  
9 Aleutian Islands, and Gulf of Alaska groundfish  
10 fisheries (including fisheries subject to a limited  
11 access privilege program created by the North  
12 Pacific Fishery Management Council, or com-  
13 munity development quotas as described in sec-  
14 tion 305(i) of the Magnuson-Stevens Fishery  
15 Conservation and Management Act (16 U.S.C.  
16 1855(i))) that is equivalent to the total proc-  
17 essing of such deliveries by the vessels described  
18 in paragraph (2) in those fisheries in the cal-  
19 endar years 2012 through 2017 relative to the  
20 total allowable catch available in the calendar  
21 years 2012 through 2017.

22 (2) APPLICABLE VESSELS.—The limitations de-  
23 scribed in paragraph (1) shall apply, in the aggre-  
24 gate, to—

1 (A) the vessel AMERICA'S FINEST  
2 (United States official number 1276760);

3 (B) the vessel US INTREPID (United  
4 States official number 604439);

5 (C) the vessel AMERICAN NO. 1 (United  
6 States official number 610654);

7 (D) any replacement of a vessel described  
8 in subparagraph (A), (B), or (C); and

9 (E) any vessel assigned license number  
10 LLG3217 under the license limitation program  
11 under part 679 of title 50, Code of Federal  
12 Regulations.

13 (b) EXPIRATION.—The limitations described in sub-  
14 section (a) shall apply to a groundfish species in Bering  
15 Sea, Aleutian Islands, and Gulf of Alaska only until the  
16 earlier of—

17 (1) the end of the 6-year period beginning on  
18 the date of enactment of this Act; or

19 (2) the date on which the Secretary of Com-  
20 merce issues a final rule, based on recommendations  
21 developed by the North Pacific Fishery Management  
22 Council consistent with the Magnuson-Stevens Fish-  
23 ery Conservation and Management Act (16 U.S.C.  
24 1801 et seq.), that limits processing deliveries of  
25 that groundfish species from other vessels in any



1 Bering Sea, Aleutian Islands, and Gulf of Alaska  
2 groundfish fisheries that are not subject to conserva-  
3 tion and management measures under section 206 of  
4 the American Fisheries Act (16 U.S.C. 1851 note).

5 (c) EXISTING AUTHORITY.—Except for the measures  
6 required by this section, nothing in this title shall be con-  
7 strued to limit the authority of the North Pacific Fishery  
8 Management Council or the Secretary of Commerce under  
9 the Magnuson-Stevens Fishery Conservation and Manage-  
10 ment Act (16 U.S.C. 1801 et seq.).

11 **SEC. 4837. TRANSFER OF COAST GUARD PROPERTY IN JU-**  
12 **PITER ISLAND, FLORIDA, FOR INCLUSION IN**  
13 **HOBE SOUND NATIONAL WILDLIFE REFUGE.**

14 (a) TRANSFER.—Administrative jurisdiction over the  
15 property described in subsection (b) is transferred to the  
16 Secretary of the Interior.

17 (b) PROPERTY DESCRIBED.—The property described  
18 in this subsection is real property administered by the  
19 Coast Guard in the Town of Jupiter Island, Florida, com-  
20 prising Parcel #35-38-42-004-000-02590-6 (Bon Air  
21 Beach lots 259 and 260 located at 83 North Beach Road)  
22 and Parcel #35-38-42-004-000-02610-2 (Bon Air Beach  
23 lots 261 to 267), including any improvements thereon that  
24 are not authorized or required by another provision of law  
25 to be conveyed to another person.

1           (c) ADMINISTRATION.—The property described in  
2 subsection (b) is included in Hobe Sound National Wildlife  
3 Refuge, and shall be administered by the Secretary of the  
4 Interior acting through the United States Fish and Wild-  
5 life Service.

6 **SEC. 4838. EMERGENCY RESPONSE.**

7           Not later than 90 days after the date of enactment  
8 of this Act, the Commandant of the Coast Guard shall  
9 request the Comptroller General of the United States to  
10 examine whether there are unnecessary regulatory barriers  
11 to the use of small passenger vessels, crewboats, and off-  
12 shore supply vessels in disaster response and provide rec-  
13 ommendations, as appropriate, to reduce such barriers.

14 **SEC. 4839. DRAWBRIDGES CONSULTATION.**

15           (a) CONSULTATION.—In addition and subsequent to  
16 any rulemaking conducted under section 117.8 of title 33,  
17 Code of Federal Regulations, related to permanent  
18 changes to drawbridge openings that result from Amtrak  
19 service between New Orleans, Louisiana and Orlando,  
20 Florida, the Commandant shall consult with owners or op-  
21 erators of rail lines used for Amtrak passenger service be-  
22 tween New Orleans, Louisiana and Orlando, Florida and  
23 affected waterway users on changes to drawbridge oper-  
24 ating schedules necessary to facilitate the On Time Per-  
25 formance of passenger trains. These changes to schedules

1 shall not impact Coast Guard response times to oper-  
2 ational missions.

3 (b) TIMING.—Consultation in subsection (a) shall  
4 occur after commencement of Amtrak passenger service  
5 on the rail lines between New Orleans, Louisiana and Or-  
6 lando, Florida at the following intervals:

7 (1) Not less than 3 months following the com-  
8 mencement of Amtrak passenger service.

9 (2) Not less than 6 months following the com-  
10 mencement of Amtrak passenger service.

11 (c) REPORT.—If after conducting the consultations  
12 required by subsection (b)(2), the Commandant finds that  
13 permanent changes to drawbridge operations are nec-  
14 essary to mitigate delays in the movement of trains de-  
15 scribed in subsection (a) and that those changes do not  
16 unreasonably obstruct the navigability of the affected wa-  
17 terways, then the Commandant shall submit those find-  
18 ings to the Committee on Commerce, Science, and Trans-  
19 portation of the Senate and the Committee on Transpor-  
20 tation and Infrastructure of the House of Representatives.

21 **DIVISION E—NATIONAL STRA-**  
22 **TEGIC AND CRITICAL MIN-**  
23 **ERALS PRODUCTION**

24 **SEC. 5001. FINDINGS.**

25 Congress finds that—

1           (1) in agreement with Executive Order No.  
2           13806, a healthy manufacturing and defense indus-  
3           trial base and resilient supply chains are essential to  
4           the economic strength and national security of the  
5           United States. Modern supply chains, however are  
6           often long and the ability of the United States to  
7           manufacture or obtain goods critical to national se-  
8           curity could be hampered by an inability to obtain  
9           various essential components, which themselves may  
10          not be directly related to national security;

11          (2) in agreement with Executive Order No.  
12          13817, the United States is heavily reliant on im-  
13          ports of certain mineral commodities that are vital  
14          to the Nation's security and economic prosperity;

15          (3) this dependency of the United States on for-  
16          eign sources creates a strategic vulnerability for both  
17          its economy and military to adverse foreign govern-  
18          ment actions, natural disaster, and other events that  
19          can disrupt supply of these key minerals. Increased  
20          private-sector domestic exploration, production, recy-  
21          cling, and reprocessing of critical minerals, and sup-  
22          port for efforts to identify more commonly available  
23          technological alternatives to these minerals, will re-  
24          duce our dependence on imports, preserve our lead-  
25          ership in technological innovation, support job cre-

1 ation, improve national security and balance of  
2 trade, and enhance the technological superiority and  
3 readiness of our Armed Forces, which are among the  
4 Nation's most significant consumers of critical min-  
5 erals;

6 (4) the industrialization of developing nations  
7 has driven demand for nonfuel minerals necessary  
8 for telecommunications, military technologies,  
9 healthcare technologies, and conventional and renew-  
10 able energy technologies;

11 (5) the availability of minerals and mineral ma-  
12 terials are essential for economic growth, national  
13 security, technological innovation, and the manufac-  
14 turing and agricultural supply chain;

15 (6) minerals and mineral materials are critical  
16 components of every transportation, water, tele-  
17 communications, and energy infrastructure project  
18 necessary to modernize the crumbling infrastructure  
19 of the United States;

20 (7) the exploration, production, processing, use,  
21 and recycling of minerals contribute significantly to  
22 the economic well-being, security, and general wel-  
23 fare of the United States; and

24 (8) the United States has vast mineral re-  
25 sources but is becoming increasingly dependent on

1 foreign sources of mineral resources, as dem-  
2 onstrated by the fact that—

3 (A) 25 years ago, the United States was  
4 dependent on foreign sources for 45 nonfuel  
5 mineral materials, of which—

6 (i) 8 were imported by the United  
7 States to fulfill 100 percent of the require-  
8 ments of the United States for those  
9 nonfuel mineral materials; and

10 (ii) 19 were imported by the United  
11 States to fulfill greater than 50 percent of  
12 the requirements of the United States for  
13 those nonfuel mineral materials;

14 (B) by 2015 the import dependence of the  
15 United States for nonfuel mineral materials in-  
16 creased from dependence on the import of 45  
17 nonfuel mineral materials to dependence on the  
18 import of 47 nonfuel mineral materials, of  
19 which—

20 (i) 19 were imported by the United  
21 States to fulfill 100 percent of the require-  
22 ments of the United States for those  
23 nonfuel mineral materials; and

24 (ii) 22 were imported by the United  
25 States to fulfill greater than 50 percent of

1 the requirements of the United States for  
2 those nonfuel mineral materials;

3 (C) according to the Department of En-  
4 ergy, the United States imports greater than 50  
5 percent of the 41 metals and minerals key to  
6 clean energy applications;

7 (D) the United States share of worldwide  
8 mineral exploration dollars was 7 percent in  
9 2015, down from 19 percent in the early 1990s;

10 (E) the 2014 Ranking of Countries for  
11 Mining Investment, which ranks 25 major min-  
12 ing countries, found that 7- to 10-year permit-  
13 ting delays are the most significant risk to min-  
14 ing projects in the United States; and

15 (F) in late 2016, the Government Account-  
16 ability Office found that—

17 (i) “the Federal government’s ap-  
18 proach to addressing critical materials sup-  
19 ply issues has not been consistent with se-  
20 lected key practices for interagency col-  
21 laboration, such as ensuring that agencies’  
22 roles and responsibilities are clearly de-  
23 fined”; and

24 (ii) “the Federal critical materials ap-  
25 proach faces other limitations, including

1 data limitations and a focus on only a sub-  
2 set of critical materials, a limited focus on  
3 domestic production of critical materials,  
4 and limited engagement with industry”.

5 **SEC. 5002. DEFINITIONS.**

6 In this division:

7 (1) AGENCY.—The term “agency” means—

8 (A) any agency, department, or other unit  
9 of Federal, State, local, or tribal government; or

10 (B) an Alaska Native Corporation.

11 (2) ALASKA NATIVE CORPORATION.—The term  
12 “Alaska Native Corporation” has the meaning given  
13 the term “Native Corporation” in section 3 of the  
14 Alaska Native Claims Settlement Act (43 U.S.C.  
15 1602).

16 (3) LEAD AGENCY.—The term “lead agency”  
17 means the agency with primary responsibility for  
18 issuing a mineral exploration or mine permit for a  
19 project.

20 (4) MINERAL EXPLORATION OR MINE PER-  
21 MIT.—The term “mineral exploration or mine per-  
22 mit” includes—

23 (A) an authorization of the Bureau of  
24 Land Management or the Forest Service, as ap-  
25 plicable, for premining activities that requires



1 an environmental impact statement or similar  
2 analysis under the National Environmental Pol-  
3 icy Act of 1969 (42 U.S.C. 4321 et seq.);

4 (B) a plan of operations issued by—

5 (i) the Bureau of Land Management  
6 under subpart 3809 of part 3800 of title  
7 43, Code of Federal Regulations (or suc-  
8 cessor regulations); or

9 (ii) the Forest Service under subpart  
10 A of part 228 of title 36, Code of Federal  
11 Regulations (or successor regulations); and

12 (C) a permit issued under an authority de-  
13 scribed in section 3503.13 of title 43, Code of  
14 Federal regulations (or successor regulations).

15 (5) PROJECT.—The term “project” means a  
16 project for which the issuance of a permit is re-  
17 quired to conduct activities for, relating to, or inci-  
18 dental to mineral exploration, mining, beneficiation,  
19 processing, or reclamation activities—

20 (A) on a mining claim, millsite claim, or  
21 tunnel site claim for any locatable mineral; or

22 (B) in conjunction with any Federal min-  
23 eral (other than coal and oil shale) that is  
24 leased under—

- 1 (i) the Mineral Leasing Act for Ac-  
2 quired Lands (30 U.S.C. 351 et seq.); or  
3 (ii) section 402 of Reorganization  
4 Plan Numbered 3 of 1946 (5 U.S.C.  
5 App.).

6 **SEC. 5003. IMPROVING DEVELOPMENT OF STRATEGIC AND**  
7 **CRITICAL MINERALS.**

8 (a) DEFINITION OF STRATEGIC AND CRITICAL MIN-  
9 ERALS.—In this section, the term “strategic and critical  
10 minerals” means minerals that are necessary—

11 (1) for the national defense and national secu-  
12 rity requirements, including supply chain resiliency;

13 (2) for the energy infrastructure of the United  
14 States, including—

15 (A) pipelines;

16 (B) refining capacity;

17 (C) electrical power generation and trans-  
18 mission; and

19 (D) renewable energy production;

20 (3) for community resiliency, coastal restora-  
21 tion, and ecological sustainability for the coastal  
22 United States;

23 (4) to support domestic manufacturing, agri-  
24 culture, housing, telecommunications, healthcare,  
25 and transportation infrastructure; or

1           (5) for the economic security of, and balance of  
2           trade in, the United States.

3           (b) **CONSIDERATION OF CERTAIN DOMESTIC MINES**  
4 **AS INFRASTRUCTURE PROJECTS.**—A domestic mine that,  
5 as determined by the lead agency, will provide strategic  
6 and critical minerals shall be considered to be an infra-  
7 structure project, as described in Executive Order No.  
8 13807.

9 **SEC. 5004. RESPONSIBILITIES OF THE LEAD AGENCY.**

10          (a) **IN GENERAL.**—The lead agency shall appoint a  
11 project lead within the lead agency, who shall coordinate  
12 and consult with cooperating agencies and any other agen-  
13 cies involved in the permitting process, project proponents,  
14 and contractors to ensure that cooperating agencies and  
15 other agencies involved in the permitting process, project  
16 proponents, and contractors—

17           (1) minimize delays;

18           (2) set and adhere to timelines and schedules  
19 for completion of the permitting process;

20           (3) set clear permitting goals; and

21           (4) track progress against those goals.

22          (b) **DETERMINATION UNDER NEPA.**—

23           (1) **IN GENERAL.**—To the extent that the Na-  
24 tional Environmental Policy Act of 1969 (42 U.S.C.  
25 4321 et seq.) applies to the issuance of any mineral

1 exploration or mine permit, the requirements of that  
2 Act shall be considered to have been procedurally  
3 and substantively satisfied if the lead agency deter-  
4 mines that any State or Federal agency acting under  
5 State or Federal law has addressed or will address  
6 the following factors:

7 (A) The environmental impact of the ac-  
8 tion to be conducted under the permit.

9 (B) Possible adverse environmental effects  
10 of actions under the permit.

11 (C) Possible alternatives to issuance of the  
12 permit.

13 (D) The relationship between long- and  
14 short-term uses of the local environment and  
15 the maintenance and enhancement of long-term  
16 productivity.

17 (E) Any irreversible and irretrievable com-  
18 mitment of resources that would be involved in  
19 the proposed action.

20 (F) That public participation will occur  
21 during the decisionmaking process for author-  
22 izing actions under the permit.

23 (2) WRITTEN REQUIREMENT.—In making a de-  
24 termination under paragraph (1), not later than 90  
25 days after receipt of an application for the permit,

1 the lead agency, in a written record of decision,  
2 shall—

3 (A) explain the rationale used in reaching  
4 the determination;

5 (B) state the facts in the record that are  
6 the basis for the determination; and

7 (C) show that the facts in the record could  
8 allow a reasonable person to reach the same de-  
9 termination as the lead agency did.

10 (c) COORDINATION ON PERMITTING PROCESS.—

11 (1) IN GENERAL.—The lead agency shall en-  
12 hance government coordination for the permitting  
13 process by—

14 (A) avoiding duplicative reviews;

15 (B) minimizing paperwork; and

16 (C) engaging other agencies and stake-  
17 holders early in the process.

18 (2) CONSIDERATIONS.—In carrying out para-  
19 graph (1), the lead agency shall consider—

20 (A) deferring to, and relying on, baseline  
21 data, analyses, and reviews performed by State  
22 agencies with jurisdiction over the proposed  
23 project; and

24 (B) to the maximum extent practicable,  
25 conducting any consultations or reviews concur-

1           rently rather than sequentially if the concurrent  
2           consultation or review would expedite the proc-  
3           ess.

4           (3) MEMORANDUM OF AGENCY AGREEMENT.—

5           If requested at any time by a State or local planning  
6           agency, the lead agency, in consultation with other  
7           Federal agencies with relevant jurisdiction in the en-  
8           vironmental review process, may establish memo-  
9           randa of agreement with the project sponsor, State  
10          and local governments, and other appropriate enti-  
11          ties to accomplish the coordination activities de-  
12          scribed in this subsection.

13          (d) SCHEDULE FOR PERMITTING PROCESS.—

14                (1) IN GENERAL.—For any project for which  
15                the lead agency cannot make the determination de-  
16                scribed subsection (b), at the request of a project  
17                proponent, the lead agency, cooperating agencies,  
18                and any other agencies involved with the mineral ex-  
19                ploration or mine permitting process shall enter into  
20                an agreement with the project proponent that sets  
21                time limits for each part of the permitting process,  
22                including—

23                        (A) the decision on whether to prepare an  
24                        environmental impact statement or similar anal-

1           ysis required under the National Environmental  
2           Policy Act of 1969 (42 U.S.C. 4321 et seq.);

3           (B) a determination of the scope of any en-  
4           vironmental impact statement or similar anal-  
5           ysis required under the National Environmental  
6           Policy Act of 1969 (42 U.S.C. 4321 et seq.);

7           (C) the scope of, and schedule for, the  
8           baseline studies required to prepare an environ-  
9           mental impact statement or similar analysis re-  
10          quired under the National Environmental Pol-  
11          icy Act of 1969 (42 U.S.C. 4321 et seq.);

12          (D) preparation of any draft environmental  
13          impact statement or similar analysis required  
14          under the National Environmental Policy Act of  
15          1969 (42 U.S.C. 4321 et seq.);

16          (E) preparation of a final environmental  
17          impact statement or similar analysis required  
18          under the National Environmental Policy Act of  
19          1969 (42 U.S.C. 4321 et seq.);

20          (F) any consultations required under appli-  
21          cable law;

22          (G) submission and review of any com-  
23          ments required under applicable law;

24          (H) publication of any public notices re-  
25          quired under applicable law; and

1 (I) any final or interim decisions.

2 (2) TIME LIMIT FOR PERMITTING PROCESS.—

3 Except if extended by mutual agreement of the  
4 project proponent and the lead agency, the time pe-  
5 riod for the total review process described in para-  
6 graph (1) shall not exceed 30 months.

7 (e) LIMITATION ON ADDRESSING PUBLIC COM-  
8 MENTS.—The lead agency shall not be required to address  
9 any agency or public comments that were not submitted—

10 (1) during a public comment period or consulta-  
11 tion period provided during the permitting process;  
12 or

13 (2) as otherwise required by law.

14 (f) FINANCIAL ASSURANCE.—The lead agency shall  
15 determine the amount of financial assurance required for  
16 reclamation of a mineral exploration or mining site, on the  
17 condition that the financial assurance shall cover the esti-  
18 mated cost if the lead agency were to contract with a third  
19 party to reclaim the operations according to the reclama-  
20 tion plan, including construction and maintenance costs  
21 for any treatment facilities necessary to meet Federal,  
22 State, or tribal environmental standards.

23 (g) PROJECTS WITHIN NATIONAL FORESTS.—With  
24 respect to projects on National Forest System land, the  
25 lead agency shall—



1 (1) exempt from the requirements of part 294  
2 of title 36, Code of Federal Regulations (or suc-  
3 cessor regulations)—

4 (A) all areas of identified mineral re-  
5 sources in land use designations, other than  
6 nondevelopment land use designations, in exist-  
7 ence on the date of enactment of this division;  
8 and

9 (B) all additional routes and areas that the  
10 lead agency determines necessary to facilitate  
11 the construction, operation, maintenance, and  
12 restoration of an area described in paragraph  
13 (1); and

14 (2) continue to apply the exemptions described  
15 in paragraph (1) after the date on which approval  
16 of the minerals plan of operations described in sec-  
17 tion 3(4)(B)(ii) for the National Forest System land.

18 (h) APPLICATION TO EXISTING PERMIT APPLICA-  
19 TIONS.—

20 (1) IN GENERAL.—This section applies to a  
21 mineral exploration or mine permit for which an ap-  
22 plication was submitted before the date of enactment  
23 of this division if the applicant for the permit sub-  
24 mits a written request to the lead agency for the  
25 permit.

1           (2) IMPLEMENTATION.—The lead agency shall  
2           begin implementing this section with respect to an  
3           application described in paragraph (1) not later than  
4           30 days after the date on which the lead agency re-  
5           ceives the written request for the permit.

6   **SEC. 5005. FEDERAL REGISTER PROCESS FOR MINERAL EX-**  
7                           **PLORATION AND MINING PROJECTS.**

8           (a) DEPARTMENTAL REVIEW.—Absent any extraor-  
9           dinary circumstances, as determined by the Secretary of  
10          the Interior or the Secretary of Agriculture, as applicable,  
11          and except as otherwise required by law, the Secretary of  
12          the Interior or the Secretary of Agriculture, as applicable,  
13          shall ensure that each Federal Register notice associated  
14          with the issuance of a mineral exploration or mine permit  
15          and required by law shall be—

16                (1) subject to any required reviews within the  
17                Department of the Interior or the Department of  
18                Agriculture, as applicable; and

19                (2) published in final form in the Federal Reg-  
20                ister not later than 45 days after the date of initial  
21                preparation of the notice.

22          (b) PREPARATION.—The preparation of any Federal  
23          Register notice described in subsection (a) shall be dele-  
24          gated to the organizational level within the lead agency.

1 (c) TRANSMISSION.—All Federal Register notices de-  
2 scribed in subsection (a) regarding official document avail-  
3 ability, announcements of meetings, or notices of intent  
4 to undertake an action shall originate in, and be trans-  
5 mitted to the Federal Register from, the office in which,  
6 as applicable—

7 (1) the documents or meetings are held; or

8 (2) the activity is initiated.

9 **SEC. 5006. SECRETARIAL ORDER NOT AFFECTED.**

10 This division shall not apply to any mineral described  
11 in Secretarial Order 3324, issued by the Secretary of the  
12 Interior on December 3, 2012, in any area to which the  
13 order applies.

14 **DIVISION F—FEES FOR MEDICAL**  
15 **SERVICES PROVIDED BY NA-**  
16 **TIONAL PARK SERVICE PER-**  
17 **SONNEL**

18 **SEC. 6101. FEES FOR MEDICAL SERVICES.**

19 (a) FEES AUTHORIZED.—The Secretary may estab-  
20 lish and collect fees for medical services provided by Na-  
21 tional Park Service personnel to persons—

22 (1) inside of a unit of the National Park Sys-  
23 tem; and

24 (2) outside of a unit of the National Park Sys-  
25 tem.

1 (b) NATIONAL PARK MEDICAL SERVICES FUND.—

2 There is hereby established in the Treasury a fund to be  
3 known as the “National Park Medical Services Fund”.

4 The Fund shall consist of—

5 (1) donations to the Fund; and

6 (2) fees collected under subsection (a).

7 (c) AVAILABILITY OF AMOUNTS.—All amounts depos-  
8 ited into the Fund shall be available to the Secretary, to  
9 the extent provided in advance by Acts of appropriation,  
10 for the following:

11 (1) Provision of services listed in subsection (a).

12 (2) Preparing needs assessments or other pro-  
13 grammatic analyses for medical facilities, equipment,  
14 vehicles, and other needs and costs of providing serv-  
15 ices listed in subsection (a).

16 (3) Developing management plans for medical  
17 facilities, equipment, vehicles, and other needs and  
18 costs of services listed in subsection (a).

19 (4) Training related to providing services listed  
20 in subsection (a).

21 (5) Obtaining or improving medical facilities,  
22 equipment, vehicles, and other needs and costs of  
23 providing services listed in subsection (a).

24 (d) DEFINITIONS.—For the purposes of this section:

1           (1) **FUND.**—The term “Fund” means the Na-  
2           tional Park Medical Services Fund established by  
3           subsection (b).

4           (2) **SECRETARY.**—The term “Secretary” means  
5           the Secretary of the Interior.

## 6           **DIVISION G—FUNDING TABLES**

### 7           **SEC. 7001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-** 8           **BLES.**

9           (a) **IN GENERAL.**—Whenever a funding table in this  
10          division specifies a dollar amount authorized for a project,  
11          program, or activity, the obligation and expenditure of the  
12          specified dollar amount for the project, program, or activ-  
13          ity is hereby authorized, subject to the availability of ap-  
14          propriations.

15          (b) **MERIT-BASED DECISIONS.**—A decision to com-  
16          mit, obligate, or expend funds with or to a specific entity  
17          on the basis of a dollar amount authorized pursuant to  
18          subsection (a) shall—

19                (1) be based on merit-based selection proce-  
20                dures in accordance with the requirements of sec-  
21                tions 2304(k) and 2374 of title 10, United States  
22                Code, or on competitive procedures; and

23                (2) comply with other applicable provisions of  
24                law.

1 (c) RELATIONSHIP TO TRANSFER AND PROGRAM-  
 2 MING AUTHORITY.—An amount specified in the funding  
 3 tables in this division may be transferred or repro-  
 4 grammed under a transfer or reprogramming authority  
 5 provided by another provision of this Act or by other law.  
 6 The transfer or reprogramming of an amount specified in  
 7 such funding tables shall not count against a ceiling on  
 8 such transfers or reprogrammings under section 1001 or  
 9 section 1512 of this Act or any other provision of law,  
 10 unless such transfer or reprogramming would move funds  
 11 between appropriation accounts.

12 (d) APPLICABILITY TO CLASSIFIED ANNEX.—This  
 13 section applies to any classified annex that accompanies  
 14 this Act.

15 (e) ORAL AND WRITTEN COMMUNICATIONS.—No  
 16 oral or written communication concerning any amount  
 17 specified in the funding tables in this division shall super-  
 18 sede the requirements of this section.

19 **TITLE LXXI—PROCUREMENT**

20 **SEC. 7101. PROCUREMENT.**

SEC. 7101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2019 Request	House Authorized
<b>AIRCRAFT PROCUREMENT, ARMY</b>			
<b>FIXED WING</b>			
002	UTILITY F/W AIRCRAFT .....	744	744
003	MQ-1 UAV .....	43,326	103,326
	MQ-1 Gray Eagle Service Life Extension Program .....		[60,000]
004	RQ-11 (RAVEN) .....	46,416	46,416
<b>ROTARY</b>			
007	AH-64 APACHE BLOCK IIIA REMAN .....	753,248	753,248
008	ADVANCE PROCUREMENT (CY) .....	174,550	174,550
009	AH-64 APACHE BLOCK IIIB NEW BUILD .....	284,687	284,687
	Additional AH-64Es to address ARNG shortfalls .....		[192,000]
	Realignment to cover ARNG shortfalls .....		[-192,000]
010	ADVANCE PROCUREMENT (CY) .....	58,600	58,600
011	UH-60 BLACKHAWK M MODEL (MYP) .....	988,810	1,073,810

**SEC. 7101. PROCUREMENT**  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	Additional UH-60Ms for ARNG .....		[85,000]
012	ADVANCE PROCUREMENT (CY) .....	106,150	106,150
013	UH-60 BLACK HAWK A AND L MODELS .....	146,138	146,138
014	CH-47 HELICOPTER .....	99,278	99,278
015	ADVANCE PROCUREMENT (CY) .....	24,235	24,235
	<b>MODIFICATION OF AIRCRAFT</b>		
018	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS) .....	27,114	27,114
019	GRAY EAGLE MODS2 .....	97,781	97,781
020	MULTI SENSOR ABN RECON (MIP) .....	52,274	66,274
	Army UFR: program increase .....		[14,000]
021	AH-64 MODS .....	104,996	104,996
022	CH-47 CARGO HELICOPTER MODS (MYP) .....	7,807	7,807
023	GRCS SEMA MODS (MIP) .....	5,573	5,573
024	ARL SEMA MODS (MIP) .....	7,522	7,522
025	EMARSS SEMA MODS (MIP) .....	20,448	20,448
026	UTILITY/CARGO AIRPLANE MODS .....	17,719	17,719
027	UTILITY HELICOPTER MODS .....	6,443	16,443
	UH-72A Life-Cycle Sustainability .....		[10,000]
028	NETWORK AND MISSION PLAN .....	123,614	123,614
029	COMMS, NAV SURVEILLANCE .....	161,969	161,969
030	DEGRADED VISUAL ENVIRONMENT .....	30,000	30,000
031	GATM ROLLUP .....	26,848	26,848
032	RQ-7 UAV MODS .....	103,246	154,114
	Realignment of EDI APS Unit Set from OCO to Base .....		[50,868]
033	UAS MODS .....	17,644	21,046
	Realignment of EDI APS Unit Set from OCO to Base .....		[3,402]
	<b>GROUND SUPPORT AVIONICS</b>		
034	AIRCRAFT SURVIVABILITY EQUIPMENT .....	57,170	57,170
035	SURVIVABILITY CM .....	5,853	5,853
036	CMWS .....	13,496	13,496
037	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	36,839	36,839
	<b>OTHER SUPPORT</b>		
038	AVIONICS SUPPORT EQUIPMENT .....	1,778	1,778
039	COMMON GROUND EQUIPMENT .....	34,818	34,818
040	AIRCREW INTEGRATED SYSTEMS .....	27,243	27,243
041	AIR TRAFFIC CONTROL .....	63,872	63,872
042	INDUSTRIAL FACILITIES .....	1,417	1,417
043	LAUNCHER, 2.75 ROCKET .....	1,901	1,901
044	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2 .....	991	991
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY</b> .....	<b>3,782,558</b>	<b>4,005,828</b>
	<b>MISSILE PROCUREMENT, ARMY</b>		
	<b>SURFACE-TO-AIR MISSILE SYSTEM</b>		
001	LOWER TIER AIR AND MISSILE DEFENSE (AMD) .....	111,395	111,395
002	MSE MISSILE .....	871,276	1,131,276
	Realignment of EDI APS Unit Set from OCO to Base .....		[260,000]
003	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I .....	145,636	145,636
004	ADVANCE PROCUREMENT (CY) .....	31,286	31,286
	<b>AIR-TO-SURFACE MISSILE SYSTEM</b>		
006	JOINT AIR-TO-GROUND MSLs (JAGM) .....	276,462	248,862
	Unit cost and engineering services cost growth .....		[-27,600]
	<b>ANTI-TANK/ASSAULT MISSILE SYS</b>		
008	JAVELIN (AAWS-M) SYSTEM SUMMARY .....	303,665	267,465
	Forward financed in the FY18 Omnibus for command launch units .....		[-50,000]
	Realignment of EDI APS Unit Set from OCO to Base .....		[13,800]
009	TOW 2 SYSTEM SUMMARY .....	105,014	105,014
010	ADVANCE PROCUREMENT (CY) .....	19,949	19,949
011	GUIDED MLRS ROCKET (GMLRS) .....	359,613	329,613
	Forward financed in the FY18 Omnibus .....		[-30,000]
012	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR) .....	20,964	20,964
013	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS) .....		171,138
	Realignment of EDI APS Unit Set from OCO to Base .....		[171,138]
	<b>MODIFICATIONS</b>		
015	PATRIOT MODS .....	313,228	333,228
	Increase PATRIOT Mod efforts .....		[20,000]
016	ATACMS MODS .....	221,656	236,656
	Forward financed in the FY18 Omnibus .....		[-65,000]
	Realignment of EDI APS Unit Set from OCO to Base .....		[80,000]
017	GMLRS MOD .....	266	266
018	STINGER MODS .....	94,756	94,756
019	AVENGER MODS .....	48,670	48,670
020	ITAS/TOW MODS .....	3,173	3,173
021	MLRS MODS .....	383,216	505,216
	Realignment of EDI APS Unit Set from OCO to Base .....		[122,000]
022	HIMARS MODIFICATIONS .....	10,196	10,196
	<b>SPARES AND REPAIR PARTS</b>		
023	SPARES AND REPAIR PARTS .....	27,737	27,737
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		

**SEC. 7101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
024	AIR DEFENSE TARGETS .....	6,417	6,417
025	PRODUCTION BASE SUPPORT .....	1,202	1,202
	<b>TOTAL MISSILE PROCUREMENT, ARMY .....</b>	<b>3,355,777</b>	<b>3,850,115</b>
	<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
001	BRADLEY PROGRAM .....		205,000
	Realignment of EDI APS Unit Set from OCO to Base .....		[205,000]
002	ARMORED MULTI PURPOSE VEHICLE (AMPV) .....	479,801	710,160
	Realignment of EDI APS Unit Set from OCO to Base .....		[230,359]
	<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>		
004	STRYKER (MOD) .....	287,490	138,190
	Army requested realignment to WTCV-5 .....		[-149,300]
005	STRYKER UPGRADE .....	21,900	360,000
	A1 conversions for 5th SBCT .....		[188,800]
	Army requested realignment—A1 conversions for 5th SBCT .....		[149,300]
006	BRADLEY PROGRAM (MOD) .....	625,424	675,424
	Realignment of EDI APS Unit Set from OCO to Base .....		[50,000]
007	M109 FOV MODIFICATIONS .....	26,482	26,482
008	PALADIN INTEGRATED MANAGEMENT (PIM) .....	351,802	493,802
	Realignment of EDI APS Unit Set from OCO to Base .....		[67,000]
	Smooth funding production profile .....		[75,000]
009	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) .....	110,500	152,854
	Realignment of EDI APS Unit Set from OCO to Base .....		[42,354]
010	ASSAULT BRIDGE (MOD) .....	2,120	2,120
011	ASSAULT BREACHER VEHICLE .....	62,407	62,407
012	M88 FOV MODS .....	4,517	4,517
013	JOINT ASSAULT BRIDGE .....	142,255	142,255
014	M1 ABRAMS TANK (MOD) .....	927,600	961,600
	Realignment of EDI APS Unit Set from OCO to Base .....		[34,000]
015	ABRAMS UPGRADE PROGRAM .....	1,075,999	1,530,999
	Realignment of EDI APS Unit Set from OCO to Base .....		[455,000]
	<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>		
018	M240 MEDIUM MACHINE GUN (7.62MM) .....	1,955	7,081
	Program Increase—M240L and M240B .....		[5,000]
	Realignment of EDI APS Unit Set from OCO to Base .....		[126]
019	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S .....	23,345	23,345
020	GUN AUTOMATIC 30MM M230 .....	7,434	7,434
021	MACHINE GUN, CAL .50 M2 ROLL .....	22,330	22,330
022	MORTAR SYSTEMS .....	12,470	12,650
	Realignment of EDI APS Unit Set from OCO to Base .....		[180]
023	XM320 GRENADE LAUNCHER MODULE (GLM) .....	697	697
024	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM .....	46,236	46,236
025	CARBINE .....	69,306	71,106
	Realignment of EDI APS Unit Set from OCO to Base .....		[1,800]
026	SMALL ARMS—FIRE CONTROL .....	7,929	7,929
027	COMMON REMOTELY OPERATED WEAPONS STATION .....	35,968	39,346
	Realignment of EDI APS Unit Set from OCO to Base .....		[3,378]
028	HANDGUN .....	48,251	48,251
	<b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>		
029	MK-19 GRENADE MACHINE GUN MODS .....	1,684	1,684
030	M777 MODS .....	3,086	3,086
031	M4 CARBINE MODS .....	31,575	35,775
	Additional free-float forward extended rails .....		[4,200]
032	M2 50 CAL MACHINE GUN MODS .....	21,600	26,520
	Realignment of EDI APS Unit Set from OCO to Base .....		[4,920]
033	M249 SAW MACHINE GUN MODS .....	3,924	3,924
034	M240 MEDIUM MACHINE GUN MODS .....	6,940	6,947
	Realignment of EDI APS Unit Set from OCO to Base .....		[7]
035	SNIPER RIFLES MODIFICATIONS .....	2,747	2,747
036	M119 MODIFICATIONS .....	5,704	5,704
037	MORTAR MODIFICATION .....	3,965	3,965
038	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV) .....	5,577	5,577
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
039	ITEMS LESS THAN \$5.0M (WOCV-WTCV) .....	3,174	4,571
	Realignment of EDI APS Unit Set from OCO to Base .....		[1,397]
040	PRODUCTION BASE SUPPORT (WOCV-WTCV) .....	3,284	3,284
041	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG) .....	1,640	1,640
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY .....</b>	<b>4,489,118</b>	<b>5,857,639</b>
	<b>PROCUREMENT OF AMMUNITION, ARMY</b>		
	<b>SMALL/MEDIUM CAL AMMUNITION</b>		
001	CTG, 5.56MM, ALL TYPES .....	41,848	45,240
	Realignment of EDI APS Unit Set from OCO to Base .....		[3,392]
002	CTG, 7.62MM, ALL TYPES .....	86,199	86,239
	Realignment of EDI APS Unit Set from OCO to Base .....		[40]
003	CTG, HANDGUN, ALL TYPES .....	20,158	20,175
	Realignment of EDI APS Unit Set from OCO to Base .....		[17]



**SEC. 7101. PROCUREMENT**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
004	CTG, .50 CAL, ALL TYPES .....	65,573	65,762
	Realignment of EDI APS Unit Set from OCO to Base .....		[189]
005	CTG, 20MM, ALL TYPES .....	8,198	8,198
007	CTG, 30MM, ALL TYPES .....	77,995	102,995
	Realignment of EDI APS Unit Set from OCO to Base .....		[25,000]
008	CTG, 40MM, ALL TYPES .....	69,781	69,781
	<b>MORTAR AMMUNITION</b>		
009	60MM MORTAR, ALL TYPES .....	45,280	45,498
	Realignment of EDI APS Unit Set from OCO to Base .....		[218]
010	81MM MORTAR, ALL TYPES .....	46,853	47,337
	Realignment of EDI APS Unit Set from OCO to Base .....		[484]
011	120MM MORTAR, ALL TYPES .....	83,003	83,003
	<b>TANK AMMUNITION</b>		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES .....	168,101	168,101
	<b>ARTILLERY AMMUNITION</b>		
013	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES .....	39,341	39,341
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES .....	211,442	290,842
	Realignment of EDI APS Unit Set from OCO to Base .....		[79,400]
015	PROJ 155MM EXTENDED RANGE M982 .....	100,906	152,606
	Realignment of EDI APS Unit Set from OCO to Base .....		[51,700]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....	236,677	268,577
	Forward financed in the FY18 Omnibus .....		[-15,000]
	Program decrease .....		[-2,000]
	Realignment of EDI APS Unit Set from OCO to Base .....		[48,900]
	<b>MINES</b>		
017	MINES & CLEARING CHARGES, ALL TYPES .....	15,905	15,905
	<b>ROCKETS</b>		
018	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	4,503	31,745
	Army UFR: bunker defeat munitions .....		[25,000]
	Realignment of EDI APS Unit Set from OCO to Base .....		[2,242]
019	ROCKET, HYDRA 70, ALL TYPES .....	211,211	241,211
	Army UFR: additional HYDRA rockets .....		[30,000]
	<b>OTHER AMMUNITION</b>		
020	CAD/PAD, ALL TYPES .....	10,428	10,428
021	DEMOLITION MUNITIONS, ALL TYPES .....	44,656	44,661
	Realignment of EDI APS Unit Set from OCO to Base .....		[5]
022	GRENADES, ALL TYPES .....	19,896	19,904
	Realignment of EDI APS Unit Set from OCO to Base .....		[8]
023	SIGNALS, ALL TYPES .....	10,121	10,121
024	SIMULATORS, ALL TYPES .....	11,464	11,464
	<b>MISCELLANEOUS</b>		
025	AMMO COMPONENTS, ALL TYPES .....	5,224	5,224
026	NON-LETHAL AMMUNITION, ALL TYPES .....	4,310	4,310
027	ITEMS LESS THAN \$5 MILLION (AMMO) .....	11,193	11,259
	Realignment of EDI APS Unit Set from OCO to Base .....		[66]
028	AMMUNITION PECULIAR EQUIPMENT .....	10,500	10,500
029	FIRST DESTINATION TRANSPORTATION (AMMO) .....	18,456	18,456
030	CLOSEOUT LIABILITIES .....	100	100
	<b>PRODUCTION BASE SUPPORT</b>		
032	INDUSTRIAL FACILITIES .....	394,133	394,133
033	CONVENTIONAL MUNITIONS DEMILITARIZATION .....	157,535	157,535
034	ARMS INITIATIVE .....	3,771	3,771
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY .....</b>	<b>2,234,761</b>	<b>2,484,422</b>
	<b>OTHER PROCUREMENT, ARMY</b>		
	<b>TACTICAL VEHICLES</b>		
001	TACTICAL TRAILERS/DOLLY SETS .....	16,512	16,512
002	SEMITRAILERS, FLATBED: .....	16,951	24,951
	Realignment of EDI APS Unit Set from OCO to Base .....		[8,000]
003	AMBULANCE, 4 LITTER, 5/4 TON, 4X4 .....	50,123	70,893
	Realignment of EDI APS Unit Set from OCO to Base .....		[20,770]
004	GROUND MOBILITY VEHICLES (GMV) .....	46,988	36,988
	Unobligated Balances .....		[-10,000]
005	ARNG HMMWV MODERNIZATION PROGRAM .....		25,000
	Additional HMMWVs .....		[25,000]
006	JOINT LIGHT TACTICAL VEHICLE .....	1,319,436	1,319,436
007	TRUCK, DUMP, 20T (CCE) .....	6,480	6,480
008	FAMILY OF MEDIUM TACTICAL VEH (FMTV) .....	132,882	132,882
009	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP .....	14,842	14,842
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....	138,105	253,505
	Realignment of EDI APS Unit Set from OCO to Base .....		[115,400]
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV .....	31,892	38,574
	Realignment of EDI APS Unit Set from OCO to Base .....		[6,682]
013	TACTICAL WHEELED VEHICLE PROTECTION KITS .....	38,128	88,128
	Realignment of EDI APS Unit Set from OCO to Base .....		[50,000]
014	MODIFICATION OF IN SVC EQUIP .....	78,507	78,884
	Realignment of EDI APS Unit Set from OCO to Base .....		[377]
015	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS .....		27,000

**SEC. 7101. PROCUREMENT**  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	SFAB emerging requirements .....		[27,000]
	<b>NON-TACTICAL VEHICLES</b>		
016	HEAVY ARMORED VEHICLE .....	790	790
017	PASSENGER CARRYING VEHICLES .....	1,390	1,390
018	NONTACTICAL VEHICLES, OTHER .....	15,415	15,415
	<b>COMM—JOINT COMMUNICATIONS</b>		
020	SIGNAL MODERNIZATION PROGRAM .....	150,777	150,777
021	TACTICAL NETWORK TECHNOLOGY MOD IN SVC .....	469,117	533,117
	Additional TCN-L, NOSCL, and next generation embedded kits for IBCTs and SBCTs.		[64,000]
022	SITUATION INFORMATION TRANSPORT .....	62,727	62,727
023	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY .....	13,895	13,895
024	JCSE EQUIPMENT (USREDCOM) .....	4,866	4,866
	<b>COMM—SATELLITE COMMUNICATIONS</b>		
027	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS .....	108,133	108,133
028	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS .....	56,737	56,737
029	SHF TERM .....	13,100	13,100
030	SMART-T (SPACE) .....	9,160	9,160
031	GLOBAL BRDCST SVC—GBS .....	25,647	25,647
032	ENROUTE MISSION COMMAND (EMC) .....	37,401	37,401
	<b>COMM—C3 SYSTEM</b>		
036	COE TACTICAL SERVER INFRASTRUCTURE (TSD) .....	20,500	20,500
	<b>COMM—COMBAT COMMUNICATIONS</b>		
037	JOINT TACTICAL RADIO SYSTEM .....		1,560
	Realignment of EDI APS Unit Set from OCO to Base .....		[1,560]
038	HANDHELD MANPACK SMALL FORM FIT (HMS) .....	351,565	351,565
040	RADIO TERMINAL SET, MIDS LVT(2) .....	4,641	4,641
041	TRACTOR DESK .....	2,187	2,187
042	TRACTOR RIDE .....	9,411	22,611
	Army UFR, program increase .....		[13,200]
044	SPIDER FAMILY OF NETWORKED MUNITIONS INCR .....	17,515	17,515
045	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM .....	819	819
046	UNIFIED COMMAND SUITE .....	17,807	17,807
047	COTS COMMUNICATIONS EQUIPMENT .....	191,835	208,835
	Program decrease .....		[-5,000]
	Realignment of EDI APS Unit Set from OCO to Base .....		[22,000]
048	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE .....	25,177	25,177
	<b>COMM—INTELLIGENCE COMM</b>		
050	CI AUTOMATION ARCHITECTURE (MIP) .....	9,740	9,740
051	DEFENSE MILITARY DECEPTION INITIATIVE .....	2,667	2,667
	<b>INFORMATION SECURITY</b>		
053	FAMILY OF BIOMETRICS .....	8,319	8,319
054	INFORMATION SYSTEM SECURITY PROGRAM-ISSP .....	2,000	2,000
055	COMMUNICATIONS SECURITY (COMSEC) .....	88,337	88,340
	Realignment of EDI APS Unit Set from OCO to Base .....		[3]
056	DEFENSIVE CYBER OPERATIONS .....	51,343	51,343
057	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO .....	330	330
058	PERSISTENT CYBER TRAINING ENVIRONMENT .....	3,000	3,000
	<b>COMM—LONG HAUL COMMUNICATIONS</b>		
059	BASE SUPPORT COMMUNICATIONS .....	34,434	34,434
	<b>COMM—BASE COMMUNICATIONS</b>		
060	INFORMATION SYSTEMS .....	95,558	95,558
061	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM .....	4,736	4,736
062	HOME STATION MISSION COMMAND CENTERS (HSMCC) .....	24,479	24,479
063	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....	216,433	225,483
	Realignment of EDI APS Unit Set from OCO to Base .....		[9,050]
	<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>		
066	JTT/CIBS-M (MIP) .....	10,268	10,268
068	DCGS-A (MIP) .....	261,863	261,863
069	JOINT TACTICAL GROUND STATION (JTAGS) (MIP) .....	5,434	5,434
070	TROJAN (MIP) .....	20,623	21,223
	Realignment of EDI APS Unit Set from OCO to Base .....		[600]
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) .....	45,998	45,998
072	CI HUMINT AUTO REPRPTG & COLL(CHARCS)(MIP) .....	296	296
076	ITEMS LESS THAN \$5.0M (MIP) .....	410	410
	<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>		
077	LIGHTWEIGHT COUNTER MORTAR RADAR .....	9,165	9,165
078	EW PLANNING & MANAGEMENT TOOLS (EWPMT) .....	5,875	5,875
079	AIR VIGILANCE (AV) (MIP) .....	8,497	8,497
083	CI MODERNIZATION (MIP) .....	486	486
	<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>		
084	SENTINEL MODS .....	79,629	79,629
085	NIGHT VISION DEVICES .....	153,180	153,266
	Realignment of EDI APS Unit Set from OCO to Base .....		[86]
086	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM .....		2,861
	Realignment of EDI APS Unit Set from OCO to Base .....		[2,861]
087	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF .....	22,882	22,882
088	RADIATION MONITORING SYSTEMS .....	17,393	17,404

**SEC. 7101. PROCUREMENT**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
	Realignment of EDI APS Unit Set from OCO to Base .....		[11]
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....	46,740	47,002
	Realignment of EDI APS Unit Set from OCO to Base .....		[262]
091	FAMILY OF WEAPON SIGHTS (FWS) .....	140,737	131,962
	Realignment of EDI APS Unit Set from OCO to Base .....		[525]
	Unexecutable funds .....		[-9,300]
093	PROFILER .....	171	171
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P) .....	405,239	431,385
	Realignment of EDI APS Unit Set from OCO to Base .....		[26,146]
095	JOINT EFFECTS TARGETING SYSTEM (JETS) .....	66,574	66,574
096	MOD OF IN-SVC EQUIP (LLDR) .....	20,783	24,833
	Realignment of EDI APS Unit Set from OCO to Base .....		[4,050]
097	COMPUTER BALLISTICS: LHMCB XM32 .....	8,553	8,553
098	MORTAR FIRE CONTROL SYSTEM .....	21,489	21,489
099	COUNTERFIRE RADARS .....	162,121	162,121
	<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>		
100	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE ( .....	2,855	2,855
101	FIRE SUPPORT C2 FAMILY .....	19,153	19,153
102	AIR & MSL DEFENSE PLANNING & CONTROL SYS .....	33,837	33,837
103	LIFE CYCLE SOFTWARE SUPPORT (LCSS) .....	5,136	5,136
104	NETWORK MANAGEMENT INITIALIZATION AND SERVICE .....	18,329	18,329
105	MANEUVER CONTROL SYSTEM (MCS) .....	38,015	38,015
106	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A) .....	15,164	15,164
107	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP) .....	29,239	29,239
109	RECONNAISSANCE AND SURVEYING INSTRUMENT SET .....	6,823	6,823
110	MOD OF IN-SVC EQUIPMENT (ENFIRE) .....	1,177	1,177
	<b>ELECT EQUIP—AUTOMATION</b>		
111	ARMY TRAINING MODERNIZATION .....	12,265	12,265
112	AUTOMATED DATA PROCESSING EQUIP .....	201,875	201,875
113	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM .....	10,976	10,976
114	HIGH PERF COMPUTING MOD PGM (HPCMP) .....	66,330	66,330
115	CONTRACT WRITING SYSTEM .....	5,927	5,927
116	RESERVE COMPONENT AUTOMATION SYS (RCAS) .....	27,896	27,896
	<b>ELECT EQUIP—AUDIO VISUAL SYS (A/V)</b>		
117	TACTICAL DIGITAL MEDIA .....	4,392	4,392
118	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT) .....	1,970	1,970
	<b>ELECT EQUIP—SUPPORT</b>		
119	PRODUCTION BASE SUPPORT (C-E) .....	506	506
	<b>CLASSIFIED PROGRAMS</b>		
120A	CLASSIFIED PROGRAMS .....	4,501	4,501
	<b>CHEMICAL DEFENSIVE EQUIPMENT</b>		
121	PROTECTIVE SYSTEMS .....	2,314	2,341
	Realignment of EDI APS Unit Set from OCO to Base .....		[27]
122	FAMILY OF NON-LETHAL EQUIPMENT (FNLE) .....	7,478	7,478
124	CBRN DEFENSE .....	173,954	174,271
	Realignment of EDI APS Unit Set from OCO to Base .....		[317]
	<b>BRIDGING EQUIPMENT</b>		
125	TACTICAL BRIDGING .....	98,229	98,229
126	TACTICAL BRIDGE, FLOAT-RIBBON .....	64,438	64,438
127	COMMON BRIDGE TRANSPORTER (CBT) RECAP .....	79,916	79,916
	<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>		
128	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST .....	8,471	8,471
129	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS) .....	29,883	29,883
130	AREA MINE DETECTION SYSTEM (AMDS) .....	11,594	11,595
	Realignment of EDI APS Unit Set from OCO to Base .....		[1]
131	HUSKY MOUNTED DETECTION SYSTEM (HMDS) .....	40,834	40,834
132	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS) .....	4,029	4,029
133	EOD ROBOTICS SYSTEMS RECAPITALIZATION .....	14,208	14,208
134	ROBOTICS AND APPLIQUE SYSTEMS .....	31,456	31,456
136	REMOTE DEMOLITION SYSTEMS .....	1,748	1,749
	Realignment of EDI APS Unit Set from OCO to Base .....		[1]
137	< \$5M, COUNTERMINE EQUIPMENT .....	7,829	7,829
138	FAMILY OF BOATS AND MOTORS .....	5,806	5,806
	<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
139	HEATERS AND ECUS .....	9,852	9,852
140	SOLDIER ENHANCEMENT .....	1,103	1,103
141	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) .....	5,875	5,875
142	GROUND SOLDIER SYSTEM .....	92,487	92,487
143	MOBILE SOLDIER POWER .....	30,774	30,774
145	FIELD FEEDING EQUIPMENT .....	17,521	17,521
146	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM .....	44,855	44,855
147	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS .....	17,173	17,173
148	ITEMS LESS THAN \$5M (ENG SPT) .....	2,000	2,000
	<b>PETROLEUM EQUIPMENT</b>		
149	QUALITY SURVEILLANCE EQUIPMENT .....	1,770	1,770
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER .....	39,730	39,730
	<b>MEDICAL EQUIPMENT</b>		
151	COMBAT SUPPORT MEDICAL .....	57,752	77,752

**SEC. 7101. PROCUREMENT**  
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<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
	Simulators and other technologies to reduce the use of live animal tissue for medical training.		[20,000]
	<b>MAINTENANCE EQUIPMENT</b>		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....	37,722	37,722
153	ITEMS LESS THAN \$5.0M (MAINT EQ) .....	4,985	5,253
	Realignment of EDI APS Unit Set from OCO to Base .....		[268]
	<b>CONSTRUCTION EQUIPMENT</b>		
155	SCRAPERS, EARTHMOVING .....	7,961	7,961
156	HYDRAULIC EXCAVATOR .....	1,355	1,355
158	ALL TERRAIN CRANES .....	13,031	13,031
159	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) .....	46,048	46,048
160	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP .....	980	8,480
	Program increase—additional ERACC systems .....		[7,500]
161	CONST EQUIP ESP .....	37,017	37,017
162	ITEMS LESS THAN \$5.0M (CONST EQUIP) .....	6,103	6,103
	<b>RAIL FLOAT CONTAINERIZATION EQUIPMENT</b>		
163	ARMY WATERCRAFT ESP .....	27,711	27,711
164	ITEMS LESS THAN \$5.0M (FLOAT/RAIL) .....	8,385	8,385
	<b>GENERATORS</b>		
165	GENERATORS AND ASSOCIATED EQUIP .....	133,772	133,772
166	TACTICAL ELECTRIC POWER RECAPITALIZATION .....	8,333	8,333
	<b>MATERIAL HANDLING EQUIPMENT</b>		
167	FAMILY OF FORKLIFTS .....	12,901	12,901
	<b>TRAINING EQUIPMENT</b>		
168	COMBAT TRAINING CENTERS SUPPORT .....	123,228	123,228
169	TRAINING DEVICES, NONSYSTEM .....	228,598	228,598
170	CLOSE COMBAT TACTICAL TRAINER .....	33,080	33,080
171	AVIATION COMBINED ARMS TACTICAL TRAINER .....	32,700	32,700
172	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING .....	25,161	25,161
	<b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>		
173	CALIBRATION SETS EQUIPMENT .....	4,270	4,270
174	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) .....	76,295	85,790
	Realignment of EDI APS Unit Set from OCO to Base .....		[9,495]
175	TEST EQUIPMENT MODERNIZATION (TEMOD) .....	9,806	9,806
	<b>OTHER SUPPORT EQUIPMENT</b>		
176	M25 STABILIZED BINOCULAR .....	4,368	4,401
	Realignment of EDI APS Unit Set from OCO to Base .....		[33]
177	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT .....	9,879	9,879
178	PHYSICAL SECURITY SYSTEMS (OPA3) .....	54,043	54,043
179	BASE LEVEL COMMON EQUIPMENT .....	6,633	6,633
180	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3) .....	49,797	49,797
181	PRODUCTION BASE SUPPORT (OTH) .....	2,301	2,301
182	SPECIAL EQUIPMENT FOR USER TESTING .....	11,608	11,608
183	TRACTOR YARD .....	4,956	4,956
	<b>OPA2</b>		
184	INITIAL SPARES—C&E .....	9,817	9,817
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>7,999,529</b>	<b>8,410,454</b>
	<b>AIRCRAFT PROCUREMENT, NAVY</b>		
	<b>COMBAT AIRCRAFT</b>		
001	F/A-18E/F (FIGHTER) HORNET .....	1,937,553	1,907,553
	Excess NRE and Support Costs .....		[-30,000]
002	ADVANCE PROCUREMENT (CY) .....	58,799	58,799
003	JOINT STRIKE FIGHTER CV .....	1,144,958	1,132,058
	Production Efficiencies .....		[-12,900]
004	ADVANCE PROCUREMENT (CY) .....	140,010	140,010
005	JSF STOVL .....	2,312,847	2,276,547
	Production Efficiencies .....		[-36,300]
006	ADVANCE PROCUREMENT (CY) .....	228,492	228,492
007	CH-53K (HEAVY LIFT) .....	1,113,804	1,089,804
	Support cost growth .....		[-24,000]
008	ADVANCE PROCUREMENT (CY) .....	161,079	161,079
009	V-22 (MEDIUM LIFT) .....	806,337	806,337
010	ADVANCE PROCUREMENT (CY) .....	36,955	36,955
011	H-1 UPGRADES (UH-1Y/AH-1Z) .....	820,755	820,755
014	P-SA POSEIDON .....	1,803,753	1,777,753
	Excessive CFE Electronics cost growth .....		[-5,000]
	Excessive GFE Electronics cost growth .....		[-1,000]
	Excessive support cost growth .....		[-20,000]
015	ADVANCE PROCUREMENT (CY) .....	180,000	180,000
016	E-2D ADV HAWKEYE .....	742,693	726,393
	Excessive CFE cost growth .....		[-5,800]
	Excessive Non-reoccurring cost growth .....		[-2,900]
	Excessive Other ILS cost growth .....		[-1,700]
	Excessive peculiar equipment cost growth .....		[-5,900]
017	ADVANCE PROCUREMENT (CY) .....	240,734	240,734
	<b>AIRLIFT AIRCRAFT</b>		
018	C-40A .....	206,000	0

**SEC. 7101. PROCUREMENT**  
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<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
	Forward financed in the FY18 Omnibus .....		[-206,000]
	<b>OTHER AIRCRAFT</b>		
020	KC-130J .....	160,433	160,433
021	ADVANCE PROCUREMENT (CY) .....	110,013	110,013
022	MQ-4 TRITON .....	568,743	544,793
	Unit and support cost growth .....		[-23,950]
023	ADVANCE PROCUREMENT (CY) .....	58,522	58,522
024	MQ-8 UAV .....	54,761	54,761
025	STUASLO UAV .....	14,866	14,866
026	VH-92A EXECUTIVE HELO .....	649,015	649,015
	<b>MODIFICATION OF AIRCRAFT</b>		
027	AEA SYSTEMS .....	25,277	25,277
028	AV-8 SERIES .....	58,577	58,577
029	ADVERSARY .....	14,606	14,606
030	F-18 SERIES .....	1,213,482	1,210,982
	Program decrease .....		[-2,500]
031	H-53 SERIES .....	70,997	70,997
032	SH-60 SERIES .....	130,661	130,661
033	H-1 SERIES .....	87,143	87,143
034	EP-3 SERIES .....	3,633	3,633
035	P-3 SERIES .....	803	803
036	E-2 SERIES .....	88,780	88,780
037	TRAINER A/C SERIES .....	11,660	11,660
038	C-2A .....	11,327	11,327
039	C-130 SERIES .....	79,075	79,075
040	FEWSG .....	597	597
041	CARGO/TRANSPORT A/C SERIES .....	8,932	8,932
042	E-6 SERIES .....	181,821	181,821
043	EXECUTIVE HELICOPTERS SERIES .....	23,566	23,566
044	SPECIAL PROJECT AIRCRAFT .....	7,620	7,620
045	T-45 SERIES .....	195,475	195,475
046	POWER PLANT CHANGES .....	21,521	21,521
047	JPATS SERIES .....	27,644	27,644
048	AVIATION LIFE SUPPORT MODS .....	15,864	15,864
049	COMMON ECM EQUIPMENT .....	166,306	191,306
	Navy UFR: F/A-18E/F Super Hornet Adaptive RADAR countermeasures .....		[25,000]
050	COMMON AVIONICS CHANGES .....	117,551	112,551
	Program decrease .....		[-5,000]
051	COMMON DEFENSIVE WEAPON SYSTEM .....	1,994	1,994
052	ID SYSTEMS .....	40,696	40,696
053	P-8 SERIES .....	71,251	71,251
054	MAGTF EW FOR AVIATION .....	11,590	11,590
055	MQ-8 SERIES .....	37,907	37,907
057	V-22 (TILT/ROTOR ACFT) OSPREY .....	214,820	214,820
058	NEXT GENERATION JAMMER (NGJ) .....	952	952
059	F-35 STOVL SERIES .....	36,618	36,618
060	F-35 CV SERIES .....	21,236	21,236
061	QRC .....	101,499	101,499
062	MQ-4 SERIES .....	48,278	48,278
063	RQ-21 SERIES .....	6,904	6,904
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
064	SPARES AND REPAIR PARTS .....	1,792,920	1,832,920
	F-35B Spares .....		[40,000]
	<b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>		
065	COMMON GROUND EQUIPMENT .....	421,606	411,606
	Program decrease .....		[-10,000]
066	AIRCRAFT INDUSTRIAL FACILITIES .....	24,496	24,496
067	WAR CONSUMABLES .....	42,108	42,108
068	OTHER PRODUCTION CHARGES .....	1,444	1,444
069	SPECIAL SUPPORT EQUIPMENT .....	49,489	49,489
070	FIRST DESTINATION TRANSPORTATION .....	1,951	1,951
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY</b> .....	<b>19,041,799</b>	<b>18,713,849</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>MODIFICATION OF MISSILES</b>		
001	TRIDENT II MODS .....	1,078,750	1,078,750
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
002	MISSILE INDUSTRIAL FACILITIES .....	6,998	6,998
	<b>STRATEGIC MISSILES</b>		
003	TOMAHAWK .....	98,570	213,370
	Forward financed in the FY18 Omnibus .....		[-81,000]
	Program Increase—198 missile .....		[216,000]
	Shutdown costs early to need .....		[-20,200]
	<b>TACTICAL MISSILES</b>		
004	AMRAAM .....	211,058	211,058
005	SIDEWINDER .....	77,927	122,927
	Navy UFR: additional AIM 9-X missiles .....		[45,000]
006	JSOW .....	1,330	1,330

**SEC. 7101. PROCUREMENT**  
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<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
007	STANDARD MISSILE .....	490,210	490,210
008	ADVANCE PROCUREMENT (CY) .....	125,683	125,683
009	SMALL DIAMETER BOMB II .....	91,272	91,272
010	RAM .....	96,221	93,921
	Excess Production Support .....		[-2,300]
011	JOINT AIR GROUND MISSILE (JAGM) .....	24,109	24,109
014	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM) .....	11,378	11,378
015	AERIAL TARGETS .....	137,137	137,137
016	OTHER MISSILE SUPPORT .....	3,318	3,318
017	LRASM .....	81,190	111,190
	Navy Unfunded Requirement .....		[30,000]
018	LCS OTH MISSILE .....	18,156	18,156
	<b>MODIFICATION OF MISSILES</b>		
019	ESSM .....	98,384	96,384
	Excess Production Support .....		[-2,000]
020	HARPOON MODS .....	14,840	14,840
021	HARM MODS .....	187,985	187,985
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
023	WEAPONS INDUSTRIAL FACILITIES .....	2,006	2,006
024	FLEET SATELLITE COMM FOLLOW-ON .....	66,779	66,779
	<b>ORDNANCE SUPPORT EQUIPMENT</b>		
025	ORDNANCE SUPPORT EQUIPMENT .....	62,008	62,008
	<b>TORPEDOES AND RELATED EQUIP</b>		
026	SSTD .....	6,353	6,353
027	MK-48 TORPEDO .....	92,616	103,616
	Navy Unfunded Requirement .....		[11,000]
028	ASW TARGETS .....	12,324	12,324
	<b>MOD OF TORPEDOES AND RELATED EQUIP</b>		
029	MK-54 TORPEDO MODS .....	105,946	95,446
	HAAWC unit cost growth .....		[-6,500]
	Non Recurring Engineering excess growth .....		[-4,000]
030	MK-48 TORPEDO ADCAP MODS .....	40,005	40,005
031	QUICKSTRIKE MINE .....	9,758	9,758
	<b>SUPPORT EQUIPMENT</b>		
032	TORPEDO SUPPORT EQUIPMENT .....	79,371	79,371
033	ASW RANGE SUPPORT .....	3,872	3,872
	<b>DESTINATION TRANSPORTATION</b>		
034	FIRST DESTINATION TRANSPORTATION .....	3,726	3,726
	<b>GUNS AND GUN MOUNTS</b>		
035	SMALL ARMS AND WEAPONS .....	15,067	15,067
	<b>MODIFICATION OF GUNS AND GUN MOUNTS</b>		
036	CIWS MODS .....	63,318	63,318
037	COAST GUARD WEAPONS .....	40,823	40,823
038	GUN MOUNT MODS .....	74,618	74,618
039	LCS MODULE WEAPONS .....	11,350	5,550
	Mission Module Early to need .....		[-5,800]
041	AIRBORNE MINE NEUTRALIZATION SYSTEMS .....	22,249	22,249
	<b>SPARES AND REPAIR PARTS</b>		
043	SPARES AND REPAIR PARTS .....	135,688	130,688
	Unjustified program cost growth .....		[-5,000]
	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....	<b>3,702,393</b>	<b>3,877,593</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
001	GENERAL PURPOSE BOMBS .....	79,871	79,871
002	JDAM .....	87,900	87,900
003	AIRBORNE ROCKETS, ALL TYPES .....	151,431	151,431
004	MACHINE GUN AMMUNITION .....	11,344	11,344
005	PRACTICE BOMBS .....	49,471	49,471
006	CARTRIDGES & CART ACTUATED DEVICES .....	56,227	56,227
007	AIR EXPENDABLE COUNTERMEASURES .....	66,382	66,382
008	JATOS .....	2,907	2,907
009	5 INCH/54 GUN AMMUNITION .....	72,657	72,657
010	INTERMEDIATE CALIBER GUN AMMUNITION .....	33,613	33,613
011	OTHER SHIP GUN AMMUNITION .....	42,142	42,142
012	SMALL ARMS & LANDING PARTY AMMO .....	49,888	49,888
013	PYROTECHNIC AND DEMOLITION .....	10,931	10,931
015	AMMUNITION LESS THAN \$5 MILLION .....	1,106	1,106
	<b>MARINE CORPS AMMUNITION</b>		
019	MORTARS .....	28,266	28,266
021	DIRECT SUPPORT MUNITIONS .....	63,664	63,664
022	INFANTRY WEAPONS AMMUNITION .....	59,295	59,295
026	COMBAT SUPPORT MUNITIONS .....	31,577	31,577
028	AMMO MODERNIZATION .....	15,001	15,001
029	ARTILLERY MUNITIONS .....	86,297	86,297
030	ITEMS LESS THAN \$5 MILLION .....	6,239	6,239
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....	<b>1,006,209</b>	<b>1,006,209</b>

**SEC. 7101. PROCUREMENT**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
<b>SHIPBUILDING AND CONVERSION, NAVY</b>			
<b>FLEET BALLISTIC MISSILE SHIPS</b>			
001	ADVANCE PROCUREMENT (CY) .....	3,005,330	3,088,030
	Accelerated Advance Procurement .....		[150,000]
	Forward financed in the FY18 Omnibus for the foundry propeller center .....		[-19,000]
	Ordnance Early to Need .....		[-48,300]
<b>OTHER WARSHIPS</b>			
002	CARRIER REPLACEMENT PROGRAM .....	1,598,181	1,549,081
	Authorize CVN81—One ship .....		
	Excess change order rate .....		[-49,100]
004	VIRGINIA CLASS SUBMARINE .....	4,373,382	5,311,382
	EOQ AP for submarine in FY 2022 and 2023 .....		[1,003,000]
	Excess change order rate .....		[-20,000]
	Forward financed in the FY18 Omnibus .....		[-45,000]
005	ADVANCE PROCUREMENT (CY) .....	2,796,401	2,796,401
007	ADVANCE PROCUREMENT (CY) .....	449,597	449,597
008	DDG 1000 .....	270,965	270,965
009	DDG-51 .....	5,253,327	4,941,327
	DDG Flight III Multiyear Procurement Savings .....		[-150,000]
	Excessive Basic Construction Unit Cost Growth .....		[-162,000]
010	ADVANCE PROCUREMENT (CY) .....	391,928	391,928
011	LITTORAL COMBAT SHIP .....	646,244	1,596,244
	Program Increase—Two ships .....		[950,000]
<b>AMPHIBIOUS SHIPS</b>			
012A	ADVANCE PROCUREMENT (CY) .....		150,000
	EOQ for LPD Flight II Multi-year Procurement .....		[150,000]
013	EXPEDITIONARY SEA BASE (ESB) .....	650,000	630,000
	Accelerated contracts learning curve .....		[-20,000]
<b>AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST</b>			
016	TAO FLEET OILER .....	977,104	957,104
	Accelerated contracts learning curve .....		[-20,000]
017	ADVANCE PROCUREMENT (CY) .....	75,046	75,046
018	TOWING, SALVAGE, AND RESCUE SHIP (ATS) .....	80,517	75,517
	Accelerated contracts learning curve .....		[-5,000]
020	LCU 1700 .....	41,520	41,520
021	OUTFITTING .....	634,038	589,038
	Outfitting and Post Delivery early to need .....		[-45,000]
022	SHIP TO SHORE CONNECTOR .....	325,375	507,875
	Program Increase—Three vessels .....		[182,500]
023	SERVICE CRAFT .....	72,062	72,062
024	LCAC SLEP .....	23,321	23,321
028	COMPLETION OF PY SHIPBUILDING PROGRAMS .....	207,099	207,099
	<b>TOTAL SHIPBUILDING AND CONVERSION, NAVY .....</b>	<b>21,871,437</b>	<b>23,723,537</b>
<b>OTHER PROCUREMENT, NAVY</b>			
<b>SHIP PROPULSION EQUIPMENT</b>			
001	SURFACE POWER EQUIPMENT .....	19,700	19,700
<b>GENERATORS</b>			
003	SURFACE COMBATANT HM&E .....	23,495	23,495
<b>NAVIGATION EQUIPMENT</b>			
004	OTHER NAVIGATION EQUIPMENT .....	63,330	63,330
<b>OTHER SHIPBOARD EQUIPMENT</b>			
005	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG .....	178,421	178,421
006	DDG MOD .....	487,999	591,199
	AWS Installation Unit Cost Growth .....		[-4,800]
	Navy Unfunded Requirement .....		[43,000]
	Program Increase—One additional Combat System .....		[65,000]
007	FIREFIGHTING EQUIPMENT .....	28,143	28,143
008	COMMAND AND CONTROL SWITCHBOARD .....	2,248	2,248
009	LHA/LHD MIDLIFE .....	37,694	37,694
010	POLLUTION CONTROL EQUIPMENT .....	20,883	20,883
011	SUBMARINE SUPPORT EQUIPMENT .....	37,155	37,155
012	VIRGINIA CLASS SUPPORT EQUIPMENT .....	66,328	66,328
013	LCS CLASS SUPPORT EQUIPMENT .....	47,241	47,241
014	SUBMARINE BATTERIES .....	27,987	27,987
015	LPD CLASS SUPPORT EQUIPMENT .....	65,033	65,033
016	DDG 1000 CLASS SUPPORT EQUIPMENT .....	89,700	89,700
017	STRATEGIC PLATFORM SUPPORT EQUIP .....	22,254	22,254
018	DSSP EQUIPMENT .....	3,629	3,629
019	CG MODERNIZATION .....	276,446	272,546
	Integrated Ship Controls Unit Cost Growth .....		[-3,900]
020	LCAC .....	3,709	3,709
021	UNDERWATER EOD PROGRAMS .....	78,807	48,407
	Insufficient transition strategy .....		[-30,400]
022	ITEMS LESS THAN \$5 MILLION .....	126,865	126,865
023	CHEMICAL WARFARE DETECTORS .....	2,966	2,966
024	SUBMARINE LIFE SUPPORT SYSTEM .....	11,968	11,968
<b>REACTOR PLANT EQUIPMENT</b>			

**SEC. 7101. PROCUREMENT**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
025	REACTOR POWER UNITS .....	346,325	0
	Early to need .....		[-346,325]
026	REACTOR COMPONENTS .....	497,063	497,063
	<b>OCEAN ENGINEERING</b>		
027	DIVING AND SALVAGE EQUIPMENT .....	10,706	10,706
	<b>SMALL BOATS</b>		
028	STANDARD BOATS .....	49,771	49,771
	<b>PRODUCTION FACILITIES EQUIPMENT</b>		
029	OPERATING FORCES IPE .....	225,181	225,181
	<b>OTHER SHIP SUPPORT</b>		
031	LCS COMMON MISSION MODULES EQUIPMENT .....	46,732	46,732
032	LCS MCM MISSION MODULES .....	124,147	124,147
033	LCS ASW MISSION MODULES .....	57,294	7,394
	Late test event for VDS and MFTA .....		[-49,900]
034	LCS SUW MISSION MODULES .....	26,006	15,006
	Surface to Surface MM Early to need .....		[-11,000]
035	LCS IN-SERVICE MODERNIZATION .....	70,526	70,526
	<b>LOGISTIC SUPPORT</b>		
036	LSD MIDLIFE & MODERNIZATION .....	4,784	4,784
	<b>SHIP SONARS</b>		
037	SPQ-9B RADAR .....	20,309	20,309
038	AN/SQQ-89 SURF ASW COMBAT SYSTEM .....	115,459	115,459
039	SSN ACOUSTIC EQUIPMENT .....	318,189	318,189
040	UNDERSEA WARFARE SUPPORT EQUIPMENT .....	10,134	10,134
	<b>ASW ELECTRONIC EQUIPMENT</b>		
041	SUBMARINE ACOUSTIC WARFARE SYSTEM .....	23,815	23,815
042	SSTD .....	11,277	11,277
043	FIXED SURVEILLANCE SYSTEM .....	237,780	207,780
	Forward financed in the FY18 Omnibus .....		[-30,000]
044	SURTASS .....	57,872	47,872
	Forward financed in the FY18 Omnibus for SURTASS-E .....		[-10,000]
	<b>ELECTRONIC WARFARE EQUIPMENT</b>		
045	AN/SLQ-32 .....	420,344	397,244
	Excess Ship Installation Unit Cost Growth .....		[-23,100]
	<b>RECONNAISSANCE EQUIPMENT</b>		
046	SHIPBOARD IW EXPLOIT .....	220,883	220,883
047	AUTOMATED IDENTIFICATION SYSTEM (AIS) .....	4,028	4,028
	<b>OTHER SHIP ELECTRONIC EQUIPMENT</b>		
048	COOPERATIVE ENGAGEMENT CAPABILITY .....	44,173	42,573
	Excess Production Engineering Support .....		[-1,600]
049	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS) .....	10,991	10,991
050	ATDLS .....	34,526	34,526
051	NAVY COMMAND AND CONTROL SYSTEM (NCCS) .....	3,769	3,769
052	MINESWEEPING SYSTEM REPLACEMENT .....	35,709	35,709
053	SHALLOW WATER MCM .....	8,616	8,616
054	NAVSTAR GPS RECEIVERS (SPACE) .....	10,703	10,703
055	AMERICAN FORCES RADIO AND TV SERVICE .....	2,626	2,626
056	STRATEGIC PLATFORM SUPPORT EQUIP .....	9,467	9,467
	<b>AVIATION ELECTRONIC EQUIPMENT</b>		
057	ASHORE ATC EQUIPMENT .....	70,849	70,849
058	AFLOAT ATC EQUIPMENT .....	47,890	47,890
059	ID SYSTEMS .....	26,163	26,163
060	JOINT PRECISION APPROACH AND LANDING SYSTEM ( .....	38,094	38,094
061	NAVAL MISSION PLANNING SYSTEMS .....	11,966	11,966
	<b>OTHER SHORE ELECTRONIC EQUIPMENT</b>		
062	TACTICAL/MOBILE C4I SYSTEMS .....	42,010	42,010
063	DCGS-N .....	12,896	12,896
064	CANES .....	423,027	423,027
065	RADLAC .....	8,175	8,175
066	CANES-INTELL .....	54,465	54,465
067	GPETE .....	5,985	5,985
068	MASF .....	5,413	5,413
069	INTEG COMBAT SYSTEM TEST FACILITY .....	6,251	6,251
070	EMI CONTROL INSTRUMENTATION .....	4,183	4,183
071	ITEMS LESS THAN \$5 MILLION .....	148,350	148,350
	<b>SHIPBOARD COMMUNICATIONS</b>		
072	SHIPBOARD TACTICAL COMMUNICATIONS .....	45,450	45,450
073	SHIP COMMUNICATIONS AUTOMATION .....	105,087	105,087
074	COMMUNICATIONS ITEMS UNDER \$5M .....	41,123	41,123
	<b>SUBMARINE COMMUNICATIONS</b>		
075	SUBMARINE BROADCAST SUPPORT .....	30,897	30,897
076	SUBMARINE COMMUNICATION EQUIPMENT .....	78,580	78,580
	<b>SATELLITE COMMUNICATIONS</b>		
077	SATELLITE COMMUNICATIONS SYSTEMS .....	41,205	41,205
078	NAVY MULTIBAND TERMINAL (NMT) .....	113,885	113,885
	<b>SHORE COMMUNICATIONS</b>		
079	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....	4,292	4,292
	<b>CRYPTOGRAPHIC EQUIPMENT</b>		



**SEC. 7101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
080	INFO SYSTEMS SECURITY PROGRAM (ISSP) .....	153,526	153,526
081	MIO INTEL EXPLOITATION TEAM .....	951	951
	<b>CRYPTOLOGIC EQUIPMENT</b>		
082	CRYPTOLOGIC COMMUNICATIONS EQUIP .....	14,209	14,209
	<b>OTHER ELECTRONIC SUPPORT</b>		
086	COAST GUARD EQUIPMENT .....	40,713	40,713
	<b>SONOBUOYS</b>		
088	SONOBUOYS—ALL TYPES .....	177,891	216,191
	Navy Unfunded Requirement .....		[38,300]
	<b>AIRCRAFT SUPPORT EQUIPMENT</b>		
089	WEAPONS RANGE SUPPORT EQUIPMENT .....	93,864	93,864
090	AIRCRAFT SUPPORT EQUIPMENT .....	111,724	111,724
091	ADVANCED ARRESTING GEAR (AAG) .....	11,054	11,054
092	METEOROLOGICAL EQUIPMENT .....	21,072	21,072
093	DCRS/DPL .....	656	656
094	AIRBORNE MINE COUNTERMEASURES .....	11,299	11,299
095	LAMPS EQUIPMENT .....	594	594
096	AVIATION SUPPORT EQUIPMENT .....	39,374	39,374
097	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL .....	35,405	35,405
	<b>SHIP GUN SYSTEM EQUIPMENT</b>		
098	SHIP GUN SYSTEMS EQUIPMENT .....	5,337	5,337
	<b>SHIP MISSILE SYSTEMS EQUIPMENT</b>		
099	SHIP MISSILE SUPPORT EQUIPMENT .....	213,090	208,090
	Unjustified Stalker Growth .....		[-5,000]
100	TOMAHAWK SUPPORT EQUIPMENT .....	92,890	92,890
	<b>FBM SUPPORT EQUIPMENT</b>		
101	STRATEGIC MISSILE SYSTEMS EQUIP .....	271,817	271,817
	<b>ASW SUPPORT EQUIPMENT</b>		
102	SSN COMBAT CONTROL SYSTEMS .....	129,501	124,001
	Excessive Unit Cost Growth for Install .....		[-5,500]
103	ASW SUPPORT EQUIPMENT .....	19,436	19,436
	<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>		
104	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	14,258	14,258
105	ITEMS LESS THAN \$5 MILLION .....	5,378	5,378
	<b>OTHER EXPENDABLE ORDNANCE</b>		
106	SUBMARINE TRAINING DEVICE MODS .....	65,543	65,543
107	SURFACE TRAINING EQUIPMENT .....	230,425	230,425
	<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>		
108	PASSENGER CARRYING VEHICLES .....	4,867	4,867
109	GENERAL PURPOSE TRUCKS .....	2,674	2,674
110	CONSTRUCTION & MAINTENANCE EQUIP .....	20,994	20,994
111	FIRE FIGHTING EQUIPMENT .....	17,189	17,189
112	TACTICAL VEHICLES .....	19,916	19,916
113	AMPHIBIOUS EQUIPMENT .....	7,400	7,400
114	POLLUTION CONTROL EQUIPMENT .....	2,713	2,713
115	ITEMS UNDER \$5 MILLION .....	35,540	35,540
116	PHYSICAL SECURITY VEHICLES .....	1,155	1,155
	<b>SUPPLY SUPPORT EQUIPMENT</b>		
117	SUPPLY EQUIPMENT .....	18,786	18,786
118	FIRST DESTINATION TRANSPORTATION .....	5,375	5,375
119	SPECIAL PURPOSE SUPPLY SYSTEMS .....	580,371	580,371
	<b>TRAINING DEVICES</b>		
120	TRAINING SUPPORT EQUIPMENT .....	3,400	3,400
121	TRAINING AND EDUCATION EQUIPMENT .....	24,283	22,183
	Excess Production Support .....		[-2,100]
	<b>COMMAND SUPPORT EQUIPMENT</b>		
122	COMMAND SUPPORT EQUIPMENT .....	66,681	66,681
123	MEDICAL SUPPORT EQUIPMENT .....	3,352	3,352
125	NAVAL MIP SUPPORT EQUIPMENT .....	1,984	1,984
126	OPERATING FORCES SUPPORT EQUIPMENT .....	15,131	15,131
127	CHSR EQUIPMENT .....	3,576	3,576
128	ENVIRONMENTAL SUPPORT EQUIPMENT .....	31,902	31,902
129	PHYSICAL SECURITY EQUIPMENT .....	175,436	175,436
130	ENTERPRISE INFORMATION TECHNOLOGY .....	25,393	25,393
	<b>OTHER</b>		
133	NEXT GENERATION ENTERPRISE SERVICE .....	96,269	96,269
	<b>CLASSIFIED PROGRAMS</b>		
133A	CLASSIFIED PROGRAMS .....	15,681	15,681
	<b>SPARES AND REPAIR PARTS</b>		
134	SPARES AND REPAIR PARTS .....	326,838	326,838
	<b>TOTAL OTHER PROCUREMENT, NAVY</b> .....	<b>9,414,355</b>	<b>9,037,030</b>
	<b>PROCUREMENT, MARINE CORPS</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
001	AAV7A1 PIP .....	156,249	136,249
	Program reduction .....		[-20,000]
002	AMPHIBIOUS COMBAT VEHICLE 1.1 .....	167,478	167,478
003	LAV PIP .....	43,701	43,701

**SEC. 7101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
	<b>ARTILLERY AND OTHER WEAPONS</b>		
005	155MM LIGHTWEIGHT TOWED HOWITZER .....	47,158	47,158
006	ARTILLERY WEAPONS SYSTEM .....	134,246	134,246
007	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION .....	40,687	40,687
	<b>OTHER SUPPORT</b>		
008	MODIFICATION KITS .....	22,904	22,904
	<b>GUIDED MISSILES</b>		
009	GROUND BASED AIR DEFENSE .....	18,334	18,334
010	ANTI-ARMOR MISSILE-JAVELIN .....	3,020	3,020
011	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS) .....	13,760	13,760
012	ANTI-ARMOR MISSILE-TOW .....	59,702	59,702
	<b>COMMAND AND CONTROL SYSTEMS</b>		
013	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C .....	35,467	35,467
	<b>REPAIR AND TEST EQUIPMENT</b>		
014	REPAIR AND TEST EQUIPMENT .....	46,081	41,481
	Program Reduction .....		[-4,600]
	<b>OTHER SUPPORT (TEL)</b>		
015	MODIFICATION KITS .....	971	971
	<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>		
016	ITEMS UNDER \$5 MILLION (COMM & ELEC) .....	69,203	62,203
	Program Reduction .....		[-7,000]
017	AIR OPERATIONS C2 SYSTEMS .....	14,269	14,269
	<b>RADAR + EQUIPMENT (NON-TEL)</b>		
018	RADAR SYSTEMS .....	6,694	6,694
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....	224,969	224,969
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
021	GCSS-MC .....	1,187	1,187
022	FIRE SUPPORT SYSTEM .....	60,189	60,189
023	INTELLIGENCE SUPPORT EQUIPMENT .....	73,848	67,848
	Unjustified request for TSCS Inc 1 .....		[-6,000]
025	UNMANNED AIR SYSTEMS (INTEL) .....	3,848	3,848
026	DCGS-MC .....	16,081	16,081
	<b>OTHER SUPPORT (NON-TEL)</b>		
030	NEXT GENERATION ENTERPRISE NETWORK (NGEN) .....	87,120	87,120
031	COMMON COMPUTER RESOURCES .....	68,914	68,914
032	COMMAND POST SYSTEMS .....	124,838	124,838
033	RADIO SYSTEMS .....	279,680	264,680
	Program reduction .....		[-15,000]
034	COMM SWITCHING & CONTROL SYSTEMS .....	36,649	36,649
035	COMM & ELEC INFRASTRUCTURE SUPPORT .....	83,971	83,971
	<b>CLASSIFIED PROGRAMS</b>		
035A	CLASSIFIED PROGRAMS .....	3,626	3,626
	<b>ADMINISTRATIVE VEHICLES</b>		
036	COMMERCIAL CARGO VEHICLES .....	25,441	25,441
	<b>TACTICAL VEHICLES</b>		
037	MOTOR TRANSPORT MODIFICATIONS .....	11,392	11,392
038	JOINT LIGHT TACTICAL VEHICLE .....	607,011	676,011
	Optimize production profile .....		[69,000]
039	FAMILY OF TACTICAL TRAILERS .....	2,393	2,393
040	TRAILERS .....	6,540	6,540
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
041	ENVIRONMENTAL CONTROL EQUIP ASSORT .....	496	496
042	TACTICAL FUEL SYSTEMS .....	54	54
043	POWER EQUIPMENT ASSORTED .....	21,062	21,062
044	AMPHIBIOUS SUPPORT EQUIPMENT .....	5,290	5,290
045	EOD SYSTEMS .....	47,854	47,854
	<b>MATERIALS HANDLING EQUIPMENT</b>		
046	PHYSICAL SECURITY EQUIPMENT .....	28,306	28,306
	<b>GENERAL PROPERTY</b>		
047	FIELD MEDICAL EQUIPMENT .....	33,513	33,513
048	TRAINING DEVICES .....	52,040	52,040
049	FAMILY OF CONSTRUCTION EQUIPMENT .....	36,156	39,656
	GPS Grade Control Systems (GCS) and Survey Sets .....		[3,500]
050	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV) .....	606	606
	<b>OTHER SUPPORT</b>		
051	ITEMS LESS THAN \$5 MILLION .....	11,608	11,608
	<b>SPARES AND REPAIR PARTS</b>		
053	SPARES AND REPAIR PARTS .....	25,804	25,804
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....	<b>2,860,410</b>	<b>2,880,310</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>TACTICAL FORCES</b>		
001	F-35 .....	4,261,021	4,177,681
	Production Efficiencies .....		[-83,340]
002	ADVANCE PROCUREMENT (CY) .....	406,000	406,000
	<b>OTHER COMBAT AIRCRAFT</b>		
003	C-135B .....	222,176	0
	Ahead of need .....		[-222,176]

**SEC. 7101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
<b>TACTICAL AIRLIFT</b>			
004	C-130J .....	35,858	35,858
005	KC-46A TANKER .....	2,559,911	2,010,911
	Forward financed in the FY18 Omnibus—three aircraft .....		(-499,000)
	Interim contractor support early to need .....		(-50,000)
<b>OTHER AIRLIFT</b>			
007	HC-130J .....	129,437	129,437
009	MC-130J .....	770,201	670,201
	Interim supply support costs unjustified growth .....		(-100,000)
010	ADVANCE PROCUREMENT (CY) .....	218,000	218,000
<b>HELICOPTERS</b>			
012	COMBAT RESCUE HELICOPTER .....	680,201	680,201
<b>MISSION SUPPORT AIRCRAFT</b>			
014	CIVIL AIR PATROL A/C .....	2,719	2,719
<b>OTHER AIRCRAFT</b>			
015	TARGET DRONES .....	139,053	139,053
016	COMPASS CALL MODS .....	108,113	108,113
018	MQ-9 .....	221,707	264,507
	Program increase .....		[42,800]
<b>STRATEGIC AIRCRAFT</b>			
020	B-2A .....	60,301	37,301
	MOP modifications excess to need .....		(-23,000)
021	B-1B .....	51,290	51,290
022	B-52 .....	105,519	90,819
	Technical adjustment (move to R-173) .....		(-14,700)
<b>TACTICAL AIRCRAFT</b>			
024	A-10 .....	98,720	163,720
	Additional A-10 wing replacements .....		[65,000]
025	C-130J .....	10,831	10,831
026	F-15 .....	548,109	548,109
027	F-16 .....	324,312	324,312
028	F-16 .....	11	11
029	F-22A .....	250,710	250,710
031	F-35 MODIFICATIONS .....	247,271	247,271
032	F-15 EPAW .....	147,685	214,885
	Eagle Passive Active Warning and Survivability System (EPAWSS) .....		[67,200]
033	INCREMENT 3.2B .....	9,007	9,007
035	KC-46A TANKER .....	8,547	8,547
<b>AIRLIFT AIRCRAFT</b>			
036	C-5 .....	77,845	77,845
038	C-17A .....	102,121	102,121
039	C-21 .....	17,516	17,516
040	C-32A .....	4,537	4,537
041	C-37A .....	419	419
<b>TRAINER AIRCRAFT</b>			
043	GLIDER MODS .....	137	137
044	T-6 .....	22,550	22,550
045	T-1 .....	21,952	21,952
046	T-38 .....	70,623	70,623
<b>OTHER AIRCRAFT</b>			
047	U-2 MODS .....	48,774	48,774
048	KC-10A (ATCA) .....	11,104	11,104
049	C-12 .....	4,900	4,900
050	VC-25A MOD .....	36,938	36,938
051	C-40 .....	251	251
052	C-130 .....	22,094	151,094
	Program Increase—eight blade propeller upgrade (88 kits) .....		[55,000]
	Program Increase—engine enhancement program (88 kits) .....		[74,000]
053	C-130J MODS .....	132,045	132,045
054	C-135 .....	113,076	113,076
055	OC-135B .....	5,913	5,913
056	COMPASS CALL MODS .....	49,885	49,885
057	COMBAT FLIGHT INSPECTION (CFIN) .....	499	499
058	RC-135 .....	394,532	394,532
059	E-3 .....	133,906	133,906
060	E-4 .....	67,858	67,858
061	E-8 .....	9,919	9,919
062	AIRBORNE WARNING AND CNTR SYS (AWACS) 40/45 .....	57,780	57,780
063	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS .....	14,293	14,293
064	H-1 .....	2,940	2,940
065	H-60 .....	55,466	55,466
066	RQ-4 MODS .....	23,715	128,715
	EQ-4 BACN aircraft increase .....		[105,000]
067	HC/MC-130 MODIFICATIONS .....	37,754	37,754
068	OTHER AIRCRAFT .....	62,010	62,010
069	MQ-9 MODS .....	171,548	171,548
071	CV-22 MODS .....	60,416	60,416
<b>AIRCRAFT SPARES AND REPAIR PARTS</b>			

**SEC. 7101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
072	INITIAL SPARES/REPAIR PARTS .....	956,408	1,016,408
	F-35A Spares .....		[60,000]
	<b>COMMON SUPPORT EQUIPMENT</b>		
073	AIRCRAFT REPLACEMENT SUPPORT EQUIP .....	81,241	81,241
	<b>POST PRODUCTION SUPPORT</b>		
076	B-2A .....	1,763	1,763
077	B-2B .....	35,861	35,861
078	B-52 .....	12,819	12,819
079	C-17A .....	10,114	10,114
081	F-15 .....	2,545	2,545
083	F-16 .....	11,718	7,718
	F-16 Line Shutdown .....		[-4,000]
084	F-22A .....	14,489	14,489
085	OTHER AIRCRAFT .....	9,928	9,928
086	RQ-4 POST PRODUCTION CHARGES .....	40,641	3,341
	RQ-4 Post Production Support .....		[-37,300]
	<b>INDUSTRIAL PREPAREDNESS</b>		
088	INDUSTRIAL RESPONSIVENESS .....	17,378	17,378
	<b>WAR CONSUMABLES</b>		
090	WAR CONSUMABLES .....	29,342	29,342
	<b>OTHER PRODUCTION CHARGES</b>		
091	OTHER PRODUCTION CHARGES .....	1,502,386	1,393,386
	Classified program adjustment .....		[-109,000]
	<b>CLASSIFIED PROGRAMS</b>		
095	CLASSIFIED PROGRAMS .....	28,278	28,278
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE</b> .....	<b>16,206,937</b>	<b>15,533,421</b>
	<b>MISSILE PROCUREMENT, AIR FORCE</b>		
	<b>MISSILE REPLACEMENT EQUIPMENT—BALLISTIC</b>		
001	MISSILE REPLACEMENT EQ-BALLISTIC .....	36,786	36,786
	<b>TACTICAL</b>		
002	JOINT AIR-SURFACE STANDOFF MISSILE .....	430,708	430,708
003	LRASMO .....	44,185	44,185
004	SIDEWINDER (AIM-9X) .....	121,253	121,253
005	AMRAAM .....	337,886	337,886
006	PREDATOR HELLFIRE MISSILE .....	113,765	113,765
007	SMALL DIAMETER BOMB .....	105,034	105,034
008	SMALL DIAMETER BOMB II .....	100,861	100,861
	<b>INDUSTRIAL FACILITIES</b>		
009	INDUSTRIAL PREPAREDNESS/POL PREVENTION .....	787	787
	<b>CLASS IV</b>		
010	ICBM FUZE MOD .....	15,767	15,767
011	ADVANCE PROCUREMENT (CY) .....	4,100	4,100
012	MM III MODIFICATIONS .....	129,199	129,199
013	AGM-65D MAVERICK .....	288	288
014	AIR LAUNCH CRUISE MISSILE (ALCM) .....	47,632	47,632
	<b>MISSILE SPARES AND REPAIR PARTS</b>		
016	REPLEN SPARES/REPAIR PARTS .....	97,481	97,481
	<b>SPECIAL PROGRAMS</b>		
018	SPECIAL UPDATE PROGRAMS .....	188,539	188,539
	<b>CLASSIFIED PROGRAMS</b>		
019	CLASSIFIED PROGRAMS .....	895,183	895,183
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE</b> .....	<b>2,669,454</b>	<b>2,669,454</b>
	<b>SPACE PROCUREMENT, AIR FORCE</b>		
	<b>SPACE PROGRAMS</b>		
001	ADVANCED EHF .....	29,829	29,829
002	AF SATELLITE COMM SYSTEM .....	35,400	35,400
003	COUNTERSPACE SYSTEMS .....	1,121	1,121
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS .....	27,867	27,867
005	WIDEBAND GAPFILLER SATELLITES(SPACE) .....	61,606	61,606
006	GENERAL INFORMATION TECH—SPACE .....	3,425	3,425
007	GPS III SPACE SEGMENT .....	69,386	74,386
	GPS backup technology demonstration .....		[5,000]
008	GLOBAL POSITIONING (SPACE) .....	2,181	2,181
009	INTEG BROADCAST SERV .....	16,445	16,445
010	SPACEBORNE EQUIP (COMSEC) .....	31,895	31,895
012	MILSATCOM .....	11,265	11,265
013	EVOLVED EXPENDABLE LAUNCH CAPABILITY .....	709,981	709,981
014	EVOLVED EXPENDABLE LAUNCH VEH(SPACE) .....	994,555	994,555
015	SBIR HIGH (SPACE) .....	138,397	138,397
017	NUDET DETECTION SYSTEM .....	7,705	7,705
018	ROCKET SYSTEMS LAUNCH PROGRAM .....	47,609	47,609
019	SPACE FENCE .....	51,361	51,361
020	SPACE MODS .....	148,065	148,065
021	SPACELIFT RANGE SYSTEM SPACE .....	117,637	117,637
	<b>SSPARES</b>		
022	SPARES AND REPAIR PARTS .....	21,812	21,812

SEC. 7101. PROCUREMENT  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	<b>TOTAL SPACE PROCUREMENT, AIR FORCE</b>	<b>2,527,542</b>	<b>2,532,542</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>ROCKETS</b>		
001	ROCKETS	345,911	345,911
	<b>CARTRIDGES</b>		
002	CARTRIDGES	163,840	163,840
	<b>BOMBS</b>		
003	PRACTICE BOMBS	20,876	20,876
004	GENERAL PURPOSE BOMBS	259,308	259,308
005	MASSIVE ORDNANCE PENETRATOR (MOP)	38,111	38,111
006	JOINT DIRECT ATTACK MUNITION	234,198	234,198
007	B61	109,292	109,292
008	ADVANCE PROCUREMENT (CY)	52,731	52,731
	<b>OTHER ITEMS</b>		
009	CAD/PAD	51,455	51,455
010	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,038	6,038
011	SPARES AND REPAIR PARTS	524	524
012	MODIFICATIONS	1,270	1,270
013	ITEMS LESS THAN \$5,000,000	4,604	4,604
	<b>FLARES</b>		
015	FLARES	125,286	125,286
	<b>FUZES</b>		
016	FUZES	109,358	109,358
	<b>SMALL ARMS</b>		
017	SMALL ARMS	64,502	59,502
	Program decrease		[-5,000]
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE</b>	<b>1,587,304</b>	<b>1,582,304</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>		
	<b>PASSENGER CARRYING VEHICLES</b>		
001	PASSENGER CARRYING VEHICLES	6,949	3,449
	Forward financed in the FY18 Omnibus		[-3,500]
	<b>CARGO AND UTILITY VEHICLES</b>		
002	MEDIUM TACTICAL VEHICLE	36,002	18,002
	Forward financed in the FY18 Omnibus		[-18,000]
003	CAP VEHICLES	1,022	1,022
004	CARGO AND UTILITY VEHICLES	42,696	21,696
	Forward financed in the FY18 Omnibus		[-21,000]
	<b>SPECIAL PURPOSE VEHICLES</b>		
005	JOINT LIGHT TACTICAL VEHICLE	30,145	30,145
006	SECURITY AND TACTICAL VEHICLES	1,230	1,230
007	SPECIAL PURPOSE VEHICLES	43,003	22,003
	Forward financed in the FY18 Omnibus		[-21,000]
	<b>FIRE FIGHTING EQUIPMENT</b>		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	23,328	23,328
	<b>MATERIALS HANDLING EQUIPMENT</b>		
009	MATERIALS HANDLING VEHICLES	11,537	11,537
	<b>BASE MAINTENANCE SUPPORT</b>		
010	RUNWAY SNOW REMOV AND CLEANING EQU	37,600	37,600
011	BASE MAINTENANCE SUPPORT VEHICLES	104,923	52,923
	Forward financed in the FY18 Omnibus		[-52,000]
	<b>COMM SECURITY EQUIPMENT(COMSEC)</b>		
012	COMSEC EQUIPMENT	114,372	114,372
	<b>INTELLIGENCE PROGRAMS</b>		
013	INTERNATIONAL INTEL TECH & ARCHITECTURES	8,290	8,290
014	INTELLIGENCE TRAINING EQUIPMENT	2,099	2,099
015	INTELLIGENCE COMM EQUIPMENT	37,415	37,415
	<b>ELECTRONICS PROGRAMS</b>		
016	AIR TRAFFIC CONTROL & LANDING SYS	57,937	14,387
	D-RAPCON Cost Growth		[-43,550]
018	BATTLE CONTROL SYSTEM—FIXED	3,012	3,012
019	THEATER AIR CONTROL SYS IMPROVEMEN	19,989	19,989
020	WEATHER OBSERVATION FORECAST	45,020	45,020
021	STRATEGIC COMMAND AND CONTROL	32,836	32,836
022	CHEYENNE MOUNTAIN COMPLEX	12,454	12,454
023	MISSION PLANNING SYSTEMS	14,263	14,263
025	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	7,769	7,769
	<b>SPCL COMM-ELECTRONICS PROJECTS</b>		
026	GENERAL INFORMATION TECHNOLOGY	40,450	40,450
027	AF GLOBAL COMMAND & CONTROL SYS	6,619	6,619
028	MOBILITY COMMAND AND CONTROL	10,192	10,192
029	AIR FORCE PHYSICAL SECURITY SYSTEM	159,313	143,413
	Underexecution		[-15,900]
030	COMBAT TRAINING RANGES	132,675	132,675
031	MINIMUM ESSENTIAL EMERGENCY COMM N	140,875	140,875
032	WIDE AREA SURVEILLANCE (WAS)	92,104	92,104
033	C3 COUNTERMEASURES	45,152	45,152

**SEC. 7101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
034	GCSS-AF FOS .....	483	483
035	DEFENSE ENTERPRISE ACCOUNTING & MGT SYS .....	802	802
036	MAINTENANCE REPAIR & OVERHAUL INITIATIVE .....	12,207	12,207
037	THEATER BATTLE MGT C2 SYSTEM .....	7,644	7,644
038	AIR & SPACE OPERATIONS CENTER (AOC) .....	40,066	40,066
	<b>AIR FORCE COMMUNICATIONS</b>		
041	BASE INFORMATION TRANSPRT INFRAST (BITI) WIRED .....	22,357	22,357
042	AFNET .....	102,836	102,836
043	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....	3,145	3,145
044	USCENTCOM .....	13,194	13,194
	<b>ORGANIZATION AND BASE</b>		
045	TACTICAL C-E EQUIPMENT .....	161,231	161,231
047	RADIO EQUIPMENT .....	12,142	12,142
048	CCTV/AUDIOVISUAL EQUIPMENT .....	6,505	6,505
049	BASE COMM INFRASTRUCTURE .....	169,404	169,404
	<b>MODIFICATIONS</b>		
050	COMM ELECT MODS .....	10,654	10,654
	<b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>		
051	PERSONAL SAFETY AND RESCUE EQUIPMENT .....	51,906	51,906
	<b>DEPOT PLANT+MTRLs HANDLING EQ</b>		
052	MECHANIZED MATERIAL HANDLING EQUIP .....	88,298	80,798
	Program reduction .....		[-7,500]
	<b>BASE SUPPORT EQUIPMENT</b>		
053	BASE PROCURED EQUIPMENT .....	17,031	22,031
	Civil Engineers Construction, Surveying, and Mapping Equipment .....		[5,000]
054	ENGINEERING AND EOD EQUIPMENT .....	82,635	82,635
055	MOBILITY EQUIPMENT .....	9,549	6,549
	Program reduction .....		[-3,000]
056	BASE MAINTENANCE AND SUPPORT EQUIPMENT .....	24,005	17,005
	Program reduction .....		[-7,000]
	<b>SPECIAL SUPPORT PROJECTS</b>		
058	DARP RC135 .....	26,262	26,262
059	DCGS-AF .....	448,290	400,490
	Forward financed in the FY18 Omnibus .....		[-35,000]
	Program decrease .....		[-12,800]
061	SPECIAL UPDATE PROGRAM .....	913,813	913,813
	<b>CLASSIFIED PROGRAMS</b>		
062	CLASSIFIED PROGRAMS .....	17,258,069	17,258,069
	<b>SPARES AND REPAIR PARTS</b>		
063	SPARES AND REPAIR PARTS .....	86,365	86,365
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE</b>	<b>20,890,164</b>	<b>20,654,914</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>		
	<b>MAJOR EQUIPMENT, OSD</b>		
043	MAJOR EQUIPMENT, OSD .....	35,295	35,295
	<b>MAJOR EQUIPMENT, NSA</b>		
042	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) .....	5,403	5,403
	<b>MAJOR EQUIPMENT, WHS</b>		
046	MAJOR EQUIPMENT, WHS .....	497	497
	<b>MAJOR EQUIPMENT, DISA</b>		
007	INFORMATION SYSTEMS SECURITY .....	21,590	21,590
008	TELEPORT PROGRAM .....	33,905	33,905
009	ITEMS LESS THAN \$5 MILLION .....	27,886	27,886
010	NET CENTRIC ENTERPRISE SERVICES (NCES) .....	1,017	1,017
011	DEFENSE INFORMATION SYSTEM NETWORK .....	150,674	150,674
013	WHITE HOUSE COMMUNICATION AGENCY .....	94,610	94,610
014	SENIOR LEADERSHIP ENTERPRISE .....	197,246	197,246
015	JOINT REGIONAL SECURITY STACKS (JRSS) .....	140,338	140,338
016	JOINT SERVICE PROVIDER .....	107,182	107,182
	<b>MAJOR EQUIPMENT, DLA</b>		
018	MAJOR EQUIPMENT .....	5,225	5,225
	<b>MAJOR EQUIPMENT, DSS</b>		
021	MAJOR EQUIPMENT .....	1,196	1,196
	<b>MAJOR EQUIPMENT, DCAA</b>		
001	ITEMS LESS THAN \$5 MILLION .....	2,542	2,542
	<b>MAJOR EQUIPMENT, TJS</b>		
044	MAJOR EQUIPMENT, TJS .....	4,360	4,360
045	MAJOR EQUIPMENT, TJS—CE2T2 .....	904	904
	<b>MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY</b>		
026	THAAD .....	874,068	874,068
027	GROUND BASED MIDCOURSE .....	409,000	409,000
028	ADVANCE PROCUREMENT (CY) .....	115,000	115,000
029	AEGIS BMD .....	593,488	593,488
030	ADVANCE PROCUREMENT (CY) .....	115,206	115,206
031	BMDs AN/TPY-2 RADARS .....	13,185	13,185
032	ISRAELI PROGRAMS .....	80,000	80,000
033	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD) .....	50,000	50,000
034	AEGIS ASHORE PHASE III .....	15,000	15,000

**SEC. 7101. PROCUREMENT**  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
035	IRON DOME .....	70,000	70,000
036	AEGIS BMD HARDWARE AND SOFTWARE .....	97,057	97,057
	<b>MAJOR EQUIPMENT, DHRA</b>		
003	PERSONNEL ADMINISTRATION .....	10,630	10,630
	<b>MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY</b>		
023	VEHICLES .....	207	207
024	OTHER MAJOR EQUIPMENT .....	5,592	5,592
	<b>MAJOR EQUIPMENT, DODEA</b>		
020	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS .....	1,723	1,723
	<b>MAJOR EQUIPMENT, DCMA</b>		
002	MAJOR EQUIPMENT .....	3,873	3,873
	<b>MAJOR EQUIPMENT, DMACT</b>		
019	MAJOR EQUIPMENT .....	13,106	13,106
	<b>CLASSIFIED PROGRAMS</b>		
046A	CLASSIFIED PROGRAMS .....	589,691	589,691
	<b>AVIATION PROGRAMS</b>		
050	ROTARY WING UPGRADES AND SUSTAINMENT .....	148,351	148,351
051	UNMANNED ISR .....	57,708	57,708
052	NON-STANDARD AVIATION .....	18,731	18,731
053	U-28 .....	32,301	32,301
054	MH-47 CHINOOK .....	131,033	131,033
055	CV-22 MODIFICATION .....	32,529	32,529
056	MQ-9 UNMANNED AERIAL VEHICLE .....	24,621	24,621
057	PRECISION STRIKE PACKAGE .....	226,965	226,965
058	AC/MC-130J .....	165,813	165,813
059	C-130 MODIFICATIONS .....	80,274	80,274
	<b>SHIPBUILDING</b>		
060	UNDERWATER SYSTEMS .....	136,723	136,723
	<b>AMMUNITION PROGRAMS</b>		
061	ORDNANCE ITEMS <\$5M .....	357,742	357,742
	<b>OTHER PROCUREMENT PROGRAMS</b>		
062	INTELLIGENCE SYSTEMS .....	85,699	85,699
063	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	17,863	17,863
064	OTHER ITEMS <\$5M .....	112,117	112,117
065	COMBATANT CRAFT SYSTEMS .....	7,313	7,313
066	SPECIAL PROGRAMS .....	14,026	14,026
067	TACTICAL VEHICLES .....	88,608	88,608
068	WARRIOR SYSTEMS <\$5M .....	438,590	433,390
	Link 16 handheld radios for USSOCOM .....		[12,800]
	SAT Deployable Node .....		[-18,000]
069	COMBAT MISSION REQUIREMENTS .....	19,408	19,408
070	GLOBAL VIDEO SURVEILLANCE ACTIVITIES .....	6,281	6,281
071	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	18,509	18,509
073	OPERATIONAL ENHANCEMENTS .....	367,433	367,433
	<b>CBDP</b>		
074	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS .....	166,418	153,618
	Program decrease .....		[-12,800]
075	CB PROTECTION & HAZARD MITIGATION .....	144,519	144,519
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE</b> .....	<b>6,786,271</b>	<b>6,768,271</b>
	<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>		
	<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>		
001	JOINT URGENT OPERATIONAL NEEDS FUND .....	100,025	0
	Program decrease .....		[-100,025]
	<b>TOTAL JOINT URGENT OPERATIONAL NEEDS FUND</b> .....	<b>100,025</b>	<b>0</b>
	<b>TOTAL PROCUREMENT</b> .....	<b>130,526,043</b>	<b>133,587,892</b>

**1 SEC. 7102. PROCUREMENT FOR OVERSEAS CONTINGENCY**

**2 OPERATIONS.**

**SEC. 7102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
	<b>AIRCRAFT PROCUREMENT, ARMY</b>		
	<b>FIXED WING</b>		
003	MQ-1 UAV .....	60,000	60,000
	<b>ROTARY</b>		
011	UH-60 BLACKHAWK M MODEL (MYP) .....	21,246	21,246
014	CH-47 HELICOPTER .....	25,000	25,000
	<b>MODIFICATION OF AIRCRAFT</b>		
017	MQ-1 PAYLOAD (MIP) .....	11,400	11,400

**SEC. 7102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
019	GRAY EAGLE MODS2 .....	32,000	32,000
020	MULTI SENSOR ABN RECON (MIP) .....	51,000	51,000
032	RQ-7 UAV MODS .....	50,868	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-50,868]
033	UAS MODS .....	3,402	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-3,402]
	<b>GROUND SUPPORT AVIONICS</b>		
036	CMWS .....	84,387	84,387
037	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	24,060	24,060
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY</b> .....	<b>363,363</b>	<b>309,093</b>
	<b>MISSILE PROCUREMENT, ARMY</b>		
	<b>SURFACE-TO-AIR MISSILE SYSTEM</b>		
002	MSE MISSILE .....	260,000	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-260,000]
	<b>AIR-TO-SURFACE MISSILE SYSTEM</b>		
005	HELLFIRE SYS SUMMARY .....	255,040	255,040
	<b>ANTI-TANK/ASSAULT MISSILE SYS</b>		
008	JAVELIN (AAWS-M) SYSTEM SUMMARY .....	31,120	17,320
	Realignment of EDI APS Unit Set from OCO to Base .....		[-13,800]
011	GUIDED MLRS ROCKET (GMLRS) .....	624,500	624,500
013	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS) .....	171,138	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-171,138]
014	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS) .....	112,973	112,973
	<b>MODIFICATIONS</b>		
016	ATACMS MODS .....	225,580	145,580
	Realignment of EDI APS Unit Set from OCO to Base .....		[-80,000]
021	MLRS MODS .....	122,000	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-122,000]
	<b>TOTAL MISSILE PROCUREMENT, ARMY</b> .....	<b>1,802,351</b>	<b>1,155,413</b>
	<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
001	BRADLEY PROGRAM .....	205,000	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-205,000]
002	ARMORED MULTI PURPOSE VEHICLE (AMPV) .....	230,359	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-230,359]
	<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>		
006	BRADLEY PROGRAM (MOD) .....	50,000	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-50,000]
008	PALADIN INTEGRATED MANAGEMENT (PIM) .....	67,000	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-67,000]
009	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) .....	42,354	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-42,354]
014	M1 ABRAMS TANK (MOD) .....	34,000	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-34,000]
015	ABRAMS UPGRADE PROGRAM .....	455,000	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-455,000]
	<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>		
018	M240 MEDIUM MACHINE GUN (7.62MM) .....	126	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-126]
022	MORTAR SYSTEMS .....	11,842	11,662
	Realignment of EDI APS Unit Set from OCO to Base .....		[-180]
025	CARBINE .....	1,800	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-1,800]
027	COMMON REMOTELY OPERATED WEAPONS STATION .....	3,378	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-3,378]
	<b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>		
032	M2 50 CAL MACHINE GUN MODS .....	4,920	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-4,920]
034	M240 MEDIUM MACHINE GUN MODS .....	7	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-7]
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
039	ITEMS LESS THAN \$5.0M (WOCV-WTCV) .....	1,397	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-1,397]
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b> .....	<b>1,107,183</b>	<b>11,662</b>
	<b>PROCUREMENT OF AMMUNITION, ARMY</b>		
	<b>SMALL/MEDIUM CAL AMMUNITION</b>		
001	CTG, 5.56MM, ALL TYPES .....	3,392	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-3,392]
002	CTG, 7.62MM, ALL TYPES .....	40	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-40]
003	CTG, HANDGUN, ALL TYPES .....	17	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-17]
004	CTG, .50 CAL, ALL TYPES .....	189	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-189]
005	CTG, 20MM, ALL TYPES .....	1,605	1,605



**SEC. 7102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
007	CTG, 30MM, ALL TYPES .....	25,000	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-25,000]
	<b>MORTAR AMMUNITION</b>		
009	60MM MORTAR, ALL TYPES .....	218	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-218]
010	81MM MORTAR, ALL TYPES .....	484	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-484]
	<b>ARTILLERY AMMUNITION</b>		
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES .....	79,400	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-79,400]
015	PROJ 155MM EXTENDED RANGE M982 .....	72,985	21,285
	Realignment of EDI APS Unit Set from OCO to Base .....		[-51,700]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....	63,900	15,000
	Realignment of EDI APS Unit Set from OCO to Base .....		[-48,900]
	<b>ROCKETS</b>		
018	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	22,242	20,000
	Realignment of EDI APS Unit Set from OCO to Base .....		[-2,242]
019	ROCKET, HYDRA 70, ALL TYPES .....	39,974	39,974
	<b>OTHER AMMUNITION</b>		
021	DEMOLITION MUNITIONS, ALL TYPES .....	5	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-5]
022	GRENADES, ALL TYPES .....	8	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-8]
	<b>MISCELLANEOUS</b>		
027	ITEMS LESS THAN \$5 MILLION (AMMO) .....	66	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-66]
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY</b> .....	<b>309,525</b>	<b>97,864</b>
	<b>OTHER PROCUREMENT, ARMY</b>		
	<b>TACTICAL VEHICLES</b>		
002	SEMITRAILERS, FLATBED: .....	8,000	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-8,000]
003	AMBULANCE, 4 LITTER, 5/4 TON, 4X4 .....	20,770	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-20,770]
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....	115,400	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-115,400]
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV .....	6,682	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-6,682]
013	TACTICAL WHEELED VEHICLE PROTECTION KITS .....	50,000	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-50,000]
014	MODIFICATION OF IN SVC EQUIP .....	186,377	186,000
	Realignment of EDI APS Unit Set from OCO to Base .....		[-377]
	<b>COMM—SATELLITE COMMUNICATIONS</b>		
028	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS .....	7,100	7,100
	<b>COMM—COMBAT COMMUNICATIONS</b>		
037	JOINT TACTICAL RADIO SYSTEM .....	1,560	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-1,560]
042	TRACTOR RIDE .....	13,190	13,190
045	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM .....	9,549	9,549
047	COTS COMMUNICATIONS EQUIPMENT .....	22,000	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-22,000]
	<b>COMM—INTELLIGENCE COMM</b>		
050	CI AUTOMATION ARCHITECTURE (MIP) .....	9,800	9,800
	<b>INFORMATION SECURITY</b>		
055	COMMUNICATIONS SECURITY (COMSEC) .....	3	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-3]
	<b>COMM—LONG HAUL COMMUNICATIONS</b>		
059	BASE SUPPORT COMMUNICATIONS .....	690	690
	<b>COMM—BASE COMMUNICATIONS</b>		
060	INFORMATION SYSTEMS .....	8,750	8,750
063	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....	60,337	51,287
	Realignment of EDI APS Unit Set from OCO to Base .....		[-9,050]
	<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>		
068	DCGS-A (MIP) .....	37,806	37,806
070	TROJAN (MIP) .....	6,926	6,326
	Realignment of EDI APS Unit Set from OCO to Base .....		[-600]
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) .....	2,011	2,011
075	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP) .....	5,370	5,370
	<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>		
080	CREW .....	42,651	42,651
081	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP) .....	20,050	25,450
	SOUTHCOM UFR: CENTAM Maritime Sensor .....		[3,600]
	SOUTHCOM UFR: SIGINT Suite COMSAT RF .....		[1,800]
082	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES .....	12,974	12,974
	<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>		
085	NIGHT VISION DEVICES .....	463	377
	Realignment of EDI APS Unit Set from OCO to Base .....		[-86]
086	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM .....	2,861	0

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(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
	Realignment of EDI APS Unit Set from OCO to Base .....		[-2,861]
087	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF .....	60	60
088	RADLATION MONITORING SYSTEMS .....	11	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-11]
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....	251,062	250,800
	Realignment of EDI APS Unit Set from OCO to Base .....		[-262]
091	FAMILY OF WEAPON SIGHTS (FWS) .....	525	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-525]
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P) .....	26,146	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-26,146]
096	MOD OF IN-SVC EQUIP (LLDR) .....	4,050	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-4,050]
097	COMPUTER BALLISTICS: LHMCB XM32 .....	960	960
098	MORTAR FIRE CONTROL SYSTEM .....	7,660	7,660
099	COUNTERFIRE RADARS .....	165,200	165,200
	<b>ELECT EQUIP—AUTOMATION</b>		
112	AUTOMATED DATA PROCESSING EQUIP .....	28,475	28,475
	<b>CHEMICAL DEFENSIVE EQUIPMENT</b>		
121	PROTECTIVE SYSTEMS .....	27	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-27]
122	FAMILY OF NON-LETHAL EQUIPMENT (FNLE) .....	20,200	20,200
123	BASE DEFENSE SYSTEMS (BDS) .....	39,200	39,200
124	CBRN DEFENSE .....	2,317	2,000
	Realignment of EDI APS Unit Set from OCO to Base .....		[-317]
	<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>		
129	GRND STANDOFF MINE DETECT'N SYSM (GSTAMIDS) .....	16,000	16,000
130	AREA MINE DETECTION SYSTEM (AMDS) .....	1	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-1]
132	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS) .....	4,850	4,850
136	REMOTE DEMOLITION SYSTEMS .....	1	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-1]
	<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
139	HEATERS AND ECU'S .....	270	270
141	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) .....	4,300	4,300
142	GROUND SOLDIER SYSTEM .....	1,725	1,725
144	FORCE PROVIDER .....	55,800	55,800
145	FIELD FEEDING EQUIPMENT .....	1,035	1,035
146	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM .....	1,980	1,980
	<b>MEDICAL EQUIPMENT</b>		
151	COMBAT SUPPORT MEDICAL .....	17,527	17,527
	<b>MAINTENANCE EQUIPMENT</b>		
153	ITEMS LESS THAN \$5.0M (MAINT EQ) .....	268	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-268]
	<b>CONSTRUCTION EQUIPMENT</b>		
159	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) .....	25,700	25,700
	<b>GENERATORS</b>		
165	GENERATORS AND ASSOCIATED EQUIP .....	569	569
	<b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>		
174	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) .....	9,495	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-9,495]
	<b>OTHER SUPPORT EQUIPMENT</b>		
176	M25 STABILIZED BINOCULAR .....	33	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-33]
177	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT .....	18,000	18,000
178	PHYSICAL SECURITY SYSTEMS (OPA3) .....	6,000	6,000
179	BASE LEVEL COMMON EQUIPMENT .....	2,080	2,080
180	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3) .....	19,200	19,200
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>1,382,047</b>	<b>1,108,922</b>
	<b>AIRCRAFT PROCUREMENT, NAVY</b>		
	<b>OTHER AIRCRAFT</b>		
025	STUASL0 UAV .....	35,065	35,065
	<b>MODIFICATION OF AIRCRAFT</b>		
032	SH-60 SERIES .....	4,858	4,858
034	EP-3 SERIES .....	5,380	5,380
044	SPECIAL PROJECT AIRCRAFT .....	2,165	2,165
049	COMMON ECM EQUIPMENT .....	9,820	9,820
051	COMMON DEFENSIVE WEAPON SYSTEM .....	3,206	3,206
061	QRC .....	2,410	2,410
063	RQ-21 SERIES .....	17,215	17,215
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY</b> .....	<b>80,119</b>	<b>80,119</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>TACTICAL MISSILES</b>		
004	AMRAAM .....	1,183	1,183
005	SIDEWINDER .....	381	381
012	HELLFIRE .....	1,530	1,530
015	AERIAL TARGETS .....	6,500	6,500

**SEC. 7102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
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<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
	<b>GUNS AND GUN MOUNTS</b>		
035	SMALL ARMS AND WEAPONS .....	1,540	1,540
	<b>MODIFICATION OF GUNS AND GUN MOUNTS</b>		
038	GUN MOUNT MODS .....	3,000	3,000
	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....	<b>14,134</b>	<b>14,134</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
001	GENERAL PURPOSE BOMBS .....	62,530	62,530
002	JDAM .....	93,019	93,019
003	AIRBORNE ROCKETS, ALL TYPES .....	2,163	2,163
004	MACHINE GUN AMMUNITION .....	5,000	5,000
006	CARTRIDGES & CART ACTUATED DEVICES .....	5,334	5,334
007	AIR EXPENDABLE COUNTERMEASURES .....	36,580	36,580
008	JATOS .....	747	747
011	OTHER SHIP GUN AMMUNITION .....	2,538	2,538
013	PYROTECHNIC AND DEMOLITION .....	1,807	1,807
015	AMMUNITION LESS THAN \$5 MILLION .....	2,229	2,229
	<b>MARINE CORPS AMMUNITION</b>		
019	MORTARS .....	2,018	2,018
021	DIRECT SUPPORT MUNITIONS .....	632	632
022	INFANTRY WEAPONS AMMUNITION .....	779	779
026	COMBAT SUPPORT MUNITIONS .....	164	164
029	ARTILLERY MUNITIONS .....	31,001	31,001
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....	<b>246,541</b>	<b>246,541</b>
	<b>OTHER PROCUREMENT, NAVY</b>		
	<b>OTHER SHIPBOARD EQUIPMENT</b>		
021	UNDERWATER EOD PROGRAMS .....	9,200	9,200
	<b>SMALL BOATS</b>		
028	STANDARD BOATS .....	19,060	19,060
	<b>ASW ELECTRONIC EQUIPMENT</b>		
043	FIXED SURVEILLANCE SYSTEM .....	56,950	56,950
	<b>SATELLITE COMMUNICATIONS</b>		
077	SATELLITE COMMUNICATIONS SYSTEMS .....	3,200	3,200
	<b>CRYPTOLOGIC EQUIPMENT</b>		
082	CRYPTOLOGIC COMMUNICATIONS EQUIP .....	2,000	2,000
	<b>SONOBUOYS</b>		
088	SONOBUOYS—ALL TYPES .....	21,156	21,156
	<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>		
104	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	33,580	33,580
	<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>		
108	PASSENGER CARRYING VEHICLES .....	170	170
109	GENERAL PURPOSE TRUCKS .....	400	400
111	FIRE FIGHTING EQUIPMENT .....	770	770
112	TACTICAL VEHICLES .....	7,298	7,298
	<b>SUPPLY SUPPORT EQUIPMENT</b>		
118	FIRST DESTINATION TRANSPORTATION .....	500	500
	<b>COMMAND SUPPORT EQUIPMENT</b>		
123	MEDICAL SUPPORT EQUIPMENT .....	6,500	6,500
128	ENVIRONMENTAL SUPPORT EQUIPMENT .....	2,200	2,200
129	PHYSICAL SECURITY EQUIPMENT .....	19,389	19,389
	<b>CLASSIFIED PROGRAMS</b>		
133A	CLASSIFIED PROGRAMS .....	4,800	4,800
	<b>TOTAL OTHER PROCUREMENT, NAVY</b> .....	<b>187,173</b>	<b>187,173</b>
	<b>PROCUREMENT, MARINE CORPS</b>		
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
022	FIRE SUPPORT SYSTEM .....	5,583	5,583
	<b>TACTICAL VEHICLES</b>		
037	MOTOR TRANSPORT MODIFICATIONS .....	44,440	44,440
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
045	EOD SYSTEMS .....	8,000	8,000
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....	<b>58,023</b>	<b>58,023</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>OTHER AIRLIFT</b>		
007	HC-130J .....	100,000	100,000
	<b>OTHER AIRCRAFT</b>		
018	MQ-9 .....	339,740	147,040
	Excess attrition aircraft .....		[-192,700]
019	RQ-20B PUMA .....	13,500	13,500
	<b>STRATEGIC AIRCRAFT</b>		
021	B-1B .....	4,000	4,000
023	LARGE AIRCRAFT INFRARED COUNTERMEASURES .....	149,778	149,778
	<b>TACTICAL AIRCRAFT</b>		
024	A-10 .....	10,350	10,350
	<b>OTHER AIRCRAFT</b>		

**SEC. 7102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
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<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
047	U-2 MODS .....	7,900	7,900
056	COMPASS CALL MODS .....	36,400	36,400
061	E-8 .....	13,000	13,000
065	H-60 .....	40,560	40,560
067	HC/MC-130 MODIFICATIONS .....	87,900	87,900
068	OTHER AIRCRAFT .....	53,731	53,731
070	MQ-9 UAS PAYLOADS .....	16,000	16,000
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
072	INITIAL SPARES/REPAIR PARTS .....	91,500	91,500
	<b>COMMON SUPPORT EQUIPMENT</b>		
073	AIRCRAFT REPLACEMENT SUPPORT EQUIP .....	32,529	32,529
074	OTHER PRODUCTION CHARGES .....	22,000	22,000
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE .....</b>	<b>1,018,888</b>	<b>826,188</b>
	<b>MISSILE PROCUREMENT, AIR FORCE</b>		
	<b>TACTICAL</b>		
002	JOINT AIR-SURFACE STANDOFF MISSILE .....	61,600	61,600
005	AMRAAM .....	2,600	2,600
006	PREDATOR HELLFIRE MISSILE .....	255,000	255,000
007	SMALL DIAMETER BOMB .....	140,724	140,724
	<b>CLASS IV</b>		
013	AGM-65D MAVERICK .....	33,602	33,602
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE .....</b>	<b>493,526</b>	<b>493,526</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>CARTRIDGES</b>		
002	CARTRIDGES .....	29,587	29,587
	<b>BOMBS</b>		
004	GENERAL PURPOSE BOMBS .....	551,862	551,862
006	JOINT DIRECT ATTACK MUNITION .....	738,451	738,451
	<b>FLARES</b>		
015	FLARES .....	12,116	12,116
	<b>FUZES</b>		
016	FUZES .....	81,000	81,000
	<b>SMALL ARMS</b>		
017	SMALL ARMS .....	8,500	8,500
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE .....</b>	<b>1,421,516</b>	<b>1,421,516</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>		
	<b>PASSENGER CARRYING VEHICLES</b>		
001	PASSENGER CARRYING VEHICLES .....	9,680	9,680
	<b>CARGO AND UTILITY VEHICLES</b>		
002	MEDIUM TACTICAL VEHICLE .....	9,680	9,680
004	CARGO AND UTILITY VEHICLES .....	19,680	19,680
	<b>SPECIAL PURPOSE VEHICLES</b>		
006	SECURITY AND TACTICAL VEHICLES .....	24,880	24,880
007	SPECIAL PURPOSE VEHICLES .....	34,680	34,680
	<b>FIRE FIGHTING EQUIPMENT</b>		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES .....	9,736	9,736
	<b>MATERIALS HANDLING EQUIPMENT</b>		
009	MATERIALS HANDLING VEHICLES .....	24,680	24,680
	<b>BASE MAINTENANCE SUPPORT</b>		
010	RUNWAY SNOW REMOV AND CLEANING EQU .....	9,680	9,680
011	BASE MAINTENANCE SUPPORT VEHICLES .....	9,680	9,680
	<b>INTELLIGENCE PROGRAMS</b>		
015	INTELLIGENCE COMM EQUIPMENT .....	6,156	6,156
	<b>ELECTRONICS PROGRAMS</b>		
016	AIR TRAFFIC CONTROL & LANDING SYS .....	56,884	56,884
	<b>SPCL COMM-ELECTRONICS PROJECTS</b>		
029	AIR FORCE PHYSICAL SECURITY SYSTEM .....	46,236	46,236
037	THEATER BATTLE MGT C2 SYSTEM .....	2,500	2,500
	<b>ORGANIZATION AND BASE</b>		
045	TACTICAL C-E EQUIPMENT .....	27,911	27,911
	<b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>		
051	PERSONAL SAFETY AND RESCUE EQUIPMENT .....	13,600	13,600
	<b>BASE SUPPORT EQUIPMENT</b>		
053	BASE PROCURED EQUIPMENT .....	28,800	28,800
054	ENGINEERING AND EOD EQUIPMENT .....	53,500	53,500
055	MOBILITY EQUIPMENT .....	78,562	78,562
056	BASE MAINTENANCE AND SUPPORT EQUIPMENT .....	28,055	28,055
	<b>SPECIAL SUPPORT PROJECTS</b>		
059	DCGS-AF .....	2,000	2,000
	<b>CLASSIFIED PROGRAMS</b>		
062	CLASSIFIED PROGRAMS .....	3,229,364	3,229,364
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE .....</b>	<b>3,725,944</b>	<b>3,725,944</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>		
	<b>MAJOR EQUIPMENT, DISA</b>		

SEC. 7102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2019 Request	House Authorized
008	TELEPORT PROGRAM .....	3,800	3,800
017	DEFENSE INFORMATION SYSTEMS NETWORK .....	12,000	12,000
	<b>MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY</b>		
025	COUNTER IED & IMPROVISED THREAT TECHNOLOGIES .....	5,534	5,534
	<b>CLASSIFIED PROGRAMS</b>		
046A	CLASSIFIED PROGRAMS .....	41,559	41,559
	<b>AVIATION PROGRAMS</b>		
047	MANNED ISR .....	5,000	5,000
048	MC-12 .....	5,000	5,000
049	MH-60 BLACKHAWK .....	27,600	27,600
051	UNMANNED ISR .....	17,000	17,000
052	NON-STANDARD AVIATION .....	13,000	13,000
053	U-28 .....	51,722	51,722
054	MH-47 CHINOOK .....	36,500	36,500
	<b>AMMUNITION PROGRAMS</b>		
061	ORDNANCE ITEMS <\$5M .....	100,850	100,850
	<b>OTHER PROCUREMENT PROGRAMS</b>		
062	INTELLIGENCE SYSTEMS .....	16,500	16,500
064	OTHER ITEMS <\$5M .....	7,700	7,700
067	TACTICAL VEHICLES .....	59,891	59,891
068	WARRIOR SYSTEMS <\$5M .....	21,135	21,135
069	COMBAT MISSION REQUIREMENTS .....	10,000	10,000
071	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	10,805	10,805
073	OPERATIONAL ENHANCEMENTS .....	126,539	126,539
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE .....</b>	<b>572,135</b>	<b>572,135</b>
	<b>NATIONAL GUARD AND RESERVE EQUIPMENT UNDISTRIBUTED</b>		
007	UNDISTRIBUTED .....		150,000
	Program increase .....		[150,000]
	<b>TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT .....</b>		<b>150,000</b>
	<b>TOTAL PROCUREMENT .....</b>	<b>12,782,468</b>	<b>10,458,253</b>

1 **TITLE LXXII—RESEARCH, DE-**  
 2 **VELOPMENT, TEST, AND**  
 3 **EVALUATION**  
 4 **SEC. 7201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
 5 **TION.**

SEC. 7201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2019 Request	House Authorized
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>		
		<b>BASIC RESEARCH</b>		
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....	11,585	11,585
002	0601102A	DEFENSE RESEARCH SCIENCES .....	276,912	276,912
003	0601103A	UNIVERSITY RESEARCH INITIATIVES .....	65,283	65,283
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS .....	92,115	92,115
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>445,895</b>	<b>445,895</b>
		<b>APPLIED RESEARCH</b>		
005	0602105A	MATERIALS TECHNOLOGY .....	28,600	29,600
		Conformal batteries and composite armor .....		[1,000]
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY .....	32,366	36,366
		Expand Army Research lab Open Campus project .....		[4,000]
007	0602122A	TRACTOR HIP .....	8,674	8,674
008	0602126A	TRACTOR JACK .....	400	400
009	0602211A	AVIATION TECHNOLOGY .....	64,847	64,847
010	0602270A	ELECTRONIC WARFARE TECHNOLOGY .....	25,571	25,571
011	0602303A	MISSILE TECHNOLOGY .....	50,183	50,183
012	0602307A	ADVANCED WEAPONS TECHNOLOGY .....	29,502	29,502
013	0602308A	ADVANCED CONCEPTS AND SIMULATION .....	28,500	28,500
014	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY .....	70,450	70,450
015	0602618A	BALLISTICS TECHNOLOGY .....	75,541	75,541

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Line	Program Element	Item	FY 2019 Request	House Authorized
016	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY.	5,032	5,032
017	0602623A	JOINT SERVICE SMALL ARMS PROGRAM .....	12,394	12,394
018	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY .....	40,444	50,444
		Accelerate Army railgun development and prototyping .....		[10,000]
019	0602705A	ELECTRONICS AND ELECTRONIC DEVICES .....	58,283	58,283
020	0602709A	NIGHT VISION TECHNOLOGY .....	29,582	29,582
021	0602712A	COUNTERMINE SYSTEMS .....	21,244	21,244
022	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY .....	24,131	24,131
023	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY .....	13,242	13,242
024	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY .....	55,003	55,003
025	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY .....	14,958	14,958
026	0602784A	MILITARY ENGINEERING TECHNOLOGY .....	78,159	78,159
027	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY .....	21,862	21,862
028	0602786A	WARFIGHTER TECHNOLOGY .....	40,566	45,566
		Program increase .....		[5,000]
029	0602787A	MEDICAL TECHNOLOGY .....	90,075	90,075
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>919,609</b>	<b>939,609</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
030	0603001A	WARFIGHTER ADVANCED TECHNOLOGY .....	39,338	39,338
031	0603002A	MEDICAL ADVANCED TECHNOLOGY .....	62,496	62,496
032	0603003A	AVIATION ADVANCED TECHNOLOGY .....	124,958	124,958
033	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY .....	102,686	102,686
034	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY.	119,739	119,739
035	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY .....	13,000	13,000
036	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	8,044	8,044
037	0603009A	TRACTOR HIKE .....	22,631	22,631
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS .....	25,682	25,682
040	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT .....	3,762	3,762
041	0603130A	TRACTOR NAIL .....	4,896	4,896
042	0603131A	TRACTOR EGGS .....	6,041	6,041
043	0603270A	ELECTRONIC WARFARE TECHNOLOGY .....	31,491	31,491
044	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY .....	61,132	71,132
		Shoot-on-the-Move Technology Development for SHORAD platforms.		[10,000]
045	0603322A	TRACTOR CAGE .....	16,845	16,845
046	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	183,322	188,322
		Enhance and accelerate Army artificial intelligence and machine learning.		[5,000]
047	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY.	11,104	11,104
048	0603607A	JOINT SERVICE SMALL ARMS PROGRAM .....	5,885	5,885
049	0603710A	NIGHT VISION ADVANCED TECHNOLOGY .....	61,376	58,876
		Program decrease .....		[-2,500]
050	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS.	9,136	9,136
051	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY .....	25,864	25,864
052	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY.	34,883	39,883
		Program increase .....		[5,000]
053	0603794A	C3 ADVANCED TECHNOLOGY .....	52,387	49,887
		Program decrease .....		[-2,500]
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.</b>	<b>1,026,698</b>	<b>1,041,698</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION .....	10,777	10,777
056	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING .....	42,802	43,802
		Realignment of EDI APS Unit Set from OCO to Base .....		[1,000]
057	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV .....	45,254	45,254
058	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV.	22,700	22,700
059	0603639A	TANK AND MEDIUM CALIBER AMMUNITION .....	41,974	55,974
		Army UFR: test and evaluation of the M999 155mm Anti-Personnel Improved Conventional Munition.		[14,000]
060	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV .....	119,395	119,395
061	0603747A	SOLDIER SUPPORT AND SURVIVABILITY .....	8,746	8,746
062	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	35,667	35,667
063	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT .....	7,350	7,350
064	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL .....	14,749	14,749
065	0603790A	NATO RESEARCH AND DEVELOPMENT .....	3,687	3,687
066	0603801A	AVIATION—ADV DEV .....	10,793	10,793
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV .....	14,248	14,248

SEC. 7201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	House Authorized
068	0603807A	MEDICAL SYSTEMS—ADV DEV .....	34,284	34,284
069	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT .....	18,044	28,044
		Advanced materials research for personal protective equipment (PPE).		[10,000]
070	0604017A	ROBOTICS DEVELOPMENT .....	95,660	95,660
071	0604020A	CROSS FUNCTIONAL TEAM (CFT) ADVANCED DEVELOPMENT & PROTOTYPING. Iron Dome short range air defense experimentation .....	38,000	68,000
				[30,000]
072	0604100A	ANALYSIS OF ALTERNATIVES .....	9,765	9,765
073	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS).	12,393	12,393
074	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR .....	120,374	120,374
075	0604115A	TECHNOLOGY MATURATION INITIATIVES .....	95,347	95,347
076	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD) .....	95,085	118,085
		Realignment of EDI APS Unit Set from OCO to Base .....		[23,000]
077	0604118A	TRACTOR BEAM .....	52,894	52,894
079	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING.	77,939	77,939
080	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2).	51,030	51,030
081	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT .....	65,817	65,817
082	1206120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT) .....	146,300	146,300
083	1206308A	ARMY SPACE SYSTEMS INTEGRATION .....	38,319	38,319
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>1,329,393</b>	<b>1,407,393</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
084	0604201A	AIRCRAFT AVIONICS .....	32,293	32,293
085	0604270A	ELECTRONIC WARFARE DEVELOPMENT .....	78,699	78,699
088	0604328A	TRACTOR CAGE .....	17,050	17,050
089	0604601A	INFANTRY SUPPORT WEAPONS .....	83,155	83,155
090	0604604A	MEDIUM TACTICAL VEHICLES .....	3,704	3,704
091	0604611A	JAVELIN .....	10,623	10,623
092	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES .....	11,950	11,950
093	0604633A	AIR TRAFFIC CONTROL .....	12,347	12,347
095	0604642A	LIGHT TACTICAL WHEELED VEHICLES .....	8,212	8,212
096	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV .....	393,613	393,613
097	0604710A	NIGHT VISION SYSTEMS—ENG DEV .....	139,614	139,614
098	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT .....	4,507	4,507
099	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV .....	49,436	49,436
100	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	95,172	95,172
101	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT .....	22,628	22,628
102	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT .....	13,297	13,297
103	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	9,145	9,145
104	0604768A	BRILLIANT ANTI-ARMOR SUBMUNITION (BAT) .....	9,894	9,894
105	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE .....	21,964	21,964
106	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION .....	49,288	49,288
107	0604802A	WEAPONS AND MUNITIONS—ENG DEV .....	183,100	183,100
108	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV .....	79,706	75,906
		Late MSV-L contract award and concurrency .....		[-3,800]
109	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	15,970	15,970
110	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	44,542	44,542
111	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV .....	50,817	50,817
112	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	178,693	178,693
113	0604820A	RADAR DEVELOPMENT .....	39,338	39,338
114	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	37,851	37,851
115	0604823A	FIREFINDER .....	45,473	45,473
116	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL .....	10,395	10,395
117	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD Program reduction .....	69,204	55,804
				[-13,400]
118	0604854A	ARTILLERY SYSTEMS—EMD .....	1,781	1,781
119	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT .....	113,758	113,758
120	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM—ARMY (IPPS-A)	166,603	166,603
121	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV) .....	118,239	118,239
122	0605029A	INTEGRATED GROUND SECURITY SURVEILLANCE RESPONSE CAPABILITY (IGSSR-C).	3,211	3,211
123	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC) .....	15,889	15,889
124	0605031A	JOINT TACTICAL NETWORK (JTN) .....	41,972	41,972
125	0605032A	TRACTOR TIRE .....	41,166	41,166
126	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E).	5,175	5,175
127	0605034A	TACTICAL SECURITY SYSTEM (TSS) .....	4,496	4,496
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	51,178	51,178

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Line	Program Element	Item	FY 2019 Request	House Authorized
129	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD) .....	11,311	11,311
131	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE .....	17,154	17,154
132	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT .....	36,626	36,626
133	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER) .....	3,829	3,829
134	0605047A	CONTRACT WRITING SYSTEM .....	41,928	41,928
135	0605049A	MISSILE WARNING SYSTEM MODERNIZATION (MWSM) .....	28,276	28,276
136	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT .....	21,965	21,965
137	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1 .....	157,710	157,710
138	0605053A	GROUND ROBOTICS .....	86,167	86,167
139	0605054A	EMERGING TECHNOLOGY INITIATIVES .....	42,866	68,266
		Army UFR: program increase .....		[25,400]
140	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS) .....	15,984	15,984
141	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	11,773	11,773
142	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD) ....	277,607	277,607
143	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP) .....	12,340	12,340
144	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH. ....	2,686	2,686
145	0605830A	AVIATION GROUND SUPPORT EQUIPMENT .....	2,706	2,706
147	0303032A	TROJAN—RH12 .....	4,521	4,521
150	0304270A	ELECTRONIC WARFARE DEVELOPMENT .....	8,922	8,922
151	1205117A	TRACTOR BEARS .....	23,170	23,170
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>3,192,689</b>	<b>3,200,889</b>
		<b>RDT&amp;E MANAGEMENT SUPPORT</b>		
152	0604256A	THREAT SIMULATOR DEVELOPMENT .....	12,835	12,835
153	0604258A	TARGET SYSTEMS DEVELOPMENT .....	12,135	12,135
154	0604759A	MAJOR T&E INVESTMENT .....	82,996	82,996
155	0605103A	RAND ARROYO CENTER .....	19,821	19,821
156	0605301A	ARMY KWAJALEIN ATOLL .....	246,574	246,574
157	0605326A	CONCEPTS EXPERIMENTATION PROGRAM .....	30,430	30,430
159	0605601A	ARMY TEST RANGES AND FACILITIES .....	305,759	305,759
160	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS .....	62,379	62,379
161	0605604A	SURVIVABILITY/LETHALITY ANALYSIS .....	40,496	40,496
162	0605606A	AIRCRAFT CERTIFICATION .....	3,941	3,941
163	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES .....	9,767	9,767
164	0605706A	MATERIEL SYSTEMS ANALYSIS .....	21,226	21,226
165	0605709A	EXPLOITATION OF FOREIGN ITEMS .....	13,026	13,026
166	0605712A	SUPPORT OF OPERATIONAL TESTING .....	52,718	52,718
167	0605716A	ARMY EVALUATION CENTER .....	57,049	57,049
168	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG ...	2,801	2,801
169	0605801A	PROGRAMWIDE ACTIVITIES .....	60,942	60,942
170	0605803A	TECHNICAL INFORMATION ACTIVITIES .....	29,050	29,050
171	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY. ....	42,332	42,332
172	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT .....	3,216	3,216
173	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA .....	54,145	54,145
174	0606001A	MILITARY GROUND-BASED CREW TECHNOLOGY .....	4,896	4,896
175	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE .....	63,011	63,011
176	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION .....	2,636	2,636
177	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES. ....	88,300	88,300
		<b>SUBTOTAL RDT&amp;E MANAGEMENT SUPPORT</b> .....	<b>1,322,481</b>	<b>1,322,481</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
181	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM .....	8,886	8,886
182	0603813A	TRACTOR PULL .....	4,067	4,067
183	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT .....	4,254	4,254
184	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS. ....	16,022	16,022
185	0607133A	TRACTOR SMOKE .....	4,577	4,577
186	0607134A	LONG RANGE PRECISION FIRES (LRPF) .....	186,475	186,475
187	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM .....	31,049	31,049
188	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM .....	35,240	35,240
189	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM .....	157,822	157,822
190	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM .....	4,189	4,189
191	0607139A	IMPROVED TURBINE ENGINE PROGRAM .....	192,637	192,637
194	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT. ....	60,860	60,860
195	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS .....	52,019	52,019
196	0607665A	FAMILY OF BIOMETRICS .....	2,400	2,400
197	0607865A	PATRIOT PRODUCT IMPROVEMENT .....	65,369	90,369
		Increase PATRIOT improvement efforts .....		[25,000]
198	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE .....	1	1
199	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs). ....	30,954	30,954
200	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS .....	411,927	411,927



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<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
202	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS .....	40,676	40,676
203	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS.	17,706	17,706
204	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	146	146
205	0203758A	DIGITIZATION .....	6,316	6,316
206	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	1,643	3,643
		Realignment of EDI APS Unit Set from OCO to Base .....		[2,000]
207	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS .....	4,947	4,947
208	0203808A	TRACTOR CARD .....	34,050	34,050
210	0205410A	MATERIALS HANDLING EQUIPMENT .....	1,464	1,464
211	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	249	249
212	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM ...	79,283	79,283
213	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS) .....	154,102	154,102
216	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES .....	12,280	12,280
217	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM .....	68,533	68,533
218	0303141A	GLOBAL COMBAT SUPPORT SYSTEM .....	68,619	68,619
220	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM .....	2,034	2,034
223	0305172A	COMBINED ADVANCED APPLICATIONS .....	1,500	1,500
224	0305179A	INTEGRATED BROADCAST SERVICE (IBS) .....	450	450
225	0305204A	TACTICAL UNMANNED AERIAL VEHICLES .....	6,000	6,000
226	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS .....	12,416	26,416
		Realignment of EDI APS Unit Set from OCO to Base .....		[14,000]
227	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	38,667	38,667
229	0305232A	RQ-11 UAV .....	6,180	6,180
230	0305233A	RQ-7 UAV .....	12,863	12,863
231	0307663A	BIOMETRICS ENABLED INTELLIGENCE .....	4,310	4,310
233	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES .....	53,958	53,958
234	1203142A	SATCOM GROUND ENVIRONMENT (SPACE) .....	12,119	12,119
235	1208053A	JOINT TACTICAL GROUND SYSTEM .....	7,400	7,400
235A	999999999	CLASSIFIED PROGRAMS .....	5,955	5,955
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.</b>	<b>1,922,614</b>	<b>1,963,614</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY.</b>	<b>10,159,379</b>	<b>10,321,579</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>		
		<b>BASIC RESEARCH</b>		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES .....	119,433	129,433
		Defense University Research Instrumentation Program .....		[10,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....	19,237	19,237
003	0601153N	DEFENSE RESEARCH SCIENCES .....	458,708	458,708
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>597,378</b>	<b>607,378</b>
		<b>APPLIED RESEARCH</b>		
004	0602114N	POWER PROJECTION APPLIED RESEARCH .....	14,643	14,643
005	0602123N	FORCE PROTECTION APPLIED RESEARCH .....	124,049	124,049
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY .....	59,607	59,607
007	0602235N	COMMON PICTURE APPLIED RESEARCH .....	36,348	41,348
		Enhance and accelerate Navy artificial intelligence research .....		[5,000]
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH .....	56,197	56,197
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH .....	83,800	83,800
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	42,998	42,998
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH .....	6,349	6,349
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH .....	58,049	78,049
		Academic partnerships for undersea unmanned warfare research and energy technology.		[20,000]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH .....	147,771	147,771
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	37,545	61,045
		Program increase-one sensor plus integration .....		[23,500]
015	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH.	159,697	169,697
		Accelerate Navy railgun development and prototyping .....		[10,000]
016	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	64,418	64,418
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>891,471</b>	<b>949,971</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
019	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY .....	2,423	2,423
021	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) ...	150,245	150,245
022	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	13,313	13,313
023	0603671N	NAVY ADVANCED TECHNOLOGY DEVELOPMENT (ATD) .....	131,502	131,502
024	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	232,996	232,996
025	0603680N	MANUFACTURING TECHNOLOGY PROGRAM .....	58,657	58,657
030	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	161,859	181,859

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		Accelerate Navy railgun development and prototyping .....		[20,000]
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.</b>	<b>750,995</b>	<b>770,995</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
031	0603207N	AIR/OCEAN TACTICAL APPLICATIONS .....	29,747	29,747
032	0603216N	AVIATION SURVIVABILITY .....	7,050	7,050
033	0603251N	AIRCRAFT SYSTEMS .....	793	793
034	0603254N	ASW SYSTEMS DEVELOPMENT .....	7,058	12,058
		Prototyping fiber deployment sonobuoy systems .....		[5,000]
035	0603261N	TACTICAL AIRBORNE RECONNAISSANCE .....	3,540	3,540
036	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY .....	59,741	59,741
037	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.	62,727	62,727
038	0603506N	SURFACE SHIP TORPEDO DEFENSE .....	8,570	18,570
		Program increase .....		[10,000]
039	0603512N	CARRIER SYSTEMS DEVELOPMENT .....	5,440	5,440
040	0603525N	PILOT FISH .....	162,222	162,222
041	0603527N	RETRACT LARCH .....	11,745	11,745
042	0603536N	RETRACT JUNIPER .....	114,265	114,265
043	0603542N	RADIOLOGICAL CONTROL .....	740	740
044	0603553N	SURFACE ASW .....	1,122	1,122
045	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT .....	109,086	89,086
		Excessive cost growth .....		[-7,000]
		Prior year inefficiencies impact .....		[-13,000]
046	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS .....	9,374	9,374
047	0603563N	SHIP CONCEPT ADVANCED DESIGN .....	89,419	89,419
048	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES .....	13,348	13,348
049	0603570N	ADVANCED NUCLEAR POWER SYSTEMS .....	256,137	256,137
050	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS .....	22,109	22,109
051	0603576N	CHALK EAGLE .....	29,744	29,744
052	0603581N	LITTORAL COMBAT SHIP (LCS) .....	27,997	27,997
053	0603582N	COMBAT SYSTEM INTEGRATION .....	16,351	16,351
054	0603595N	OHIO REPLACEMENT .....	514,846	526,846
		Advanced Submarines Control and Precision Propulsion Module Integration.		[12,000]
055	0603596N	LCS MISSION MODULES .....	103,633	103,633
056	0603597N	AUTOMATED TEST AND ANALYSIS .....	7,931	7,931
057	0603599N	FRIGATE DEVELOPMENT .....	134,772	134,772
058	0603609N	CONVENTIONAL MUNITIONS .....	9,307	9,307
060	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM .....	1,828	1,828
061	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	43,148	43,148
062	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT .....	5,915	5,915
063	0603721N	ENVIRONMENTAL PROTECTION .....	19,811	24,811
		High-Pressure Waterjet Explosive Ordnance Disposal Technology development.		[5,000]
064	0603724N	NAVY ENERGY PROGRAM .....	25,656	25,656
065	0603725N	FACILITIES IMPROVEMENT .....	5,301	5,301
066	0603734N	CHALK CORAL .....	267,985	267,985
067	0603739N	NAVY LOGISTIC PRODUCTIVITY .....	4,059	4,059
068	0603746N	RETRACT MAPLE .....	377,878	377,878
069	0603748N	LINK PLUMERIA .....	381,770	381,770
070	0603751N	RETRACT ELM .....	60,535	60,535
073	0603790N	NATO RESEARCH AND DEVELOPMENT .....	9,652	9,652
074	0603795N	LAND ATTACK TECHNOLOGY .....	15,529	15,529
075	0603851M	JOINT NON-LETHAL WEAPONS TESTING .....	27,581	32,581
		Joint service adoption of non-lethal weapon technologies .....		[5,000]
076	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL.	101,566	101,566
077	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS .....	223,344	171,344
		Program decrease .....		[-52,000]
078	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST) .....	108,700	108,700
079	0604027N	DIGITAL WARFARE OFFICE .....	26,691	26,691
080	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES .....	16,717	16,717
081	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES .....	30,187	30,187
082	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION..	48,796	48,796
083	0604031N	LARGE UNMANNED UNDERSEA VEHICLES .....	92,613	71,413
		Excessive Snakehead LDUUV growth .....		[-21,200]
084	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	58,121	73,121
		EMALS software support activity .....		[15,000]
086	0604126N	LITTORAL AIRBORNE MCM .....	17,622	17,622
087	0604127N	SURFACE MINE COUNTERMEASURES .....	18,154	18,154
088	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM).	47,278	47,278
090	0604289M	NEXT GENERATION LOGISTICS .....	11,081	11,081

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092	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE .....	7,107	7,107
093	0604454N	LX (R) .....	5,549	5,549
094	0604536N	ADVANCED UNDERSEA PROTOTYPING .....	87,669	87,669
095	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM .....	132,818	132,818
096	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ ENGINEERING SUPPORT.	7,230	7,230
097	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOP- MENT.	143,062	143,062
099	0303354N	ASW SYSTEMS DEVELOPMENT—MIP .....	8,889	8,889
100	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM .....	25,291	10,341
		Unjustified cost growth .....		[-14,950]
101	0304240N	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM .....	9,300	9,300
102	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP .....	466	466
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOP- MENT &amp; PROTOTYPES.</b>	<b>4,293,713</b>	<b>4,237,563</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
103	0603208N	TRAINING SYSTEM AIRCRAFT .....	12,798	13,798
		TH-57 follow-on training system development .....		[1,000]
104	0604212N	OTHER HELO DEVELOPMENT .....	32,128	32,128
105	0604214M	AV-8B AIRCRAFT—ENG DEV .....	46,363	46,363
107	0604215N	STANDARDS DEVELOPMENT .....	3,771	3,771
108	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT .....	16,611	16,611
109	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING .....	17,368	17,368
110	0604221N	P-3 MODERNIZATION PROGRAM .....	2,134	2,134
111	0604230N	WARFARE SUPPORT SYSTEM .....	9,729	9,729
112	0604231N	TACTICAL COMMAND SYSTEM .....	57,688	57,688
113	0604234N	ADVANCED HAWKEYE .....	223,565	215,565
		Forward financed in the FY18 Omnibus .....		[-10,000]
		Program increase--IFF range improvement .....		[2,000]
114	0604245M	H-1 UPGRADES .....	58,097	58,097
116	0604261N	ACOUSTIC SEARCH SENSORS .....	42,485	42,485
117	0604262N	V-22A .....	143,079	143,079
118	0604264N	AIR CREW SYSTEMS DEVELOPMENT .....	20,980	20,980
119	0604269N	EA-18 .....	147,419	147,419
120	0604270N	ELECTRONIC WARFARE DEVELOPMENT .....	89,824	121,424
		Navy UFR: EA-18G offensive airborne electronic attack special mission pods.		[31,600]
121	0604273M	EXECUTIVE HELO DEVELOPMENT .....	245,064	245,064
123	0604274N	NEXT GENERATION JAMMER (NGJ) .....	459,529	459,529
124	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY) .....	3,272	3,272
125	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II .....	115,253	115,253
126	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING .....	397,403	377,403
		ACB 20 unexecutable growth .....		[-20,000]
127	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION .....	939	939
128	0604329N	SMALL DIAMETER BOMB (SDB) .....	104,448	104,448
129	0604366N	STANDARD MISSILE IMPROVEMENTS .....	165,881	180,881
		XFU electronics unit integration .....		[15,000]
130	0604373N	AIRBORNE MCM .....	10,831	10,831
131	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYS- TEMS ENGINEERING.	33,429	26,529
		Excess overhead .....		[-6,900]
132	0604501N	ADVANCED ABOVE WATER SENSORS .....	35,635	35,635
133	0604503N	SSN-688 AND TRIDENT MODERNIZATION .....	126,932	126,932
134	0604504N	AIR CONTROL .....	62,448	62,448
135	0604512N	SHIPBOARD AVIATION SYSTEMS .....	9,710	9,710
136	0604518N	COMBAT INFORMATION CENTER CONVERSION .....	19,303	19,303
137	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM .....	27,059	27,059
138	0604530N	ADVANCED ARRESTING GEAR (AAG) .....	184,106	184,106
139	0604558N	NEW DESIGN SSN .....	148,233	126,833
		Excess cost growth .....		[-21,400]
140	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM .....	60,824	60,824
141	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E .....	60,062	60,062
142	0604574N	NAVY TACTICAL COMPUTER RESOURCES .....	4,642	4,642
144	0604601N	MINE DEVELOPMENT .....	25,756	25,756
145	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT .....	95,147	95,147
146	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	7,107	7,107
147	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FAC- TORS.	6,539	6,539
148	0604727N	JOINT STANDOFF WEAPON SYSTEMS .....	441	441
149	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL) .....	180,391	180,391
150	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL) .....	178,538	178,538
151	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) .....	120,507	120,507
152	0604761N	INTELLIGENCE ENGINEERING .....	29,715	29,715
153	0604771N	MEDICAL DEVELOPMENT .....	8,095	8,095
154	0604777N	NAVIGATION/ID SYSTEM .....	121,026	121,026
155	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD .....	66,566	66,566
156	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD .....	65,494	65,494

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159	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT .....	14,005	14,005
160	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT .....	268,567	268,567
161	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT .....	5,618	5,618
162	0605212M	CH-53K RDTE .....	326,945	326,945
164	0605215N	MISSION PLANNING .....	32,714	32,714
165	0605217N	COMMON AVIONICS .....	51,486	51,486
166	0605220N	SHIP TO SHORE CONNECTOR (SSC) .....	1,444	1,444
167	0605327N	T-AO 205 CLASS .....	1,298	1,298
168	0605414N	UNMANNED CARRIER AVIATION (UCA) .....	718,942	602,042
		Insufficient Air Vehicle budget justification .....		[-116,900]
169	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	6,759	11,759
		JAGM-F for USN and USMC .....		[5,000]
171	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA) .....	37,296	37,296
172	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III .....	160,389	160,389
173	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	98,223	98,223
174	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,260	2,260
175	0204202N	DDG-1000 .....	161,264	161,264
180	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS .....	44,098	44,098
182	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT .....	6,808	6,808
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>6,042,480</b>	<b>5,921,880</b>
		<b>MANAGEMENT SUPPORT</b>		
183	0604256N	THREAT SIMULATOR DEVELOPMENT .....	94,576	94,576
184	0604258N	TARGET SYSTEMS DEVELOPMENT .....	10,981	10,981
185	0604759N	MAJOR T&E INVESTMENT .....	77,014	83,014
		Program increase .....		[6,000]
186	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION.	48	48
187	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY .....	3,942	3,942
188	0605154N	CENTER FOR NAVAL ANALYSES .....	48,797	48,797
189	0605285N	NEXT GENERATION FIGHTER .....	5,000	5,000
191	0605804N	TECHNICAL INFORMATION SERVICES .....	1,029	1,029
192	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT ....	87,565	87,565
193	0605856N	STRATEGIC TECHNICAL SUPPORT .....	4,231	4,231
194	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT .....	1,072	1,072
195	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT .....	97,471	97,471
196	0605864N	TEST AND EVALUATION SUPPORT .....	373,834	373,834
197	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY .....	21,554	21,554
198	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	16,227	16,227
200	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT .....	24,303	24,303
201	0605898N	MANAGEMENT HQ—R&D .....	43,262	43,262
202	0606355N	WARFARE INNOVATION MANAGEMENT .....	41,918	41,918
203	0606942M	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	7,000	7,000
204	0606942N	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	48,800	48,800
205	0305327N	INSIDER THREAT .....	1,682	1,682
206	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	1,579	1,579
208	1206867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT .....	8,684	8,684
		<b>SUBTOTAL MANAGEMENT SUPPORT</b> .....	<b>1,020,569</b>	<b>1,026,569</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
210	0604227N	HARPOON MODIFICATIONS .....	5,426	5,426
211	0604840M	F-35 C2D2 .....	259,122	259,122
212	0604840N	F-35 C2D2 .....	252,360	252,360
213	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC) .....	130,515	119,315
		Excess cost growth .....		[-11,200]
214	0607700N	DEPLOYABLE JOINT COMMAND AND CONTROL .....	3,127	3,127
215	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT .....	157,679	166,679
		Project 2228, technical applications, systems engineering modeling and simulation capability and tool development.		[9,000]
216	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM .....	43,198	39,198
		Excess program growth .....		[-4,000]
217	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT .....	11,311	11,311
218	0101402N	NAVY STRATEGIC COMMUNICATIONS .....	39,313	39,313
219	0204136N	F/A-18 SQUADRONS .....	193,086	200,586
		Engine noise reduction engineering .....		[2,500]
		JAGM-F for USN and USMC .....		[5,000]
220	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL) .....	25,014	25,014
221	0204228N	SURFACE SUPPORT .....	11,661	11,661
222	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPIC).	282,395	282,395
223	0204311N	INTEGRATED SURVEILLANCE SYSTEM .....	36,959	36,959
224	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS .....	15,454	15,454

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225	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	6,073	6,073
226	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....	45,029	45,029
227	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT .....	104,903	104,903
228	0204574N	CRYPTOLOGIC DIRECT SUPPORT .....	4,544	4,544
229	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT .....	66,889	66,889
230	0205601N	HARM IMPROVEMENT .....	120,762	120,762
231	0205604N	TACTICAL DATA LINKS .....	104,696	104,696
232	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION .....	28,421	28,421
233	0205632N	MK-48 ADCAP .....	94,155	68,555
		Excessive TI-1 cost growth .....		[-25,600]
234	0205633N	AVIATION IMPROVEMENTS .....	121,805	136,805
		Navy UFR: F/A-18E/F Super Hornet engine enhancements .....		[15,000]
235	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS .....	117,028	117,028
236	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS .....	174,779	174,779
237	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S).	4,826	4,826
238	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	97,152	97,152
239	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT .....	30,156	30,156
240	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP).	39,976	39,976
241	0206629M	AMPHIBIOUS ASSAULT VEHICLE .....	22,637	22,637
242	0207161N	TACTICAL AIM MISSILES .....	40,121	40,121
243	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	32,473	32,473
249	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES).	23,697	23,697
250	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM .....	44,228	44,228
252	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES .....	6,081	6,081
253	0305204N	TACTICAL UNMANNED AERIAL VEHICLES .....	8,529	8,529
254	0305205N	UAS INTEGRATION AND INTEROPERABILITY .....	41,212	41,212
255	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	7,687	7,687
256	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	42,846	42,846
257	0305220N	MQ-4C TRITON .....	14,395	14,395
258	0305231N	MQ-8 UAV .....	9,843	9,843
259	0305232M	RQ-11 UAV .....	524	524
260	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO) .....	5,360	5,360
261	0305239M	RQ-21A .....	10,914	10,914
262	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT .....	81,231	81,231
263	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP) .....	5,956	5,956
264	0305421N	RQ-4 MODERNIZATION .....	219,894	216,894
		Program decrease .....		[-3,000]
265	0308601N	MODELING AND SIMULATION SUPPORT .....	7,097	7,097
266	0702207N	DEPOT MAINTENANCE (NON-IF) .....	36,560	36,560
267	0708730N	MARITIME TECHNOLOGY (MARITECH) .....	7,284	7,284
268	1203109N	SATELLITE COMMUNICATIONS (SPACE) .....	39,174	39,174
268A	999999999	CLASSIFIED PROGRAMS .....	1,549,503	1,549,503
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.</b>	<b>4,885,060</b>	<b>4,872,760</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY.</b>	<b>18,481,666</b>	<b>18,387,116</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b>		
		<b>BASIC RESEARCH</b>		
001	0601102F	DEFENSE RESEARCH SCIENCES .....	348,322	348,322
002	0601103F	UNIVERSITY RESEARCH INITIATIVES .....	154,991	154,991
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES .....	14,506	14,506
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>517,819</b>	<b>517,819</b>
		<b>APPLIED RESEARCH</b>		
004	0602102F	MATERIALS .....	125,373	144,373
		Additional facility engineering research and development .....		[3,000]
		Structural Biology Techniques .....		[3,000]
		Sub-atomic particle research .....		[3,000]
		Thermal protecting systems for hypersonics .....		[10,000]
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES .....	130,547	140,547
		Hypersonic vehicle structures .....		[10,000]
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH .....	112,518	112,518
007	0602203F	AEROSPACE PROPULSION .....	190,919	195,919
		Program increase .....		[5,000]
008	0602204F	AEROSPACE SENSORS .....	166,534	166,534
009	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES.	8,288	8,288
011	0602602F	CONVENTIONAL MUNITIONS .....	112,841	112,841
012	0602605F	DIRECTED ENERGY TECHNOLOGY .....	141,898	141,898
013	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS .....	162,420	172,420
		Enhance and accelerate Air Force artificial intelligence research ...		[10,000]

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014	0602890F	HIGH ENERGY LASER RESEARCH .....	43,359	43,359
015	1206601F	SPACE TECHNOLOGY .....	117,645	117,645
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>1,312,342</b>	<b>1,356,342</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
016	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS .....	34,426	44,426
		Metals Affordability Initiative .....		[10,000]
017	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) .....	15,150	20,150
		Air Force artificial intelligence research and non-operational support activities.		[5,000]
018	0603203F	ADVANCED AEROSPACE SENSORS .....	39,968	39,968
019	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO .....	121,002	121,002
020	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY .....	115,462	125,462
		Laser power system enhancement .....		[10,000]
021	0603270F	ELECTRONIC COMBAT TECHNOLOGY .....	55,319	55,319
022	0603401F	ADVANCED SPACECRAFT TECHNOLOGY .....	54,895	54,895
023	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS) .....	10,674	10,674
024	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.	36,463	46,463
		Autonomous life support system development .....		[10,000]
025	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY .....	194,981	194,981
026	0603605F	ADVANCED WEAPONS TECHNOLOGY .....	43,368	43,368
027	0603680F	MANUFACTURING TECHNOLOGY PROGRAM .....	42,025	47,025
		Academic and industrial partnerships for aerospace materials .....		[5,000]
028	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	51,064	64,364
		Additional facility engineering research and development .....		[8,300]
		Enhance and accelerate Air Force artificial intelligence research ...		[5,000]
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.</b>	<b>814,797</b>	<b>868,097</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
030	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT .....	5,568	5,568
032	0603742F	COMBAT IDENTIFICATION TECHNOLOGY .....	18,194	18,194
033	0603790F	NATO RESEARCH AND DEVELOPMENT .....	2,305	2,305
035	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL .....	41,856	41,856
037	0604015F	LONG RANGE STRIKE—BOMBER .....	2,314,196	2,314,196
038	0604201F	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT .....	14,894	14,894
039	0604257F	ADVANCED TECHNOLOGY AND SENSORS .....	34,585	34,585
040	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP .....	9,740	9,740
041	0604317F	TECHNOLOGY TRANSFER .....	12,960	12,960
042	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	71,501	71,501
043	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS .....	62,618	62,618
046	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D .....	28,350	28,350
048	0604858F	TECH TRANSITION PROGRAM .....	1,186,075	1,201,075
		Competitively Awarded Transition Programs .....		[5,000]
		Non-engine development technology .....		[10,000]
049	0605230F	GROUND BASED STRATEGIC DETERRENT .....	345,041	414,441
		Accelerated execution of program .....		[69,400]
050	0207110F	NEXT GENERATION AIR DOMINANCE .....	503,997	413,997
		Ahead of need .....		[-90,000]
051	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR) .....	40,326	40,326
052	0208099F	UNIFIED PLATFORM (UP) .....	29,800	29,800
054	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA) .....	41,880	41,880
055	0305601F	MISSION PARTNER ENVIRONMENTS .....	10,074	10,074
056	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT .....	253,825	253,825
057	0306415F	ENABLED CYBER ACTIVITIES .....	16,325	16,325
059	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM .....	17,577	17,577
060	1203164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	286,629	286,629
061	1203710F	EO/IR WEATHER SYSTEMS .....	7,940	7,940
062	1206422F	WEATHER SYSTEM FOLLOW-ON .....	138,052	148,052
		Commercial weather data pilot .....		[10,000]
063	1206425F	SPACE SITUATION AWARENESS SYSTEMS .....	39,338	39,338
064	1206434F	MIDTERM POLAR MILSATCOM SYSTEM .....	383,113	383,113
065	1206438F	SPACE CONTROL TECHNOLOGY .....	91,018	106,018
		NTS-3 Payload .....		[15,000]
066	1206730F	SPACE SECURITY AND DEFENSE PROGRAM .....	45,542	49,542
		Allied launch services .....		[4,000]
067	1206760F	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES) .....	51,419	51,419
068	1206761F	PROTECTED TACTICAL SERVICE (PTS) .....	29,776	29,776
069	1206855F	PROTECTED SATCOM SERVICES (PSCS)—AGGREGATED .....	29,379	29,379
070	1206857F	OPERATIONALLY RESPONSIVE SPACE .....	366,050	247,050
		Space RCO Advanced Solar Power—early to need .....		[-119,000]
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>6,529,943</b>	<b>6,434,343</b>

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<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>				
071	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS .....	39,602	39,602
072	0604201F	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT ....	58,531	58,531
073	0604222F	NUCLEAR WEAPONS SUPPORT .....	4,468	4,468
074	0604270F	ELECTRONIC WARFARE DEVELOPMENT .....	1,909	1,909
075	0604281F	TACTICAL DATA NETWORKS ENTERPRISE .....	207,746	207,746
076	0604287F	PHYSICAL SECURITY EQUIPMENT .....	14,421	14,421
077	0604329F	SMALL DIAMETER BOMB (SDB)—EMD .....	73,158	93,158
		SDB II cost reduction initiatives .....		[20,000]
081	0604429F	AIRBORNE ELECTRONIC ATTACK .....	7,153	7,153
083	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT .....	58,590	58,590
084	0604604F	SUBMUNITIONS .....	2,990	2,990
085	0604617F	AGILE COMBAT SUPPORT .....	20,028	20,028
086	0604618F	JOINT DIRECT ATTACK MUNITION .....	15,787	15,787
087	0604706F	LIFE SUPPORT SYSTEMS .....	8,919	8,919
088	0604735F	COMBAT TRAINING RANGES .....	35,895	62,895
		Advanced threat radar system .....		[27,000]
089	0604800F	F-35—EMD .....	69,001	69,001
091	0604932F	LONG RANGE STANDOFF WEAPON .....	614,920	699,920
		Accelerated execution of program .....		[85,000]
092	0604933F	ICBM FUZE MODERNIZATION .....	172,902	172,902
097	0605221F	KC-46 .....	88,170	88,170
098	0605223F	ADVANCED PILOT TRAINING .....	265,465	265,465
099	0605229F	COMBAT RESCUE HELICOPTER .....	457,652	457,652
105	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT .....	3,617	3,617
106	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM .....	261,758	261,758
107	0101125F	NUCLEAR WEAPONS MODERNIZATION .....	91,907	91,907
108	0207171F	F-15 EPAWSS .....	137,095	137,095
109	0207328F	STAND IN ATTACK WEAPON .....	43,175	43,175
110	0207423F	ADVANCED COMMUNICATIONS SYSTEMS .....	14,888	14,888
111	0207701F	FULL COMBAT MISSION TRAINING .....	1,015	1,015
115	0307581F	JSTARS RECAP .....		623,000
		JSTARS recap EMD execution .....		[623,000]
116	0401310F	C-32 EXECUTIVE TRANSPORT RECAPITALIZATION .....	7,943	7,943
117	0401319F	PRESIDENTIAL AIRCRAFT RECAPITALIZATION (PAR) .....	673,032	673,032
118	0701212F	AUTOMATED TEST SYSTEMS .....	13,653	13,653
119	1203176F	COMBAT SURVIVOR EVADER LOCATOR .....	939	939
120	1203269F	GPS IIC .....	451,889	451,889
121	1203940F	SPACE SITUATION AWARENESS OPERATIONS .....	46,668	46,668
122	1206421F	COUNTERSPACE SYSTEMS .....	20,676	20,676
123	1206425F	SPACE SITUATION AWARENESS SYSTEMS .....	134,463	134,463
124	1206426F	SPACE FENCE .....	20,215	20,215
125	1206431F	ADVANCED EHF MILSATCOM (SPACE) .....	151,506	151,506
126	1206432F	POLAR MILSATCOM (SPACE) .....	27,337	27,337
127	1206433F	WIDEBAND GLOBAL SATCOM (SPACE) .....	3,970	3,970
128	1206441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD .....	60,565	60,565
129	1206442F	EVOLVED SBIRS .....	643,126	643,126
130	1206853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD.	245,447	245,447
<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>			<b>5,272,191</b>	<b>6,027,191</b>
<b>MANAGEMENT SUPPORT</b>				
131	0604256F	THREAT SIMULATOR DEVELOPMENT .....	34,256	34,256
132	0604759F	MAJOR T&E INVESTMENT .....	91,844	91,844
133	0605101F	RAND PROJECT AIR FORCE .....	34,614	34,614
135	0605712F	INITIAL OPERATIONAL TEST & EVALUATION .....	18,043	18,043
136	0605807F	TEST AND EVALUATION SUPPORT .....	692,784	724,684
		Test range modernization .....		[31,900]
137	0605826F	ACQ WORKFORCE- GLOBAL POWER .....	233,924	233,924
138	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS .....	263,488	263,488
139	0605828F	ACQ WORKFORCE- GLOBAL REACH .....	153,591	153,591
140	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS .....	232,315	232,315
141	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT .....	169,868	169,868
142	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION .....	226,219	226,219
143	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY .....	38,400	38,400
144	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS .....	125,761	125,761
147	0605898F	MANAGEMENT HQ—R&D .....	10,642	10,642
148	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	162,216	162,216
149	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	28,888	28,888
150	0606017F	REQUIREMENTS ANALYSIS AND MATURATION .....	35,285	35,285
153	0308602F	ENTEPRISE INFORMATION SERVICES (EIS) .....	20,545	20,545
154	0702806F	ACQUISITION AND MANAGEMENT SUPPORT .....	12,367	12,367
155	0804731F	GENERAL SKILL TRAINING .....	1,448	1,448
157	1001004F	INTERNATIONAL ACTIVITIES .....	3,998	3,998

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158	1206116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT .....	23,254	23,254
159	1206392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE .....	169,912	169,912
160	1206398F	SPACE & MISSILE SYSTEMS CENTER—MHA .....	10,508	10,508
161	1206860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) .....	19,721	29,721
		Rocket systems launch program .....		[10,000]
162	1206864F	SPACE TEST PROGRAM (STP) .....	25,620	75,620
		Blackjack project .....		[50,000]
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>2,839,511</b>	<b>2,931,411</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
165	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING .....	11,344	11,344
167	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) ..	47,287	47,287
168	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY .....	32,770	32,770
169	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION .....	68,368	68,368
170	0605278F	HC/MC-130 RECAP RDT&E .....	32,574	32,574
171	0606018F	NC3 INTEGRATION .....	26,112	26,112
172	0606942F	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	99,100	99,100
173	0101113F	B-52 SQUADRONS .....	280,414	295,114
		Technical adjustment .....		[14,700]
174	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM) .....	5,955	5,955
175	0101126F	B-1B SQUADRONS .....	76,030	76,030
176	0101127F	B-2 SQUADRONS .....	105,561	105,561
177	0101213F	MINUTEMAN SQUADRONS .....	156,047	156,047
179	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS .....	10,442	10,442
180	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK.	22,833	22,833
181	0101328F	ICBM REENTRY VEHICLES .....	18,412	18,412
183	0102110F	UH-1N REPLACEMENT PROGRAM .....	288,022	288,022
184	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM.	9,252	9,252
186	0205219F	MQ-9 UAV .....	115,345	115,345
188	0207131F	A-10 SQUADRONS .....	26,738	26,738
189	0207133F	F-16 SQUADRONS .....	191,564	191,564
190	0207134F	F-15E SQUADRONS .....	192,883	242,883
		ALQ-128 EW suite for ANG units .....		[50,000]
191	0207136F	MANNED DESTRUCTIVE SUPPRESSION .....	15,238	15,238
192	0207138F	F-22A SQUADRONS .....	603,553	583,853
		Program reduction .....		[-19,700]
193	0207142F	F-35 SQUADRONS .....	549,501	549,501
194	0207161F	TACTICAL AIM MISSILES .....	37,230	37,230
195	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	61,393	61,393
196	0207227F	COMBAT RESCUE—PARARESCUE .....	647	647
198	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT .....	14,891	14,891
199	0207253F	COMPASS CALL .....	13,901	13,901
200	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	121,203	121,203
202	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) .....	60,062	60,062
203	0207410F	AIR & SPACE OPERATIONS CENTER (AOC) .....	106,102	79,602
		Unjustified request .....		[-26,500]
204	0207412F	CONTROL AND REPORTING CENTER (CRC) .....	6,413	6,413
205	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) .....	120,664	78,864
		Program reduction .....		[-5,800]
		Radar controller program delay .....		[-36,000]
206	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS .....	2,659	2,659
208	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES .....	10,316	10,316
209	0207444F	TACTICAL AIR CONTROL PARTY-MOD .....	6,149	6,149
210	0207448F	C2ISR TACTICAL DATA LINK .....	1,738	1,738
211	0207452F	DCAPES .....	13,297	13,297
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS .....	1,788	1,788
213	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS).	14,888	14,888
214	0207590F	SEEK EAGLE .....	24,699	24,699
215	0207601F	USAF MODELING AND SIMULATION .....	17,078	17,078
216	0207605F	WARGAMING AND SIMULATION CENTERS .....	6,141	6,141
218	0207697F	DISTRIBUTED TRAINING AND EXERCISES .....	4,225	4,225
219	0208006F	MISSION PLANNING SYSTEMS .....	63,653	63,653
220	0208007F	TACTICAL DECEPTION .....	6,949	6,949
221	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS .....	40,526	40,526
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS .....	24,166	24,166
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2) .....	13,000	13,000
224	0208099F	UNIFIED PLATFORM (UP) .....	28,759	28,759
229	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN) .....	3,579	3,579
230	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES) .....	29,620	29,620
237	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS.	6,633	6,633
238	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) ...	57,758	57,758
240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	99,088	99,088



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241	0303133F	HIGH FREQUENCY RADIO SYSTEMS .....	51,612	51,612
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM .....	34,612	34,612
244	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE .....	2,170	2,170
246	0304260F	AIRBORNE SIGINT ENTERPRISE .....	106,873	109,873
		SIGINT single-pod development .....		[3,000]
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS .....	3,472	3,472
250	0305015F	C2 AIR OPERATIONS SUITE—C2 INFO SERVICES .....	8,608	8,608
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY .....	1,586	1,586
252	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM) .....	4,492	4,492
254	0305111F	WEATHER SERVICE .....	26,942	26,942
255	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALs).	6,271	8,771
		Augmentation of air surveillance and early warning radar systems		[2,500]
256	0305116F	AERIAL TARGETS .....	8,383	8,383
259	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES .....	418	418
261	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES .....	3,845	3,845
268	0305202F	DRAGON U-2 .....	48,518	65,518
		EO/IR sensor upgrades .....		[17,000]
270	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS .....	175,334	175,334
		Gorgon Stare .....		[10,800]
		Program reduction .....		[-10,800]
271	0305207F	MANNED RECONNAISSANCE SYSTEMS .....	14,223	14,223
272	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	24,554	24,554
273	0305220F	RQ-4 UAV .....	221,690	211,890
		RQ-4 infrastructure unjustified request .....		[-9,800]
274	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING .....	14,288	14,288
275	0305238F	NATO AGS .....	51,527	51,527
276	0305240F	SUPPORT TO DCGS ENTERPRISE .....	26,579	26,579
278	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND AR- CHITECTURES.	8,464	8,464
280	0305881F	RAPID CYBER ACQUISITION .....	4,303	4,303
284	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2) .....	2,466	2,466
285	0307577F	INTELLIGENCE MISSION DATA (IMD) .....	4,117	4,117
287	0401115F	C-130 AIRLIFT SQUADRON .....	105,988	105,988
288	0401119F	C-5 AIRLIFT SQUADRONS (IF) .....	25,071	25,071
289	0401130F	C-17 AIRCRAFT (IF) .....	48,299	48,299
290	0401132F	C-130J PROGRAM .....	15,409	15,409
291	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) .....	4,334	4,334
292	0401218F	KC-135S .....	3,493	3,493
293	0401219F	KC-10S .....	6,569	6,569
294	0401314F	OPERATIONAL SUPPORT AIRLIFT .....	3,172	3,172
295	0401318F	CV-22 .....	18,502	18,502
296	0401840F	AMC COMMAND AND CONTROL SYSTEM .....	1,688	1,688
297	0408011F	SPECIAL TACTICS / COMBAT CONTROL .....	2,541	2,541
298	0702207F	DEPOT MAINTENANCE (NON-IF) .....	1,897	1,897
299	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM .....	50,933	50,933
300	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT) .....	13,787	13,787
301	0708611F	SUPPORT SYSTEMS DEVELOPMENT .....	4,497	4,497
302	0804743F	OTHER FLIGHT TRAINING .....	2,022	2,022
303	0808716F	OTHER PERSONNEL ACTIVITIES .....	108	108
304	0901202F	JOINT PERSONNEL RECOVERY AGENCY .....	2,023	2,023
305	0901218F	CIVILIAN COMPENSATION PROGRAM .....	3,772	3,772
306	0901220F	PERSONNEL ADMINISTRATION .....	6,358	6,358
307	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY .....	1,418	1,418
308	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVEL- OPMENT.	99,734	99,734
309	1201921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES .....	14,161	14,161
310	1202247F	AF TENCAP .....	26,986	26,986
311	1203001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T) .....	80,168	80,168
312	1203110F	SATELLITE CONTROL NETWORK (SPACE) .....	17,808	17,808
314	1203163F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CON- TROL SEGMENTS).	8,937	8,937
315	1203173F	SPACE AND MISSILE TEST AND EVALUATION CENTER .....	59,935	59,935
316	1203174F	SPACE INNOVATION, INTEGRATION AND RAPID TECH- NOLOGY DEVELOPMENT.	21,019	21,019
317	1203179F	INTEGRATED BROADCAST SERVICE (IBS) .....	8,568	8,568
318	1203182F	SPACELIFT RANGE SYSTEM (SPACE) .....	10,641	10,641
319	1203265F	GPS III SPACE SEGMENT .....	144,543	144,543
320	1203400F	SPACE SUPERIORITY INTELLIGENCE .....	16,278	16,278
321	1203614F	JSPOC MISSION SYSTEM .....	72,256	72,256
322	1203620F	NATIONAL SPACE DEFENSE CENTER .....	42,209	42,209
325	1203913F	NUDET DETECTION SYSTEM (SPACE) .....	19,778	19,778
326	1203940F	SPACE SITUATION AWARENESS OPERATIONS .....	19,572	19,572
327	1206423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CON- TROL SEGMENT.	513,235	513,235
327A	9999999999	CLASSIFIED PROGRAMS .....	16,534,124	16,390,224
		Classified adjustment .....		[-40,000]
		Forward financed in the FY18 Omnibus .....		[-89,900]

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Line	Program Element	Item	FY 2019 Request	House Authorized
		PDSA staff reduction .....		[-14,000]
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.</b>	<b>22,891,740</b>	<b>22,737,240</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF.</b>	<b>40,178,343</b>	<b>40,872,443</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>		
		<b>BASIC RESEARCH</b>		
001	0601000BR	DTRA BASIC RESEARCH .....	37,023	37,023
002	0601101E	DEFENSE RESEARCH SCIENCES .....	422,130	416,130
		Program decrease .....		[-6,000]
003	0601110D8Z	BASIC RESEARCH INITIATIVES .....	42,702	42,702
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE .....	47,825	47,825
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM .....	85,919	85,919
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	30,412	40,412
		Program increase .....		[10,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	42,103	42,103
		<b>SUBTOTAL BASIC RESEARCH</b> .....	<b>708,114</b>	<b>712,114</b>
		<b>APPLIED RESEARCH</b>		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY .....	19,170	19,170
009	0602115E	BIOMEDICAL TECHNOLOGY .....	101,300	101,300
011	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM .....	51,596	51,596
012	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	60,688	60,688
013	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY .....	395,317	395,317
014	0602383E	BIOLOGICAL WARFARE DEFENSE .....	38,640	38,640
015	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	192,674	192,674
016	0602668D8Z	CYBER SECURITY RESEARCH .....	14,969	14,969
017	0602702E	TACTICAL TECHNOLOGY .....	335,466	335,466
018	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY .....	226,898	226,898
019	0602716E	ELECTRONICS TECHNOLOGY .....	333,847	333,847
020	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	161,151	161,151
021	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	9,300	9,300
022	1160401BB	SOF TECHNOLOGY DEVELOPMENT .....	35,921	35,921
		<b>SUBTOTAL APPLIED RESEARCH</b> .....	<b>1,976,937</b>	<b>1,976,937</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
023	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY .....	25,598	25,598
024	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT .....	125,271	125,271
025	0603133D8Z	FOREIGN COMPARATIVE TESTING .....	24,532	24,532
027	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	299,858	299,858
028	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT ...	13,017	13,017
029	0603178C	WEAPONS TECHNOLOGY .....		10,000
		Accelerate hypersonic defense capability .....		[10,000]
031	0603180C	ADVANCED RESEARCH .....	20,365	40,365
		Accelerate hypersonic defense capability .....		[20,000]
032	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,644	18,644
034	0603286E	ADVANCED AEROSPACE SYSTEMS .....	277,603	277,603
035	0603287E	SPACE PROGRAMS AND TECHNOLOGY .....	254,671	254,671
036	0603288D8Z	ANALYTIC ASSESSMENTS .....	19,472	19,472
037	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS .....	37,263	37,263
038	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA ..	13,621	13,621
039	0603294C	COMMON KILL VEHICLE TECHNOLOGY .....	189,753	100,753
		Early to need .....		[-89,000]
040	0603342D8W	DEFENSE INNOVATION UNIT EXPERIMENTAL (DIUX) .....	29,364	29,364
041	0603375D8Z	TECHNOLOGY INNOVATION .....	83,143	83,143
042	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	142,826	142,826
043	0603527D8Z	RETRACT LARCH .....	161,128	161,128
044	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY .....	12,918	12,918
045	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS .....	106,049	106,049
046	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES .....	12,696	12,696
047	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	114,637	114,637
048	0603680S	MANUFACTURING TECHNOLOGY PROGRAM .....	49,667	49,667
049	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT ...	48,338	48,338
050	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	11,778	11,778
052	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM .....	76,514	76,514
053	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	168,931	168,931
054	0603727D8Z	JOINT WARFIGHTING PROGRAM .....	5,992	5,992
055	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES .....	111,099	111,099

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056	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS .....	185,984	185,984
057	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY .....	438,569	438,569
058	0603767E	SENSOR TECHNOLOGY .....	190,128	190,128
059	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	13,564	13,564
060	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE .....	15,050	15,050
061	0603826D8Z	QUICK REACTION SPECIAL PROJECTS .....	69,626	69,626
062	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY .....	19,415	19,415
063	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	69,533	69,533
064	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY .....	96,389	96,389
065	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT .....	40,582	40,582
066	0303310D8Z	CWMD SYSTEMS .....	26,644	26,644
067	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT .....	79,380	79,380
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.</b>	<b>3,699,612</b>	<b>3,640,612</b>
		<b>ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b>		
068	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	28,140	28,140
069	0603600D8Z	WALKOFF .....	92,222	92,222
070	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES.	2,506	2,506
071	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	40,016	40,016
072	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	214,173	359,173
		Accelerate USFK JEON delivery .....		[100,000]
		Address cyber threats .....		[45,000]
073	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	926,359	726,359
		Address cyber threats .....		[8,000]
		Forward financed in the FY18 Omnibus .....		[-208,000]
074	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEVAL.	129,886	129,886
075	0603884C	BALLISTIC MISSILE DEFENSE SENSORS .....	220,876	245,876
		Accelerate USFK JEON delivery .....		[20,000]
		Address cyber threats .....		[5,000]
076	0603890C	BMD ENABLING PROGRAMS .....	540,926	540,926
077	0603891C	SPECIAL PROGRAMS—MDA .....	422,348	422,348
078	0603892C	AEGIS BMD .....	767,539	767,539
081	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	475,168	483,168
		Address cyber threats .....		[8,000]
082	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT.	48,767	48,767
083	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	54,925	54,925
084	0603906C	REGARDING TRENCH .....	16,916	16,916
085	0603907C	SEA BASED X-BAND RADAR (SBX) .....	149,715	116,715
		Forward financed in the FY18 Omnibus .....		[-33,000]
086	0603913C	ISRAELI COOPERATIVE PROGRAMS .....	300,000	300,000
087	0603914C	BALLISTIC MISSILE DEFENSE TEST .....	365,681	430,681
		Accelerate USFK JEON delivery .....		[50,000]
		Address cyber threats .....		[15,000]
088	0603915C	BALLISTIC MISSILE DEFENSE TARGETS .....	517,852	491,352
		Accelerate USFK JEON delivery .....		[4,500]
		Address cyber threats .....		[5,000]
		Forward financed in the FY18 Omnibus .....		[-36,000]
089	0603920D8Z	HUMANITARIAN DEMINING .....	11,347	11,347
090	0603923D8Z	COALITION WARFARE .....	8,528	8,528
091	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM .....	3,477	3,477
092	0604115C	TECHNOLOGY MATURATION INITIATIVES .....	148,822	203,822
		Address cyber threats .....		[5,000]
		Continue directed energy and boost phase intercept efforts .....		[50,000]
093	0604132D8Z	MISSILE DEFEAT PROJECT .....	58,607	58,607
094	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	12,993	12,993
095	0604181C	HYPERSONIC DEFENSE .....	120,444	130,444
		Accelerate hypersonic defense capability .....		[10,000]
096	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES .....	1,431,702	1,381,702
		Program reduction .....		[-50,000]
097	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS .....	233,142	233,142
098	0604331D8Z	RAPID PROTOTYPING PROGRAM .....	99,333	99,333
098A	0604342D8Z	DEFENSE TECHNOLOGY OFFSET .....		100,000
		Directed energy .....		[100,000]
099	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	3,781	3,781

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Line	Program Element	Item	FY 2019 Request	House Authorized
100	0604673C	PACIFIC DISCRIMINATING RADAR .....	95,765	95,765
101	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA).	3,768	3,768
103	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	22,435	22,435
104	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR) .....	164,562	164,562
105	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS .....	561,220	421,820
		Forward financed in the FY18 Omnibus .....		[-139,400]
106	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST.	61,017	61,017
107	0604878C	AEGIS BMD TEST .....	95,756	95,756
108	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST .....	81,001	81,001
109	0604880C	LAND-BASED SM-3 (LBSM3) .....	27,692	27,842
		Retain Poland CHUs .....		[150]
111	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	81,934	72,634
		Forward financed in the FY18 Omnibus .....		[-9,300]
112	0604894C	MULTI-OBJECT KILL VEHICLE .....	8,256	8,256
113	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS .....	2,600	2,600
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,104	3,104
115	0305103C	CYBER SECURITY INITIATIVE .....	985	985
116	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM .....	36,955	36,955
117	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS ..	16,484	74,484
		Address cyber threats .....		[8,000]
		Develop space sensor architecture .....		[50,000]
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES.</b>	<b>8,709,725</b>	<b>8,717,675</b>
		<b>SYSTEM DEVELOPMENT AND DEMONSTRATION</b>		
118	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	8,333	8,333
119	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT .....	263,414	413,414
		Accelerate program .....		[150,000]
120	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD .....	388,701	388,701
121	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	19,503	19,503
122	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	6,163	6,163
123	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT .....	11,988	11,988
124	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE .....	296	296
125	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM .....	1,489	1,489
126	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES .....	9,590	9,590
127	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	3,173	3,173
128	0605075D8Z	DCMO POLICY AND INTEGRATION .....	2,105	2,105
129	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	21,156	21,156
130	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	10,731	10,731
132	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	6,374	6,374
133	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS .....	56,178	56,178
134	0303141K	GLOBAL COMBAT SUPPORT SYSTEM .....	2,512	2,512
135	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEM).	2,435	2,435
136	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	17,048	17,048
		<b>SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION.</b>	<b>831,189</b>	<b>981,189</b>
		<b>MANAGEMENT SUPPORT</b>		
137	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS) .....	6,661	6,661
138	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT .....	4,088	4,088
139	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	258,796	258,796
140	0604942D8Z	ASSESSMENTS AND EVALUATIONS .....	31,356	31,356
141	0605001E	MISSION SUPPORT .....	65,646	65,646
142	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	84,184	84,184
143	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS .....	22,576	22,576
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	52,565	42,565
		Unjustified program growth .....		[-10,000]
146	0605142D8Z	SYSTEMS ENGINEERING .....	38,872	38,872
147	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD .....	3,534	3,534
148	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY .....	5,050	5,050
149	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	11,450	11,450
150	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE) .....	1,693	1,693
151	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	102,883	102,883
159	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	2,545	2,545
160	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS .....	24,487	24,487

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161	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC) .....	56,853	56,853
162	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	24,914	24,914
163	0605804D8Z	DEVELOPMENT TEST AND EVALUATION .....	20,179	20,179
164	0605898E	MANAGEMENT HQ—R&D .....	13,643	13,643
165	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	4,124	4,124
166	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS .....	5,768	5,768
167	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS .....	1,030	1,030
168	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT.	1,000	1,000
169	0606942C	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	3,400	3,400
170	0606942S	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	4,000	4,000
171	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI) .....	3,008	3,008
172	0204571J	JOINT STAFF ANALYTICAL SUPPORT .....	6,658	6,658
175	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES.	652	652
176	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO).	1,005	1,005
177	0305172K	COMBINED ADVANCED APPLICATIONS .....	21,363	21,363
180	0305245D8Z	INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS.	109,529	109,529
181	0306310D8Z	CWMD SYSTEMS: RDT&E MANAGEMENT SUPPORT .....	1,244	1,244
184	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T)—NON-MHA.	42,940	42,940
185	0901598C	MANAGEMENT HQ—MDA .....	28,626	28,626
187	0903235K	JOINT SERVICE PROVIDER (JSP) .....	5,104	5,104
188A	999999999	CLASSIFIED PROGRAMS .....	45,604	45,604
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>1,117,030</b>	<b>1,107,030</b>
		<b>OPERATIONAL SYSTEM DEVELOPMENT</b>		
189	0604130V	ENTERPRISE SECURITY SYSTEM (ESS) .....	9,750	9,750
190	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	1,855	1,855
191	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS).	304	304
192	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	10,376	10,376
193	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT ..	5,915	5,915
194	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	5,869	5,869
195	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	48,741	48,741
196	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS) .....	3,037	3,037
197	0208045K	C4I INTEROPERABILITY .....	62,814	62,814
203	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	16,561	16,561
204	0303126K	LONG-HAUL COMMUNICATIONS—DCS .....	14,769	14,769
205	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	17,579	17,579
207	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI) .....	31,737	31,737
208	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM .....	7,940	17,940
		Expand cyber scholarship program .....		[10,000]
209	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM .....	229,252	229,252
210	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM .....	19,611	19,611
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM .....	46,900	46,900
212	0303153K	DEFENSE SPECTRUM ORGANIZATION .....	7,570	7,570
213	0303228K	JOINT INFORMATION ENVIRONMENT (JIE) .....	7,947	7,947
215	0303430K	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY.	39,400	39,400
224	0305186D8Z	POLICY R&D PROGRAMS .....	6,262	6,262
225	0305199D8Z	NET CENTRICITY .....	16,780	16,780
227	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	6,286	6,286
230	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	2,970	2,970
233	0305327V	INSIDER THREAT .....	5,954	5,954
234	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,198	2,198
240	0307577D8Z	INTELLIGENCE MISSION DATA (IMD) .....	6,889	6,889
242	0708012K	LOGISTICS SUPPORT ACTIVITIES .....	1,317	1,317
243	0708012S	PACIFIC DISASTER CENTERS .....	1,770	1,770
244	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM .....	1,805	1,805
246	1105219BB	MQ-9 UAV .....	18,403	18,403
248	1160403BB	AVIATION SYSTEMS .....	184,993	179,993
		Realignment of funds .....		[-5,000]
249	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT .....	10,625	10,625
250	1160408BB	OPERATIONAL ENHANCEMENTS .....	102,307	102,307
251	1160431BB	WARRIOR SYSTEMS .....	46,942	46,942
252	1160432BB	SPECIAL PROGRAMS .....	2,479	2,479

**SEC. 7201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	House Authorized
253	1160434BB	UNMANNED ISR .....	27,270	27,270
254	1160480BB	SOF TACTICAL VEHICLES .....	1,121	1,121
255	1160483BB	MARITIME SYSTEMS .....	42,471	42,471
256	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES .....	4,780	4,780
257	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	12,176	12,176
258	1203610K	TELEPORT PROGRAM .....	2,323	2,323
258A	9999999999	CLASSIFIED PROGRAMS .....	3,877,898	3,877,898
<b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT</b>			<b>4,973,946</b>	<b>4,978,946</b>
<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW.</b>			<b>22,016,553</b>	<b>22,114,503</b>
<b>OPERATIONAL TEST &amp; EVAL, DEFENSE MANAGEMENT SUPPORT</b>				
001	0605118OTE	OPERATIONAL TEST AND EVALUATION .....	85,685	85,685
002	0605131OTE	LIVE FIRE TEST AND EVALUATION .....	64,332	64,332
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES .....	70,992	70,992
<b>SUBTOTAL MANAGEMENT SUPPORT</b>			<b>221,009</b>	<b>221,009</b>
<b>TOTAL OPERATIONAL TEST &amp; EVAL, DEFENSE</b>			<b>221,009</b>	<b>221,009</b>
<b>TOTAL RDT&amp;E</b>			<b>91,056,950</b>	<b>91,916,650</b>

**1 SEC. 7202. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
**2 TION FOR OVERSEAS CONTINGENCY OPER-**  
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**SEC. 7202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	House Authorized
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
056	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING .....	1,000	0
Realignment of EDI APS Unit Set from OCO to Base .....				[-1,000]
058	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV .....	1,500	1,500
061	0603747A	SOLDIER SUPPORT AND SURVIVABILITY .....	3,000	3,000
076	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD) .....	23,000	0
Realignment of EDI APS Unit Set from OCO to Base .....				[-23,000]
<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>			<b>28,500</b>	<b>4,500</b>
<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>				
088	0604328A	TRACTOR CAGE .....	12,000	12,000
100	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV. ....	119,300	119,300
125	0605032A	TRACTOR TIRE .....	66,760	66,760
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	2,670	2,670
136	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT .....	34,933	34,933
147	0303032A	TROJAN—RH12 .....	1,200	1,200
<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>			<b>236,863</b>	<b>236,863</b>
<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>				
184	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS. ....	2,548	2,548
185	0607133A	TRACTOR SMOKE .....	7,780	7,780
206	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM ...	2,000	0
Realignment of EDI APS Unit Set from OCO to Base .....				[-2,000]
209	0205402A	INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV ..	8,000	8,000
216	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES .....	23,199	23,199
226	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS .....	14,000	0
Realignment of EDI APS Unit Set from OCO to Base .....				[-14,000]
231	0307665A	BIOMETRICS ENABLED INTELLIGENCE .....	2,214	2,214
<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b>			<b>59,741</b>	<b>43,741</b>
<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY.</b>			<b>325,104</b>	<b>285,104</b>

**SEC. 7202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	House Authorized
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
041	0603527N	RETRACT LARCH .....	18,000	18,000
061	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	13,900	13,900
074	0603795N	LAND ATTACK TECHNOLOGY .....	1,400	1,400
<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>			<b>33,300</b>	<b>33,300</b>
<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>				
149	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL) .....	1,100	1,100
<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>			<b>1,100</b>	<b>1,100</b>
<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>				
236	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS .....	16,130	16,130
268A	9999999999	CLASSIFIED PROGRAMS .....	117,282	117,282
<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b>			<b>133,412</b>	<b>133,412</b>
<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY.</b>			<b>167,812</b>	<b>167,812</b>
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
065	1206438F	SPACE CONTROL TECHNOLOGY .....	1,100	1,100
070	1206857F	OPERATIONALLY RESPONSIVE SPACE .....	12,395	12,395
<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>			<b>13,495</b>	<b>13,495</b>
<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>				
186	0205219F	MQ-9 UAV .....	4,500	4,500
187	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE .....	4,000	4,000
188	0207131F	A-10 SQUADRONS .....	1,000	1,000
217	0207610F	BATTLEFIELD ABN COMM NODE (BACN) .....	42,349	42,349
228	0208288F	INTEL DATA APPLICATIONS .....	1,200	1,200
254	0305111F	WEATHER SERVICE .....	3,000	3,000
268	0305202F	DRAGON U-2 .....	22,100	22,100
272	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	29,500	29,500
310	1202247F	AF TENCAP .....	5,000	5,000
327A	9999999999	CLASSIFIED PROGRAMS .....	188,127	188,127
<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b>			<b>300,776</b>	<b>300,776</b>
<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF.</b>			<b>314,271</b>	<b>314,271</b>
<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>				
024	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT .....	25,000	25,000
026	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION .....	13,648	13,648
<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.</b>			<b>38,648</b>	<b>38,648</b>
<b>ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b>				
094	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	242,668	242,668
<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES.</b>			<b>242,668</b>	<b>242,668</b>
<b>OPERATIONAL SYSTEM DEVELOPMENT</b>				
250	1160408BB	OPERATIONAL ENHANCEMENTS .....	3,632	3,632
251	1160431BB	WARRIOR SYSTEMS .....	11,040	11,040
253	1160434BB	UNMANNED ISR .....	11,700	11,700
254	1160480BB	SOF TACTICAL VEHICLES .....	725	725
258A	9999999999	CLASSIFIED PROGRAMS .....	192,131	192,131
<b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT ...</b>			<b>219,228</b>	<b>219,228</b>
<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW.</b>			<b>500,544</b>	<b>500,544</b>
<b>TOTAL RDT&amp;E</b> .....			<b>1,307,731</b>	<b>1,267,731</b>

1 **TITLE LXXIII—OPERATION AND**  
 2 **MAINTENANCE**

3 **SEC. 7301. OPERATION AND MAINTENANCE.**

<b>SEC. 7301. OPERATION AND MAINTENANCE</b> (In Thousands of Dollars)			
<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
<b>OPERATION &amp; MAINTENANCE, ARMY</b>			
<b>OPERATING FORCES</b>			
010	MANEUVER UNITS .....	2,076,360	1,631,060
	Readiness restoration .....		[9,400]
	Realign OCO requirements from Base to OCO .....		[-454,700]
020	MODULAR SUPPORT BRIGADES .....	107,946	109,746
	Readiness restoration .....		[1,800]
030	ECHELONS ABOVE BRIGADE .....	732,485	588,515
	Readiness restoration .....		[7,600]
	Realign OCO requirements from Base to OCO .....		[-151,570]
040	THEATER LEVEL ASSETS .....	1,169,508	945,308
	Readiness restoration .....		[18,300]
	Realign OCO requirements from Base to OCO .....		[-242,500]
050	LAND FORCES OPERATIONS SUPPORT .....	1,180,460	1,197,960
	Readiness restoration .....		[17,500]
060	AVIATION ASSETS .....	1,467,500	1,485,300
	Readiness restoration .....		[17,800]
070	FORCE READINESS OPERATIONS SUPPORT .....	4,285,211	3,680,951
	Female personal protective equipment .....		[2,000]
	Realign OCO requirements from Base to OCO .....		[-606,260]
080	LAND FORCES SYSTEMS READINESS .....	482,201	482,201
090	LAND FORCES DEPOT MAINTENANCE .....	1,536,851	1,375,231
	Readiness restoration .....		[111,200]
	Realign OCO requirements from Base to OCO .....		[-272,820]
100	BASE OPERATIONS SUPPORT .....	8,274,299	7,668,039
	Realign OCO requirements from Base to OCO .....		[-606,260]
110	FACILITIES SUSTAINMENT .....	3,516,859	2,497,978
	85% Sustainment .....		[175,469]
	Capability Output Level 3 Funding .....		[25,000]
	Realignment of FSRM funds to new RM and Demo lines ....		[-1,219,350]
111	FACILITIES RESTORATION & MODERNIZATION .....		1,054,140
	Realignment of FSRM funds to new RM and Demo lines ....		[1,054,140]
112	FACILITIES DEMOLITION .....		215,210
	Program increase .....		[50,000]
	Realignment of FSRM funds to new RM and Demo lines ....		[165,210]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	438,733	438,733
180	US AFRICA COMMAND .....	231,518	231,518
190	US EUROPEAN COMMAND .....	150,268	150,268
200	US SOUTHERN COMMAND .....	195,964	195,964
210	US FORCES KOREA .....	59,625	59,625
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>25,905,788</b>	<b>24,007,747</b>
<b>MOBILIZATION</b>			
220	STRATEGIC MOBILITY .....	370,941	370,941
230	ARMY PREPOSITIONED STOCKS .....	573,560	732,313
	Realignment of EDI APS Unit Set from OCO to Base .....		[158,753]
240	INDUSTRIAL PREPAREDNESS .....	7,678	7,678
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>952,179</b>	<b>1,110,932</b>
<b>TRAINING AND RECRUITING</b>			
250	OFFICER ACQUISITION .....	135,832	135,832
260	RECRUIT TRAINING .....	54,819	54,819
270	ONE STATION UNIT TRAINING .....	69,599	69,599
280	SENIOR RESERVE OFFICERS TRAINING CORPS .....	518,998	518,998
290	SPECIALIZED SKILL TRAINING .....	1,020,073	1,020,073
300	FLIGHT TRAINING .....	1,082,190	1,082,190
310	PROFESSIONAL DEVELOPMENT EDUCATION .....	220,399	220,399
320	TRAINING SUPPORT .....	611,482	611,482
330	RECRUITING AND ADVERTISING .....	698,962	698,962
340	EXAMINING .....	162,049	162,049
350	OFF-DUTY AND VOLUNTARY EDUCATION .....	215,622	215,622



**SEC. 7301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
360	CIVILIAN EDUCATION AND TRAINING .....	176,914	176,914
370	JUNIOR RESERVE OFFICER TRAINING CORPS .....	174,430	174,430
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>5,141,369</b>	<b>5,141,369</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
390	SERVICEWIDE TRANSPORTATION .....	588,047	436,447
	Realign OCO requirements from Base to OCO .....		[-151,600]
400	CENTRAL SUPPLY ACTIVITIES .....	931,462	931,462
410	LOGISTIC SUPPORT ACTIVITIES .....	696,114	696,114
420	AMMUNITION MANAGEMENT .....	461,637	461,637
430	ADMINISTRATION .....	447,564	447,564
440	SERVICEWIDE COMMUNICATIONS .....	2,069,127	2,069,127
450	MANPOWER MANAGEMENT .....	261,021	261,021
460	OTHER PERSONNEL SUPPORT .....	379,541	379,541
470	OTHER SERVICE SUPPORT .....	1,699,767	1,699,767
480	ARMY CLAIMS ACTIVITIES .....	192,686	192,686
490	REAL ESTATE MANAGEMENT .....	240,917	240,917
500	FINANCIAL MANAGEMENT AND AUDIT READINESS .....	291,569	291,569
510	INTERNATIONAL MILITARY HEADQUARTERS .....	442,656	442,656
520	MISC. SUPPORT OF OTHER NATIONS .....	48,251	58,251
	NATO Cooperative Cyber Defense Center of Excellence .....		[5,000]
	NATO Strategic Communications Center of Excellence .....		[5,000]
565	CLASSIFIED PROGRAMS .....	1,259,622	1,259,622
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES ...</b>	<b>10,009,981</b>	<b>9,868,381</b>
	<b>UNDISTRIBUTED</b>		
570	UNDISTRIBUTED .....		-894,500
	Foreign Currency adjustments .....		[-210,300]
	Historical unobligated balances .....		[-694,200]
	Simulators and other technologies to reduce the use of live animal tissue for medical training .....		[10,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-894,500</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY .....</b>	<b>42,009,317</b>	<b>39,233,929</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RES OPERATING FORCES</b>		
010	MODULAR SUPPORT BRIGADES .....	13,867	13,867
020	ECHELONS ABOVE BRIGADE .....	536,438	536,438
030	THEATER LEVEL ASSETS .....	113,225	113,225
040	LAND FORCES OPERATIONS SUPPORT .....	551,141	551,141
050	AVIATION ASSETS .....	89,073	89,073
060	FORCE READINESS OPERATIONS SUPPORT .....	409,531	409,531
070	LAND FORCES SYSTEMS READINESS .....	101,411	101,411
080	LAND FORCES DEPOT MAINTENANCE .....	60,114	60,114
090	BASE OPERATIONS SUPPORT .....	595,728	595,728
100	FACILITIES SUSTAINMENT .....	304,658	263,065
	Realignment of FSRM funds to new RM and Demo lines .....		[-71,593]
	Sustainment recovery .....		[30,000]
101	FACILITIES RESTORATION & MODERNIZATION .....		49,176
	Realignment of FSRM funds to new RM and Demo lines .....		[49,176]
102	FACILITIES DEMOLITION .....		22,417
	Realignment of FSRM funds to new RM and Demo lines .....		[22,417]
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	22,175	22,175
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>2,797,361</b>	<b>2,827,361</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
120	SERVICEWIDE TRANSPORTATION .....	11,832	11,832
130	ADMINISTRATION .....	18,218	18,218
140	SERVICEWIDE COMMUNICATIONS .....	25,069	25,069
150	MANPOWER MANAGEMENT .....	6,248	6,248
160	RECRUITING AND ADVERTISING .....	58,181	58,181
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>119,548</b>	<b>119,548</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES .....</b>	<b>2,916,909</b>	<b>2,946,909</b>
	<b>OPERATION &amp; MAINTENANCE, ARNG OPERATING FORCES</b>		

**SEC. 7301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
010	MANEUVER UNITS .....	810,269	810,269
020	MODULAR SUPPORT BRIGADES .....	193,402	193,402
030	ECHELONS ABOVE BRIGADE .....	753,815	753,815
040	THEATER LEVEL ASSETS .....	84,124	84,124
050	LAND FORCES OPERATIONS SUPPORT .....	31,881	31,881
060	AVIATION ASSETS .....	973,874	973,874
070	FORCE READINESS OPERATIONS SUPPORT .....	784,086	784,086
080	LAND FORCES SYSTEMS READINESS .....	51,353	51,353
090	LAND FORCES DEPOT MAINTENANCE .....	221,633	221,633
100	BASE OPERATIONS SUPPORT .....	1,129,942	1,129,942
110	FACILITIES SUSTAINMENT .....	919,947	888,760
	Realignment of FSRM funds to new RM and Demo lines ....		[-101,187]
	Sustainment recovery .....		[70,000]
111	FACILITIES RESTORATION & MODERNIZATION .....		85,859
	Realignment of FSRM funds to new RM and Demo lines ....		[85,859]
112	FACILITIES DEMOLITION .....		15,328
	Realignment of FSRM funds to new RM and Demo lines ....		[15,328]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	1,010,524	1,010,524
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>6,964,850</b>	<b>7,034,850</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
130	SERVICEWIDE TRANSPORTATION .....	10,017	10,017
140	ADMINISTRATION .....	72,746	72,746
150	SERVICEWIDE COMMUNICATIONS .....	83,105	83,105
160	MANPOWER MANAGEMENT .....	10,678	10,678
170	OTHER PERSONNEL SUPPORT .....	254,753	254,753
180	REAL ESTATE MANAGEMENT .....	3,146	3,146
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>434,445</b>	<b>434,445</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG .....</b>	<b>7,399,295</b>	<b>7,469,295</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	5,372,399	5,372,399
020	FLEET AIR TRAINING .....	2,023,351	2,014,593
	Advanced skills management .....		[-8,758]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES .....	56,225	56,225
040	AIR OPERATIONS AND SAFETY SUPPORT .....	156,081	156,081
050	AIR SYSTEMS SUPPORT .....	682,379	682,379
060	AIRCRAFT DEPOT MAINTENANCE .....	1,253,756	1,291,156
	Readiness restoration .....		[37,400]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	66,649	66,649
080	AVIATION LOGISTICS .....	939,368	945,768
	Readiness restoration .....		[6,400]
090	MISSION AND OTHER SHIP OPERATIONS .....	4,439,566	4,439,566
100	SHIP OPERATIONS SUPPORT & TRAINING .....	997,663	997,663
110	SHIP DEPOT MAINTENANCE .....	8,751,526	8,900,126
	Readiness restoration .....		[116,600]
	Western Pacific Dry Dock capability .....		[32,000]
120	SHIP DEPOT OPERATIONS SUPPORT .....	2,168,876	2,168,876
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE .....	1,349,593	1,349,593
150	SPACE SYSTEMS AND SURVEILLANCE .....	215,255	215,255
160	WARFARE TACTICS .....	632,446	632,446
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....	373,046	373,046
180	COMBAT SUPPORT FORCES .....	1,452,075	1,452,075
190	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT .....	153,719	153,719
210	COMBATANT COMMANDERS CORE OPERATIONS .....	63,039	63,039
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	89,339	89,339
230	MILITARY INFORMATION SUPPORT OPERATIONS .....	8,475	8,475
240	CYBERSPACE ACTIVITIES .....	424,088	424,088
260	FLEET BALLISTIC MISSILE .....	1,361,947	1,361,947
280	WEAPONS MAINTENANCE .....	823,952	819,452
	Insufficient budget justification for submarine acoustic systems .....		[-4,500]
290	OTHER WEAPON SYSTEMS SUPPORT .....	494,101	494,101

**SEC. 7301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
300	ENTERPRISE INFORMATION .....	921,936	921,936
310	FACILITIES SUSTAINMENT .....	2,040,389	1,712,222
	85% Sustainment .....		[101,000]
	Capability Output Level 3 Funding .....		[20,000]
	Project oversight (Unjustified Growth) .....		[-85,420]
	Realignment of FSRM funds to new RM and Demo lines ....		[-363,747]
311	FACILITIES RESTORATION & MODERNIZATION .....		243,745
	Realignment of FSRM funds to new RM and Demo lines ....		[243,745]
312	FACILITIES DEMOLITION .....		160,002
	Program increase .....		[40,000]
	Realignment of FSRM funds to new RM and Demo lines ....		[120,002]
320	BASE OPERATING SUPPORT .....	4,414,753	4,414,753
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>41,725,992</b>	<b>41,980,714</b>
	<b>MOBILIZATION</b>		
330	SHIP PREPOSITIONING AND SURGE .....	549,142	400,545
	Realign DoD Mobilization Alternation to NDSF .....		[-20,858]
	Realign LG Med Spd RO/RO Maintenance to NDSF .....		[-127,739]
340	READY RESERVE FORCE .....	310,805	0
	Realign Ready Reserve Forces to NDSF .....		[-310,805]
360	SHIP ACTIVATIONS/INACTIVATIONS .....	161,150	161,150
370	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	120,338	47,988
	Realign T-AH Maintenance to NDSF .....		[-72,350]
390	COAST GUARD SUPPORT .....	24,097	24,097
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>1,165,532</b>	<b>633,780</b>
	<b>TRAINING AND RECRUITING</b>		
400	OFFICER ACQUISITION .....	145,481	145,481
410	RECRUIT TRAINING .....	9,637	9,637
420	RESERVE OFFICERS TRAINING CORPS .....	149,687	149,687
430	SPECIALIZED SKILL TRAINING .....	879,557	879,557
450	PROFESSIONAL DEVELOPMENT EDUCATION .....	184,436	186,136
	Naval Sea Cadets .....		[1,700]
460	TRAINING SUPPORT .....	223,159	223,159
470	RECRUITING AND ADVERTISING .....	181,086	181,086
480	OFF-DUTY AND VOLUNTARY EDUCATION .....	96,006	96,006
490	CIVILIAN EDUCATION AND TRAINING .....	72,083	72,083
500	JUNIOR ROTC .....	54,156	54,156
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>1,995,288</b>	<b>1,996,988</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
510	ADMINISTRATION .....	1,089,964	1,089,964
530	CIVILIAN MANPOWER AND PERSONNEL MANAGE- MENT .....	164,074	164,074
540	MILITARY MANPOWER AND PERSONNEL MANAGE- MENT .....	418,350	418,350
580	SERVICEWIDE TRANSPORTATION .....	167,106	167,106
600	PLANNING, ENGINEERING, AND PROGRAM SUPPORT ..	333,556	333,556
610	ACQUISITION, LOGISTICS, AND OVERSIGHT .....	663,690	663,690
650	INVESTIGATIVE AND SECURITY SERVICES .....	705,087	705,087
765	CLASSIFIED PROGRAMS .....	574,994	574,994
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>4,116,821</b>	<b>4,116,821</b>
	<b>UNDISTRIBUTED</b>		
770	UNDISTRIBUTED .....		-398,100
	Foreign Currency adjustments .....		[-55,100]
	Historical unobligated balances .....		[-343,000]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-398,100</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY</b> .....	<b>49,003,633</b>	<b>48,330,203</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS OPERATING FORCES</b>		
010	OPERATIONAL FORCES .....	873,320	885,720
	Additional parts & spares to support intermediate & organi- zational maintenance .....		[8,200]
	Additional training requirements .....		[4,200]
020	FIELD LOGISTICS .....	1,094,187	1,094,187
030	DEPOT MAINTENANCE .....	314,182	341,082

**SEC. 7301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
	Readiness restoration .....		[26,900]
040	MARITIME PREPOSITIONING .....	98,136	98,136
050	CYBERSPACE ACTIVITIES .....	183,546	183,546
060	FACILITIES SUSTAINMENT .....	832,636	746,354
	85% Sustainment .....		[42,400]
	Capability Output Level 3 Funding .....		[10,000]
	Realignment of FSRM funds to new RM and Demo lines ....		[-138,682]
061	FACILITIES RESTORATION & MODERNIZATION .....		61,469
	Realignment of FSRM funds to new RM and Demo lines ....		[61,469]
062	FACILITIES DEMOLITION .....		107,213
	Program increase .....		[30,000]
	Realignment of FSRM funds to new RM and Demo lines ....		[77,213]
070	BASE OPERATING SUPPORT .....	2,151,390	2,151,390
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>5,547,397</b>	<b>5,669,097</b>
	<b>TRAINING AND RECRUITING</b>		
080	RECRUIT TRAINING .....	16,453	16,453
090	OFFICER ACQUISITION .....	1,144	1,144
100	SPECIALIZED SKILL TRAINING .....	106,360	106,360
110	PROFESSIONAL DEVELOPMENT EDUCATION .....	46,096	46,096
120	TRAINING SUPPORT .....	389,751	389,751
130	RECRUITING AND ADVERTISING .....	201,662	201,662
140	OFF-DUTY AND VOLUNTARY EDUCATION .....	32,461	32,461
150	JUNIOR ROTC .....	24,217	24,217
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>818,144</b>	<b>818,144</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
160	SERVICEWIDE TRANSPORTATION .....	29,735	29,735
170	ADMINISTRATION .....	386,375	386,375
225	CLASSIFIED PROGRAMS .....	50,859	50,859
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>466,969</b>	<b>466,969</b>
	<b>UNDISTRIBUTED</b>		
230	UNDISTRIBUTED .....		-43,600
	Foreign Currency adjustments .....		[-13,600]
	Historical unobligated balances .....		[-30,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-43,600</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS .....</b>	<b>6,832,510</b>	<b>6,910,610</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	569,584	569,584
020	INTERMEDIATE MAINTENANCE .....	6,902	6,902
030	AIRCRAFT DEPOT MAINTENANCE .....	109,776	109,776
040	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	538	538
050	AVIATION LOGISTICS .....	18,888	18,888
060	SHIP OPERATIONS SUPPORT & TRAINING .....	574	574
070	COMBAT COMMUNICATIONS .....	17,561	17,561
080	COMBAT SUPPORT FORCES .....	121,070	121,070
090	CYBERSPACE ACTIVITIES .....	337	337
100	ENTERPRISE INFORMATION .....	23,964	23,964
110	FACILITIES SUSTAINMENT .....	36,356	41,151
	Realignment of FSRM funds to new RM and Demo lines ....		[-5,205]
	Sustainment recovery .....		[10,000]
111	FACILITIES RESTORATION & MODERNIZATION .....		3,205
	Realignment of FSRM funds to new RM and Demo lines ....		[3,205]
112	FACILITIES DEMOLITION .....		2,000
	Realignment of FSRM funds to new RM and Demo lines ....		[2,000]
120	BASE OPERATING SUPPORT .....	103,562	103,562
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>1,009,112</b>	<b>1,019,112</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
130	ADMINISTRATION .....	1,868	1,868
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	12,849	12,849
160	ACQUISITION AND PROGRAM MANAGEMENT .....	3,177	3,177
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>17,894</b>	<b>17,894</b>

**SEC. 7301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES .....</b>	<b>1,027,006</b>	<b>1,037,006</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE OPERATING FORCES</b>		
010	OPERATING FORCES .....	99,173	107,873
	Additional training requirements .....		[8,700]
020	DEPOT MAINTENANCE .....	19,430	19,430
030	FACILITIES SUSTAINMENT .....	39,962	25,666
	Realignment of FSRM funds to new RM and Demo lines ....		[-22,296]
	Sustainment recovery .....		[8,000]
031	FACILITIES RESTORATION & MODERNIZATION .....		22,296
	Realignment of FSRM funds to new RM and Demo lines ....		[22,296]
040	BASE OPERATING SUPPORT .....	101,829	101,829
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>260,394</b>	<b>277,094</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
050	ADMINISTRATION .....	11,176	11,176
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>11,176</b>	<b>11,176</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MC RESERVE .....</b>	<b>271,570</b>	<b>288,270</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	758,178	758,178
020	COMBAT ENHANCEMENT FORCES .....	1,509,027	1,509,027
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....	1,323,330	1,323,330
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	3,511,830	3,596,330
	Readiness restoration .....		[46,500]
	Restoration of U-2 Tail #80-1099 .....		[38,000]
050	FACILITIES SUSTAINMENT .....	2,892,705	2,621,824
	85% Sustainment .....		[152,000]
	Capability Output Level 3 Funding .....		[23,000]
	Realignment of FSRM funds to new RM and Demo lines ....		[-445,881]
051	FACILITIES RESTORATION & MODERNIZATION .....		420,861
	Realignment of FSRM funds to new RM and Demo lines ....		[420,861]
052	FACILITIES DEMOLITION .....		67,020
	Program increase .....		[42,000]
	Realignment of FSRM funds to new RM and Demo lines ....		[25,020]
060	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT .....	7,613,084	7,687,884
	Readiness restoration .....		[74,800]
070	FLYING HOUR PROGRAM .....	4,345,208	4,345,208
080	BASE SUPPORT .....	5,989,215	5,989,215
090	GLOBAL C3I AND EARLY WARNING .....	928,023	928,023
100	OTHER COMBAT OPS SPT PROGRAMS .....	1,080,956	1,080,956
110	CYBERSPACE ACTIVITIES .....	879,032	879,032
130	LAUNCH FACILITIES .....	183,777	183,777
140	SPACE CONTROL SYSTEMS .....	404,072	404,072
170	US NORTHCOM/NORAD .....	187,375	187,375
180	US STRATCOM .....	529,902	529,902
190	US CYBERCOM .....	329,474	329,474
200	US CENTCOM .....	166,024	166,024
210	US SOCOM .....	723	723
220	US TRANSCOM .....	535	535
225	CLASSIFIED PROGRAMS .....	1,164,810	1,164,810
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>33,797,280</b>	<b>34,173,580</b>
	<b>MOBILIZATION</b>		
230	AIRLIFT OPERATIONS .....	1,307,695	1,307,695
240	MOBILIZATION PREPAREDNESS .....	144,417	144,417
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>1,452,112</b>	<b>1,452,112</b>
	<b>TRAINING AND RECRUITING</b>		
280	OFFICER ACQUISITION .....	133,187	133,187
290	RECRUIT TRAINING .....	25,041	25,041
300	RESERVE OFFICERS TRAINING CORPS (ROTC) .....	117,338	117,338
330	SPECIALIZED SKILL TRAINING .....	401,996	401,996
340	FLIGHT TRAINING .....	477,064	477,064

**SEC. 7301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
350	PROFESSIONAL DEVELOPMENT EDUCATION .....	276,423	276,423
360	TRAINING SUPPORT .....	95,948	95,948
380	RECRUITING AND ADVERTISING .....	154,530	154,530
390	EXAMINING .....	4,132	4,132
400	OFF-DUTY AND VOLUNTARY EDUCATION .....	223,150	223,150
410	CIVILIAN EDUCATION AND TRAINING .....	209,497	209,497
420	JUNIOR ROTC .....	59,908	59,908
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>2,178,214</b>	<b>2,178,214</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
430	LOGISTICS OPERATIONS .....	681,788	681,788
440	TECHNICAL SUPPORT ACTIVITIES .....	117,812	117,812
480	ADMINISTRATION .....	953,102	953,102
490	SERVICEWIDE COMMUNICATIONS .....	358,389	358,389
500	OTHER SERVICEWIDE ACTIVITIES .....	1,194,862	1,194,862
510	CIVIL AIR PATROL .....	29,594	29,594
540	INTERNATIONAL SUPPORT .....	74,959	74,959
545	CLASSIFIED PROGRAMS .....	1,222,456	1,222,456
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>4,632,962</b>	<b>4,632,962</b>
	<b>UNDISTRIBUTED</b>		
550	UNDISTRIBUTED .....		-455,200
	Foreign Currency adjustments .....		[-104,500]
	Historical unobligated balances .....		[-350,700]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-455,200</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE .....</b>	<b>42,060,568</b>	<b>41,981,668</b>
	<b>OPERATION &amp; MAINTENANCE, AF RESERVE OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	1,853,437	1,853,437
020	MISSION SUPPORT OPERATIONS .....	205,369	205,369
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	345,576	347,476
	Readiness restoration .....		[1,900]
040	FACILITIES SUSTAINMENT .....	120,736	123,103
	Realignment of FSRM funds to new RM and Demo lines ....		[-27,633]
	Sustainment recovery .....		[30,000]
041	FACILITIES RESTORATION & MODERNIZATION .....		27,633
	Realignment of FSRM funds to new RM and Demo lines ....		[27,633]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	241,239	259,939
	Readiness restoration .....		[18,700]
060	BASE SUPPORT .....	385,922	385,922
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>3,152,279</b>	<b>3,202,879</b>
	<b>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b>		
070	ADMINISTRATION .....	71,188	71,188
080	RECRUITING AND ADVERTISING .....	19,429	19,429
090	MILITARY MANPOWER AND PERS MGMT (ARPC) .....	9,386	9,386
100	OTHER PERS SUPPORT (DISABILITY COMP) .....	7,512	7,512
110	AUDIOVISUAL .....	440	440
	<b>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES .....</b>	<b>107,955</b>	<b>107,955</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE .....</b>	<b>3,260,234</b>	<b>3,310,834</b>
	<b>OPERATION &amp; MAINTENANCE, ANG OPERATING FORCES</b>		
010	AIRCRAFT OPERATIONS .....	2,619,940	2,619,940
020	MISSION SUPPORT OPERATIONS .....	623,265	623,265
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	748,287	748,287
040	FACILITIES SUSTAINMENT .....	303,792	289,700
	Realignment of FSRM funds to new RM and Demo lines ....		[-34,092]
	Sustainment recovery .....		[20,000]
041	FACILITIES RESTORATION & MODERNIZATION .....		31,696
	Realignment of FSRM funds to new RM and Demo lines ....		[31,696]
042	FACILITIES DEMOLITION .....		2,396

SEC. 7301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2019 Request	House Authorized
	Realignment of FSRM funds to new RM and Demo lines ....		[2,396]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT .....	1,061,759	1,064,759
	Readiness restoration .....		[3,000]
060	BASE SUPPORT .....	988,333	989,233
	Readiness restoration .....		[900]
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>6,345,376</b>	<b>6,369,276</b>
<b>ADMINISTRATION AND SERVICE-WIDE ACTIVI- TIES</b>			
070	ADMINISTRATION .....	45,711	45,711
080	RECRUITING AND ADVERTISING .....	36,535	36,535
	<b>SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES .....</b>	<b>82,246</b>	<b>82,246</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG</b>	<b>6,427,622</b>	<b>6,451,522</b>
<b>OPERATION AND MAINTENANCE, DEFENSE- WIDE OPERATING FORCES</b>			
010	JOINT CHIEFS OF STAFF .....	430,215	430,215
020	JOINT CHIEFS OF STAFF—CE2T2 .....	602,186	602,186
040	SPECIAL OPERATIONS COMMAND/OPERATING FORCES Civilian pay ahead of need .....	5,389,250	5,215,250
	Communications .....		[-10,700]
	DCGS-SOF .....		[-20,000]
	DCGS-SOF .....		[-10,000]
	MC-12 ahead of need .....		[-33,300]
	Program decrease .....		[-100,000]
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>6,421,651</b>	<b>6,247,651</b>
<b>TRAINING AND RECRUITING</b>			
050	DEFENSE ACQUISITION UNIVERSITY .....	181,601	172,501
	Efficiencies within the 4th estate .....		[-9,100]
060	JOINT CHIEFS OF STAFF .....	96,565	96,565
070	SPECIAL OPERATIONS COMMAND/TRAINING AND RE- CRUITING .....	370,583	370,583
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>648,749</b>	<b>639,649</b>
<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>			
080	CIVIL MILITARY PROGRAMS .....	166,131	186,131
	STARBASE .....		[20,000]
100	DEFENSE CONTRACT AUDIT AGENCY .....	625,633	594,333
	Efficiencies within the 4th estate .....		[-31,300]
110	DEFENSE CONTRACT MANAGEMENT AGENCY .....	1,465,354	1,392,054
	Efficiencies within the 4th estate .....		[-73,300]
120	DEFENSE HUMAN RESOURCES ACTIVITY .....	859,923	816,923
	Efficiencies within the 4th estate .....		[-43,000]
130	DEFENSE INFORMATION SYSTEMS AGENCY .....	2,106,930	2,001,630
	Efficiencies within the 4th estate .....		[-105,300]
150	DEFENSE LEGAL SERVICES AGENCY .....	27,403	26,003
	Efficiencies within the 4th estate .....		[-1,400]
160	DEFENSE LOGISTICS AGENCY .....	379,275	385,750
	Efficiencies within the 4th estate .....		[-19,000]
	Program increase for the Procurement Technical Assistance Program (PTAP) .....		[25,475]
170	DEFENSE MEDIA ACTIVITY .....	207,537	197,137
	Efficiencies within the 4th estate .....		[-10,400]
180	DEFENSE PERSONNEL ACCOUNTING AGENCY .....	130,696	130,696
190	DEFENSE SECURITY COOPERATION AGENCY .....	754,711	754,711
200	DEFENSE SECURITY SERVICE .....	789,175	789,175
220	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION Efficiencies within the 4th estate .....	34,951	33,251
			[-1,700]
230	DEFENSE THREAT REDUCTION AGENCY .....	553,329	553,329
250	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .... Impact Aid .....	2,892,284	2,942,284
	Impact Aid for Children with Severe Disabilities .....		[40,000]
	Impact Aid for Children with Severe Disabilities .....		[10,000]
260	MISSILE DEFENSE AGENCY .....	499,817	499,817
280	OFFICE OF ECONOMIC ADJUSTMENT .....	70,035	166,535
	Defense Community Infrastructure Program .....		[100,000]
	Efficiencies within the 4th estate .....		[-3,500]

<b>SEC. 7301. OPERATION AND MAINTENANCE</b> (In Thousands of Dollars)			
<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
290	OFFICE OF THE SECRETARY OF DEFENSE .....	1,519,655	1,530,655
	CDC PFOA/Health Study Increment .....		[7,000]
	Contract support for ACCM oversight as directed by Sec. 1062 of FY17 NDAA .....		[5,000]
	Efficiencies within the 4th estate .....		[-76,000]
	Establish Artificial Intelligence commission .....		[10,000]
	Funds to support the Global Engagement Center .....		[60,000]
	Initial capital for Department of Defense World War II Commemoration Fund .....		[2,000]
	Training of qualified personnel to join the staff of the Boards of Corrections for Military and Naval Records ....		[3,000]
300	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES .....	97,787	97,787
310	WASHINGTON HEADQUARTERS SERVICES .....	456,407	387,907
	Efficiencies within the 4th estate .....		[-68,500]
315	CLASSIFIED PROGRAMS .....	15,645,192	15,645,192
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES ...</b>	<b>29,282,225</b>	<b>29,131,300</b>
<b>UNDISTRIBUTED</b>			
320	UNDISTRIBUTED .....		-411,800
	Foreign Currency adjustments .....		[-26,400]
	Historical unobligated balances .....		[-385,400]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-411,800</b>
	<b>TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE .....</b>	<b>36,352,625</b>	<b>35,606,800</b>
<b>US COURT OF APPEALS FOR ARMED FORCES, DEF ADMINISTRATION AND ASSOCIATED ACTIVI- TIES</b>			
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE .....	14,662	14,662
	<b>SUBTOTAL ADMINISTRATION AND ASSOCI- ATED ACTIVITIES .....</b>	<b>14,662</b>	<b>14,662</b>
	<b>TOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF .....</b>	<b>14,662</b>	<b>14,662</b>
<b>DOD ACQUISITION WORKFORCE DEVELOP- MENT FUND</b>			
<b>ACQUISITION WORKFORCE DEVELOPMENT</b>			
010	ACQ WORKFORCE DEV FD .....	400,000	400,000
	<b>SUBTOTAL ACQUISITION WORKFORCE DE- VELOPMENT .....</b>	<b>400,000</b>	<b>400,000</b>
	<b>TOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND .....</b>	<b>400,000</b>	<b>400,000</b>
<b>OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID</b>			
<b>HUMANITARIAN ASSISTANCE</b>			
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID SUBTOTAL HUMANITARIAN ASSISTANCE .....	107,663	107,663
	<b>SUBTOTAL HUMANITARIAN ASSISTANCE .....</b>	<b>107,663</b>	<b>107,663</b>
	<b>TOTAL OVERSEAS HUMANITARIAN, DIS- ASTER, AND CIVIC AID .....</b>	<b>107,663</b>	<b>107,663</b>
<b>COOPERATIVE THREAT REDUCTION ACCOUNT</b>			
<b>FSU THREAT REDUCTION</b>			
010	FORMER SOVIET UNION (FSU) THREAT REDUCTION ... SUBTOTAL FSU THREAT REDUCTION .....	335,240	335,240
	<b>SUBTOTAL FSU THREAT REDUCTION .....</b>	<b>335,240</b>	<b>335,240</b>
	<b>TOTAL COOPERATIVE THREAT REDUC- TION ACCOUNT .....</b>	<b>335,240</b>	<b>335,240</b>
<b>ENVIRONMENTAL RESTORATION, ARMY DEPARTMENT OF THE ARMY</b>			
060	ENVIRONMENTAL RESTORATION, ARMY .....	203,449	213,449
	PFOA/Health Study remediation increase .....		[10,000]



SEC. 7301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2019 Request	House Authorized
	<b>SUBTOTAL DEPARTMENT OF THE ARMY</b> .....	<b>203,449</b>	<b>213,449</b>
	<b>TOTAL ENVIRONMENTAL RESTORATION, ARMY</b> .....	<b>203,449</b>	<b>213,449</b>
	<b>ENVIRONMENTAL RESTORATION, NAVY DEPARTMENT OF THE NAVY</b>		
080	ENVIRONMENTAL RESTORATION, NAVY .....	329,253	339,253
	PFOS/PFOA remediation increase .....		[10,000]
	<b>SUBTOTAL DEPARTMENT OF THE NAVY</b> .....	<b>329,253</b>	<b>339,253</b>
	<b>TOTAL ENVIRONMENTAL RESTORATION, NAVY</b> .....	<b>329,253</b>	<b>339,253</b>
	<b>ENVIRONMENTAL RESTORATION, AIR FORCE DEPARTMENT OF THE AIR FORCE</b>		
100	ENVIRONMENTAL RESTORATION, AIR FORCE .....	296,808	346,808
	PFOS/PFOA remediation increase .....		[50,000]
	<b>SUBTOTAL DEPARTMENT OF THE AIR FORCE</b> .....	<b>296,808</b>	<b>346,808</b>
	<b>TOTAL ENVIRONMENTAL RESTORATION, AIR FORCE</b> .....	<b>296,808</b>	<b>346,808</b>
	<b>ENVIRONMENTAL RESTORATION, DEFENSE DEFENSE-WIDE</b>		
120	ENVIRONMENTAL RESTORATION, DEFENSE .....	8,926	8,926
	<b>SUBTOTAL DEFENSE-WIDE</b> .....	<b>8,926</b>	<b>8,926</b>
	<b>TOTAL ENVIRONMENTAL RESTORATION, DEFENSE</b> .....	<b>8,926</b>	<b>8,926</b>
	<b>ENVIRONMENTAL RESTORATION FORMERLY USED SITES DEFENSE-WIDE</b>		
140	ENVIRONMENTAL RESTORATION FORMERLY USED SITES .....	212,346	212,346
	<b>SUBTOTAL DEFENSE-WIDE</b> .....	<b>212,346</b>	<b>212,346</b>
	<b>TOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES</b> .....	<b>212,346</b>	<b>212,346</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE</b> .....	<b>199,469,636</b>	<b>195,545,393</b>

1 **SEC. 7302. OPERATION AND MAINTENANCE FOR OVERSEAS**

2 **CONTINGENCY OPERATIONS.**

SEC. 7302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2019 Request	House Authorized
	<b>OPERATION &amp; MAINTENANCE, ARMY OPERATING FORCES</b>		
010	MANEUVER UNITS .....	1,179,339	1,634,039
	Realign OCO requirements from Base to OCO .....		[454,700]
030	ECHELONS ABOVE BRIGADE .....	25,983	177,553
	Realign OCO requirements from Base to OCO .....		[151,570]
040	THEATER LEVEL ASSETS .....	2,189,916	2,432,416
	Realign OCO requirements from Base to OCO .....		[242,500]
050	LAND FORCES OPERATIONS SUPPORT .....	188,609	188,609
060	AVIATION ASSETS .....	120,787	120,787
070	FORCE READINESS OPERATIONS SUPPORT .....	3,867,286	4,473,546
	Realign OCO requirements from Base to OCO .....		[606,260]
080	LAND FORCES SYSTEMS READINESS .....	550,068	550,068
090	LAND FORCES DEPOT MAINTENANCE .....	195,873	468,693
	Realign OCO requirements from Base to OCO .....		[272,820]

**SEC. 7302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
100	BASE OPERATIONS SUPPORT .....	109,560	715,820
	Realign OCO requirements from Base to OCO .....		[606,260]
110	FACILITIES SUSTAINMENT .....	60,807	60,807
140	ADDITIONAL ACTIVITIES .....	5,992,222	5,992,222
150	COMMANDERS EMERGENCY RESPONSE PROGRAM .....	10,000	10,000
160	RESET .....	1,036,454	1,036,454
180	US AFRICA COMMAND .....	248,796	263,796
	Contract personnel recovery/casualty evacuation in AFRICOM .....		[15,000]
190	US EUROPEAN COMMAND .....	98,127	98,127
200	US SOUTHERN COMMAND .....	2,550	2,550
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>15,876,377</b>	<b>18,225,487</b>
	<b>MOBILIZATION</b>		
230	ARMY PREPOSITIONED STOCKS .....	158,753	0
	Realignment of EDI APS Unit Set from OCO to Base .....		[-158,753]
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>158,753</b>	<b>0</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
390	SERVICEWIDE TRANSPORTATION .....	712,230	863,830
	Realign OCO requirements from Base to OCO .....		[151,600]
400	CENTRAL SUPPLY ACTIVITIES .....	44,168	44,168
410	LOGISTIC SUPPORT ACTIVITIES .....	5,300	5,300
420	AMMUNITION MANAGEMENT .....	38,597	38,597
460	OTHER PERSONNEL SUPPORT .....	109,019	109,019
490	REAL ESTATE MANAGEMENT .....	191,786	191,786
565	CLASSIFIED PROGRAMS .....	1,074,270	1,074,270
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b> .....	<b>2,175,370</b>	<b>2,326,970</b>
	<b>UNDISTRIBUTED</b>		
570	UNDISTRIBUTED .....		-27,900
	Historical unobligated balances .....		[-27,900]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-27,900</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY</b> .....	<b>18,210,500</b>	<b>20,524,557</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RES</b>		
	<b>OPERATING FORCES</b>		
020	ECHELONS ABOVE BRIGADE .....	20,700	20,700
060	FORCE READINESS OPERATIONS SUPPORT .....	700	700
090	BASE OPERATIONS SUPPORT .....	20,487	20,487
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>41,887</b>	<b>41,887</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES</b> .....	<b>41,887</b>	<b>41,887</b>
	<b>OPERATION &amp; MAINTENANCE, ARNG</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	42,519	42,519
020	MODULAR SUPPORT BRIGADES .....	778	778
030	ECHELONS ABOVE BRIGADE .....	12,093	12,093
040	THEATER LEVEL ASSETS .....	708	708
060	AVIATION ASSETS .....	28,135	28,135
070	FORCE READINESS OPERATIONS SUPPORT .....	5,908	5,908
100	BASE OPERATIONS SUPPORT .....	18,877	18,877
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	956	956
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>109,974</b>	<b>109,974</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	SERVICEWIDE COMMUNICATIONS .....	755	755
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>755</b>	<b>755</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG</b> .....	<b>110,729</b>	<b>110,729</b>
	<b>AFGHAN NATIONAL ARMY</b>		
090	SUSTAINMENT .....	1,522,777	1,522,777
100	INFRASTRUCTURE .....	137,732	137,732
110	EQUIPMENT AND TRANSPORTATION .....	71,922	71,922
120	TRAINING AND OPERATIONS .....	175,846	175,846
	<b>SUBTOTAL AFGHAN NATIONAL ARMY</b> .....	<b>1,908,277</b>	<b>1,908,277</b>

**SEC. 7302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Line	Item	FY 2019 Request	House Authorized
<b>AFGHAN NATIONAL POLICE</b>			
130	SUSTAINMENT .....	527,554	527,554
140	INFRASTRUCTURE .....	42,984	42,984
150	EQUIPMENT AND TRANSPORTATION .....	14,554	14,554
160	TRAINING AND OPERATIONS .....	181,922	181,922
	<b>SUBTOTAL AFGHAN NATIONAL POLICE .....</b>	<b>767,014</b>	<b>767,014</b>
<b>AFGHAN AIR FORCE</b>			
170	SUSTAINMENT .....	942,279	942,279
180	INFRASTRUCTURE .....	30,350	30,350
190	EQUIPMENT AND TRANSPORTATION .....	572,310	572,310
200	TRAINING AND OPERATIONS .....	277,191	277,191
	<b>SUBTOTAL AFGHAN AIR FORCE .....</b>	<b>1,822,130</b>	<b>1,822,130</b>
<b>AFGHAN SPECIAL SECURITY FORCES</b>			
210	SUSTAINMENT .....	353,734	353,734
220	INFRASTRUCTURE .....	43,132	43,132
230	EQUIPMENT AND TRANSPORTATION .....	151,790	151,790
240	TRAINING AND OPERATIONS .....	153,373	153,373
	<b>SUBTOTAL AFGHAN SPECIAL SECURITY FORCES .....</b>	<b>702,029</b>	<b>702,029</b>
	<b>TOTAL AFGHANISTAN SECURITY FORCES FUND .....</b>	<b>5,199,450</b>	<b>5,199,450</b>
<b>COUNTER-ISIS TRAIN AND EQUIP FUND</b>			
<b>COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)</b>			
010	IRAQ .....	850,000	850,000
020	SYRIA .....	300,000	300,000
030	OTHER .....	250,000	250,000
	<b>SUBTOTAL COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF) .....</b>	<b>1,400,000</b>	<b>1,400,000</b>
	<b>TOTAL COUNTER-ISIS TRAIN AND EQUIP FUND .....</b>	<b>1,400,000</b>	<b>1,400,000</b>
<b>OPERATION &amp; MAINTENANCE, NAVY OPERATING FORCES</b>			
010	MISSION AND OTHER FLIGHT OPERATIONS .....	435,507	435,507
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES .....	800	800
040	AIR OPERATIONS AND SAFETY SUPPORT .....	9,394	9,394
050	AIR SYSTEMS SUPPORT .....	193,384	193,384
060	AIRCRAFT DEPOT MAINTENANCE .....	173,053	173,053
070	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	3,524	3,524
080	AVIATION LOGISTICS .....	60,219	60,219
090	MISSION AND OTHER SHIP OPERATIONS .....	942,960	942,960
100	SHIP OPERATIONS SUPPORT & TRAINING .....	20,236	20,236
110	SHIP DEPOT MAINTENANCE .....	1,022,647	1,022,647
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE .....	59,553	59,553
160	WARFARE TACTICS .....	16,651	16,651
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....	31,118	31,118
180	COMBAT SUPPORT FORCES .....	635,560	635,560
190	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT .....	4,334	4,334
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	24,800	24,800
240	CYBERSPACE ACTIVITIES .....	355	355
280	WEAPONS MAINTENANCE .....	493,033	493,033
290	OTHER WEAPON SYSTEMS SUPPORT .....	12,780	12,780
310	FACILITIES SUSTAINMENT .....	67,321	67,321
320	BASE OPERATING SUPPORT .....	211,394	211,394
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>4,418,623</b>	<b>4,418,623</b>
<b>MOBILIZATION</b>			
370	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	12,902	12,902
390	COAST GUARD SUPPORT .....	165,000	165,000
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>177,902</b>	<b>177,902</b>
<b>TRAINING AND RECRUITING</b>			
430	SPECIALIZED SKILL TRAINING .....	51,138	51,138
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>51,138</b>	<b>51,138</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
510	ADMINISTRATION .....	4,145	4,145

**SEC. 7302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
540	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	7,503	7,503
580	SERVICEWIDE TRANSPORTATION .....	69,297	69,297
610	ACQUISITION, LOGISTICS, AND OVERSIGHT .....	10,912	10,912
650	INVESTIGATIVE AND SECURITY SERVICES .....	1,559	1,559
765	CLASSIFIED PROGRAMS .....	16,076	16,076
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>109,492</b>	<b>109,492</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY .....</b>	<b>4,757,155</b>	<b>4,757,155</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>		
	<b>OPERATING FORCES</b>		
010	OPERATIONAL FORCES .....	734,505	734,505
020	FIELD LOGISTICS .....	212,691	212,691
030	DEPOT MAINTENANCE .....	53,040	53,040
070	BASE OPERATING SUPPORT .....	23,047	23,047
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>1,023,283</b>	<b>1,023,283</b>
	<b>TRAINING AND RECRUITING</b>		
120	TRAINING SUPPORT .....	30,459	30,459
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>30,459</b>	<b>30,459</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
160	SERVICEWIDE TRANSPORTATION .....	61,400	61,400
170	ADMINISTRATION .....	2,108	2,108
225	CLASSIFIED PROGRAMS .....	4,650	4,650
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>68,158</b>	<b>68,158</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS .....</b>	<b>1,121,900</b>	<b>1,121,900</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES</b>		
	<b>OPERATING FORCES</b>		
020	INTERMEDIATE MAINTENANCE .....	500	500
030	AIRCRAFT DEPOT MAINTENANCE .....	11,400	11,400
080	COMBAT SUPPORT FORCES .....	13,737	13,737
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>25,637</b>	<b>25,637</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES</b>	<b>25,637</b>	<b>25,637</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	OPERATING FORCES .....	2,550	2,550
040	BASE OPERATING SUPPORT .....	795	795
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>3,345</b>	<b>3,345</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MC RE-SERVE .....</b>	<b>3,345</b>	<b>3,345</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	166,274	166,274
020	COMBAT ENHANCEMENT FORCES .....	1,492,580	1,492,580
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....	110,237	110,237
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	209,996	209,996
050	FACILITIES SUSTAINMENT .....	92,412	92,412
060	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	1,289,693	1,289,693
070	FLYING HOUR PROGRAM .....	2,355,264	2,355,264
080	BASE SUPPORT .....	1,141,718	1,141,718
090	GLOBAL C3I AND EARLY WARNING .....	13,537	13,537
100	OTHER COMBAT OPS SPT PROGRAMS .....	224,713	224,713
110	CYBERSPACE ACTIVITIES .....	17,353	17,353
120	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES .....	36,098	36,098
130	LAUNCH FACILITIES .....	385	385
140	SPACE CONTROL SYSTEMS .....	38,966	38,966
170	US NORTHCOM/NORAD .....	725	725
180	US STRATCOM .....	2,056	2,056
190	US CYBERCOM .....	35,189	35,189
200	US CENTCOM .....	162,691	162,691
210	US SOCOM .....	19,000	19,000
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>7,408,887</b>	<b>7,408,887</b>

**SEC. 7302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
<b>MOBILIZATION</b>			
230	AIRLIFT OPERATIONS .....	1,287,659	1,287,659
240	MOBILIZATION PREPAREDNESS .....	107,064	107,064
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>1,394,723</b>	<b>1,394,723</b>
<b>TRAINING AND RECRUITING</b>			
280	OFFICER ACQUISITION .....	300	300
290	RECRUIT TRAINING .....	340	340
330	SPECIALIZED SKILL TRAINING .....	25,327	25,327
340	FLIGHT TRAINING .....	844	844
350	PROFESSIONAL DEVELOPMENT EDUCATION .....	1,199	1,199
360	TRAINING SUPPORT .....	1,320	1,320
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>29,330</b>	<b>29,330</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
430	LOGISTICS OPERATIONS .....	154,485	154,485
440	TECHNICAL SUPPORT ACTIVITIES .....	13,608	13,608
480	ADMINISTRATION .....	4,814	4,814
490	SERVICEWIDE COMMUNICATIONS .....	131,123	131,123
500	OTHER SERVICEWIDE ACTIVITIES .....	97,471	97,471
540	INTERNATIONAL SUPPORT .....	240	240
545	CLASSIFIED PROGRAMS .....	51,108	51,108
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>452,849</b>	<b>452,849</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE .....</b>	<b>9,285,789</b>	<b>9,285,789</b>
<b>OPERATION &amp; MAINTENANCE, AF RESERVE OPERATING FORCES</b>			
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	51,000	51,000
060	BASE SUPPORT .....	9,500	9,500
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>60,500</b>	<b>60,500</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AF RE- SERVE .....</b>	<b>60,500</b>	<b>60,500</b>
<b>OPERATION &amp; MAINTENANCE, ANG OPERATING FORCES</b>			
020	MISSION SUPPORT OPERATIONS .....	3,560	3,560
060	BASE SUPPORT .....	12,310	12,310
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>15,870</b>	<b>15,870</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG .....</b>	<b>15,870</b>	<b>15,870</b>
<b>OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES</b>			
010	JOINT CHIEFS OF STAFF .....	28,671	28,671
040	SPECIAL OPERATIONS COMMAND/OPERATING FORCES .....	3,733,161	3,733,161
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>3,761,832</b>	<b>3,761,832</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
100	DEFENSE CONTRACT AUDIT AGENCY .....	1,781	1,781
110	DEFENSE CONTRACT MANAGEMENT AGENCY .....	21,723	21,723
130	DEFENSE INFORMATION SYSTEMS AGENCY .....	111,702	111,702
150	DEFENSE LEGAL SERVICES AGENCY .....	127,023	127,023
170	DEFENSE MEDIA ACTIVITY .....	14,377	14,377
190	DEFENSE SECURITY COOPERATION AGENCY .....	2,208,442	2,008,442
	Transfer of funds to Ukraine Security Assistance fund .....		[-200,000]
230	DEFENSE THREAT REDUCTION AGENCY .....	302,250	302,250
250	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....	31,620	31,620
290	OFFICE OF THE SECRETARY OF DEFENSE .....	16,579	16,579
310	WASHINGTON HEADQUARTERS SERVICES .....	7,766	7,766
315	CLASSIFIED PROGRAMS .....	1,944,813	1,944,813
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>4,788,076</b>	<b>4,588,076</b>
	<b>TOTAL OPERATION AND MAINTENANCE, DE- FENSE-WIDE .....</b>	<b>8,549,908</b>	<b>8,349,908</b>
<b>UKRAINE SECURITY ASSISTANCE</b>			

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**SEC. 7302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

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Line	Item	FY 2019 Request	House Authorized
010	UKRAINE SECURITY ASSISTANCE .....		250,000
	Program increase for defensive lethal assistance .....		[50,000]
	Transfer of funds from the Defense Security Cooperation Agency ..		[200,000]
	<b>SUBTOTAL UKRAINE SECURITY ASSISTANCE .....</b>		<b>250,000</b>
	<b>TOTAL UKRAINE SECURITY ASSISTANCE .....</b>		<b>250,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE .....</b>	<b>48,782,670</b>	<b>51,146,727</b>

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1                   **TITLE LXXIV—MILITARY**

2                   **PERSONNEL**

3   **SEC. 7401. MILITARY PERSONNEL.**

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**SEC. 7401. MILITARY PERSONNEL**  
(In Thousands of Dollars)

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Item	FY 2019 Request	House Authorized
<b>Military Personnel Appropriations .....</b>	<b>140,689,301</b>	<b>139,988,801</b>
Control Grade Increase .....		[7,000]
Foreign Currency adjustments .....		[-218,000]
Historical unobligated balance .....		[-761,500]
Permanently reverse BAH reduction for Military Housing Privatization Initiative .....		[275,000]
Program decrease .....		[-3,000]
<b>Medicare-Eligible Retiree Health Fund Contribu-     tions .....</b>	<b>7,533,090</b>	<b>7,533,090</b>
<b>Total, Military Personnel .....</b>	<b>148,222,391</b>	<b>147,521,891</b>

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4   **SEC. 7402. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**

5                   **GENCY OPERATIONS.**

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**SEC. 7402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

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Item	FY 2019 Request	House Authorized
<b>Military Personnel Appropriations .....</b>	<b>4,660,661</b>	<b>4,660,661</b>

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6                   **TITLE LXXV—OTHER**

7                   **AUTHORIZATIONS**

8   **SEC. 7501. OTHER AUTHORIZATIONS.**

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**SEC. 7501. OTHER AUTHORIZATIONS**  
(In Thousands of Dollars)

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Item	FY 2019 Request	House Authorized
<b>WORKING CAPITAL FUND, ARMY</b>		
ARMY ARSENALS INITIATIVE .....	59,002	59,002

<b>SEC. 7501. OTHER AUTHORIZATIONS</b> (In Thousands of Dollars)		
<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
ARMY SUPPLY MANAGEMENT .....	99,763	99,763
<b>TOTAL WORKING CAPITAL FUND, ARMY .....</b>	<b>158,765</b>	<b>158,765</b>
<b>WORKING CAPITAL FUND, AIR FORCE</b>		
WORKING CAPITAL FUND .....	69,054	69,054
<b>TOTAL WORKING CAPITAL FUND, AIR FORCE .....</b>	<b>69,054</b>	<b>69,054</b>
<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>		
WORKING CAPITAL FUND SUPPORT .....	48,096	48,096
<b>TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE .....</b>	<b>48,096</b>	<b>48,096</b>
<b>WORKING CAPITAL FUND, DECA</b>		
WORKING CAPITAL FUND SUPPORT .....	1,266,200	1,266,200
<b>TOTAL WORKING CAPITAL FUND, DECA .....</b>	<b>1,266,200</b>	<b>1,266,200</b>
<b>NATIONAL DEFENSE SEALIFT FUND</b>		
SURGE SEALIFT RECAPITALIZATION .....		200,000
Program increase—one used vessel .....		[200,000]
LG MED SPD RO/RO MAINTENANCE .....		127,739
Transfer from OMN .....		[127,739]
DOD MOBILIZATION ALTERATIONS .....		20,858
Transfer from OMN .....		[20,858]
TAH MAINTENANCE .....		157,350
Service Life Extension of USNS Comfort (TAH 20) ....		[85,000]
Transfer from OMN .....		[72,350]
READY RESERVE AND PREPOSITIONING FORCE .....		310,805
Transfer from OMN .....		[310,805]
<b>TOTAL NATIONAL DEFENSE SEALIFT FUND .....</b>		<b>816,752</b>
<b>CHEM AGENTS &amp; MUNITIONS DESTRUCTION</b>		
OPERATION & MAINTENANCE .....	105,997	105,997
RDT&E .....	886,728	886,728
PROCUREMENT .....	1,091	1,091
<b>TOTAL CHEM AGENTS &amp; MUNITIONS DESTRUCTION .....</b>	<b>993,816</b>	<b>993,816</b>
<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE .....	547,171	567,171
Combatting opioid trafficking and abuse .....		[20,000]
DRUG DEMAND REDUCTION PROGRAM .....	117,900	117,900
NATIONAL GUARD COUNTER-DRUG PROGRAM .....	117,178	117,178
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE .....	5,276	5,276
<b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF .....</b>	<b>787,525</b>	<b>807,525</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>		
OPERATION & MAINTENANCE .....	327,611	332,611
Program increase .....		[5,000]
PROCUREMENT .....	1,602	1,602
RDT&E .....	60	60
<b>TOTAL OFFICE OF THE INSPECTOR GENERAL .....</b>	<b>329,273</b>	<b>334,273</b>
<b>DEFENSE HEALTH PROGRAM OPERATION &amp; MAINTENANCE</b>		
IN-HOUSE CARE .....	9,738,569	9,738,569
PRIVATE SECTOR CARE .....	15,103,735	15,103,735

**SEC. 7501. OTHER AUTHORIZATIONS**  
(In Thousands of Dollars)

Item	FY 2019 Request	House Authorized
CONSOLIDATED HEALTH SUPPORT .....	2,107,961	2,107,961
INFORMATION MANAGEMENT .....	2,039,878	2,039,878
MANAGEMENT ACTIVITIES .....	307,629	307,629
EDUCATION AND TRAINING .....	756,778	756,778
BASE OPERATIONS/COMMUNICATIONS .....	2,090,845	2,090,845
<b>RDT&amp;E</b>		
RESEARCH .....	11,386	11,386
EXPLORATORY DEVELOPMENT .....	75,010	80,010
Simulators and other technologies to reduce the use of live animal tissue for medical training .....		[5,000]
ADVANCED DEVELOPMENT .....	275,258	280,258
Simulators and other technologies to reduce the use of live animal tissue for medical training .....		[5,000]
DEMONSTRATION/VALIDATION .....	117,529	122,529
Simulators and other technologies to reduce the use of live animal tissue for medical training .....		[5,000]
ENGINEERING DEVELOPMENT .....	151,985	176,985
FDA approved devices to detect and monitor traumatic brain injury .....		[10,000]
Freeze-dried platelet derived hemostatic agents .....		[10,000]
Simulators and other technologies to reduce the use of live animal tissue for medical training .....		[5,000]
MANAGEMENT AND SUPPORT .....	63,755	63,755
CAPABILITIES ENHANCEMENT .....	15,714	15,714
<b>PROCUREMENT</b>		
INITIAL OUTFITTING .....	33,056	33,056
REPLACEMENT & MODERNIZATION .....	343,424	343,424
DOD HEALTHCARE MANAGEMENT SYSTEM MOD- ERNIZATION .....	496,680	496,680
<b>UNDISTRIBUTED</b>		
UNDISTRIBUTED .....		-492,500
Foreign Currency adjustments .....		[-22,100]
Historical unobligated balances .....		[-470,400]
<b>TOTAL DEFENSE HEALTH PROGRAM .....</b>	<b>33,729,192</b>	<b>33,276,692</b>
<b>TOTAL OTHER AUTHORIZATIONS .....</b>	<b>37,381,921</b>	<b>37,771,173</b>

1 **SEC. 7502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**  
2 **TINGENCY OPERATIONS.**

**SEC. 7502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Item	FY 2019 Request	House Authorized
<b>WORKING CAPITAL FUND, ARMY</b>		
ARMY SUPPLY MANAGEMENT .....	6,600	6,600
<b>TOTAL WORKING CAPITAL FUND, ARMY .....</b>	<b>6,600</b>	<b>6,600</b>
<b>WORKING CAPITAL FUND, AIR FORCE</b>		
WORKING CAPITAL FUND .....	8,590	8,590
<b>TOTAL WORKING CAPITAL FUND, AIR FORCE .....</b>	<b>8,590</b>	<b>8,590</b>
<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE .....	153,100	153,100
<b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG AC- TIVITIES, DEF .....</b>	<b>153,100</b>	<b>153,100</b>



<b>SEC. 7502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS</b> (In Thousands of Dollars)		
<b>Item</b>	<b>FY 2019 Request</b>	<b>House Authorized</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>		
OPERATION & MAINTENANCE .....	24,692	24,692
<b>TOTAL OFFICE OF THE INSPECTOR GENERAL</b>	<b>24,692</b>	<b>24,692</b>
<b>DEFENSE HEALTH PROGRAM</b>		
<b>OPERATION &amp; MAINTENANCE</b>		
IN-HOUSE CARE .....	72,627	72,627
PRIVATE SECTOR CARE .....	277,066	277,066
CONSOLIDATED HEALTH SUPPORT .....	2,375	2,375
<b>TOTAL DEFENSE HEALTH PROGRAM</b> .....	<b>352,068</b>	<b>352,068</b>
<b>TOTAL OTHER AUTHORIZATIONS</b> .....	<b>545,050</b>	<b>545,050</b>

1 **TITLE LXXVI—MILITARY**  
 2 **CONSTRUCTION**  
 3 **SEC. 7601. MILITARY CONSTRUCTION.**

<b>SEC. 7601. MILITARY CONSTRUCTION</b> (In Thousands of Dollars)				
<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2019 Request</b>	<b>House Agreement</b>
	Alabama			
Army	Anniston Army Depot	Weapon Maintenance Shop .....	5,200	5,200
	California			
Army	Fort Irwin	Multipurpose Range Complex .....	29,000	29,000
	Colorado			
Army	Fort Carson	Vehicle Maintenance Shop .....	77,000	77,000
	Georgia			
Army	Fort Gordon	Cyber Instructional Fac and Network Ctr .....	99,000	99,000
	Germany			
Army	East Camp Grafenwoehr	Mission Training Complex .....	31,000	31,000
	Hawaii			
Army	Fort Shafter	Command and Control Facility, Iner 4 .....	105,000	95,000
	Honduras			
Army	Soto Cano Air Base	Barracks .....	21,000	21,000
	Indiana			
Army	Crane Army Ammunition Plant	Railcar Holding Area .....	16,000	16,000
	Kentucky			
Army	Fort Campbell	Microgrid and Power Plant .....	0	18,000
Army	Fort Campbell	Vehicle Maintenance Shop .....	32,000	32,000
Army	Fort Knox	Digital Air/Ground Integration Range .....	26,000	26,000
	Korea			
Army	Camp Tango	Command and Control Facility .....	17,500	17,500
	Kuwait			
Army	Camp Arifjan	Vehicle Maintenance Shop .....	44,000	44,000
	Maryland			
Army	Fort Meade	Cantonment Area Roads .....	0	16,500
	New Jersey			
Army	Picatinny Arsenal	Munitions Disassembly Complex .....	41,000	41,000
	New Mexico			
Army	White Sands Missile Range	Information Systems Facility .....	40,000	40,000
	New York			
Army	U.S. Military Academy	Engineering Center .....	95,000	95,000
Army	U.S. Military Academy	Parking Structure .....	65,000	65,000
	North Carolina			
Army	Fort Bragg	Dining Facility .....	10,000	10,000
	South Carolina			
Army	Fort Jackson	Trainee Barracks Complex 3, Ph2 .....	52,000	52,000
	Texas			
Army	Fort Bliss	Supply Support Activity .....	24,000	24,000
Army	Fort Hood	Supply Support Activity .....	0	9,600
	Worldwide Unspecified			

**SEC. 7601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2019 Request</b>	<b>House Agreement</b>
Army	Unspecified Worldwide Locations	Force Protection and Safety .....	0	50,000
Army	Unspecified Worldwide Locations	Host Nation Support .....	34,000	34,000
Army	Unspecified Worldwide Locations	Planning and Design .....	76,068	76,068
Army	Unspecified Worldwide Locations	Unspecified Minor Construction .....	72,000	72,000
<b>Military Construction, Army Total .....</b>			<b>1,011,768</b>	<b>1,095,868</b>
Arizona				
Navy	Camp Navajo	Missile Motor Magazines and U&SI .....	0	14,800
Bahamas				
Navy	Andros Island	AUTEC Austere Quarters .....	31,050	31,050
Bahrain				
Navy	SW Asia	Fleet Maintenance Facility & TOC .....	26,340	26,340
California				
Navy	Camp Pendleton	AAV-ACV Maintenance & Warehouse Facility .....	49,410	49,410
Navy	Camp Pendleton	Electrical Upgrades .....	4,020	4,020
Navy	Camp Pendleton	Full Motion Trainer Facility .....	10,670	10,670
Navy	Camp Pendleton	Potable Water Distribution Improvements .....	47,230	47,230
Navy	Camp Pendleton	Supply Warehouse S01-West .....	0	16,600
Navy	Marine Corps Air Station Miramar	Airfield Security Improvements .....	11,500	11,500
Navy	Marine Corps Air Station Miramar	F-35 Vertical Landing Pads and Taxiway .....	20,480	20,480
Navy	Naval Air Station Lemoore	Communications Line Ops to Admin .....	0	14,900
Navy	Naval Air Station Lemoore	F-35 Maintenance Hangar .....	112,690	112,690
Navy	Naval Base Coronado	Aircraft Paint Complex .....	0	78,800
Navy	Naval Base Coronado	CMV-22B Airfield Improvements .....	77,780	77,780
Navy	Naval Base San Diego	Harbor Drive Switching Station .....	48,440	48,440
Navy	Naval Base San Diego	LCS Mission Module Readiness Center .....	0	19,500
Navy	Naval Base San Diego	Pier 8 Replacement .....	108,100	48,747
Navy	Naval Base Ventura	Directed Energy Systems Intergration Lab .....	22,150	22,150
Navy	Naval Base Ventura	Missile Assembly Build & High Explosive Mag .....	31,010	31,010
Navy	Naval Weapons Station Seal Beach	Causeway, Boat Channel & Turning Basin .....	117,830	117,830
Navy	Naval Weapons Station Seal Beach	Missile Magazines .....	0	21,800
Cuba				
Navy	Naval Station Guantanamo Bay	Consolidated Fire Station .....	0	19,700
Navy	Naval Station Guantanamo Bay	Solid Waste Management Facility .....	85,000	85,000
District of Columbia				
Navy	Naval Observatory	Master Time Clocks & Operations Facility .....	115,600	60,000
Florida				
Navy	Naval Air Station Whiting Field	Air Traffic Control Tower (North Field) .....	0	10,000
Navy	Naval Station Mayport	LCS Operational Training Facility Addition .....	29,110	29,110
Navy	Naval Station Mayport	LCS Support Facility .....	82,350	82,350
Georgia				
Navy	Marine Corps Base Albany	Welding and Body Repair Shop Facility .....	0	31,900
Germany				
Navy	Panzer Kaserne	MARFOREUR HQ Modernization and Expansion	43,950	43,950
Guam				
Navy	Joint Region Marianas	ACE Gym & Dining .....	27,910	27,910
Navy	Joint Region Marianas	Earth Covered Magazines .....	52,270	52,270
Navy	Joint Region Marianas	Machine Gun Range .....	141,287	70,000
Navy	Joint Region Marianas	Ordnance Ops .....	22,020	22,020
Navy	Joint Region Marianas	Unaccompanied Enlisted Housing .....	36,170	36,170
Navy	Naval Base Guam	X-Ray Wharf Improvements (Berth 2) .....	0	75,600
Hawaii				
Navy	Joint Base Pearl Harbor-Hickam	Drydock Waterfront Facility .....	45,000	45,000
Navy	Joint Base Pearl Harbor-Hickam	Water Transmission Line .....	78,320	78,320
Navy	Marine Corps Base Hawaii	Corrosion Control Hangar .....	66,100	66,100
Japan				
Navy	Kadena Air Base	Tactical Operations Center .....	9,049	9,049
Maine				
Navy	Portsmouth Naval Yard	Dry Dock #1 Superflood Basin .....	109,960	51,639

**SEC. 7601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2019 Request</b>	<b>House Agreement</b>
Navy	Portsmouth Naval Yard	Extend Portal Crane Rail .....	39,725	39,725
Navy	Mississippi Naval Construction Battalion Center	Expeditionary Combat Skills Student Berthing .....	0	22,300
Navy	North Carolina Camp Lejeune	2nd Radio BN Complex, Phase 2 .....	0	51,300
Navy	Marine Corps Air Station Cherry Point	Aircraft Maintenance Hangar .....	133,970	60,000
Navy	Marine Corps Air Station Cherry Point	Flightline Utility Modernization .....	106,860	55,000
Navy	Pennsylvania Naval Support Activity Philadelphia	Submarine Propulsor Manufacturing Support Fac .....	71,050	71,050
Navy	South Carolina Marine Corps Air Station Beaufort	Cryogenics Facility .....	0	6,300
Navy	Marine Corps Air Station Beaufort	Recycling/Hazardous Waste Facility .....	9,517	9,517
Navy	Marine Corps Recruit Depot, Parris Island	Range Improvements & Modernization, Phase 2 .....	35,190	35,190
Navy	Utah Hill Air Force Base	D5 Missile Motor Receipt/Storage Facility .....	105,520	55,000
Navy	Virginia Marine Corps Base Quantico	Ammunition Supply Point Upgrade, Phase 2 .....	0	13,100
Navy	Marine Corps Base Quantico	TBS Fire Station .....	21,980	0
Navy	Portsmouth	Ships Maintenance Facility .....	26,120	26,120
Navy	Washington Bangor	Pier and Maintenance Facility .....	88,960	88,960
Navy	Naval Air Station Whidbey Island	Fleet Support Facility .....	19,450	19,450
Navy	Naval Air Station Whidbey Island	Next Generation Jammer Facility .....	7,930	7,930
Navy	Worldwide Unspecified Unspecified Worldwide Locations	Force Protection and Safety .....	0	50,000
Navy	Unspecified Worldwide Locations	Planning and Design .....	185,542	177,542
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction .....	28,579	28,579
<b>Military Construction, Navy Total .....</b>			<b>2,543,189</b>	<b>2,538,898</b>
Alaska				
AF	Eielson Air Force Base	F-35 Aircraft Maintenance Unit Admin Facility .....	6,800	6,800
AF	Eielson Air Force Base	F-35 Conventional Munitions Maintenance Fac .....	15,500	15,500
AF	Eielson Air Force Base	F-35A CATM Range .....	19,000	19,000
AF	Eielson Air Force Base	F-35A School Age Facility .....	22,500	22,500
Arizona				
AF	Davis Monthan Air Force Base	AGE Facility .....	0	15,000
AF	Luke Air Force Base	F-35A Aircraft Maintenance Unit Facility .....	23,000	23,000
AF	Luke Air Force Base	F-35A Squad Ops #6 .....	17,000	17,000
Arkansas				
AF	Little Rock Air Force Base	Dormitory - 168 PN .....	0	26,000
Florida				
AF	Eglin Air Force Base	F-35A Integrated Trng Center Academics Bldg ....	34,863	34,863
AF	Eglin Air Force Base	F-35A Student Dormitory II .....	28,000	28,000
AF	MacDill Air Force Base	KC135 Beddown Add Flight Simulator Training ...	3,100	3,100
AF	Patrick Air Force Base	Main Gate .....	0	9,000
Guam				
AF	Joint Region Marianas	Hayman Munitions Storage Igloos MSA 2 .....	9,800	9,800
Louisiana				
AF	Barksdale Air Force Base	Entrance Road and Gate Complex .....	0	12,250
Mariana Islands				
AF	Tinian	APR—Cargo Pad with Taxiway Extension .....	46,000	46,000
AF	Tinian	APR—Maintenance Support Facility .....	4,700	4,700
Maryland				
AF	Joint Base Andrews	Child Development Center .....	0	13,000
AF	Joint Base Andrews	MWD Facility .....	0	8,000
AF	Joint Base Andrews	PAR Relocate Haz Cargo Pad and EOD Range ....	37,000	37,000
AF	Joint Base Andrews	Presidential Aircraft Recap Complex, Inc. 2 .....	154,000	123,116
Massachusetts				

**SEC. 7601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
AF	Hanscom Air Force Base	MIT-Linear Laboratory (West Lab CSL/MIF) .....	225,000	40,000
	Nebraska			
AF	Offutt Air Force Base	Parking Lot, USSTRATCOM .....	9,500	9,500
	Nevada			
AF	Creech Air Force Base	MQ-9 CPIP GCS Operations Facility .....	28,000	28,000
AF	Creech Air Force Base	MQ-9 CPIP Operations & Command Center Fac. ....	31,000	31,000
AF	Nellis Air Force Base	CRH Simulator .....	5,900	5,900
	New Mexico			
AF	Holloman Air Force Base	MQ-9 FTU Ops Facility .....	85,000	85,000
	Base			
AF	Kirtland Air Force Base	Wyoming Gate Upgrade for Anti-terrorism Compliance. ....	0	7,000
	Base			
	New York			
AF	Rome Lab	Anti-Terrorism Perimeter Security / Entry Control Point. ....	0	14,200
	North Dakota			
AF	Minot Air Force Base	Consolidated Helo/TRF Ops/AMU and Alert Fac ..	66,000	66,000
	Ohio			
AF	Wright-Patterson Air Force Base	ADAL Intelligence Production Complex (NASIC) ..	116,100	61,000
	Oklahoma			
AF	Altus Air Force Base	KC-46A FTU/FTC Simulator Facility Ph 3 .....	12,000	12,000
AF	Tinker Air Force Base	KC-46A Depot Fuel Maintenance Hangar .....	85,000	85,000
AF	Tinker Air Force Base	KC-46A Depot Maintenance Hangar .....	81,000	81,000
	Qatar			
AF	Al Udeid	Flightline Support Facilities .....	30,400	0
AF	Al Udeid	Personnel Deployment Processing Facility .....	40,000	0
	South Carolina			
AF	Shaw Air Force Base	CPIP MQ-9 MCE GROUP .....	53,000	53,000
	Texas			
AF	Joint Base San Antonio	BMT Recruit Dormitory 6 .....	25,000	25,000
	United Kingdom			
AF	RAF Lakenheath	F-35A 6 Bay Hangar .....	39,036	39,036
AF	RAF Lakenheath	F-35A ADAL Conventional Munitions MX .....	9,204	9,204
AF	RAF Lakenheath	F-35A ADAL Parts Store .....	13,926	13,926
AF	RAF Lakenheath	F-35A AGE Facility .....	12,449	12,449
AF	RAF Lakenheath	F-35A Dorm .....	29,541	29,541
AF	RAF Lakenheath	F-35A Fuel System Maintenance Dock 2 Bay .....	16,880	16,880
AF	RAF Lakenheath	F-35A Parking Apron .....	27,431	27,431
	Utah			
AF	Hill Air Force Base	Composite Aircraft Antenna Calibration Fac .....	0	26,000
	Washington			
AF	Fairchild—White Bluff	ADAL JPRA C2 Mission Support Facility .....	0	14,000
	Worldwide Classified			
AF	Classified Location	TACMOR—Utilities and Infrastructure Support ...	18,000	18,000
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	Force Protection and Safety .....	0	50,000
AF	Various Worldwide Locations	Planning and Design .....	206,577	198,577
AF	Various Worldwide Locations	Unspecified Minor Military Construction .....	38,500	38,500
	<b>Military Construction, AF Total</b> .....		<b>1,725,707</b>	<b>1,570,773</b>
	Alaska			
Def-Wide	Clear Air Force Station	Long Range Discrim Radar Sys Complex Ph2 .....	174,000	130,000
Def-Wide	Fort Greely	Missile Field #1 Expansion .....	8,000	0
Def-Wide	Joint Base Elmendorf-Richardson	Operations Facility Replacement .....	14,000	14,000
	Arkansas			
Def-Wide	Little Rock Air Force Base	Hydrant Fuel System Alterations .....	14,000	14,000
	Belgium			
Def-Wide	Chievres Air Base	Europe West District Superintendent's Office .....	14,305	14,305
	California			
Def-Wide	Camp Pendleton	SOF EOD Facility—West .....	3,547	3,547
Def-Wide	Camp Pendleton	SOF Human Performance Training Center-West ..	9,049	9,049
Def-Wide	Defense Distribution Depot-Tracy	Main Access Control Point Upgrades .....	18,800	18,800
Def-Wide	Naval Base Coronado	SOF ATC Applied Instruction Facility .....	14,819	14,819
Def-Wide	Naval Base Coronado	SOF ATC Training Facility .....	18,329	18,329
Def-Wide	Naval Base Coronado	SOF Close Quarters Combat Facility .....	12,768	12,768
Def-Wide	Naval Base Coronado	SOF NSWG-1 Operations Support Facility .....	25,172	25,172
	Colorado			

**SEC. 7601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2019 Request</b>	<b>House Agreement</b>
Def-Wide	Fort Carson	SOF Human Performance Training Center .....	15,297	15,297
Def-Wide	Fort Carson	SOF Mountaineering Facility .....	9,000	9,000
	Conus Classified			
Def-Wide	Classified Location	Battalion Complex, PH2 .....	49,222	49,222
	Cuba			
Def-Wide	Naval Base Guantana- namo Bay	Working Dog Treatment Facility Replacement .....	9,080	9,080
	Germany			
Def-Wide	Baumholder	SOF Joint Parachute Rigging Facility .....	11,504	11,504
Def-Wide	Kaiserslautern Air Base	Kaiserslautern Middle School .....	99,955	99,955
Def-Wide	Rhine Ordnance Bar- racks	Medical Center Replacement Inc. 8 .....	319,589	319,589
Def-Wide	Weisbaden	Clay Kaserne Elementary School .....	56,048	56,048
	Japan			
Def-Wide	Camp Metureous	Bechtel Elementary School .....	94,851	94,851
Def-Wide	Iwakuni	Fuel Pier .....	33,200	33,200
Def-Wide	Kadena Air Base	Truck Unload Facilities .....	21,400	21,400
Def-Wide	Yokosuka	Kinnick High School .....	170,386	40,000
	Kentucky			
Def-Wide	Fort Campbell	Ft Campbell Middle School .....	62,634	62,634
Def-Wide	Fort Campbell	SOF Air/Ground Integ. Urban Live Fire Range .....	9,091	9,091
Def-Wide	Fort Campbell	SOF Logistics Support Operations Facility .....	5,435	5,435
Def-Wide	Fort Campbell	SOF Multi-Use Helicopter Training Facility .....	5,138	5,138
	Maine			
Def-Wide	Kittery	Consolidated Warehouse Replacement .....	11,600	11,600
	Maryland			
Def-Wide	Fort Meade	Mission Support Operations Warehouse Facility .....	30,000	30,000
Def-Wide	Fort Meade	NSAW Recapitalize Building #2 Inc 4 .....	218,000	218,000
Def-Wide	Fort Meade	NSAW Recapitalize Building #3 Inc 1 .....	99,000	99,000
	Missouri			
Def-Wide	St. Louis	Next NGA West (N2W) Complex Phase 1 Inc. 2 .....	213,600	181,000
Def-Wide	St. Louis	Next NGA West (N2W) Complex Phase 2 Inc. 1 .....	110,000	110,000
	New Jersey			
Def-Wide	Joint Base Meguire- Dix-Lakehurst	Hot Cargo Hydrant System Replacement .....	10,200	10,200
	North Carolina			
Def-Wide	Fort Bragg	SOF Replace Training Maze and Tower .....	12,109	12,109
Def-Wide	Fort Bragg	SOF SERE Resistance Training Lab. Complex .....	20,257	20,257
Def-Wide	New River	Amb Care Center/Dental Clinic Replacement .....	32,580	32,580
	Oklahoma			
Def-Wide	McAlester	Bulk Diesel System Replacement .....	7,000	7,000
	Texas			
Def-Wide	Joint Base San Anto- nio	Energy Aerospace Operations Facility .....	10,200	10,200
Def-Wide	Red River Army Depot	General Purpose Warehouse .....	71,500	71,500
	United Kingdom			
Def-Wide	Croughton RAF	Ambulatory Care Center Addition/Alteration .....	10,000	0
	Virginia			
Def-Wide	Fort A.P. Hill	Training Campus .....	11,734	11,734
Def-Wide	Fort Belvoir	Human Performance Training Center .....	6,127	6,127
Def-Wide	Humphreys Engineer Center	Maintenance and Supply Facility .....	20,257	20,257
Def-Wide	Joint Base Langley- Eustis	Fuel Facilities Replacement .....	6,900	6,900
Def-Wide	Joint Base Langley- Eustis	Ground Vehicle Fueling Facility Replacement .....	5,800	5,800
Def-Wide	Pentagon	Exterior Infrastruc. & Security Improvements .....	23,650	23,650
Def-Wide	Pentagon	North Village VACP & Fencing .....	12,200	12,200
Def-Wide	Training Center Dam Neck	SOF Magazines .....	8,959	8,959
	Washington			
Def-Wide	Joint Base Lewis- Mechord	Refueling Facility .....	26,200	26,200
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	Contingency Construction .....	10,000	0
Def-Wide	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog. ....	150,000	165,000
Def-Wide	Unspecified Worldwide Locations	ERCIP Design .....	10,000	10,000
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction .....	12,479	12,479
Def-Wide	Unspecified Worldwide Locations	Planning and Design .....	86,941	86,941
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction .....	31,642	31,642
Def-Wide	Various Worldwide Lo- cations	Planning & Design .....	42,705	42,705

**SEC. 7601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2019 Request</b>	<b>House Agreement</b>
Def-Wide	Various Worldwide Locations	Planning and Design .....	55,699	55,699
Def-Wide	Various Worldwide Locations	Unspecified Minor Construction .....	17,366	17,366
<b>Military Construction, Def-Wide Total .....</b>			<b>2,693,324</b>	<b>2,473,338</b>
NATO	Worldwide Unspecified NATO Security Investment Program	Nato Security Investment Program .....	171,064	171,064
<b>NATO Security Investment Program Total .....</b>			<b>171,064</b>	<b>171,064</b>
Army NG	Alaska Joint Base Elmendorf-Richardson	United States Property & Fiscal Office .....	27,000	27,000
Army NG	Illinois Marseilles Training Center	Automated Record Fire Range .....	5,000	5,000
Army NG	Montana Malta	National Guard Readiness Center .....	15,000	15,000
Army NG	Nevada North Las Vegas	National Guard Readiness Center .....	32,000	32,000
Army NG	New Hampshire Pembroke	National Guard Readiness Center .....	12,000	12,000
Army NG	North Dakota Fargo	National Guard Readiness Center .....	32,000	32,000
Army NG	Ohio Camp Ravenna	Automated Multipurpose Machine Gun Range .....	7,400	7,400
Army NG	Oklahoma Lexington	Aircraft Vehicle Storage Building .....	0	11,000
Army NG	South Dakota Rapid City	National Guard Readiness Center .....	15,000	15,000
Army NG	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design .....	16,622	16,622
Army NG	Worldwide Unspecified Unspecified Worldwide Locations	Unspecified Minor Construction .....	18,100	18,100
<b>Military Construction, Army National Guard Total .....</b>			<b>180,122</b>	<b>191,122</b>
Army Res	California Fort Irwin	ECS Modified TEMF / Warehouse .....	34,000	34,000
Army Res	Washington Yakima Training Center	ECS Modified TEMF .....	0	23,000
Army Res	Wisconsin Fort Me Coy	Transient Training Barracks .....	23,000	23,000
Army Res	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design .....	5,855	5,855
Army Res	Worldwide Unspecified Unspecified Worldwide Locations	Unspecified Minor Construction .....	2,064	2,064
<b>Military Construction, Army Reserve Total .....</b>			<b>64,919</b>	<b>87,919</b>
N/MC Res	California Naval Weapons Station Seal Beach	Reserve Training Center .....	21,740	21,740
N/MC Res	Georgia Fort Benning	Reserve Training Center .....	13,630	13,630
N/MC Res	Pennsylvania Pittsburgh	Reserve Training Center .....	0	0
N/MC Res	Worldwide Unspecified Unspecified Worldwide Locations	Planning & Design .....	4,695	4,695
N/MC Res	Worldwide Unspecified Unspecified Worldwide Locations	Unspecified Minor Construction .....	3,000	3,000
<b>Military Construction, Naval Reserve Total .....</b>			<b>43,065</b>	<b>43,065</b>
Air NG	California Channel Islands Air National Guard Station	Construct C-130J Flight Simulator Facility .....	8,000	8,000
Air NG	Hawaii Joint Base Pearl Harbor-Hickam	Construct Addition to F-22 LO/CRF B3408 .....	17,000	17,000

**SEC. 7601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2019 Request</b>	<b>House Agreement</b>
Air NG	Illinois Greater Peoria Regional Airport	Construct New Fire Crash/Rescue Station .....	9,000	9,000
Air NG	Louisiana New Orleans	NORTHCOM—Construct Alert Apron .....	15,000	15,000
Air NG	New Orleans	NORTHCOM—Construct Alert Facilities .....	0	24,000
Air NG	Minnesota Duluth International Airport	Construct Small Arms Range .....	0	8,000
Air NG	Montana Great Falls International Airport	Construct Aircraft Apron .....	0	9,000
Air NG	New York Francis S. Gabreski Airport	Security Forces/Comm.Training Facility .....	20,000	20,000
Air NG	Ohio Mansfield Lahm Airport	Replace Fire Station .....	0	13,000
Air NG	Rickenbacker International Airport	Construct Small Arms Range .....	0	8,000
Air NG	Pennsylvania Fort Indiantown Gap	Replace Operations Training/Dining Hall .....	8,000	8,000
Air NG	Virginia Joint Base Langley-Eustis	Construct Cyber Ops Facility .....	10,000	10,000
Air NG	Worldwide Unspecified Unspecified Worldwide Locations	Unspecified Minor Construction .....	23,626	23,626
Air NG	Various Worldwide Locations	Planning and Design .....	18,500	18,500
<b>Military Construction, Air National Guard Total .....</b>			<b>129,126</b>	<b>191,126</b>
AF Res	Florida Patrick Air Force Base	HC-130J Mx Hanger .....	0	24,000
AF Res	Indiana Grissom Air Reserve Base	Add/Alter Aircraft Maintenance Hangar .....	12,100	12,100
AF Res	Grissom Air Reserve Base	Aerial Port Facility .....	0	9,400
AF Res	Massachusetts Westover Air Reserve Base	Regional ISO Mx Hanger .....	0	42,600
AF Res	Minnesota Minneapolis-St Paul International Airport	Small Arms Range .....	9,000	9,000
AF Res	Mississippi Keesler Air Force Base	Aeromedical Staging Squadron Facility .....	4,550	4,550
AF Res	New York Niagara Falls International Airport	Physical Fitness Center .....	14,000	14,000
AF Res	Ohio Youngstown Air Rserve Station	Relocation Main Gate .....	0	8,800
AF Res	Texas Naval Air Station Joint Reserve Base Fort Worth	Munitions Training/Admin Facility .....	3,100	3,100
AF Res	Worldwide Unspecified Unspecified Worldwide Locations	Planning & Design .....	4,055	4,055
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction .....	3,358	3,358
<b>Military Construction, Air Force Reserve Total .....</b>			<b>50,163</b>	<b>134,963</b>
FH Con Army	Germany Baumholder	Family Housing Improvements .....	32,000	32,000
FH Con Army	Italy Vicenza	Family Housing New Construction .....	95,134	95,134
FH Con Army	Korea Camp Humphreys	Family Housing New Construction Iner 3 .....	85,000	85,000
FH Con Army	Camp Walker	Family Housing Replacement Construction .....	68,000	68,000
FH Con Army	Puerto Rico Fort Buchanan	Family Housing Replacement Construction .....	26,000	26,000
FH Con Army	Wisconsin Fort Meecoy	Family Housing New Construction .....	6,200	6,200
	Worldwide Unspecified			

**SEC. 7601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2019 Request</b>	<b>House Agreement</b>
FH Con Army	Unspecified Worldwide Locations	Family Housing P & D .....	18,326	18,326
<b>Family Housing Construction, Army Total .....</b>			<b>330,660</b>	<b>330,660</b>
FH Ops Army	Worldwide Unspecified Unspecified Worldwide Locations	Furnishings .....	15,842	15,842
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support .....	18,801	20,301
FH Ops Army	Unspecified Worldwide Locations	Leasing .....	161,252	161,252
FH Ops Army	Unspecified Worldwide Locations	Maintenance .....	75,530	75,530
FH Ops Army	Unspecified Worldwide Locations	Management .....	36,302	34,802
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous .....	408	408
FH Ops Army	Unspecified Worldwide Locations	Services .....	10,502	10,502
FH Ops Army	Unspecified Worldwide Locations	Utilities .....	57,872	57,872
<b>Family Housing Operation And Maintenance, Army Total .....</b>			<b>376,509</b>	<b>376,509</b>
FH Con Navy	Mariana Islands Guam	Replace Anderson Housing PH III .....	83,441	83,441
FH Con Navy	Worldwide Unspecified Unspecified Worldwide Locations	Design, Washington DC .....	4,502	4,502
FH Con Navy	Unspecified Worldwide Locations	Improvements, Washington DC .....	16,638	16,638
<b>Family Housing Construction, Navy And Marine Corps Total .....</b>			<b>104,581</b>	<b>104,581</b>
FH Ops Navy	Worldwide Unspecified Unspecified Worldwide Locations	Furnishings .....	16,395	16,395
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support .....	21,767	23,267
FH Ops Navy	Unspecified Worldwide Locations	Leasing .....	62,515	62,515
FH Ops Navy	Unspecified Worldwide Locations	Maintenance .....	86,328	86,328
FH Ops Navy	Unspecified Worldwide Locations	Management .....	50,870	49,370
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous .....	148	148
FH Ops Navy	Unspecified Worldwide Locations	Services .....	16,261	16,261
FH Ops Navy	Unspecified Worldwide Locations	Utilities .....	60,252	60,252
<b>Family Housing Operation And Maintenance, Navy And Marine Corps Total .....</b>			<b>314,536</b>	<b>314,536</b>
FH Con AF	Worldwide Unspecified Unspecified Worldwide Locations	Construction Improvements .....	75,247	75,247
FH Con AF	Unspecified Worldwide Locations	Planning & Design .....	3,199	3,199
<b>Family Housing Construction, Air Force Total .....</b>			<b>78,446</b>	<b>78,446</b>
FH Ops AF	Worldwide Unspecified Unspecified Worldwide Locations	Furnishings .....	30,645	30,645
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization Support .....	22,205	23,705
FH Ops AF	Unspecified Worldwide Locations	Leasing .....	15,832	15,832
FH Ops AF	Unspecified Worldwide Locations	Maintenance .....	129,763	129,763
FH Ops AF	Unspecified Worldwide Locations	Management .....	54,423	52,923
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous .....	2,171	2,171
FH Ops AF	Unspecified Worldwide Locations	Services .....	13,669	13,669



SEC. 7601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
FH Ops AF	Unspecified Worldwide Locations	Utilities .....	48,566	48,566
<b>Family Housing Operation And Maintenance, Air Force Total .....</b>			<b>317,274</b>	<b>317,274</b>
FH Ops DW	Worldwide Unspecified Unspecified Worldwide Locations	Furnishings .....	1,060	1,060
FH Ops DW	Unspecified Worldwide Locations	Leasing .....	51,278	51,278
FH Ops DW	Unspecified Worldwide Locations	Maintenance .....	1,663	1,663
FH Ops DW	Unspecified Worldwide Locations	Management .....	155	155
FH Ops DW	Unspecified Worldwide Locations	Services .....	2	2
FH Ops DW	Unspecified Worldwide Locations	Utilities .....	4,215	4,215
<b>Family Housing Operation And Maintenance, Defense-Wide Total .....</b>			<b>58,373</b>	<b>58,373</b>
FHIF	Worldwide Unspecified Unspecified Worldwide Locations	Administrative Expenses—FHIF .....	1,653	1,653
<b>DOD Family Housing Improvement Fund Total .....</b>			<b>1,653</b>	<b>1,653</b>
UHIF	Worldwide Unspecified Unaccompanied Housing Improvement Fund	Administrative Expenses—UHIF .....	600	600
<b>Unaccompanied Housing Improvement Fund Total .....</b>			<b>600</b>	<b>600</b>
BRAC	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment and Closure .....	62,796	80,906
BRAC	Unspecified Worldwide Locations	Base Realignment and Closure .....	151,839	170,949
BRAC	Unspecified Worldwide Locations	Base Realignment and Closure .....	52,903	71,013
<b>Base Realignment and Closure Total .....</b>			<b>267,538</b>	<b>322,868</b>
PYS	Prior Year Savings Prior Year Savings	Prior Year Savings .....	0	-71,158
<b>Prior Year Savings Total .....</b>			<b>0</b>	<b>-71,158</b>
<b>Total, Military Construction .....</b>			<b>10,462,617</b>	<b>10,332,478</b>

1 **SEC. 7602. MILITARY CONSTRUCTION FOR OVERSEAS CON-**  
 2 **TINGENCY OPERATIONS.**

SEC. 7602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
Army	Bulgaria Nevo Selo	EDI: Ammunition Holding Area .....	5,200	5,200
Army	Cuba Guantanamo Bay	High Value Detention Facility .....	69,000	0
Army	Poland Drawsko Pomorski Training Area	EDI: Staging Area .....	17,000	17,000
Army	Powidz Air Base	EDI: Ammunition Storage Facility .....	52,000	52,000
Army	Powidz Air Base	EDI: Bulk Fuel Storage .....	21,000	21,000
Army	Powidz Air Base	EDI: Rail Extension & Railhead .....	14,000	14,000
Army	Zagan Training Area	EDI: Rail Extension and Railhead .....	6,400	6,400
Army	Zagan Training Area	EDI: Staging Area .....	34,000	34,000
Army	Romania Mihail Kogalniceanu	EDI: Explosives & Ammo Load/Unload Apron .....	21,651	21,651
	Worldwide Unspecified			

**SEC. 7602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	House Agreement
Army	Unspecified Worldwide Locations	EDI: Planning and Design .....	20,999	20,999
<b>Military Construction, Army Total .....</b>			<b>261,250</b>	<b>192,250</b>
	Greece			
Navy	Souda Bay	EDI: Joint Mobility Processing Center .....	41,650	41,650
Navy	Souda Bay	EDI: Marathi Logistics Support Center .....	6,200	6,200
	Italy			
Navy	Sigonella	EDI: P-8A Taxiway .....	66,050	66,050
	Spain			
Navy	Rota	EDI: Port Operations Facilities .....	21,590	21,590
	United Kingdom			
Navy	Lossiemouth	EDI: P-8 Base Improvements .....	79,130	79,130
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	EDI: Planning and Design .....	12,700	12,700
<b>Military Construction, Navy Total .....</b>			<b>227,320</b>	<b>227,320</b>
	Germany			
AF	Ramstein AB	EDI: KMC DABS-FEV/RH Storage Warehouses .....	119,000	119,000
	Norway			
AF	Rygge	EDI: Construct Taxiway .....	13,800	13,800
	Qatar			
AF	Al Udeid	Flight line Support Facilities .....	0	30,400
AF	Al Udeid	Personnel Deployment Processing Facility .....	0	40,000
	Slovakia			
AF	Malacky	EDI: Regional Munitions Storage Area .....	59,000	59,000
	United Kingdom			
AF	RAF Fairford	EDI: Construct DABS-FEV Storage .....	87,000	87,000
AF	RAF Fairford	EDI: Munitions Holding Area .....	19,000	19,000
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	EDI: Planning & Design Funds .....	48,000	46,600
<b>Military Construction, Air Force Total .....</b>			<b>345,800</b>	<b>414,800</b>
	Estonia			
Def-Wide	Unspecified Estonia	EDI: SOF Operations Facility .....	6,100	6,100
Def-Wide	Unspecified Estonia	EDI: SOF Training Facility .....	9,600	9,600
	Qatar			
Def-Wide	Al Udeid	Trans-Regional Logistics Complex .....	60,000	60,000
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	EDI: Planning and Design .....	7,100	7,100
Def-Wide	Various Worldwide Locations	EDI: Planning and Design .....	4,250	4,250
<b>Military Construction, Defense-Wide Total .....</b>			<b>87,050</b>	<b>87,050</b>
<b>Total, Military Construction .....</b>			<b>921,420</b>	<b>921,420</b>

1 **TITLE LXXVII—DEPARTMENT OF**  
 2 **ENERGY NATIONAL SECURITY**  
 3 **PROGRAMS**  
 4 **SEC. 7701. DEPARTMENT OF ENERGY NATIONAL SECURITY**  
 5 **PROGRAMS.**

**SEC. 7701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

Program	FY 2019 Request	House Authorized
<b>Discretionary Summary By Appropriation</b>		
<b>Energy And Water Development, And Related Agencies</b>		
<b>Appropriation Summary:</b>		

**SEC. 7701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

Program	FY 2019 Request	House Authorized
<b>Energy Programs</b>		
Nuclear Energy .....	136,090	136,090
<b>Atomic Energy Defense Activities</b>		
<b>National nuclear security administration:</b>		
Weapons activities .....	11,017,078	11,215,078
Defense nuclear nonproliferation .....	1,862,825	1,989,825
Naval reactors .....	1,788,618	1,788,618
Federal salaries and expenses .....	422,529	404,529
<b>Total, National nuclear security administration .....</b>	<b>15,091,050</b>	<b>15,398,050</b>
<b>Environmental and other defense activities:</b>		
Defense environmental cleanup .....	5,630,217	5,680,217
Other defense activities .....	853,300	853,300
Defense nuclear waste disposal .....	30,000	30,000
<b>Total, Environmental &amp; other defense activities .....</b>	<b>6,513,517</b>	<b>6,563,517</b>
<b>Total, Atomic Energy Defense Activities .....</b>	<b>21,604,567</b>	<b>21,961,567</b>
<b>Total, Discretionary Funding .....</b>	<b>21,740,657</b>	<b>22,097,657</b>
<b>Nuclear Energy</b>		
Idaho sitewide safeguards and security .....	136,090	136,090
<b>Total, Nuclear Energy .....</b>	<b>136,090</b>	<b>136,090</b>
<b>Weapons Activities</b>		
<b>Directed stockpile work</b>		
<b>Life extension programs and major alterations</b>		
B61-12 Life extension program .....	794,049	794,049
W76-1 Life extension program .....	48,888	48,888
W88 Alt 370 .....	304,285	304,285
W80-4 Life extension program .....	654,766	654,766
IW-1 .....	53,000	53,000
W76-2 Warhead modification program .....	65,000	65,000
<b>Total, Life extension programs and major alterations .....</b>	<b>1,919,988</b>	<b>1,919,988</b>
<b>Stockpile systems</b>		
B61 Stockpile systems .....	64,547	64,547
W76 Stockpile systems .....	94,300	94,300
W78 Stockpile systems .....	81,329	81,329
W80 Stockpile systems .....	80,204	80,204
B83 Stockpile systems .....	35,082	35,082
W87 Stockpile systems .....	83,107	83,107
W88 Stockpile systems .....	180,913	180,913
<b>Total, Stockpile systems .....</b>	<b>619,482</b>	<b>619,482</b>
<b>Weapons dismantlement and disposition</b>		
Operations and maintenance .....	56,000	56,000
<b>Stockpile services</b>		
Production support .....	512,916	508,916
Program decrease .....		[-4,000]
Research and development support .....	38,129	38,129
R&D certification and safety .....	216,582	214,582
Program decrease .....		[-2,000]
Management, technology, and production .....	300,736	298,736
Program decrease .....		[-2,000]
<b>Total, Stockpile services .....</b>	<b>1,068,363</b>	<b>1,060,363</b>
<b>Strategic materials</b>		
Uranium sustainment .....	87,182	87,182
Plutonium sustainment .....	361,282	361,282
Tritium sustainment .....	205,275	205,275
Lithium sustainment .....	29,135	29,135
Domestic uranium enrichment .....	100,704	100,704
Strategic materials sustainment .....	218,794	218,794
<b>Total, Strategic materials .....</b>	<b>1,002,372</b>	<b>1,002,372</b>
<b>Total, Directed stockpile work .....</b>	<b>4,666,205</b>	<b>4,658,205</b>
<b>Research, development, test and evaluation (RDT&amp;E)</b>		
<b>Science</b>		
Advanced certification .....	57,710	57,710

**SEC. 7701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

Program	FY 2019 Request	House Authorized
Primary assessment technologies .....	95,057	93,057
Program decrease .....		[-2,000]
Dynamic materials properties .....	131,000	128,000
Program decrease .....		[-3,000]
Advanced radiography .....	32,544	32,544
Secondary assessment technologies .....	77,553	77,553
Academic alliances and partnerships .....	53,364	53,364
Enhanced Capabilities for Subcritical Experiments .....	117,632	117,632
<b>Total, Science .....</b>	<b>564,860</b>	<b>559,860</b>
<b>Engineering</b>		
Enhanced surety .....	43,226	43,226
Weapon systems engineering assessment technology .....	27,536	27,536
Nuclear survivability .....	48,230	48,230
Enhanced surveillance .....	58,375	58,375
Stockpile Responsiveness .....	34,000	40,000
Program increase .....		[6,000]
<b>Total, Engineering .....</b>	<b>211,367</b>	<b>217,367</b>
<b>Inertial confinement fusion ignition and high yield</b>		
Ignition .....	22,434	42,434
Maintain sustainable levels .....		[20,000]
Support of other stockpile programs .....	17,397	21,397
Maintain sustainable levels .....		[4,000]
Diagnostics, cryogenics and experimental support .....	51,453	61,453
Maintain sustainable levels .....		[10,000]
Pulsed power inertial confinement fusion .....	8,310	8,310
Facility operations and target production .....	319,333	334,333
Maintain sustainable levels .....		[15,000]
<b>Total, Inertial confinement fusion and high yield .....</b>	<b>418,927</b>	<b>467,927</b>
<b>Advanced simulation and computing</b>		
Advanced simulation and computing .....	656,401	656,401
<b>Construction:</b>		
18-D-670, Exascale Class Computer Cooling Equipment, LANL .....	24,000	24,000
18-D-620, Exascale Computing Facility Modernization Project, LLNL .....	23,000	23,000
<b>Total, Construction .....</b>	<b>47,000</b>	<b>47,000</b>
<b>Total, Advanced simulation and computing .....</b>	<b>703,401</b>	<b>703,401</b>
<b>Advanced manufacturing</b>		
Additive manufacturing .....	17,447	17,447
Component manufacturing development .....	48,477	48,477
Process technology development .....	30,914	30,914
<b>Total, Advanced manufacturing .....</b>	<b>96,838</b>	<b>96,838</b>
<b>Total, RDT&amp;E .....</b>	<b>1,995,393</b>	<b>2,045,393</b>
<b>Infrastructure and operations</b>		
Operations of facilities .....	891,000	891,000
Safety and environmental operations .....	115,000	115,000
Maintenance and repair of facilities .....	365,000	404,000
Address high-priority repair needs and preventive maintenance .....		[39,000]
<b>Recapitalization:</b>		
Infrastructure and safety .....	431,631	498,631
Support high-priority deferred maintenance .....		[67,000]
Capability based investments .....	109,057	113,057
Program increase .....		[4,000]
<b>Total, Recapitalization .....</b>	<b>540,688</b>	<b>611,688</b>
<b>Construction:</b>		
19-D-670, 138kV Power Transmission System Replacement, NNSS .....	6,000	6,000
19-D-660, Lithium Production Capability, Y-12 .....	19,000	19,000
18-D-680, Material Staging Facility, Pantex .....	0	24,000
18-D-650, Tritium Production Capability, SRS .....	27,000	27,000
17-D-710, West End Protected Area reduction Project, Y-12 .....	0	9,000
17-D-640, U1a Complex Enhancements Project, NNSS .....	53,000	53,000
16-D-515, Albuquerque complex project .....	47,953	47,953
14-D-710, DAF Argus project, NNSS .....	0	2,000

**SEC. 7701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

Program	FY 2019 Request	House Authorized
06-D-141 Uranium processing facility Y-12, Oak Ridge, TN .....	703,000	703,000
04-D-125 Chemistry and metallurgy research facility replacement project, LANL .....	235,095	235,095
<b>Total, Construction</b> .....	<b>1,091,048</b>	<b>1,126,048</b>
<b>Total, Infrastructure and operations</b> .....	<b>3,002,736</b>	<b>3,147,736</b>
<b>Secure transportation asset</b>		
Operations and equipment .....	176,617	176,617
Program direction .....	102,022	102,022
<b>Total, Secure transportation asset</b> .....	<b>278,639</b>	<b>278,639</b>
<b>Defense nuclear security</b>		
Operations and maintenance .....	690,638	701,638
Physical security infrastructure recapitalization and CSTART .....		[11,000]
<b>Total, Defense nuclear security</b> .....	<b>690,638</b>	<b>701,638</b>
Information technology and cybersecurity .....	221,175	221,175
Legacy contractor pensions .....	162,292	162,292
<b>Total, Weapons Activities</b> .....	<b>11,017,078</b>	<b>11,215,078</b>
<b>Defense Nuclear Nonproliferation</b>		
<b>Defense Nuclear Nonproliferation Programs</b>		
<b>Global material security</b>		
International nuclear security .....	46,339	46,339
Domestic radiological security .....	90,764	90,764
International radiological security .....	59,576	59,576
Nuclear smuggling detection and deterrence .....	140,429	140,429
<b>Total, Global material security</b> .....	<b>337,108</b>	<b>337,108</b>
<b>Material management and minimization</b>		
HEU reactor conversion .....	98,300	98,300
Nuclear material removal .....	32,925	32,925
Material disposition .....	200,869	200,869
<b>Total, Material management &amp; minimization</b> .....	<b>332,094</b>	<b>332,094</b>
Nonproliferation and arms control .....	129,703	129,703
Defense nuclear nonproliferation R&D .....	456,095	468,095
Acceleration of low-yield detection experiments .....		[6,000]
Future nuclear proliferation challenges, including 3D printing .....		[6,000]
<b>Nonproliferation Construction:</b>		
18-D-150 Surplus Plutonium Disposition Project .....	59,000	59,000
99-D-143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS .....	220,000	335,000
<b>Total, Nonproliferation construction</b> .....	<b>279,000</b>	<b>394,000</b>
<b>Total, Defense Nuclear Nonproliferation Programs</b> .....	<b>1,534,000</b>	<b>1,661,000</b>
Legacy contractor pensions .....	28,640	28,640
Nuclear counterterrorism and incident response program .....	319,185	319,185
Use of prior year balances .....	-19,000	-19,000
<b>Total, Defense Nuclear Nonproliferation</b> .....	<b>1,862,825</b>	<b>1,989,825</b>
<b>Naval Reactors</b>		
Naval reactors development .....	514,951	514,951
Columbia-Class reactor systems development .....	138,000	138,000
S8G Prototype refueling .....	250,000	250,000
Naval reactors operations and infrastructure .....	525,764	525,764
<b>Construction:</b>		
19-D-930, KS Overhead Piping .....	10,994	10,994
17-D-911, BL Fire System Upgrade .....	13,200	13,200
14-D-901 Spent fuel handling recapitalization project, NRF .....	287,000	287,000
<b>Total, Construction</b> .....	<b>311,194</b>	<b>311,194</b>
Program direction .....	48,709	48,709
<b>Total, Naval Reactors</b> .....	<b>1,788,618</b>	<b>1,788,618</b>
<b>Federal Salaries And Expenses</b>		
Program direction .....	422,529	404,529
Program decrease .....		[-18,000]

SEC. 7701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2019 Request	House Authorized
<b>Total, Office Of The Administrator</b> .....	<b>422,529</b>	<b>404,529</b>
<b>Defense Environmental Cleanup</b>		
<b>Closure sites:</b>		
Closure sites administration .....	4,889	4,889
<b>Richland:</b>		
River corridor and other cleanup operations .....	89,577	89,577
Central plateau remediation .....	562,473	612,473
Accelerated remediation of 300–296 waste site .....		[50,000]
Richland community and regulatory support .....	5,121	5,121
<b>Construction:</b>		
18–D–404 WESF Modifications and Capsule Storage .....	1,000	1,000
<b>Total, Construction</b> .....	<b>1,000</b>	<b>1,000</b>
<b>Total, Hanford site</b> .....	<b>658,171</b>	<b>708,171</b>
<b>Office of River Protection:</b>		
Waste Treatment Immobilization Plant Commissioning .....	15,000	15,000
Rad liquid tank waste stabilization and disposition .....	677,460	677,460
<b>Construction:</b>		
15–D–409 Low activity waste pretreatment system, ORP .....	56,053	56,053
01–D–416 A-D WTP Subprojects A-D .....	675,000	675,000
01–D–416 E—Pretreatment Facility .....	15,000	15,000
<b>Total, Construction</b> .....	<b>746,053</b>	<b>746,053</b>
<b>Total, Office of River protection</b> .....	<b>1,438,513</b>	<b>1,438,513</b>
<b>Idaho National Laboratory:</b>		
SNF stabilization and disposition—2012 .....	17,000	17,000
Solid waste stabilization and disposition .....	148,387	148,387
Radioactive liquid tank waste stabilization and disposition .....	137,739	137,739
Soil and water remediation—2035 .....	42,900	42,900
Idaho community and regulatory support .....	3,200	3,200
<b>Total, Idaho National Laboratory</b> .....	<b>349,226</b>	<b>349,226</b>
<b>NNSA sites and Nevada off-sites</b>		
Lawrence Livermore National Laboratory .....	1,704	1,704
<b>Nuclear facility D &amp; D</b>		
Separations Process Research Unit .....	15,000	15,000
Nevada .....	60,136	60,136
Sandia National Laboratories .....	2,600	2,600
Los Alamos National Laboratory .....	191,629	191,629
<b>Total, NNSA sites and Nevada off-sites</b> .....	<b>271,069</b>	<b>271,069</b>
<b>Oak Ridge Reservation:</b>		
<b>OR Nuclear facility D &amp; D</b>		
OR-0041—D&D - Y-12 .....	30,214	30,214
OR-0042—D&D -ORNL .....	60,007	60,007
<b>Total, OR Nuclear facility D &amp; D</b> .....	<b>90,221</b>	<b>90,221</b>
U233 Disposition Program .....	45,000	45,000
<b>OR cleanup and waste disposition</b>		
OR cleanup and disposition .....	67,000	67,000
<b>Construction:</b>		
17–D–401 On-site waste disposal facility .....	5,000	5,000
14–D–403 Outfall 200 Mercury Treatment Facility .....	11,274	11,274
<b>Total, Construction</b> .....	<b>16,274</b>	<b>16,274</b>
<b>Total, OR cleanup and waste disposition</b> .....	<b>83,274</b>	<b>83,274</b>
OR community & regulatory support .....	4,711	4,711
OR technology development and deployment .....	3,000	3,000
<b>Total, Oak Ridge Reservation</b> .....	<b>226,206</b>	<b>226,206</b>
<b>Savannah River Sites:</b>		
Nuclear Material Management .....	351,331	351,331
<b>Environmental Cleanup</b>		
Environmental Cleanup .....	166,105	166,105
<b>Construction:</b>		

**SEC. 7701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

Program	FY 2019 Request	House Authorized
18-D-402, Emergency Operations Center .....	1,259	1,259
<b>Total, Environmental Cleanup</b> .....	<b>167,364</b>	<b>167,364</b>
SR community and regulatory support .....	4,749	4,749
Radioactive liquid tank waste stabilization and disposition .....	805,686	805,686
<b>Construction:</b>		
18-D-401, SDU #8/9 .....	37,450	37,450
17-D-402—Saltstone Disposal Unit #7 .....	41,243	41,243
05-D-405 Salt waste processing facility, Savannah River Site .....	65,000	65,000
<b>Total, Construction</b> .....	<b>143,693</b>	<b>143,693</b>
<b>Total, Savannah River site</b> .....	<b>1,472,823</b>	<b>1,472,823</b>
<b>Waste Isolation Pilot Plant</b>		
Operations and maintenance .....	220,000	220,000
Central characterization project .....	19,500	19,500
Critical Infrastructure Repair/Replacement .....	46,695	46,695
Transportation .....	25,500	25,500
<b>Construction:</b>		
15-D-411 Safety significant confinement ventilation system, WIPP .....	84,212	84,212
15-D-412 Exhaust shaft, WIPP .....	1,000	1,000
<b>Total, Construction</b> .....	<b>85,212</b>	<b>85,212</b>
<b>Total, Waste Isolation Pilot Plant</b> .....	<b>396,907</b>	<b>396,907</b>
Program direction .....	300,000	300,000
Program support .....	6,979	6,979
Minority Serving Institution Partnership .....	6,000	6,000
<b>Safeguards and Security</b>		
Oak Ridge Reservation .....	14,023	14,023
Paducah .....	15,577	15,577
Portsmouth .....	15,078	15,078
Richland/Hanford Site .....	86,686	86,686
Savannah River Site .....	183,357	183,357
Waste Isolation Pilot Project .....	6,580	6,580
West Valley .....	3,133	3,133
<b>Total, Safeguards and Security</b> .....	<b>324,434</b>	<b>324,434</b>
Technology development .....	25,000	25,000
HQEF-0040—Excess Facilities .....	150,000	150,000
<b>Total, Defense Environmental Cleanup</b> .....	<b>5,630,217</b>	<b>5,680,217</b>
<b>Other Defense Activities</b>		
<b>Environment, health, safety and security</b>		
Environment, health, safety and security .....	135,194	135,194
Program direction .....	70,653	70,653
<b>Total, Environment, Health, safety and security</b> .....	<b>205,847</b>	<b>205,847</b>
<b>Independent enterprise assessments</b>		
Independent enterprise assessments .....	24,068	24,068
Program direction .....	52,702	52,702
<b>Total, Independent enterprise assessments</b> .....	<b>76,770</b>	<b>76,770</b>
Specialized security activities .....	254,378	254,378
<b>Office of Legacy Management</b>		
Legacy management .....	140,575	140,575
Program direction .....	18,302	18,302
<b>Total, Office of Legacy Management</b> .....	<b>158,877</b>	<b>158,877</b>
<b>Defense related administrative support</b>		
Chief financial officer .....	48,484	48,484
Chief information officer .....	96,793	96,793
Project management oversight and Assessments .....	8,412	8,412
<b>Total, Defense related administrative support</b> .....	<b>153,689</b>	<b>153,689</b>
Office of hearings and appeals .....	5,739	5,739
<b>Subtotal, Other defense activities</b> .....	<b>855,300</b>	<b>855,300</b>
Rescission of prior year balances (OHA) .....	-2,000	-2,000
<b>Total, Other Defense Activities</b> .....	<b>853,300</b>	<b>853,300</b>

Defense Nuclear Waste Disposal

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**SEC. 7701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

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Program	FY 2019 Request	House Authorized
Yucca mountain and interim storage .....	30,000	30,000
<b>Total, Defense Nuclear Waste Disposal .....</b>	<b>30,000</b>	<b>30,000</b>

Passed the House of Representatives May 24, 2018.

Attest:

*Clerk.*





115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5515

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## AN ACT

To authorize appropriations for fiscal year 2019 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.