

June 19, 2018

Ordered to be printed as passed

In the Senate of the United States,

June 18, 2018.

Resolved, That the bill from the House of Representatives (H.R. 5515) entitled “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.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 (a) *IN GENERAL.*—*This Act may be cited as the “John*
3 *S. McCain National Defense Authorization Act for Fiscal*
4 *Year 2019”.*

5 (b) *REFERENCES.*—*Any reference in this or any other*
6 *Act to the “National Defense Authorization Act for Fiscal*
7 *Year 2019” shall be deemed to be a reference to the “John*

1 *S. McCain National Defense Authorization Act for Fiscal*
 2 *Year 2019”.*

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

5 (a) *DIVISIONS.*—*This Act is organized into four divi-*
 6 *sions as follows:*

7 (1) *Division A—Department of Defense Author-*
 8 *izations.*

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

11 (3) *Division C—Department of Energy National*
 12 *Security Authorizations and Other Authorizations.*

13 (4) *Division D—Funding Tables.*

14 (5) *Division E—Additional Provisions.*

15 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 16 *this Act is as follows:*

Sec. 1. Short title.

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

Sec. 3. Congressional defense committees.

Sec. 4. Budgetary effects of this Act.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Deployment by the Army of an interim cruise missile defense capa-
bility.

Subtitle C—Navy Programs

Sec. 121. Multiyear procurement authority for F/A–18E/F Super Hornet and
EA–18G aircraft program.

- Sec. 122. Multiyear procurement authority for E-2D Advanced Hawkeye (AHE) aircraft program.*
- Sec. 123. Extension of limitation on use of sole-source shipbuilding contracts for certain vessels.*
- Sec. 124. Prohibition on availability of funds for Navy port waterborne security barriers.*
- Sec. 125. Multiyear procurement authority for Standard Missile-6.*
- Sec. 126. Limitation on availability of funds for the Littoral Combat Ship.*
- Sec. 127. Nuclear refueling of aircraft carriers.*
- Sec. 128. Limitation on funding for Amphibious Assault Vehicle Product Improvement Program.*

Subtitle D—Air Force Programs

- Sec. 141. Prohibition on availability of funds for retirement of E-8 JSTARS aircraft.*
- Sec. 142. B-52H aircraft system modernization report.*
- Sec. 143. Repeal of funding restriction for EC-130H Compass Call Recapitalization Program and review of program acceleration opportunities.*

Subtitle E—Defense-wide, Joint, and Multiservice Matters

- Sec. 151. Multiyear procurement authority for C-130J aircraft program.*
- Sec. 152. Quarterly updates on the F-35 Joint Strike Fighter program.*
- Sec. 153. Authority to procure additional polar-class icebreakers.*

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

- Sec. 201. Authorization of appropriations.*

Subtitle B—Program Requirements, Restrictions, and Limitations

- Sec. 211. Codification and reauthorization of Defense Research and Development Rapid Innovation Program.*
- Sec. 212. Procedures for rapid reaction to emerging technology.*
- Sec. 213. Activities on identification and development of enhanced personal protective equipment against blast injury.*
- Sec. 214. Human factors modeling and simulation activities.*
- Sec. 215. Expansion of mission areas supported by mechanisms for expedited access to technical talent and expertise at academic institutions.*
- Sec. 216. Advanced manufacturing activities.*
- Sec. 217. National security innovation activities.*
- Sec. 218. Partnership intermediaries for promotion of defense research and education.*
- Sec. 219. Limitation on use of funds for Surface Navy Laser Weapon System.*
- Sec. 220. Expansion of coordination requirement for support for national security innovation and entrepreneurial education.*
- Sec. 221. Limitation on funding for Amphibious Combat Vehicle 1.2.*
- Sec. 222. Defense quantum information science and technology research and development program.*
- Sec. 223. Joint directed energy test activities.*
- Sec. 224. Requirement for establishment of arrangements for expedited access to technical talent and expertise at academic institutions to support Department of Defense missions.*

Sec. 225. Authority for Joint Directed Energy Transition Office to conduct research relating to high powered microwave capabilities.

Sec. 226. Joint artificial intelligence research, development, and transition activities.

Subtitle C—Reports and Other Matters

Sec. 231. Report on comparative capabilities of adversaries in key technology areas.

Sec. 232. Report on active protection systems for armored combat and tactical vehicles.

Sec. 233. Next Generation Combat Vehicle.

Sec. 234. Report on the future of the defense research and engineering enterprise.

Sec. 235. Modification of reports on mechanisms to provide funds to defense laboratories for research and development of technologies for military missions.

Sec. 236. Report on Mobile Protected Firepower and Future Vertical Lift.

Sec. 237. Improvement of the Air Force supply chain.

Sec. 238. Review of guidance on blast exposure during training.

Sec. 239. List of technologies and manufacturing capabilities critical to Armed Forces.

Sec. 240. Report on requiring access to digital technical data in future acquisitions of combat, combat service, and combat support systems.

Sec. 241. Competitive acquisition strategy for Bradley Fighting Vehicle transmission replacement.

Sec. 242. Independent assessment of electronic warfare plans and programs.

TITLE III—OPERATION AND MAINTENANCE

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Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Further improvements to energy security and resilience.

Sec. 312. Funding of study and assessment of health implications of per- and polyfluoroalkyl substances contamination in drinking water by Agency for Toxic Substances and Disease Registry.

Sec. 313. Military Mission Sustainment Siting Clearinghouse.

Sec. 314. Operational energy policy.

Sec. 315. Funding treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid at State-owned and operated National Guard installations.

Subtitle C—Reports

Sec. 321. Reports on readiness.

Sec. 322. Report on cold weather capabilities and readiness of United States Armed Forces.

Subtitle D—Other Matters

Sec. 331. Pilot programs on integration of military information support and civil affairs activities.

Sec. 332. Reporting on future years budgeting by subactivity group.

Sec. 333. Restriction on upgrades to aviation demonstration team aircraft.

Sec. 334. U.S. Special Operations Command civilian personnel.

- Sec. 335. Limitation on availability of funds for service-specific Defense Readiness Reporting Systems.*
- Sec. 336. Repurposing and reuse of surplus Army firearms.*
- Sec. 337. Limitation on availability of funds for establishment of additional specialized undergraduate pilot training facility.*
- Sec. 338. Scope of authority for restoration of land due to mishap.*
- Sec. 339. Redesignation of the Utah Test and Training Range (UTTR).*

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- Sec. 351. Limitation on modifications to Navy Facilities Sustainment, Restoration, and Modernization (FSRM) structure and mechanism.*

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- Sec. 402. End strengths for commissioned officers on active duty in certain grades.*

Subtitle B—Reserve Forces

- Sec. 411. End strengths for Selected Reserve.*
- Sec. 412. End strengths for Reserves on active duty in support of the reserves.*
- Sec. 413. End strengths for military technicians (dual status).*
- Sec. 414. Maximum number of reserve personnel authorized to be on active duty for operational support.*

Subtitle C—Authorization of Appropriations

- Sec. 421. Military personnel.*
- Sec. 422. Limitation on use of funds for personnel in fiscal year 2019 in excess of statutorily specified end strengths for fiscal year 2018.*

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- Sec. 501. Repeal of codified specification of authorized strengths of certain commissioned officers on active duty.*
- Sec. 502. Annual defense manpower requirements report matters.*
- Sec. 503. Repeal of requirement for ability to complete 20 years of service by age 62 as qualification for original appointment as a regular commissioned officer.*
- Sec. 504. Enhancement of availability of constructive service credit for private sector training or experience upon original appointment as a commissioned officer.*
- Sec. 505. Standardized temporary promotion authority across the military departments for officers in certain grades with critical skills.*
- Sec. 506. Authority for promotion boards to recommend officers of particular merit be placed higher on a promotion list.*
- Sec. 507. Authority for officers to opt out of promotion board consideration.*
- Sec. 508. Competitive category matters.*
- Sec. 509. Promotion zone matters.*

- Sec. 510. Alternative promotion authority for officers in designated competitive categories of officers.*
- Sec. 511. Applicability to additional officer grades of authority for continuation on active duty of officers in certain military specialties and career tracks.*

PART II—OTHER MATTERS

- Sec. 516. Matters relating to satisfactory service in grade for purposes of retirement grade of officers in highest grade of satisfactory service.*
- Sec. 517. Reduction in number of years of active naval service required for permanent appointment as a limited duty officer.*
- Sec. 518. Repeal of original appointment qualification requirement for warrant officers in the regular Army.*
- Sec. 519. Uniform grade of service of the Chiefs of Chaplains of the Armed Forces.*
- Sec. 520. Written justification for appointment of Chiefs of Chaplains in grade below grade of major general or rear admiral.*

Subtitle B—Reserve Component Management

- Sec. 521. Authority to adjust effective date of promotion in the event of undue delay in extending Federal recognition of promotion.*
- Sec. 522. Authority to designate certain reserve officers as not to be considered for selection for promotion.*
- Sec. 523. Expansion of personnel subject to authority of the Chief of the National Guard Bureau in the execution of functions and missions of the National Guard Bureau.*
- Sec. 524. Repeal of prohibition on service on Army Reserve Forces Policy Committee by members on active duty.*

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- Sec. 531. Assessment of Navy standard workweek and related adjustments.*
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- Sec. 534. Qualification experience requirements for certain Navy watchstations.*
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- Sec. 536. Treatment of claims relating to military sexual trauma in correction of military records and review of discharge or dismissal proceedings.*

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- Sec. 543. Authorities of Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces.*
- Sec. 544. Protective orders against individuals subject to the Uniform Code of Military Justice.*
- Sec. 545. Expansion of eligibility for Special Victims' Counsel services.*
- Sec. 546. Clarification of expiration of term of appellate military judges of the United States Court of Military Commission Review.*

- Sec. 547. Expansion of policies on expedited transfer of members of the Armed Forces who are victims of sexual assault.*
- Sec. 548. Uniform command action form on disposition of unrestricted sexual assault cases involving members of the Armed Forces.*
- Sec. 549. Inclusion of information on certain collateral conduct of victims of sexual assault in annual reports on sexual assault involving members of the Armed Forces.*

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- Sec. 552. Consecutive service of active service obligations for medical training with other service obligations for education or training.*
- Sec. 553. Clarification of application and honorable service requirements under the Troops-to-Teachers Program to members of the Retired Reserve.*
- Sec. 554. Prohibition on use of funds for attendance of enlisted personnel at senior level and intermediate level officer professional military education courses.*
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- Sec. 562. Impact aid for children with severe disabilities.*
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- Sec. 567. Expansion of period of availability of Military OneSource program for retired and discharged members of the Armed Forces and their immediate families.*
- Sec. 568. Expansion of authority for noncompetitive appointments of military spouses by Federal agencies.*
- Sec. 569. Improvement of My Career Advancement Account program for military spouses.*
- Sec. 570. Access to military installations for certain surviving spouses and other next of kin of members of the Armed Forces who die while on active duty or certain reserve duty.*
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- Sec. 572. Multidisciplinary teams for military installations on child abuse and other domestic violence.*
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- Sec. 574. Pilot program on prevention of child abuse and training on safe childcare practices among military families.*
- Sec. 575. Pilot program on participation of military spouses in Transition Assistance Program activities.*
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- Sec. 602. Repeal of authority for payment of personal money allowances to Navy officers serving in certain positions.*
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- Sec. 605. Modification of authority of President to determine alternative pay adjustment in annual basic pay of members of the uniformed services.*
- Sec. 606. Eligibility of reserve component members for high-deployment allowance for lengthy or numerous deployments and frequent mobilizations.*

- Sec. 607. Eligibility of reserve component members for nonreduction in pay while serving in the uniformed services or National Guard.*
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- Sec. 611. One-year extension of certain expiring bonus and special pay authorities.*

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- Sec. 702. Administration of TRICARE dental plans through the Federal Employees Dental Insurance Program.*
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- Sec. 712. Organizational framework of the military healthcare system to support medical requirements of the combatant commands.*
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- Sec. 724. Pilot program on earning by special operations forces medics of credits towards a physician assistant degree.*
- Sec. 725. Pilot program on partnerships with civilian organizations for specialized medical training.*
- Sec. 726. Registry of individuals exposed to per- and polyfluoroalkyl substances on military installations.*
- Sec. 727. Inclusion of gambling disorder in health assessments for members of the Armed Forces and related research efforts.*
- Sec. 728. Comptroller General review of Defense Health Agency oversight of TRICARE managed care support contractors.*

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- Sec. 906. Clarification of responsibilities and duties of the Chief Information Officer of the Department of Defense.*
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- Sec. 1103. Inclusion of Strategic Capabilities Office and Defense Innovation Unit Experimental of the Department of Defense in personnel management authority to attract experts in science and engineering.*
- Sec. 1104. Enhancement of flexible management authorities for Science and Technology Reinvention Laboratories of the Department of Defense.*
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- Sec. 1106. Authority to employ civilian faculty members at the Joint Special Operations University.*

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- Sec. 1212. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.*
- Sec. 1213. Extension of authority to transfer defense articles and provide defense services to the military and security forces of Afghanistan.*
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Sec. 2302. Family housing.

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Sec. 5102. Sense of Congress on KC-46A aerial refueling tanker emergent requirements.

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TITLE LII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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Sec. 5203. Pilot program to test machine-vision technologies to determine the authenticity and security of microelectronic parts in weapon systems.

TITLE LIII—OPERATION AND MAINTENANCE

Sec. 5301. Prioritization of environmental impacts for Facilities Sustainment, Restoration, and Modernization demolition.

Sec. 5302. Core sampling at Joint Base San Antonio, Texas.

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Sec. 5304. Additional element in report on cold weather capabilities and readiness of the United States Armed Forces.

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TITLE LV—MILITARY PERSONNEL POLICY

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- Sec. 6004. Study on phasing out open burn pits.*
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Sec. 6008. Comptroller General study on availability of long-term care options for veterans from Department of Veterans Affairs.
Sec. 6009. Sense of Congress relating to Soo Locks, Sault Sainte Marie, Michigan.

TITLE LXI—CIVILIAN PERSONNEL MATTERS

- Sec. 6101. Department of Defense Cyber Scholarship Program scholarships and grants.*

Subtitle LXII—Matters Relating to Foreign Nations

- Sec. 6201. Coordination of efforts to negotiate free trade agreements with certain sub-Saharan African countries.*
Sec. 6202. Treatment of Rwandan Patriotic Front and Rwandan Patriotic Army under Immigration and Nationality Act.
Sec. 6203. Syrian war crimes accountability.
Sec. 6204. Clarification of limitation on the transfer of the F-35 to Turkey.
Sec. 6205. Report on Honduras, Guatemala, and El Salvador.
Sec. 6206. Report on arms embargo on Cyprus.

TITLE LXVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

- Sec. 6601. Technical corrections to certain cyberspace matters.*
Sec. 6602. Tier 1 exercise of support to civil authorities for a cyber incident.
Sec. 6603. Report on strengthening NATO cyber defense.
Sec. 6604. Briefing on cyber education and training.
Sec. 6605. Report on development of long-range stand-off weapon.

TITLE LXVII—COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES

- Sec. 6701. Ineffectiveness of section 1727.*
Sec. 6702. Prohibition on modification of civil penalties under export control and sanctions laws and prohibition on certain telecommunications equipment.

TITLE LXXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

- Sec. 6801. Clarification to include National Guard installations in Readiness and Environmental Protection Integration program.*
Sec. 6802. Release of restrictions, University of California, San Diego.
Sec. 6803. Plan to allow increased public access to the National Naval Aviation Museum and Barrancas National Cemetery, Naval Air Station Pensacola.

TITLE LXXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY
PROGRAMS

Sec. 7101. Additional amounts for inertial confinement fusion and high yield program.

TITLE LXXXV—MARITIME ADMINISTRATION

Sec. 7501. Ineffectiveness of title XXXV.

Sec. 7502. Authorization of the Maritime Administration.

Sec. 7503. Concurrent jurisdiction.

Sec. 7504. United States Merchant Marine Academy policy on sexual harassment, dating violence, domestic violence, sexual assault, and stalking.

Sec. 7505. Report on implementation of recommendations for the United States Merchant Marine Academy Sexual Assault Prevention and Response Program.

Sec. 7506. Report on the application of the Uniform Code of Military Justice to the United States Merchant Marine Academy.

Sec. 7507. Electronic records on mariner availability to meet national security needs.

Sec. 7508. Small shipyard grants.

Sec. 7509. Domestic ship recycling facilities.

Sec. 7510. Sea year on contracted vessels.

Sec. 7511. GAO report on national maritime strategy.

Sec. 7512. Department of Transportation Inspector General report on Title XI program.

Sec. 7513. Multi-year contracts.

Sec. 7514. Use of State Maritime Academy training vessels.

Sec. 7515. Permanent authority of Secretary of Transportation to issue vessel war risk insurance.

Sec. 7516. Navigation system study and report.

Sec. 7517. Miscellaneous.

Sec. 7518. Superior National Forest Land Exchange.

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 101(a)(16)*
4 *of title 10, United States Code.*

5 SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

6 *The budgetary effects of this Act, for the purposes of*
7 *complying with the Statutory Pay-As-You-Go Act of 2010,*
8 *shall be determined by reference to the latest statement titled*
9 *“Budgetary Effects of PAYGO Legislation” for this Act,*
10 *jointly submitted for printing in the Congressional Record*

1 *by the Chairmen of the House and Senate Budget Commit-*
2 *tees, provided that such statement has been submitted prior*
3 *to the vote on passage in the House acting first on the con-*
4 *ference report or amendment between the Houses.*

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 fis-*
12 *cal year 2019 for procurement for the Army, the Navy and*
13 *the Marine Corps, the Air Force, and Defense-wide activi-*
14 *ties, as specified in the funding table in section 4101.*

15 ***Subtitle B—Army Programs***

16 ***SEC. 111. DEPLOYMENT BY THE ARMY OF AN INTERIM***
17 ***CRUISE MISSILE DEFENSE CAPABILITY.***

18 *(a) CERTIFICATION OF NEED.—Not later than 30 days*
19 *after the date of the enactment of this Act, the Secretary*
20 *of Defense shall certify to the congressional defense commit-*
21 *tees whether deployment of an interim, fixed site cruise mis-*
22 *sile defense capability is necessary.*

23 *(b) DEPLOYMENT REQUIRED.—The Army shall deploy*
24 *an interim, fixed site cruise missile defense capability, in*

1 *anticipation of delivery to the Army of the Indirect Fire*
2 *Protection Capability (IFPC), by the deadlines as follows:*

3 (1) *Two batteries by not later than September*
4 *30, 2020.*

5 (2) *Two additional batteries by not later than*
6 *September 30, 2023.*

7 (c) *LOCATIONS OF DEPLOYMENT.—In deploying the*
8 *interim capability pursuant to subsection (b), the Secretary*
9 *of Defense shall afford a priority in locations for deploy-*
10 *ment to air bases and significant fixed site locations in Eu-*
11 *rope and Asia for the purpose of the protection of such bases*
12 *and locations against potential cruise missile threats.*

13 (d) *ACHIEVEMENT OF DEPLOYMENT DEADLINES.—In*
14 *order to meet the deadlines for deployment specified in sub-*
15 *section (b), the Army—*

16 (1) *shall deploy systems that require the least*
17 *amount of development; and*

18 (2) *may use a combination of—*

19 (A) *procurement of non-developmental air*
20 *and missile defense systems currently in produc-*
21 *tion to ensure rapid delivery of capability;*

22 (B) *use of existing systems, components,*
23 *and capabilities already in the Joint Force in-*
24 *ventory, including rockets and missiles as avail-*
25 *able;*

1 (C) *operational information technology for*
2 *communication, detection, and fire control that*
3 *is certified to work with existing joint informa-*
4 *tion technology systems to ensure interoper-*
5 *ability;*

6 (D) *engagement and collaboration with*
7 *science and technology, engineering, testing, and*
8 *acquisition organization and activities in the*
9 *Department of Defense, including the Defense In-*
10 *novation United Experimental, the Director of*
11 *Operational Test and Evaluation, the Defense*
12 *Digital Service, the Strategic Capabilities Office,*
13 *and the Rapid Capabilities offices, to accelerate*
14 *the development, testing, and deployment of ex-*
15 *isting systems; and*

16 (E) *institutional and operational basing to*
17 *facilitate rapid training and fielding.*

18 (e) *FUNDING.—Of the amount authorized to be appro-*
19 *priated for fiscal year 2019 by section 101 and available*
20 *for the Army for procurement as specified in the funding*
21 *table in section 4101, up to \$500,000,000 may be available*
22 *for the deployment of the interim capability required by*
23 *subsection (b).*

1 ***Subtitle C—Navy Programs***

2 ***SEC. 121. MULTIYEAR PROCUREMENT AUTHORITY FOR F/A-***
3 ***18E/F SUPER HORNET AND EA-18G AIRCRAFT***
4 ***PROGRAM.***

5 *(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—*
6 *Subject to section 2306b of title 10, United States Code, the*
7 *Secretary of the Navy may enter into one or more multiyear*
8 *contracts, beginning with the fiscal year 2019 program*
9 *year, for the procurement of F/A-18E/F Super Hornet and*
10 *potential EA-18G aircraft. Notwithstanding subsection (k)*
11 *of such section 2306b, the Secretary of Defense may enter*
12 *into a multiyear contract under this section for up to three*
13 *years.*

14 *(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The*
15 *Secretary of the Navy may enter into one or more contracts*
16 *for advance procurement associated with the F/A-18E/F*
17 *Super Hornet and potential EA-18G aircraft, including*
18 *economic order quantity, for which authorization to enter*
19 *into a multiyear procurement contract is provided under*
20 *subsection (a).*

21 *(c) COST ANALYSIS REQUIREMENT.—The Secretary*
22 *may not exercise the authority provided under subsection*
23 *(a) or (b) until the Secretary of Defense submits to the con-*
24 *gressional defense committees the report and confirmation*

1 *required under subparagraphs (A) and (B), respectively, of*
2 *section 2306b(i)(2) of title 10, United States Code.*

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

9 **SEC. 122. MULTIYEAR PROCUREMENT AUTHORITY FOR E-2D**

10 **ADVANCED HAWKEYE (AHE) AIRCRAFT PRO-**
11 **GRAM.**

12 *(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—*
13 *Subject to section 2306b of title 10, United States Code, the*
14 *Secretary of the Navy may enter into one or more multiyear*
15 *contracts, beginning with the fiscal year 2019 program*
16 *year, for the procurement of E-2D Advanced Hawkeye*
17 *(AHE) aircraft. Notwithstanding subsection (k) of such sec-*
18 *tion 2306b, the Secretary of Defense may enter into a*
19 *multiyear contract under this section for up to five years.*

20 *(b) AUTHORITY FOR ADVANCE PROCUREMENT AND*
21 *ECONOMIC ORDER QUANTITY.—The Secretary may enter*
22 *into one or more contracts for advance procurement associ-*
23 *ated with the E-2D AHE (including economic order quan-*
24 *tity) for which authorization to enter into a multiyear pro-*
25 *curement contract is provided under subsection (a).*

1 (c) *COST ANALYSIS REQUIREMENT.*—*The Secretary*
2 *may not exercise the authority provided under subsection*
3 *(a) or (b) until the Secretary of Defense submits to the con-*
4 *gressional defense committees the report and confirmation*
5 *required under subparagraphs (A) and (B), respectively, of*
6 *section 2306b(i)(2) of title 10, United States Code.*

7 (d) *CONDITION FOR OUT-YEAR CONTRACT PAY-*
8 *MENTS.*—*A contract entered into under subsection (a) shall*
9 *provide that any obligation of the United States to make*
10 *a payment under the contract for a fiscal year after fiscal*
11 *year 2019 is subject to the availability of appropriations*
12 *for that purpose for such later fiscal year.*

13 **SEC. 123. EXTENSION OF LIMITATION ON USE OF SOLE-**
14 **SOURCE SHIPBUILDING CONTRACTS FOR**
15 **CERTAIN VESSELS.**

16 *Section 124 of the National Defense Authorization Act*
17 *for Fiscal Year 2017 (Public Law 114–328), as amended*
18 *by section 127 of the National Defense Authorization Act*
19 *for Fiscal Year 2018 (Public Law 115–91), is further*
20 *amended by striking “or fiscal year 2018” and inserting*
21 *“, fiscal year 2018, or fiscal year 2019”.*

1 **SEC. 124. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
2 **NAVY PORT WATERBORNE SECURITY BAR-**
3 **RIERS.**

4 (a) *PROHIBITION.*—*Except as provided under sub-*
5 *section (b), none of the funds authorized to be appropriated*
6 *by this Act or otherwise made available for the Department*
7 *of Defense for fiscal year 2019 may be used for the procure-*
8 *ment of new Navy port waterborne security barriers.*

9 (b) *WAIVER.*—*The Secretary of the Navy may waive*
10 *the prohibition under subsection (a) not less than 30 days*
11 *after submitting to the congressional defense committees—*

12 (1) *a Navy requirements document that specifies*
13 *Key Performance Parameters and Key System At-*
14 *tributes for new Navy port waterborne security bar-*
15 *riers;*

16 (2) *a certification that the level of capability*
17 *specified under paragraph (1) will meet or exceed*
18 *that of legacy Navy port waterborne security barriers;*

19 (3) *the acquisition strategy for the recapitaliza-*
20 *tion of legacy Navy port waterborne security barriers,*
21 *which will meet or exceed the requirements specified*
22 *under paragraph (1); and*

23 (4) *a certification that any contract award or*
24 *awards for new Navy port waterborne security bar-*
25 *riers will result from full and open competition to the*
26 *maximum extent practicable.*

1 **SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR**
2 **STANDARD MISSILE-6.**

3 (a) *AUTHORITY FOR MULTIYEAR PROCUREMENT.*—
4 *Subject to section 2306b of title 10, United States Code, the*
5 *Secretary of the Navy may enter into one or more multiyear*
6 *contracts, beginning with the fiscal year 2019 program*
7 *year, for the procurement of up to 625 Standard Missile-*
8 *6 guided missiles.*

9 (b) *AUTHORITY FOR ADVANCE PROCUREMENT AND*
10 *ECONOMIC ORDER QUANTITY.*—*The Secretary may enter*
11 *into one or more contracts for advance procurement associ-*
12 *ated with the missiles (including economic order quantity)*
13 *for which authorization to enter into a multiyear procure-*
14 *ment contract is provided under subsection (a).*

15 (c) *COST ANALYSIS REQUIREMENT.*—*The Secretary*
16 *may not exercise the authority provided under subsection*
17 *(a) or (b) until the Secretary of Defense submits to the con-*
18 *gressional defense committees the report and confirmation*
19 *required under subparagraphs (A) and (B), respectively, of*
20 *section 2306b(i)(2) of title 10, United States Code.*

21 (d) *CONDITION FOR OUT-YEAR CONTRACT PAY-*
22 *MENTS.*—*A contract entered into under subsection (a) shall*
23 *provide that any obligation of the United States to make*
24 *a payment under the contract for a fiscal year after fiscal*
25 *year 2019 is subject to the availability of appropriations*
26 *for that purpose for such later fiscal year.*

1 **SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **THE LITTORAL COMBAT SHIP.**

3 (a) *LIMITATION.*—None of the amounts authorized to
4 be appropriated by this Act or otherwise made available
5 for the Department of Defense for fiscal year 2019 may be
6 used to exceed the total procurement quantity listed in revi-
7 sion five of the Littoral Combat Ship acquisition strategy
8 unless the Under Secretary of Defense for Acquisition and
9 Sustainment submits to the congressional defense commit-
10 tees the certification described in subsection (b).

11 (b) *CERTIFICATION.*—The certification described in
12 this subsection is a certification by the Under Secretary
13 that awarding a contract for the procurement of a Littoral
14 Combat Ship that exceeds the total procurement quantity
15 listed in revision five of the Littoral Combat Ship acqui-
16 sition strategy—

17 (1) is in the national security interests of the
18 United States;

19 (2) will not result in exceeding the low-rate ini-
20 tial production quantity approved in the Littoral
21 Combat Ship acquisition strategy in effect as of the
22 date of the certification; and

23 (3) is necessary to maintain a full and open
24 competition for the Guided Missile Frigate (FFG(X))
25 with a single source award in fiscal year 2020.

1 (c) *DEFINITION.*—*The term “revision five of the Lit-*
2 *toral Combat Ship acquisition strategy” means the fifth re-*
3 *vision of the Littoral Combat Ship acquisition strategy ap-*
4 *proved by the Under Secretary of Defense for Acquisition*
5 *and Sustainment on March 26, 2018.*

6 **SEC. 127. NUCLEAR REFUELING OF AIRCRAFT CARRIERS.**

7 (a) *AUTHORIZATION TO PROCURE NUCLEAR REFUEL-*
8 *ING MATERIALS.*—*Pursuant to section 7314a of title 10,*
9 *United States Code, as added by section 1014 of this Act,*
10 *the Secretary of the Navy may procure naval nuclear reac-*
11 *tor power units and associated reactor components for the*
12 *following aircraft carriers:*

- 13 (1) *U.S.S. John C. Stennis (CVN-74).*
14 (2) *U.S.S. Harry S. Truman (CVN-75).*
15 (3) *U.S.S. Ronald Reagan (CVN-76).*
16 (4) *U.S.S. George H.W. Bush (CVN-77).*

17 (b) *CONDITION FOR OUT-YEAR PAYMENTS.*—*Any con-*
18 *tract entered into under subsection (a) shall provide that*
19 *any obligation of the United States to make a payment*
20 *under the contract for a fiscal year after fiscal year 2019*
21 *is subject to availability of appropriations for that purpose*
22 *for that later fiscal year.*

1 **SEC. 128. LIMITATION ON FUNDING FOR AMPHIBIOUS AS-**
2 **SAULT VEHICLE PRODUCT IMPROVEMENT**
3 **PROGRAM.**

4 *Not more than 75 percent of the funds authorized by*
5 *this Act or otherwise made available for the Marine Corps*
6 *for fiscal year 2019 for the Amphibious Assault Vehicle*
7 *Product Improvement Program (AAV PIP) may be obli-*
8 *gated or expended until the Secretary of Defense has sub-*
9 *mitted to the congressional defense committees—*

10 *(1) the report required under subsection (b) of*
11 *section 1041; or*

12 *(2) the information required under paragraph*
13 *(5) of such subsection.*

14 ***Subtitle D—Air Force Programs***

15 **SEC. 141. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
16 **RETIREMENT OF E-8 JSTARS AIRCRAFT.**

17 *(a) PROHIBITION ON AVAILABILITY OF FUNDS FOR*
18 *RETIREMENT.—Except as provided by subsection (d), none*
19 *of the funds authorized to be appropriated by this Act or*
20 *otherwise made available for fiscal year 2019 for the Air*
21 *Force may be obligated or expended to retire, or prepare*
22 *to retire, any E-8 Joint Surveillance Target Attack Radar*
23 *System aircraft.*

24 *(b) ADDITIONAL LIMITATION ON RETIREMENT.—*

25 *(1) IN GENERAL.—In addition to the prohibition*
26 *in subsection (a), the Secretary of the Air Force may*

1 *not retire, or prepare to retire, any E–8C aircraft*
2 *until the Under Secretary of Defense for Acquisition*
3 *and Sustainment submits to the congressional defense*
4 *committees the certification described under para-*
5 *graph (2).*

6 (2) *REQUIRED CERTIFICATION.—The certifi-*
7 *cation referred to in paragraph (1) is a certification*
8 *submitted by the Under Secretary of Defense for Ac-*
9 *quisition and Sustainment to the congressional de-*
10 *fense committees that the Department of Defense’s*
11 *plan for 21st Century Battle Management Command*
12 *and Control, as briefed to the congressional defense*
13 *committees in March 2018, is progressing according*
14 *to the schedule presented in March 2018.*

15 (c) *EXCEPTION.—The prohibitions in subsections (a)*
16 *and (b) shall not apply to individual E–8 Joint Surveil-*
17 *lance Target Attack Radar System aircraft that the Sec-*
18 *retary of the Air Force determines, on a case-by-case basis,*
19 *to be nonoperational because of mishaps, other damage, or*
20 *being uneconomical to repair.*

21 **SEC. 142. B–52H AIRCRAFT SYSTEM MODERNIZATION RE-**
22 **PORT.**

23 *Not later than 180 days after the date of the enactment*
24 *of this Act, the Secretary of the Air Force shall submit to*
25 *the congressional defense committees a report on the long*

1 *term modernization of the B-52H aircraft, including an*
2 *estimated timeline and requirements as an integrated air-*
3 *craft system of—*

- 4 (1) *electronic warfare and defensive systems;*
- 5 (2) *communications including secure jam resist-*
6 *ant capability;*
- 7 (3) *radar replacement;*
- 8 (4) *engine replacement;*
- 9 (5) *future weapons and targeting capability; and*
- 10 (6) *mission planning systems.*

11 **SEC. 143. REPEAL OF FUNDING RESTRICTION FOR EC-130H**
12 **COMPASS CALL RECAPITALIZATION PRO-**
13 **GRAM AND REVIEW OF PROGRAM ACCELERA-**
14 **TION OPPORTUNITIES.**

15 (a) *REPEAL.*—*Section 131 of the National Defense Au-*
16 *thorization Act for Fiscal Year 2017 (Public Law 114-328;*
17 *130 Stat. 2037) is repealed.*

18 (b) *PERIODIC REPORTS REQUIRED.*—

19 (1) *IN GENERAL.*—*Not later than December 30,*
20 *2018, June 30, 2019, and December 30, 2019, the Sec-*
21 *retary of the Air Force shall submit to the congres-*
22 *sional defense committees a series of updated program*
23 *status reports for the EC-130H Compass Call Recapi-*
24 *talization Program.*

1 (2) *ELEMENTS.*—*The reports required under*
2 *paragraph (1) shall include—*

3 (A) *a program status update describing*
4 *progress in meeting current and future acquisi-*
5 *tion milestones;*

6 (B) *a description of opportunities to accel-*
7 *erate the program in fiscal years 2020 and 2021;*

8 (C) *a description of long-lead items or other*
9 *block buy components that could reduce cost and*
10 *lead to acceleration of the program;*

11 (D) *funding requirements to carry out pro-*
12 *gram acceleration in order to replace the legacy*
13 *EC–130H fleet as rapidly as possible; and*

14 (E) *a description of how the EC–130H*
15 *Compass Call Recapitalization Program—*

16 (i) *meets the requirements of combat-*
17 *ant commanders; and*

18 (ii) *is more operationally effective and*
19 *survivable than the existing EC–130H Com-*
20 *pass Call aircraft platform.*

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

3 ***SEC. 151. MULTIYEAR PROCUREMENT AUTHORITY FOR C-***
4 ***130J AIRCRAFT PROGRAM.***

5 ***(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—***

6 *Subject to section 2306b of title 10, United States Code, the*
7 *Secretary of the Air Force may enter into one or more*
8 *multiyear contracts, beginning with the fiscal year 2019*
9 *program year, for the procurement of C-130J aircraft and,*
10 *acting as the executive agent for the Department of the*
11 *Navy, for the procurement of C-130J aircraft.*

12 ***(b) AUTHORITY FOR ADVANCE PROCUREMENT AND***

13 ***ECONOMIC ORDER QUANTITY.—The Secretary of the Air***
14 *Force may enter into one or more contracts for advance*
15 *procurement associated with the C-130J aircraft, including*
16 *economic order quantity, for which authorization to enter*
17 *into a multiyear procurement contract is provided under*
18 *subsection (a).*

19 ***(c) CONDITION FOR OUT-YEAR CONTRACT PAY-***

20 ***MENTS.—A contract entered into under subsection (a) shall***
21 *provide that any obligation of the United States to make*
22 *a payment under the contract for a fiscal year after fiscal*
23 *year 2019 is subject to the availability of appropriations*
24 *for that purpose for such later fiscal year.*

1 (d) *TREATMENT OF FISCAL YEAR 2018 AIRCRAFT.*—
2 The multiyear contract authority under subsection (a) in-
3 cludes C-130J aircraft for which funds were appropriated
4 for fiscal year 2018.

5 **SEC. 152. QUARTERLY UPDATES ON THE F-35 JOINT STRIKE**
6 **FIGHTER PROGRAM.**

7 (a) *IN GENERAL.*—Beginning not later than October
8 1, 2018, and on a quarterly basis thereafter through October
9 1, 2024, the Under Secretary of Defense for Acquisition and
10 Sustainment shall provide to the congressional defense com-
11 mittees a briefing on the progress of the F-35 Joint Strike
12 Fighter program.

13 (b) *ELEMENTS.*—Each briefing under subsection (a)
14 shall include, with respect to the F-35 Joint Strike Fighter
15 program, the following elements:

16 (1) *An overview of the program schedule.*

17 (2) *A description of each contract awarded under*
18 *the program, including a description of the type of*
19 *contract and the status of the contract.*

20 (3) *An assessment of the status of the program*
21 *with respect to—*

22 (A) *modernization;*

23 (B) *modification;*

24 (C) *testing;*

25 (D) *delivery;*

1 (E) sustainment; and

2 (F) program management.

3 **SEC. 153. AUTHORITY TO PROCURE ADDITIONAL POLAR-**
4 **CLASS ICEBREAKERS.**

5 Section 122 of the National Defense Authorization Act
6 for Fiscal Year 2018 (Public Law 115–91) is amended—

7 (1) in the section heading, by striking “**ICE-**
8 **BREAKER VESSEL**” and inserting “**AUTHORIZA-**
9 **TION TO PROCURE UP TO SIX POLAR-CLASS**
10 **ICEBREAKERS**”;

11 (2) by striking subsections (a) and (b);

12 (3) by inserting before subsection (c) the fol-
13 lowing new subsection:

14 “(a) **AUTHORITY TO PROCURE ICEBREAKERS.**—The
15 Secretary of the department in which the Coast Guard is
16 operating may, in consultation with the Secretary of the
17 Navy, enter into a contract or contracts for the procurement
18 of up to six polar-class icebreakers, including—

19 “(1) polar-class heavy icebreakers; and

20 “(2) polar-class medium icebreakers.”;

21 (4) by redesignating subsections (c) and (d) as
22 subsections (b) and (c), respectively; and

23 (5) in paragraph (1) of subsection (b), as redesi-
24 gnated by paragraph (4) of this section, by striking
25 “subsection (a)(1)” and inserting “subsection (a)”.

1 **TITLE II—RESEARCH, DEVELOP-**
2 **MENT, TEST, AND EVALUA-**
3 **TION**

4 **Subtitle A—Authorization of**
5 **Appropriations**

6 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

7 *Funds are hereby authorized to be appropriated for fis-*
8 *cal year 2019 for the use of the Department of Defense for*
9 *research, development, test, and evaluation, as specified in*
10 *the funding table in section 4201.*

11 **Subtitle B—Program Requirements,**
12 **Restrictions, and Limitations**

13 **SEC. 211. CODIFICATION AND REAUTHORIZATION OF DE-**
14 **FENSE RESEARCH AND DEVELOPMENT RAPID**
15 **INNOVATION PROGRAM.**

16 *(a) CODIFICATION.—*

17 *(1) IN GENERAL.—Chapter 139 of title 10,*
18 *United States Code, is amended by inserting after sec-*
19 *tion 2359 the following new section:*

20 **“§2359a. Defense Research and Development Rapid**
21 **Innovation Program**

22 *“(a) PROGRAM ESTABLISHED.—(1) The Secretary of*
23 *Defense shall establish a competitive, merit-based program*
24 *to accelerate the fielding of technologies developed pursuant*
25 *to phase II Small Business Innovation Research Program*

1 *projects, technologies developed by the defense laboratories,*
2 *and other innovative technologies (including dual use tech-*
3 *nologies).*

4 “(2) *The purpose of this program is to stimulate inno-*
5 *vative technologies and reduce acquisition or lifecycle costs,*
6 *address technical risks, improve the timeliness and thor-*
7 *oughness of test and evaluation outcomes, and rapidly in-*
8 *sert such products directly in support of primarily major*
9 *defense acquisition programs, but also other defense acquisi-*
10 *tion programs that meet critical national security needs.*

11 “(b) *GUIDELINES.—The Secretary shall issue guide-*
12 *lines for the operation of the program. At a minimum such*
13 *guidance shall provide for the following:*

14 “(1) *The issuance of one or more broad agency*
15 *announcements or the use of any other competitive or*
16 *merit-based processes by the Department of Defense*
17 *for candidate proposals in support of defense acquisi-*
18 *tion programs as described in subsection (a).*

19 “(2) *The review of candidate proposals by the*
20 *Department of Defense and by each military depart-*
21 *ment and the merit-based selection of the most prom-*
22 *ising cost-effective proposals for funding through con-*
23 *tracts, cooperative agreements, and other transactions*
24 *for the purposes of carrying out the program.*

1 “(3) *The total amount of funding provided to*
2 *any project under the program from funding provided*
3 *under subsection (d) shall not exceed \$3,000,000, un-*
4 *less the Secretary, or the Secretary’s designee, ap-*
5 *proves a larger amount of funding for the project.*

6 “(4) *No project shall receive more than a total*
7 *of two years of funding under the program from fund-*
8 *ing provided under subsection (d), unless the Sec-*
9 *retary, or the Secretary’s designee, approves funding*
10 *for any additional year.*

11 “(5) *Mechanisms to facilitate transition of fol-*
12 *low-on or current projects carried out under the pro-*
13 *gram into defense acquisition programs, through the*
14 *use of the authorities of section 2302e of this title or*
15 *such other authorities as may be appropriate to con-*
16 *duct further testing, low rate production, or full rate*
17 *production of technologies developed under the pro-*
18 *gram.*

19 “(6) *Projects are selected using merit-based selec-*
20 *tion procedures and the selection of projects is not*
21 *subject to undue influence by Congress or other Fed-*
22 *eral agencies.*

23 “(c) *TREATMENT PURSUANT TO CERTAIN CONGRES-*
24 *SIONAL RULES.—Nothing in this section shall be inter-*
25 *preted to require or enable any official of the Department*

1 *of Defense to provide funding under this section to any ear-*
2 *mark as defined pursuant to House Rule XXI, clause 9,*
3 *or any congressionally directed spending item as defined*
4 *pursuant to Senate Rule XLIV, paragraph 5.*

5 “(d) *FUNDING.*—*Subject to the availability of appro-*
6 *priations for such purpose, the amounts authorized to be*
7 *appropriated for research, development, test, and evaluation*
8 *for a fiscal year may be used for such fiscal year for the*
9 *program established under subsection (a).*

10 “(e) *TRANSFER AUTHORITY.*—(1) *The Secretary may*
11 *transfer funds available for the program to the research, de-*
12 *velopment, test, and evaluation accounts of a military de-*
13 *partment, defense agency, or the unified combatant com-*
14 *mand for special operations forces pursuant to a proposal,*
15 *or any part of a proposal, that the Secretary determines*
16 *would directly support the purposes of the program.*

17 “(2) *The transfer authority provided in this subsection*
18 *is in addition to any other transfer authority available to*
19 *the Department of Defense.”.*

20 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
21 *tions at the beginning of chapter 139 of such title is*
22 *amended by inserting after the item relating to sec-*
23 *tion 2359 the following new item:*

“2359a. *Defense Research and Development Rapid Innovation Program.*”.

24 (b) *CONFORMING AMENDMENTS.*—

1 (1) *REPEAL OF OLD PROVISION.*—Section 1073
2 of the Ike Skelton National Defense Authorization Act
3 for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C.
4 2359 note) is hereby repealed.

5 (2) *REPEAL OF OLD TABLE OF CONTENTS*
6 *ITEM.*—The table of contents in section 2(b) of such
7 Act is amended by striking the item relating to sec-
8 tion 1073.

9 **SEC. 212. PROCEDURES FOR RAPID REACTION TO EMERG-**
10 **ING TECHNOLOGY.**

11 (a) *REQUIREMENT TO ESTABLISH PROCEDURES.*—Not
12 later than 180 days after the date of the enactment of this
13 Act, the Under Secretary of Defense for Research and Engi-
14 neering shall prescribe procedures for the designation and
15 development of technologies that are—

16 (1) *urgently needed*—

17 (A) *to react to a technological development*
18 *of an adversary of the United States; or*

19 (B) *to respond to a significant and urgent*
20 *emerging technology; and*

21 (2) *not receiving appropriate research funding or*
22 *attention from the Department of Defense.*

23 (b) *ELEMENTS.*—The procedures prescribed under sub-
24 section (a) shall include the following:

1 (1) *A process for streamlined communications*
2 *between the Under Secretary, the Joint Chiefs of*
3 *Staff, the commanders of the combatant commands,*
4 *the science and technology executives within each*
5 *military department, and the science and technology*
6 *community, including—*

7 (A) *a process for the commanders of the*
8 *combatant commands and the Joint Chiefs of*
9 *Staff to communicate their needs to the science*
10 *and technology community; and*

11 (B) *a process for the science and technology*
12 *community to propose technologies that meet the*
13 *needs communicated by the combatant com-*
14 *mands and the Joint Chiefs of Staff.*

15 (2) *Procedures for the development of tech-*
16 *nologies proposed pursuant to paragraph (1)(B), in-*
17 *cluding—*

18 (A) *a process for demonstrating perform-*
19 *ance of the proposed technologies on a short*
20 *timeline;*

21 (B) *a process for developing a development*
22 *strategy for a technology, including integration*
23 *into future budget years; and*

1 (C) a process for making investment deter-
2 minations based on information obtained pursu-
3 ant to subparagraphs (A) and (B).

4 **SEC. 213. ACTIVITIES ON IDENTIFICATION AND DEVELOP-**
5 **MENT OF ENHANCED PERSONAL PROTECTIVE**
6 **EQUIPMENT AGAINST BLAST INJURY.**

7 (a) *ACTIVITIES REQUIRED.*—

8 (1) *IN GENERAL.*—During fiscal years 2019 and
9 2020, the Secretary of the Army shall carry out a set
10 of activities to identify and develop personal equip-
11 ment to provide enhanced protection against injuries
12 caused by blasts in combat and training.

13 (2) *ACTION WITH DOTE.*—The Secretary shall
14 undertake all actions required of the Secretary under
15 this section jointly with the Director of Operational
16 Test and Evaluation.

17 (b) *ACTIVITIES.*—

18 (1) *CONTINUOUS EVALUATION PROCESS.*—For
19 purposes of the activities required by subsection (a),
20 the Secretary shall establish a process to continuously
21 solicit from government, industry, academia, and
22 other appropriate entities personal protective equip-
23 ment that is ready for testing and evaluation in order
24 to identify and evaluate equipment or clothing that is
25 more effective in protecting members of the Armed

1 *Forces from the harmful effects of blast injuries, in-*
2 *cluding traumatic brain injuries, and would be suit-*
3 *able for expedited procurement and fielding.*

4 (2) *GOALS.—The goals of the activities shall in-*
5 *clude:*

6 (A) *Development of streamlined require-*
7 *ments for procurement of personal protective*
8 *equipment.*

9 (B) *Appropriate testing of personal protec-*
10 *tive equipment prior to procurement and field-*
11 *ing.*

12 (C) *Development of expedited mechanisms*
13 *for deployment of effective personal protective*
14 *equipment.*

15 (D) *Identification of areas of research in*
16 *which increased investment has the potential to*
17 *improve the quality of personal protective equip-*
18 *ment and the capability of the industrial base to*
19 *produce such equipment.*

20 (E) *Such other goals as the Secretary con-*
21 *siders appropriate.*

22 (3) *PARTNERSHIPS FOR CERTAIN ASSESS-*
23 *MENTS.—As part of the activities, the Secretary shall*
24 *establish research partnerships with appropriate aca-*

1 *demographic institutions for purposes of assessing the fol-*
2 *lowing:*

3 *(A) The ability of various forms of personal*
4 *protective equipment to protect against common*
5 *blast injuries, including traumatic brain inju-*
6 *ries.*

7 *(B) The value of real-time data analytics to*
8 *track the effectiveness of various forms of per-*
9 *sonal protective equipment to protect against*
10 *common blast injuries, including traumatic*
11 *brain injuries.*

12 *(C) The availability of commercial-off the-*
13 *shelf personal protective technology to protect*
14 *against traumatic brain injury resulting from*
15 *blasts.*

16 *(D) The extent to which the equipment de-*
17 *termined through the assessment to be most effec-*
18 *tive to protect against common blast injuries is*
19 *readily modifiable for different body types and to*
20 *provide lightweight material options to enhance*
21 *maneuverability.*

22 *(c) AUTHORITIES.—In carrying out activities under*
23 *subsection (a), the Secretary may use any authority as fol-*
24 *lows:*

1 (1) *Experimental procurement authority under*
2 *section 2373 of title 10, United States Code.*

3 (2) *Other transactions authority under section*
4 *2371 and 2371b of title 10, United States Code.*

5 (3) *Authority to award technology prizes under*
6 *section 2374a of title 10, United States Code.*

7 (4) *Authority under the Defense Acquisition*
8 *Challenge Program under section 2359b of title 10,*
9 *United States Code.*

10 (5) *Any other authority on acquisition, tech-*
11 *nology transfer, and personnel management that the*
12 *Secretary considers appropriate.*

13 (d) *CERTAIN TREATMENT OF ACTIVITIES.—Any ac-*
14 *tivities under this section shall be deemed to have been*
15 *through the use of competitive procedures for the purposes*
16 *of section 2304 of title 10, United States Code.*

17 (e) *ON-GOING ASSESSMENT FOLLOWING ACTIVITIES.—*
18 *After the completion of activities under subsection (a), the*
19 *Secretary shall, on an on-going basis, do the following:*

20 (1) *Evaluate the extent to which personal protec-*
21 *tive equipment identified through the activities*
22 *would—*

23 (A) *enhance survivability of personnel from*
24 *blasts in combat and training; and*

1 (B) enhance prevention of brain damage,
2 and reduction of any resultant chronic brain
3 dysfunction, from blasts in combat and training.

4 (2) In the case of personal protective equipment
5 so identified that would provide enhancements as de-
6 scribed in paragraph (1), estimate the costs that
7 would be incurred to procure such enhanced personal
8 protective equipment, and develop a schedule for the
9 procurement of such equipment.

10 (3) Estimate the potential health care cost sav-
11 ings that would occur from expanded use of personal
12 protective equipment described in paragraph (2).

13 (f) *REPORTS.*—

14 (1) *INITIAL REPORT.*—Not later than December
15 1, 2019, the Secretary shall submit to the Committee
16 on Armed Services of the Senate and the House of
17 Representatives a report on the activities under sub-
18 section (a) as of the date of the report.

19 (2) *FINAL REPORT.*—Not later than December 1,
20 2020, the Secretary shall submit to the committees of
21 Congress referred to in paragraph (1) a report on the
22 activities under this section, including the following:

23 (A) The results of the evaluation under sub-
24 section (e)(1).

1 (B) *The estimate of costs and schedules*
2 *under subsection (e)(2).*

3 (g) *FUNDING.—Of the amount authorized to be appro-*
4 *priated for fiscal year 2019 for the Department of Defense*
5 *by section 201, up to \$10,000,000 may be available to carry*
6 *out this section.*

7 **SEC. 214. HUMAN FACTORS MODELING AND SIMULATION**
8 **ACTIVITIES.**

9 (a) *ACTIVITIES REQUIRED.—The Secretary of the*
10 *Army shall develop and provide for the carrying out of*
11 *human factors modeling and simulation activities designed*
12 *to do the following:*

13 (1) *Provide warfighters and civilians with per-*
14 *sonalized assessment, education, and training tools.*

15 (2) *Identify and implement effective ways to*
16 *interface and team warfighters with machines.*

17 (3) *Result in the use of intelligent, adaptive aug-*
18 *mentation to enhance decision making.*

19 (4) *Result in the development of techniques, tech-*
20 *nologies, and practices to mitigate critical stressors*
21 *that impede warfighter and civilian protection,*
22 *sustainment, and performance.*

23 (b) *PURPOSE.—The overall purpose of the activities*
24 *shall be to accelerate research and development that en-*

1 *hances capabilities for human performance, human-systems*
 2 *integration, and training for the warfighter.*

3 (c) *PARTICIPANTS IN ACTIVITIES.*—*Participants in the*
 4 *activities may include the following:*

5 (1) *Elements of the Department of Defense en-*
 6 *gaged in science and technology activities.*

7 (2) *Program Executive Offices of the Depart-*
 8 *ment.*

9 (3) *Academia.*

10 (4) *The private sector.*

11 (5) *Such other participants as the Secretary con-*
 12 *siders appropriate.*

13 (d) *EXECUTION.*—*The Secretary shall carry out this*
 14 *section through the Army Futures Command, the Army Re-*
 15 *search Institute, or such other component of the Department*
 16 *of the Army as the Secretary considers appropriate.*

17 **SEC. 215. EXPANSION OF MISSION AREAS SUPPORTED BY**
 18 **MECHANISMS FOR EXPEDITED ACCESS TO**
 19 **TECHNICAL TALENT AND EXPERTISE AT ACA-**
 20 **DEMIC INSTITUTIONS.**

21 *Section 217(e) of the National Defense Authorization*
 22 *Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.*
 23 *2358 note) is amended—*

24 (1) *by redesignating paragraph (23) as para-*
 25 *graph (27); and*

1 (2) *by inserting after paragraph (22) the fol-*
2 *lowing new paragraphs:*

3 “(23) *Space.*

4 “(24) *Infrastructure resilience.*

5 “(25) *Photonics.*

6 “(26) *Autonomy.*”.

7 **SEC. 216. ADVANCED MANUFACTURING ACTIVITIES.**

8 (a) *DESIGNATION.*—*The Under Secretary of Defense*
9 *for Acquisition and Sustainment and the Under Secretary*
10 *of Defense for Research and Engineering shall jointly, in*
11 *coordination with Secretaries of the military departments,*
12 *establish not less than three activities to demonstrate ad-*
13 *vanced manufacturing techniques and capabilities at depot-*
14 *level activities or military arsenal facilities of the military*
15 *departments.*

16 (b) *PURPOSES.*—*The activities established pursuant to*
17 *subsection (a) shall—*

18 (1) *support efforts to implement advanced manu-*
19 *facturing techniques and capabilities;*

20 (2) *identify improvements to sustainment meth-*
21 *ods for component parts and other logistics needs;*

22 (3) *identify and implement appropriate infor-*
23 *mation security protections to ensure security of ad-*
24 *vanced manufacturing;*

1 (4) *aid in the procurement of advanced manu-*
2 *facturing equipment and support services; and*

3 (5) *enhance partnerships between the defense in-*
4 *dustrial base and Department of Defense laboratories,*
5 *academic institutions, and industry.*

6 (c) *COOPERATIVE AGREEMENTS AND PARTNER-*
7 *SHIPS.—*

8 (1) *IN GENERAL.—The Under Secretaries may*
9 *enter into a cooperative agreement and use public-*
10 *private and public-public partnerships to facilitate*
11 *development of advanced manufacturing techniques in*
12 *support of the defense industrial base.*

13 (2) *REQUIREMENTS.—A cooperative agreement*
14 *entered into under paragraph (1) and a partnership*
15 *used under such paragraph shall facilitate—*

16 (A) *development and implementation of ad-*
17 *vanced manufacturing techniques and capabili-*
18 *ties;*

19 (B) *appropriate sharing of information in*
20 *the adaptation of advanced manufacturing, in-*
21 *cluding technical data rights; and*

22 (C) *implementation of appropriate informa-*
23 *tion security protections into advanced manufac-*
24 *turing tools and techniques.*

1 (d) *AUTHORITIES.*—*In carrying out this section, the*
2 *Under Secretaries may use the following authorities:*

3 (1) *Section 2196 of title 10, United States Code,*
4 *relating to the Manufacturing Engineering Education*
5 *Program.*

6 (2) *Section 2368 of such title, relating to centers*
7 *for science, technology, and engineering partnership.*

8 (3) *Section 2374a of such title, relating to prizes*
9 *for advanced technology achievements.*

10 (4) *Section 2474 of such title, relating to centers*
11 *of industrial and technical excellence.*

12 (5) *Section 2521 of such title, relating to the*
13 *Manufacturing Technology Program.*

14 (6) *Section 12 of the Stevenson-Wydler Tech-*
15 *nology Innovation Act of 1980 (15 U.S.C. 3710a) and*
16 *section 6305 of title 31, United States Code, relating*
17 *to cooperative research and development agreements.*

18 (7) *Such other authorities as the Under Secre-*
19 *taries considers appropriate.*

20 **SEC. 217. NATIONAL SECURITY INNOVATION ACTIVITIES.**

21 (a) *ESTABLISHMENT.*—*The Under Secretary of De-*
22 *fense for Research and Engineering shall establish activities*
23 *to develop interaction between the Department of Defense*
24 *and the commercial technology industry and academia with*

1 *regard to emerging hardware products and technologies*
2 *with national security applications.*

3 *(b) ELEMENTS.—The activities required by subsection*
4 *(a) shall include the following:*

5 *(1) Informing and encouraging private invest-*
6 *ment in specific hardware technologies of interest to*
7 *future defense technology needs with unique national*
8 *security applications.*

9 *(2) Funding research and technology develop-*
10 *ment in critical hardware-based defense sectors, spe-*
11 *cifically microelectromechanical systems, processing*
12 *components, micromachinery, and materials science*
13 *that private industry has not supported sufficiently to*
14 *meet rapidly emerging national security needs.*

15 *(3) Developing and executing policies and ac-*
16 *tions to deter strategic acquisition of industrial and*
17 *technical capabilities in the private sector by foreign*
18 *entities that could potentially exclude companies from*
19 *participating in the Department of Defense tech-*
20 *nology and industrial base.*

21 *(4) Identifying promising emerging technology*
22 *in industry and academia for the Department of De-*
23 *fense for potential support or research and develop-*
24 *ment cooperation.*

25 *(c) TRANSFER OF PERSONNEL AND RESOURCES.—*

1 (1) *IN GENERAL.*—Subject to paragraph (2), the
2 Under Secretary may transfer such personnel, re-
3 sources, and authorities as the Under Secretary con-
4 siders appropriate to carry out the activities estab-
5 lished under subsection (a) from other elements of the
6 Department.

7 (2) *CERTIFICATION.*—The Under Secretary may
8 only make a transfer of personnel, resources, or au-
9 thorities under paragraph (1) upon certification by
10 the Under Secretary that the activities established
11 under paragraph (a) can attract sufficient private
12 sector investment, has personnel with sufficient tech-
13 nical and management expertise, and has identified
14 relevant technologies and systems for potential invest-
15 ment in order to carry out the activities established
16 under subsection (a), independent of further govern-
17 ment funding beyond this authorization.

18 (d) *ESTABLISHMENT OF NONPROFIT ENTITY.*—The
19 Under Secretary may establish or fund a nonprofit entity
20 to carry out the program activities under subsection (a).

21 (e) *PLAN.*—

22 (1) *IN GENERAL.*—Not later than one year after
23 the date of the enactment of this Act, the Under Sec-
24 retary shall submit to the congressional defense com-
25 mittees a detailed plan to carry out this section.

1 (2) *ELEMENTS.*—*The plan required by para-*
2 *graph (1) shall include the following:*

3 (A) *A description of the additional authori-*
4 *ties needed to carry out the activities set forth in*
5 *subsection (b).*

6 (B) *Plans for transfers under subsection (c),*
7 *including plans for private fund-matching and*
8 *investment mechanisms, oversight, treatment of*
9 *rights relating to technical data developed, and*
10 *relevant dates and goals of such transfers.*

11 (C) *Plans for attracting the participation of*
12 *the commercial technology industry and aca-*
13 *demia and how those plans fit into the current*
14 *Department of Defense research and engineering*
15 *enterprise.*

16 (f) *AUTHORITIES.*—*In carrying out this section, the*
17 *Under Secretary may use the following authorities:*

18 (1) *Section 1711 of the National Defense Author-*
19 *ization Act for Fiscal Year 2018 (Public Law 115–*
20 *91), relating to a pilot program on strengthening*
21 *manufacturing in the defense industrial base.*

22 (2) *Section 1599g of title 10 of the United States*
23 *Code, relating to public-private talent exchanges.*

1 (3) *Section 2368 of such title, relating to Centers*
2 *for Science, Technology, and Engineering Partner-*
3 *ships.*

4 (4) *Section 2374a of such title, relating to prizes*
5 *for advanced technology achievements.*

6 (5) *Section 2474 of such title, relating to Centers*
7 *of Industrial and Technical Excellence.*

8 (6) *Section 2521 of such title, relating to the*
9 *Manufacturing Technology Program.*

10 (7) *Subchapter VI of chapter 33 of title 5,*
11 *United States Code, relating to assignments to and*
12 *from States.*

13 (8) *Chapter 47 of such title, relating to personnel*
14 *research programs and demonstration projects.*

15 (9) *Section 12 of the Stevenson-Wydler Tech-*
16 *nology Innovation Act of 1980 (15 U.S.C. 3710a) and*
17 *section 6305 of title 31, United States Code, relating*
18 *to cooperative research and development agreements.*

19 (10) *Such other authorities as the Under Sec-*
20 *retary considers appropriate.*

21 (g) *FUNDING.—Of the amount authorized to be appro-*
22 *priated for fiscal year 2019 for the Department of Defense*
23 *by section 201 and subject to the availability of appropria-*
24 *tions, up to \$150,000,000 may be available to carry out*
25 *this section.*

1 **SEC. 218. PARTNERSHIP INTERMEDIARIES FOR PROMOTION**
2 **OF DEFENSE RESEARCH AND EDUCATION.**

3 *Section 2368 of title 10, United States Code, is amend-*
4 *ed—*

5 *(1) by redesignating subsections (f) and (g) as*
6 *subsections (g) and (h), respectively; and*

7 *(2) by inserting after subsection (e) the following*
8 *new subsection (f):*

9 *“(f) USE OF PARTNERSHIP INTERMEDIARIES TO PRO-*
10 *MOTE DEFENSE RESEARCH AND EDUCATION.—(1) Subject*
11 *to the approval of the Secretary or the head of the another*
12 *department or agency of the Federal Government concerned,*
13 *the Director of a Center may enter into a contract, memo-*
14 *randum of understanding or other transition with a part-*
15 *nership intermediary that provides for the partnership*
16 *intermediary to perform services for the Department of De-*
17 *fense that increase the likelihood of success in the conduct*
18 *of cooperative or joint activities of the Center with industry*
19 *or academic institutions.*

20 *“(2) In this subsection, the term ‘partnership inter-*
21 *mediary’ means an agency of a State or local government,*
22 *or a nonprofit entity owned in whole or in part by, char-*
23 *tered by, funded in whole or in part by, or operated in*
24 *whole or in part by or on behalf of a State or local govern-*
25 *ment, that assists, counsels, advises, evaluates, or otherwise*
26 *cooperates with industry or academic institutions that need*

1 *or can make demonstrably productive use of technology-re-*
2 *lated assistance from a Center.”.*

3 **SEC. 219. LIMITATION ON USE OF FUNDS FOR SURFACE**
4 **NAVY LASER WEAPON SYSTEM.**

5 (a) *LIMITATION.*—None of the funds authorized to be
6 appropriated or otherwise made available by this Act may
7 be used to exceed a procurement quantity of one Surface
8 Navy Laser Weapon System, also known as the High En-
9 ergy Laser and Integrated Optical-dazzler with Surveil-
10 lance (HELIOS), per fiscal year, unless the Secretary of
11 the Navy submits to the congressional defense committees
12 a report on such system with the elements set forth in sub-
13 section (b).

14 (b) *ELEMENTS.*—The elements set forth in this sub-
15 section are, with respect to the system described in sub-
16 section (a), the following:

17 (1) *A document setting forth the requirements for*
18 *the system, including desired performance characteris-*
19 *tics.*

20 (2) *An acquisition plan that includes the fol-*
21 *lowing:*

22 (A) *A program schedule to accomplish de-*
23 *sign completion, technology maturation, risk re-*
24 *duction, and other activities, including dates of*
25 *key design reviews (such as Preliminary Design*

1 *Review and Critical Design Review) and pro-*
2 *gram initiation decision (such as Milestone B) if*
3 *applicable.*

4 (B) *A contracting strategy, including re-*
5 *quests for proposals, the extent to which contracts*
6 *will be competitively awarded, option years, op-*
7 *tion quantities, option prices, and ceiling prices.*

8 (C) *The fiscal years of procurement and de-*
9 *livery for each engineering development model,*
10 *prototype, or similar unit planned to be ac-*
11 *quired.*

12 (D) *A justification for the fiscal years of*
13 *procurement and delivery for each engineering*
14 *development model, prototype, or similar unit*
15 *planned to be acquired.*

16 (3) *A test plan and schedule sufficient to achieve*
17 *operational effectiveness and operational suitability*
18 *determinations (such as Early Operational Capa-*
19 *bility and Initial Operational Capability) related to*
20 *the requirements set forth in paragraph (1).*

21 (4) *Associated funding and item quantities,*
22 *disaggregated by fiscal year and appropriation, re-*
23 *quested in the Fiscal Year 2019 Future Years Defense*
24 *Program.*

1 (5) *An estimate of the acquisition costs, includ-*
2 *ing the total costs for procurement, research, develop-*
3 *ment, test, and evaluation.*

4 **SEC. 220. EXPANSION OF COORDINATION REQUIREMENT**
5 **FOR SUPPORT FOR NATIONAL SECURITY IN-**
6 **NOVATION AND ENTREPRENEURIAL EDU-**
7 **CATION.**

8 *Section 225(e) of the National Defense Authorization*
9 *Act for Fiscal Year 2018 (Public Law 115–91) is amended*
10 *by adding at the end the following new paragraph:*

11 “(16) *The National Security Technology Accel-*
12 *erator.*”.

13 **SEC. 221. LIMITATION ON FUNDING FOR AMPHIBIOUS COM-**
14 **BAT VEHICLE 1.2.**

15 *None of the funds authorized by this Act or otherwise*
16 *made available for the Marine Corps for fiscal year 2019*
17 *for the development of Amphibious Combat Vehicle 1.2 may*
18 *be obligated or expended until the Secretary of Defense has*
19 *submitted to the congressional defense committees—*

20 (1) *the report required under subsection (b) of*
21 *section 1041; or*

22 (2) *the information required under paragraph*
23 (5) *of such subsection.*

1 **SEC. 222. DEFENSE QUANTUM INFORMATION SCIENCE AND**
2 **TECHNOLOGY RESEARCH AND DEVELOPMENT**
3 **PROGRAM.**

4 (a) *ESTABLISHMENT.*—*The Secretary of Defense shall*
5 *carry out a quantum information science and technology*
6 *research and development program.*

7 (b) *PURPOSES.*—*The purposes of the program required*
8 *by subsection (a) are as follows:*

9 (1) *To ensure global superiority of the United*
10 *States in quantum information science necessary for*
11 *meeting national security requirements.*

12 (2) *To coordinate all quantum information*
13 *science and technology research and development*
14 *within the Department of Defense and to provide for*
15 *interagency cooperation and collaboration on quan-*
16 *tum information science and technology research and*
17 *development between the Department of Defense and*
18 *other departments and agencies of the United States*
19 *and appropriate private sector entities that are in-*
20 *volved in quantum information science and tech-*
21 *nology research and development.*

22 (3) *To develop and manage a portfolio of funda-*
23 *mental and applied quantum information science and*
24 *technology and engineering research initiatives that is*
25 *stable, consistent, and balanced across scientific dis-*
26 *ciplines.*

1 (4) *To accelerate the transition and deployment*
2 *of technologies and concepts derived from quantum*
3 *information science and technology research and de-*
4 *velopment into the Armed Forces, and to establish*
5 *policies, procedures, and standards for measuring the*
6 *success of such efforts.*

7 (5) *To collect, synthesize, and disseminate crit-*
8 *ical information on quantum information science and*
9 *technology research and development.*

10 (6) *To establish and support appropriate re-*
11 *search, innovation, and industrial base, including fa-*
12 *ilities and infrastructure, to support the needs of De-*
13 *partment of Defense missions and systems related to*
14 *quantum information science and technology.*

15 (c) *ADMINISTRATION.—In carrying out the program*
16 *required by subsection (a), the Secretary shall act through*
17 *the Under Secretary of Defense for Research and Engineer-*
18 *ing, who shall supervise the planning, management, and*
19 *coordination of the program. The Under Secretary, in con-*
20 *sultation with the Secretaries of the military departments*
21 *and the heads of participating Defense Agencies and other*
22 *departments and agencies of the United States, shall—*

23 (1) *prescribe a set of long-term challenges and a*
24 *set of specific technical goals for the program, includ-*
25 *ing—*

1 (A) optimization of analysis of national se-
2 curity data sets;

3 (B) design of new materials and molecular
4 functions;

5 (C) secure communications and cryptog-
6 raphy;

7 (D) quantum sensing and metrology;

8 (E) development of mathematics to support
9 defense missions related to quantum-based
10 encryption techniques; and

11 (F) processing and manufacturing of low-
12 cost, robust, and reliable quantum information
13 science and technology-enabled devices and sys-
14 tems;

15 (2) develop a coordinated and integrated re-
16 search and investment plan for meeting the near-,
17 mid-, and long-term challenges with definitive mile-
18 stones while achieving the specific technical goals that
19 builds upon the Department's increased investment in
20 quantum information science and technology research
21 and development, commercial sector and global invest-
22 ments, and other United States Government invest-
23 ments in the quantum sciences;

24 (3) not later than 180 days after the date of the
25 enactment of this Act, develop and continuously up-

1 *date guidance, including classification and data man-*
2 *agement plans for defense-related quantum informa-*
3 *tion science and technology activities, and policies for*
4 *control of personnel participating on such activities*
5 *to minimize the effects of loss of intellectual property*
6 *in basic and applied quantum science and informa-*
7 *tion considered sensitive to the leadership of the*
8 *United States in the field of quantum computing; and*

9 *(4) develop memoranda of agreement, joint fund-*
10 *ing agreements, and other cooperative arrangements*
11 *necessary for meeting the long-term challenges and*
12 *achieving the specific technical goals.*

13 *(d) REPORT.—Not later than December 31, 2020, the*
14 *Under Secretary of Defense for Research and Engineering*
15 *shall submit to the congressional defense committees a re-*
16 *port on the program, in both classified and unclassified for-*
17 *mat.*

18 **SEC. 223. JOINT DIRECTED ENERGY TEST ACTIVITIES.**

19 *(a) TEST ACTIVITIES.—The Under Secretary of De-*
20 *fense for Research and Engineering shall develop, establish,*
21 *and coordinate directed energy testing activities adequate*
22 *to ensure the achievement by the Department of Defense of*
23 *goals of the Department for developing and deploying di-*
24 *rected energy systems to match national security needs.*

1 (b) *ELEMENTS.*—*The activity established under sub-*
2 *section (a) shall include the following:*

3 (1) *The High Energy Laser System Test Facility*
4 *of the Army Test and Evaluation Command.*

5 (2) *Such other test resources and activities as the*
6 *Under Secretary may designate for purposes of this*
7 *section.*

8 (c) *DESIGNATION.*—*The test activities established*
9 *under subsection (a) shall be considered part of the Major*
10 *Range and Test Facility Base (as defined in 196(i) of title*
11 *10, United States Code).*

12 (d) *DIRECTION AND CONTROL.*—*The conduct of testing*
13 *activities under subsection (a) shall be subject to authority,*
14 *direction, and control of the Under Secretary in the Under*
15 *Secretary’s capacity as the official with principal responsi-*
16 *bility for the development and demonstration of directed en-*
17 *ergy weapons for the Department pursuant to section*
18 *219(a)(1) of the National Defense Authorization Act for Fis-*
19 *cal Year 2017 (10 U.S.C. 2431 note).*

20 (e) *PRIORITIZATION OF EFFORT.*—*In developing and*
21 *coordinating testing activities pursuant to subsection (a),*
22 *the Under Secretary shall prioritize efforts consistent with*
23 *the following:*

1 (1) *Paragraphs (2) through (5) of section 219(a)*
2 *of the National Defense Authorization Act for Fiscal*
3 *Year 2017 (10 U.S.C. 2431 note).*

4 (2) *Enabling the standardized collection and*
5 *evaluation of testing data to establish testing ref-*
6 *erences and benchmarks.*

7 (3) *Concentrating sufficient personnel expertise*
8 *of directed energy weapon systems in order to vali-*
9 *date the effectiveness of new weapon systems against*
10 *a variety of targets.*

11 (4) *Consolidating modern state-of-the-art testing*
12 *infrastructure including telemetry, sensors, and optics*
13 *to support advanced technology testing and evalua-*
14 *tion.*

15 (5) *Formulating a joint lethality or vulner-*
16 *ability information repository that can be accessed by*
17 *any of the military departments of Defense Agencies,*
18 *similar to a Joint Munitions Effectiveness Manuals*
19 *(JMEMs).*

20 (6) *Reducing duplication of directed energy*
21 *weapon testing.*

22 (7) *Ensuring that an adequate workforce and*
23 *adequate testing facilities are maintained to support*
24 *missions of the Department of Defense.*

1 **SEC. 224. REQUIREMENT FOR ESTABLISHMENT OF AR-**
2 **RANGEMENTS FOR EXPEDITED ACCESS TO**
3 **TECHNICAL TALENT AND EXPERTISE AT ACA-**
4 **DEMIC INSTITUTIONS TO SUPPORT DEPART-**
5 **MENT OF DEFENSE MISSIONS.**

6 (a) *IN GENERAL.*—Subsection (a)(1) of section 217 of
7 the National Defense Authorization Act for Fiscal Year
8 2018 (Public Law 115–91) is amended by striking “may”
9 and inserting “shall”.

10 (b) *EXTENSION.*—Subsection (f) of such section is
11 amended by striking “September 30, 2020” and inserting
12 “September 30, 2022”.

13 **SEC. 225. AUTHORITY FOR JOINT DIRECTED ENERGY TRAN-**
14 **SITION OFFICE TO CONDUCT RESEARCH RE-**
15 **LATING TO HIGH POWERED MICROWAVE CA-**
16 **PABILITIES.**

17 Section 219(b)(3) of the National Defense Authoriza-
18 tion Act for Fiscal Year 2017 (Public Law 114–328; 10
19 U.S.C. 2431 note) is amended by inserting “, including
20 high-powered microwaves,” after “energy systems and tech-
21 nologies”.

22 **SEC. 226. JOINT ARTIFICIAL INTELLIGENCE RESEARCH, DE-**
23 **VELOPMENT, AND TRANSITION ACTIVITIES.**

24 (a) *ESTABLISHMENT.*—

25 (1) *IN GENERAL.*—The Secretary of Defense shall
26 establish a set of activities within the Department of

1 *Defense to coordinate the efforts of the Department to*
2 *develop, mature, and transition artificial intelligence*
3 *technologies into operational use.*

4 (2) *EMPHASIS.*—*The set of activities established*
5 *under paragraph (1) shall apply artificial intel-*
6 *ligence and machine learning solutions to operational*
7 *problems and coordinate activities involving artificial*
8 *intelligence and artificial intelligence enabled capa-*
9 *bilities within the Department.*

10 (b) *DESIGNATION.*—*Not later than 180 days after the*
11 *date of the enactment of this Act, the Secretary of Defense*
12 *shall designate a senior official of the Department of De-*
13 *fense with principal responsibility for the coordination of*
14 *activities relating to the development and demonstration of*
15 *artificial intelligence and machine learning for the Depart-*
16 *ment.*

17 (c) *DUTIES.*—*The duties of the official designated*
18 *under subsection (b) shall include the following:*

19 (1) *STRATEGIC PLAN.*—*Developing a detailed*
20 *strategic plan to develop, mature, adopt, and transi-*
21 *tion artificial intelligence technologies into oper-*
22 *ational use. Such plan shall include the following:*

23 (A) *A strategic roadmap for the identifica-*
24 *tion and coordination of the development and*

1 *fielding of artificial intelligence technologies and*
2 *key enabling capabilities.*

3 *(B) The continuous evaluation and adapta-*
4 *tion of relevant artificial intelligence capabilities*
5 *developed both inside the Department and in*
6 *other organizations for military missions.*

7 (2) *ACCELERATION OF DEVELOPMENT AND*
8 *FIELDING OF ARTIFICIAL INTELLIGENCE.—To the de-*
9 *gree practicable, the designated official shall—*

10 *(A) use the flexibility of regulations, per-*
11 *sonnel, or other relevant policies of the Depart-*
12 *ment to accelerate the development and fielding*
13 *of artificial intelligence capabilities;*

14 *(B) ensure engagement with defense and*
15 *private industries, research universities, and un-*
16 *affiliated, nonprofit research institutions;*

17 *(C) provide technical advice and support to*
18 *entities in the Department of Defense and the*
19 *military departments to optimize the use of arti-*
20 *ficial intelligence and machine learning tech-*
21 *nologies to meet Department missions;*

22 *(D) support the development of require-*
23 *ments for artificial intelligence capabilities that*
24 *address the highest priority capability gaps of*
25 *the Department and technical feasibility;*

1 (E) develop and support capabilities for
2 technical analysis and assessment of threat capa-
3 bilities based on artificial intelligence;

4 (F) ensure that the Department has appro-
5 priate workforce and capabilities at laboratories,
6 test ranges, and within the organic defense in-
7 dustrial base to support the artificial intelligence
8 capabilities and requirements of the Department;

9 (G) develop classification guidance for all
10 artificial intelligence related activities of the De-
11 partment;

12 (H) work with appropriate officials to de-
13 velop appropriate ethical, legal, and other poli-
14 cies for the Department governing the develop-
15 ment and use of artificial intelligence enabled
16 systems and technologies in operational situa-
17 tions; and

18 (I) ensure—

19 (i) that artificial intelligence programs
20 of each military department and of the De-
21 fense Agencies are consistent with the prior-
22 ities identified under this section; and

23 (ii) appropriate coordination of artifi-
24 cial intelligence activities of the Department
25 with interagency, industry, and inter-

1 *national efforts relating to artificial intel-*
2 *ligence, including relevant participation in*
3 *standards setting bodies.*

4 *(d) ACCESS TO INFORMATION.—The Secretary of De-*
5 *fense shall ensure that the official designated under sub-*
6 *section (b) has access to such information on programs and*
7 *activities of the military departments and other Defense*
8 *Agencies as the Secretary considers appropriate to carry*
9 *out the coordination described in subsection (b) and the du-*
10 *ties set forth in subsection (c).*

11 *(e) STUDY ON ARTIFICIAL INTELLIGENCE TOPICS.—*

12 *(1) IN GENERAL.—Not later than one year after*
13 *the date of the enactment of this Act, the official des-*
14 *ignated under subsection (b) shall—*

15 *(A) complete a study on the future of artifi-*
16 *cial intelligence in the context of the missions of*
17 *the Department; and*

18 *(B) submit to the congressional defense com-*
19 *mittees a report on the findings of the designated*
20 *official with respect to the study completed under*
21 *subparagraph (A).*

22 *(2) CONSULTATION WITH EXPERTS.—In con-*
23 *ducting the study required by paragraph (1)(A), the*
24 *designated official shall consult with experts within*
25 *the Department, other Federal agencies, academia,*

1 *and the commercial sector, as the Secretary considers*
2 *appropriate.*

3 (3) *ELEMENTS.—The study required by para-*
4 *graph (1)(A) shall include the following:*

5 (A) *A comprehensive and national-level re-*
6 *view of advances in artificial intelligence and*
7 *machine learning, and associated technologies*
8 *relevant to the needs of the Department and the*
9 *Armed Forces.*

10 (B) *Near-term actionable recommendations*
11 *to the Secretary, including ways to more effec-*
12 *tively organize the Department for artificial in-*
13 *telligence and most effectively leverage academic*
14 *and commercial progress in these technologies.*

15 (C) *Recommendations for engagement by*
16 *the Department with relevant agencies that will*
17 *be involved with artificial intelligence in the fu-*
18 *ture.*

19 ***Subtitle C—Reports and Other***
20 ***Matters***

21 ***SEC. 231. REPORT ON COMPARATIVE CAPABILITIES OF AD-***
22 ***VERSARIES IN KEY TECHNOLOGY AREAS.***

23 (a) *IN GENERAL.—Not later than 90 days after the*
24 *date of the enactment of this Act, the Director of the Defense*
25 *Intelligence Agency shall submit to the Committees on*

1 *Armed Services of the Senate and the House of Representa-*
2 *tives a report that sets forth a direct comparison between*
3 *the capabilities of the United States in emerging technology*
4 *areas (such as hypersonics, artificial intelligence, quantum*
5 *information science, and directed energy weapons) and the*
6 *capabilities of adversaries of the United States in such*
7 *areas.*

8 **(b) ELEMENTS.**—*The report required by subsection (a)*
9 *shall include, for each technology covered by such report,*
10 *the following:*

11 **(1)** *An evaluation of spending by the United*
12 *States and adversaries on such technology.*

13 **(2)** *An evaluation of the quantity and quality of*
14 *research on such technology.*

15 **(3)** *An evaluation of the test infrastructure and*
16 *workforce supporting such technology.*

17 **(4)** *An assessment of the technological progress of*
18 *the United States and adversaries on such technology.*

19 **(5)** *Descriptions of timelines for operational de-*
20 *ployment of such technology.*

21 **(6)** *An assessment of the intent or willingness of*
22 *adversaries to use such technology.*

23 **(c) COORDINATION.**—*The Director shall prepare the re-*
24 *port in coordination with other appropriate officials of the*
25 *intelligence community and with such other partners in the*

1 *technology areas covered by the report as the Director con-*
2 *siders appropriate.*

3 **SEC. 232. REPORT ON ACTIVE PROTECTION SYSTEMS FOR**
4 **ARMORED COMBAT AND TACTICAL VEHICLES.**

5 *(a) REPORT REQUIRED.—Not later than 60 days after*
6 *the date of the enactment of this Act, the Secretary of the*
7 *Army shall submit to the Committees on Armed Services*
8 *of the Senate and the House of Representatives a report on*
9 *technologies related to active protection systems (APS) for*
10 *armored combat and tactical vehicles.*

11 *(b) CONTENTS.—The report required by subsection (a)*
12 *shall include the following:*

13 *(1) With respect to the active protection systems*
14 *that the Army has recently tested on the M1A2*
15 *Abrams, the M2A3 Bradley, and the STRYKER, the*
16 *following:*

17 *(A) An assessment of the effectiveness of*
18 *such systems.*

19 *(B) Plans of the Secretary to further test*
20 *such systems.*

21 *(C) Proposals for future development of such*
22 *systems.*

23 *(D) A timeline for fielding such systems.*

24 *(2) Plans for how the Army will incorporate ac-*
25 *tive protection systems into new armored combat and*

1 *tactical vehicle designs, such as Mobile Protection*
2 *Firepower (MPF), Armored Multi-Purpose Vehicle*
3 *(AMPV), and Next Generation Combat Vehicle*
4 *(NGCV).*

5 **SEC. 233. NEXT GENERATION COMBAT VEHICLE.**

6 *(a) PROTOTYPE.—The Secretary of the Army shall*
7 *take appropriate actions to ensure that the Tank Auto-*
8 *motive, Research, Development, and Engineering Center*
9 *(TARDEC) of the Army is provided the resources, including*
10 *funds and acquisition authorities, necessary to build a pro-*
11 *TOTYPE for the Next Generation Combat Vehicle (NGCV).*

12 *(b) REPORT.—*

13 *(1) IN GENERAL.—Not later than 60 days after*
14 *the date of the enactment of this Act, the Secretary*
15 *shall submit to the Committees on Armed Services of*
16 *the Senate and the House of Representatives a report*
17 *on the development of the Next Generation Combat*
18 *Vehicle.*

19 *(2) ANALYSIS.—*

20 *(A) IN GENERAL.—The report required by*
21 *paragraph (1) shall include a thorough analysis*
22 *of the requirements of the Next Generation Com-*
23 *bat Vehicle.*

24 *(B) RELEVANCE TO NATIONAL DEFENSE*
25 *STRATEGY.—In carrying out subparagraph (A),*

1 *the Secretary shall ensure that the requirements*
2 *are relevant to the most recently published Na-*
3 *tional Defense Strategy.*

4 (C) *THREATS AND TERRAIN.*—*The Sec-*
5 *retary shall ensure that the analysis includes*
6 *consideration of threats and terrain.*

7 (D) *COMPONENT TECHNOLOGIES.*—*The Sec-*
8 *retary shall ensure that the analysis includes*
9 *consideration of the latest enabling component*
10 *technologies that have the potential to dramati-*
11 *cally change basic combat vehicle design and im-*
12 *prove lethality, protection, mobility, range, and*
13 *sustainment.*

14 (c) *LIMITATION.*—*Of the funds authorized to be appro-*
15 *priated for fiscal year 2019 by section 201 and available*
16 *for research, development, testing, and evaluation, Army,*
17 *for the Next Generation Combat Vehicle, not more than 50*
18 *percent may be obligated or expended until the Secretary*
19 *submits the report required by subsection (b).*

20 **SEC. 234. REPORT ON THE FUTURE OF THE DEFENSE RE-**
21 **SEARCH AND ENGINEERING ENTERPRISE.**

22 (a) *REPORT REQUIRED.*—*Not later than one year*
23 *after the date of the enactment of this Act, the Under Sec-*
24 *retary of Defense for Research and Engineering shall sub-*
25 *mit to the Committees on Armed Services of the Senate and*

1 *the House of Representatives a report setting forth rec-*
2 *ommendations on the future of the defense research and en-*
3 *gineering enterprise, including such recommendations for*
4 *legislative or administrative action as the Under Secretary*
5 *considers appropriate in light of the anticipated future of*
6 *the defense research and engineering enterprise.*

7 (b) *FOCUS.*—*The recommendations under subsection*
8 *(a) shall focus on enabling the success of the defense research*
9 *and engineering enterprise in the current environment of*
10 *strategic competition.*

11 (c) *DEFENSE RESEARCH AND ENGINEERING ENTER-*
12 *PRISE.*—*For purposes of subsection (a), the defense research*
13 *and engineering enterprise shall consist of the following:*

14 (1) *The science and technology elements of the*
15 *military departments.*

16 (2) *The Department of Defense laboratories*

17 (3) *The test ranges and facilities of the Depart-*
18 *ment.*

19 (4) *The Defense Advanced Research Projects*
20 *Agency (DARPA).*

21 (5) *The Defense Innovation Unit Experimental*
22 *(DIU(x)).*

23 (6) *The Strategic Capabilities Office of the De-*
24 *partment.*

1 (7) *The Small Business Innovation Research*
2 *Program of the Department.*

3 (8) *Such other elements, offices, programs, and*
4 *activities of the Department as the Under Secretary*
5 *considers appropriate for purposes of the this section.*

6 (d) *PARTICULAR RECOMMENDATIONS.—The rec-*
7 *ommendations under subsection (a) shall include rec-*
8 *ommendations on the following:*

9 (1) *Portfolio management and coordination of*
10 *research and development activities across the mili-*
11 *tary departments and the defense research and engi-*
12 *neering enterprise, including management and activi-*
13 *ties across the enterprise.*

14 (2) *Workforce management, recruitment, reten-*
15 *tion, and shaping.*

16 (3) *Facilities and research and test infrastruc-*
17 *ture.*

18 (4) *Relationships with academia, the acquisition*
19 *community, the operational community, and the com-*
20 *mercial sector.*

21 (5) *Governance.*

22 (e) *COMPARISONS.—For purposes of making rec-*
23 *ommendations under subsection (a), the Under Secretary*
24 *shall conduct a comparison of the defense research and engi-*
25 *neering enterprise of the United States, namely processes,*

1 *test infrastructure, and workforce, with the defense research*
2 *and engineering enterprises of other countries and the pri-*
3 *vate sector.*

4 (f) *CONSULTATION AND COMMENTS.*—*In making rec-*
5 *ommendations under subsection (a), the Under Secretary*
6 *shall consult with and seek comments from groups and enti-*
7 *ties relevant to the recommendations, such as the military*
8 *departments, the combatant commands, the Defense Innova-*
9 *tion Board, the Defense Science Board, the Defense Business*
10 *Board, the federally funded research and development cen-*
11 *ters (FFRDCs), and commercial partners of the Depart-*
12 *ment of Defense (including small business concerns).*

13 **SEC. 235. MODIFICATION OF REPORTS ON MECHANISMS TO**
14 **PROVIDE FUNDS TO DEFENSE LABORATORIES**
15 **FOR RESEARCH AND DEVELOPMENT OF**
16 **TECHNOLOGIES FOR MILITARY MISSIONS.**

17 *Subsection (c) of section 2363 of title 10, United States*
18 *Code, is amended to read as follows:*

19 “(c) *RELEASE AND DISSEMINATION OF INFORMATION*
20 *ON CONTRIBUTIONS FROM USE OF AUTHORITY TO MILI-*
21 *TARY MISSIONS.*—

22 “(1) *COLLECTION OF INFORMATION.*—*The Sec-*
23 *retary shall establish and maintain mechanisms for*
24 *the continuous collection of information on achieve-*
25 *ments, best practices identified, lessons learned, and*

1 *challenges arising in the exercise of the authority in*
2 *this section.*

3 “(2) *RELEASE OF INFORMATION.*—*The Secretary*
4 *shall establish and maintain mechanisms as follows:*

5 “(A) *Mechanisms for the release to the pub-*
6 *lic of information on achievements and best*
7 *practices described in paragraph (1) in unclassi-*
8 *fied form.*

9 “(B) *Mechanisms for dissemination to ap-*
10 *propriate civilian and military officials of infor-*
11 *mation on achievements and best practices de-*
12 *scribed in paragraph (1) in classified form.”.*

13 ***SEC. 236. REPORT ON MOBILE PROTECTED FIREPOWER AND***
14 ***FUTURE VERTICAL LIFT.***

15 (a) *IN GENERAL.*—*Not later than 60 days after the*
16 *date of the enactment of this Act, the Secretary of the Army*
17 *shall submit to the Committee on Armed Services of the*
18 *Senate and the Committee on Armed Services of the House*
19 *of Representatives a report on the requirements of the Army*
20 *for Mobile Protected Firepower (MPF) and Future Vertical*
21 *Lift (FVL).*

22 (b) *CONTENTS.*—*The report submitted pursuant to*
23 *subsection (a) shall include the following:*

24 (1) *An explanation of how Mobile Protected Fire-*
25 *power and Future Vertical Lift could survive against*

1 *the effects of anti-armor and anti-aircraft networks*
2 *established within anti-access, area-denial defenses.*

3 (2) *An explanation of how Mobile Protected Fire-*
4 *power and Future Vertical Lift would improve offen-*
5 *sive overmatch against a peer adversary.*

6 (3) *Details regarding the total number of Mobile*
7 *Protected Firepower and Future Vertical Lift systems*
8 *needed by the Army.*

9 (4) *An explanation of how these systems will be*
10 *logistically supported within light formations.*

11 (5) *Plans to integrate active protection systems*
12 *into the designs of such systems.*

13 **SEC. 237. IMPROVEMENT OF THE AIR FORCE SUPPLY**
14 **CHAIN.**

15 (a) *IN GENERAL.—The Assistant Secretary of the Air*
16 *Force for Acquisition, Technology, and Logistics may use*
17 *funds described in subsection (b) as follows:*

18 (1) *For nontraditional technologies and*
19 *sustainment practices (such as additive manufac-*
20 *turing, artificial intelligence, predictive maintenance,*
21 *and other software-intensive and software-defined ca-*
22 *pabilities) to—*

23 (A) *increase the availability of aircraft to*
24 *the Air Force; and*

1 (B) decrease backlogs and lead times for the
2 production of parts for such aircraft.

3 (2) To advance the qualification, certification,
4 and integration of additive manufacturing into the
5 Air Force supply chain.

6 (3) To otherwise identify and reduce supply
7 chain risk for the Air Force.

8 (4) To define workforce development require-
9 ments and training for personnel who implement and
10 support additive manufacturing for the Air Force at
11 the warfighter, end-item designer and equipment op-
12 erator, and acquisition officer levels.

13 (b) FUNDING.—Of the amounts authorized to be appro-
14 priated for fiscal year 2019 by section 201 for research, de-
15 velopment, test, and evaluation for the Air Force and avail-
16 able for Tech Transition Program (Program Element
17 (0604858F)), up to \$42,800,000 may be available as de-
18 scribed in subsection (a).

19 **SEC. 238. REVIEW OF GUIDANCE ON BLAST EXPOSURE DUR-**
20 **ING TRAINING.**

21 (a) INITIAL REVIEW.—Not later than 180 days after
22 the date of the enactment of this Act, the Secretary of De-
23 fense shall review the firing limits for heavy weapons dur-
24 ing training exercises.

1 **(b) ELEMENTS.**—*The review required by subsection (a)*
2 *shall take into account current data and evidence on the*
3 *cognitive effects of blast exposure and shall include consider-*
4 *ation of the following:*

5 **(1)** *The impact of exposure over multiple succes-*
6 *sive days of training.*

7 **(2)** *The impact of multiple types of heavy weap-*
8 *ons being fired in close succession.*

9 **(3)** *The feasibility of cumulative annual or life-*
10 *time exposure limits.*

11 **(4)** *The minimum safe distance for observers and*
12 *instructors.*

13 **(c) UPDATED TRAINING GUIDANCE.**—*Not later than*
14 *180 days after the date of the completion of the review under*
15 *subsection (a), each Secretary of a military department*
16 *shall update any relevant training guidance to account for*
17 *the conclusions of the review.*

18 **(d) UPDATED REVIEW.**—

19 **(1) IN GENERAL.**—*Not less frequently than once*
20 *every two years after the initial review conducted*
21 *under subsection (a), the Secretary of Defense shall*
22 *conduct an updated review under such subsection, in-*
23 *cluding consideration of the matters set forth under*
24 *subsection (b), and update training guidance under*
25 *subsection (c).*

1 (2) *CONSIDERATION OF NEW RESEARCH AND EVIDENCE.*—Each updated review conducted under paragraph (1) shall take into account new research and evidence that has emerged since the previous review.

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5 (e) *BRIEFING REQUIRED.*—The Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on a summary of the results of the initial review under subsection (a), each updated review conducted under subsection (d), and any updates to training guidance and procedures resulting from any such review or updated review.

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12 **SEC. 239. LIST OF TECHNOLOGIES AND MANUFACTURING CAPABILITIES CRITICAL TO ARMED FORCES.**

13
14 (a) *LIST REQUIRED.*—The Secretary of Defense shall develop a list of technologies and manufacturing capabilities critical to the Armed Forces.

15
16
17 (b) *PRIMARY EMPHASIS.*—In developing such list, primary emphasis shall be given to—

18
19 (1) *research, development, design, and manufacturing expertise;*

20
21 (2) *research, development, design, and manufacturing equipment and unique facilities;*

22
23 (3) *goods and services associated with or enabled by research, development, operation, application, manufacturing, or maintenance expertise, which are*

1 *not possessed by countries to which exports are con-*
2 *trolled and which, if exported or otherwise trans-*
3 *ferred, would permit a significant advance in the*
4 *military capabilities of any such country; and*

5 *(4) emerging technology areas supportive of mili-*
6 *tary requirements and strategies.*

7 *(c) SPECIFICITY.—The shall ensure that the list re-*
8 *quired by subsection (a) is sufficiently specific to guide the*
9 *recommendations of the Secretary in any interagency deter-*
10 *minations on exercising export licensing, technology trans-*
11 *fer, or foreign investment.*

12 *(d) PUBLICATION.—*

13 *(1) IN GENERAL.—Not later than December 31,*
14 *2019, the Secretary shall publish the list required by*
15 *subsection (a) and continuously update such list*
16 *thereafter as the Secretary considers appropriate.*

17 *(2) FORM.—The list published under paragraph*
18 *(1) shall be published in unclassified form, but may*
19 *include a classified annex.*

20 **SEC. 240. REPORT ON REQUIRING ACCESS TO DIGITAL**
21 **TECHNICAL DATA IN FUTURE ACQUISITIONS**
22 **OF COMBAT, COMBAT SERVICE, AND COMBAT**
23 **SUPPORT SYSTEMS.**

24 *Not later than 120 days after the date of the enactment*
25 *of this Act, the Secretary of Defense shall submit to the con-*

1 *gressional defense committees a report on the feasibility and*
2 *advisability of requiring access to digital technical data in*
3 *all future acquisitions by the Department of Defense of com-*
4 *bat, combat service, and combat support systems, including*
5 *front-end negotiations for such access. Such report shall in-*
6 *clude a digital data standard for technical data for use by*
7 *equipment manufacturers and the Department with regard*
8 *to three-dimensional printed parts.*

9 **SEC. 241. COMPETITIVE ACQUISITION STRATEGY FOR**
10 **BRADLEY FIGHTING VEHICLE TRANSMISSION**
11 **REPLACEMENT.**

12 (a) *PLAN REQUIRED.*—*The Secretary of the Army*
13 *shall develop a strategy to competitively procure a new*
14 *transmission for the Bradley Fighting Vehicle family of ve-*
15 *hicles.*

16 (b) *ADDITIONAL STRATEGY REQUIREMENTS.*—*The*
17 *plan required by subsection (a) shall include the following:*

18 (1) *An analysis of the potential cost savings and*
19 *performance improvements associated with developing*
20 *or procuring a new transmission common to the*
21 *Bradley Fighting Vehicle family of vehicles, including*
22 *the Armored Multipurpose Vehicle and the Paladin*
23 *Integrated Management artillery system.*

24 (2) *A plan to use full and open competition to*
25 *the maximum extent practicable.*

1 (c) *TIMELINE.*—Not later than February 15, 2019, the
2 Secretary of the Army shall submit to the congressional de-
3 fense committees the strategy developed under subsection
4 (a).

5 (d) *LIMITATION.*—None of the funds authorized to be
6 appropriated for fiscal year 2019 by this Act for Weapons
7 and Tracked Combat Vehicles, Army, may be obligated or
8 expended to procure a Bradley Fighting Vehicle replace-
9 ment transmission until the date that is 30 days after the
10 date on which the Secretary of the Army submits to the
11 congressional defense committees the plan required by sub-
12 section (a).

13 **SEC. 242. INDEPENDENT ASSESSMENT OF ELECTRONIC**
14 **WARFARE PLANS AND PROGRAMS.**

15 (a) *AGREEMENT.*—

16 (1) *IN GENERAL.*—The Secretary of Defense shall
17 seek to enter into an agreement with the private sci-
18 entific advisory group known as “JASON” to perform
19 the services covered by this section.

20 (2) *TIMING.*—The Secretary shall seek to enter
21 into the agreement described in paragraph (1) not
22 later than 120 days after the date of the enactment
23 of this Act.

1 **(b) INDEPENDENT ASSESSMENT.**—*Under an agree-*
2 *ment between the Secretary and JASON under this section,*
3 *JASON shall—*

4 (1) *assess the strategies, programs, order of bat-*
5 *tle, and doctrine of the United States related to the*
6 *electronic warfare mission area and electromagnetic*
7 *spectrum operations;*

8 (2) *assess the strategies, programs, order of bat-*
9 *tle, and doctrine of potential adversaries, such as*
10 *China, Iran, and the Russian Federation, related to*
11 *the same;*

12 (3) *develop recommendations for improvements*
13 *to the strategies, programs, and doctrine of the United*
14 *States in order to enable the United States to achieve*
15 *and maintain superiority in the electromagnetic spec-*
16 *trum in future conflicts; and*

17 (4) *develop recommendations for the Secretary,*
18 *Congress, and such other Federal entities as JASON*
19 *considers appropriate, including recommendations*
20 *for—*

21 (A) *closing technical, policy, or resource*
22 *gaps;*

23 (B) *improving cooperation and appropriate*
24 *integration among Federal entities;*

1 (C) *improving cooperation between the*
2 *United States and other countries and inter-*
3 *national organizations; and*

4 (D) *such other important matters identified*
5 *by JASON that are directly relevant to the strat-*
6 *egies of the United States described in paragraph*
7 *(3).*

8 (c) *LIAISONS.*—*The Secretary shall appoint appro-*
9 *priate liaisons to JASON to support the timely conduct of*
10 *the services covered by this section.*

11 (d) *MATERIALS.*—*The Secretary shall provide access*
12 *to JASON to materials relevant to the services covered by*
13 *this section, consistent with the protection of sources and*
14 *methods and other critically sensitive information.*

15 (e) *CLEARANCES.*—*The Secretary shall ensure that ap-*
16 *propriate members and staff of JASON have the necessary*
17 *clearances, obtained in an expedited manner, to conduct the*
18 *services covered by this section.*

19 (f) *REPORT.*—*Not later than October 1, 2019, the Sec-*
20 *retary shall submit to the congressional defense committees*
21 *a report on—*

22 (1) *the findings of JASON with respect to the as-*
23 *sessments carried out under subsection (b); and*

24 (2) *the recommendations developed by JASON*
25 *pursuant to such subsection.*

1 (g) *ALTERNATE CONTRACT SCIENTIFIC ORGANIZA-*
2 *TION.—*

3 (1) *IN GENERAL.—If the Secretary is unable*
4 *within the period prescribed in paragraph (2) of sub-*
5 *section (a) to enter into an agreement described in*
6 *paragraph (1) of such subsection with JASON on*
7 *terms acceptable to the Secretary, the Secretary shall*
8 *seek to enter into such agreement with another appro-*
9 *prate scientific organization that—*

10 (A) *is not part of the Government; and*

11 (B) *has expertise and objectivity com-*
12 *parable to that of JASON.*

13 (2) *TREATMENT.—If the Secretary enters into an*
14 *agreement with another organization as described in*
15 *paragraph (1), any reference in this section to*
16 *JASON shall be treated as a reference to the other or-*
17 *ganization.*

18 ***TITLE III—OPERATION AND***
19 ***MAINTENANCE***

20 ***Subtitle A—Authorization of***
21 ***Appropriations***

22 ***SEC. 301. AUTHORIZATION OF APPROPRIATIONS.***

23 *Funds are hereby authorized to be appropriated for fis-*
24 *cal year 2019 for the use of the Armed Forces and other*
25 *activities and agencies of the Department of Defense for ex-*

1 *penses, not otherwise provided for, for operation and main-*
2 *tenance, as specified in the funding table in section 4301.*

3 ***Subtitle B—Energy and***
4 ***Environment***

5 ***SEC. 311. FURTHER IMPROVEMENTS TO ENERGY SECURITY***
6 ***AND RESILIENCE.***

7 *(a) ENERGY POLICY AUTHORITY.—Section 2911(b) of*
8 *title 10, United States Code, is amended—*

9 *(1) by redesignating paragraphs (1), (2), and (3)*
10 *as paragraphs (3), (4), and (5), respectively; and*

11 *(2) by inserting before paragraph (3), as so re-*
12 *designated, the following new paragraphs:*

13 *“(1) establish metrics and standards for the as-*
14 *essment of energy resilience;*

15 *“(2) require the Secretary of a military depart-*
16 *ment to perform mission assurance and readiness as-*
17 *sessments of energy power systems for mission critical*
18 *assets and supporting infrastructure, applying uni-*
19 *form mission standards established by the Secretary*
20 *of Defense;”.*

21 *(b) REPORTING ON ENERGY SECURITY AND RESIL-*
22 *IENCE GOALS.—Section 2911(c) of title 10, United States*
23 *Code, is amended by adding at the end the following new*
24 *paragraph:*

1 “(3) *The Secretary of Defense shall include the energy*
2 *security and resilience goals of the Department of Defense*
3 *in the installation energy report submitted under section*
4 *2925(a) of this title for fiscal year 2018 and every fiscal*
5 *year thereafter. In the development of energy security and*
6 *resilience goals, the Department of Defense shall conform*
7 *with the definitions of energy security and resilience under*
8 *this title. The report shall include the amount of critical*
9 *energy load, together with the level of availability and reli-*
10 *ability by fiscal year the Department of Defense deems nec-*
11 *essary to achieve energy security and resilience.”.*

12 (c) *REPORTING ON INSTALLATIONS ENERGY MANAGE-*
13 *MENT, ENERGY RESILIENCE, AND MISSION ASSURANCE.—*
14 *Section 2925(a) of title 10, United States Code, is amend-*
15 *ed—*

16 (1) *by inserting “, including progress on energy*
17 *resilience at military installations according to*
18 *metrics developed by the Secretary” after “under sec-*
19 *tion 2911 of this title”;*

20 (2) *in paragraph (3), by striking “the mission*
21 *requirements associated with disruption tolerances*
22 *based on risk to mission” and inserting “the*
23 *downtimes (in minutes or hours) these missions can*
24 *afford based on their mission requirements and risk*
25 *tolerances”;*

1 (3) in paragraph (4), by inserting “(including
2 critical energy loads in megawatts and the associated
3 downtime tolerances for critical energy loads)” after
4 “energy requirements and critical energy require-
5 ments”;

6 (4) by redesignating paragraph (5) as para-
7 graph (7); and

8 (5) by inserting after paragraph (4) the fol-
9 lowing new paragraphs:

10 “(5) A list of energy resilience projects awarded
11 by the Department of Defense by military department
12 and military installation, whether appropriated or
13 alternative financed for the reporting fiscal year, in-
14 cluding project description, award date, the critical
15 energy requirements serviced (including critical en-
16 ergy loads in megawatts), expected reliability of the
17 project (as indicated in the awarded contract), life
18 cycle costs, savings to investment, fuel type, and the
19 type of appropriation or alternative financing used.

20 “(6) A list of energy resilience projects planned
21 by the Department of Defense by military department
22 and military installation, whether appropriated or
23 alternative financed for the next two fiscal years, in-
24 cluding project description, fuel type, expected award

1 *date, and the type of appropriation or alternative fi-*
2 *nancing expected for use.”.*

3 *(d) INCLUSION OF ENERGY SECURITY AND RESIL-*
4 *IENCE AS PRIORITIES IN CONTRACTS FOR ENERGY OR*
5 *FUEL FOR MILITARY INSTALLATIONS.—Section 2922a(d) of*
6 *title 10, United States Code, is amended to read as follows:*

7 *“(d) The Secretary concerned shall ensure energy secu-*
8 *rity and resilience are prioritized and included in the pro-*
9 *vision and operation of energy production facilities under*
10 *this section.”.*

11 *(e) CONVEYANCE AUTHORITY FOR UTILITY SYS-*
12 *TEMS.—Section 2688 of title 10, United States Code, is*
13 *amended—*

14 *(1) in subsection (a), by striking “Secretary of*
15 *a military department” and inserting “Secretary of*
16 *Defense, or the Secretary of a military department*
17 *designated by the Secretary,”;*

18 *(2) in subsection (d)(2), by adding at the end the*
19 *following: “The business case analysis must also dem-*
20 *onstrate how a privatized system will operate in a*
21 *manner consistent with subsection (g)(3).”;* and

22 *(3) in subsection (g)(3)—*

23 *(A) by striking “Secretary concerned may*
24 *require” and inserting “Secretary of Defense, in*

1 *consultation with the Secretaries of the military*
2 *departments, shall require*”; and

3 *(B) by striking “consistent with energy re-*
4 *silience requirements and metrics” and inserting*
5 *“consistent with energy resilience and cybersecu-*
6 *rity requirements and associated metrics”.*

7 *(f) MODIFICATION OF ENERGY RESILIENCE DEFINI-*
8 *TION.—Section 101(e)(6) of title 10, United States Code,*
9 *is amended by striking “task critical assets and other”.*

10 *(g) AUTHORITY TO ACCEPT ENERGY PERFORMANCE*
11 *FINANCIAL INCENTIVES FROM STATE AND LOCAL GOVERN-*
12 *MENTS.—Section 2913(c) of title 10, United States Code,*
13 *is amended by inserting “a State or local government” after*
14 *“generally available from”.*

15 *(h) TREATMENT OF ENERGY DEMAND RESPONSE FI-*
16 *NANCIAL INCENTIVES.—Paragraph (2) of section 2919(b) of*
17 *title 10, United States Code, is amended to read as follows:*

18 *“(2) credited to an appropriation designated by*
19 *the Secretary of Defense, submitted in the annual*
20 *President’s budget request, merged with the appro-*
21 *priation to which credited, and available for energy*
22 *security or energy resilience projects.”.*

23 *(i) USE OF ENERGY COST SAVINGS TO IMPLEMENT*
24 *ENERGY RESILIENCE AND ENERGY CONSERVATION CON-*
25 *STRUCTION PROJECTS.—Section 2912(b)(1) of title 10,*

1 *United States Code, is amended by inserting “, including*
 2 *energy resilience and energy conservation construction*
 3 *projects,” after “energy security measures”.*

4 (j) *ADDITIONAL BASIS FOR PRESERVATION OF PROP-*
 5 *ERTY IN THE VICINITY OF MILITARY INSTALLATIONS IN*
 6 *AGREEMENTS WITH NON-FEDERAL ENTITIES ON USE OF*
 7 *SUCH PROPERTY.—Section 2684a(a)(2)(B) of title 10,*
 8 *United States Code, is amended—*

9 (1) *by striking “(B)” and inserting “(B)(i)”;*
 10 *and*

11 (2) *by adding at the end of the following new*
 12 *clause:*

13 “(i) *maintains or improves military in-*
 14 *stallation resilience; or”.*

15 **SEC. 312. FUNDING OF STUDY AND ASSESSMENT OF**
 16 **HEALTH IMPLICATIONS OF PER- AND**
 17 **POLYFLUOROALKYL SUBSTANCES CONTAMI-**
 18 **NATION IN DRINKING WATER BY AGENCY FOR**
 19 **TOXIC SUBSTANCES AND DISEASE REGISTRY.**

20 *Paragraph (2) of section 316(a) of the National De-*
 21 *fense Authorization Act for Fiscal Year 2018 (Public Law*
 22 *115–91) is amended to read as follows:*

23 “(2) *FUNDING.—*

24 “(A) *SOURCE OF FUNDS.—The study and*
 25 *assessment performed pursuant to this section*

1 *may be paid for using funds authorized to be ap-*
2 *propriated to the Department of Defense under*
3 *the heading ‘Operation and Maintenance, De-*
4 *fense-Wide’.*

5 “(B) *TRANSFER AUTHORITY.—(i) Of the*
6 *amounts authorized to be appropriated for the*
7 *Department of Defense for fiscal year 2018, not*
8 *more than \$10,000,000 shall be transferred by*
9 *the Secretary of Defense, without regard to sec-*
10 *tion 2215 of title 10, United States Code, to the*
11 *Secretary of Health and Human Services to pay*
12 *for the study and assessment required by this*
13 *section.*

14 “(i) *Without regard to section 2215 of title*
15 *10, United States Code, the Secretary of Defense*
16 *may transfer not more than \$10,000,000 a year*
17 *during fiscal years 2019 and 2020 to the Sec-*
18 *retary of Health and Human Services to pay for*
19 *the study and assessment required by this sec-*
20 *tion.*

21 “(C) *EXPENDITURE AUTHORITY.—Amounts*
22 *transferred to the Secretary of Health and*
23 *Human Services shall be used to carry out the*
24 *study and assessment under this section through*
25 *contracts, cooperative agreements, or grants. In*

1 *addition, such funds may be transferred by the*
2 *Secretary of Health and Human Services to*
3 *other accounts of the Department for the pur-*
4 *poses of carrying out this section.*

5 “(D) *RELATIONSHIP TO OTHER TRANSFER*
6 *AUTHORITIES.—The transfer authority provided*
7 *under this paragraph is in addition to any other*
8 *transfer authority available to the Department of*
9 *Defense.”.*

10 **SEC. 313. MILITARY MISSION SUSTAINMENT SITING CLEAR-**
11 **INGHOUSE.**

12 *(a) CHANGE IN NAME OF CLEARINGHOUSE.—Section*
13 *183a of title 10, United States Code, is amended—*

14 *(1) in the section heading, by striking “**Mili-***
15 ***tary Aviation and Installation Assurance***
16 ***Clearinghouse for review of mission ob-***
17 ***structions”** and inserting “**Military Mission***
18 ***Sustainment Siting Clearinghouse for re-***
19 ***view of energy projects”**; and*

20 *(2) in paragraph (1) of subsection (a), by strik-*
21 *ing “**Military Aviation and Installation Assurance***
22 ***Siting Clearinghouse”** and inserting “**Military Mis-***
23 ***sion Sustainment Siting Clearinghouse”**.*

24 *(b) RESPONSIBLE OFFICIAL.—Subsection (a) of such*
25 *section is further amended, in paragraph (2)(A), by strik-*

1 ing “control of an Assistant Secretary of Defense designated
2 by the Secretary” and inserting “control of the Under Sec-
3 retary of Defense for Acquisition and Sustainment”.

4 (c) *FUNCTIONS*.—Subsection (b) of such section is
5 amended—

6 (1) by redesignating paragraphs (2) and (3) as
7 paragraphs (3) and (4); and

8 (2) by inserting after paragraph (1) the fol-
9 lowing new paragraph:

10 “(2) The Clearinghouse shall coordinate Depart-
11 ment of Defense consideration of and response to re-
12 quests for reviews received from other Federal agen-
13 cies, State governments, Indian tribal governments,
14 local governments, landowners, and developers of en-
15 ergy projects.”.

16 (d) *REVIEW OF PROPOSED ACTIONS*.—Subsection (c)
17 of such section is amended—

18 (1) in paragraph (1)—

19 (A) in subparagraph (A), by inserting “,
20 including any potential negative impacts on
21 pilot safety and training” after “military oper-
22 ations and readiness”; and

23 (B) in subparagraph (B), by inserting “,
24 including any potential negative impacts on

1 *pilot safety and training,*” after “*risks to na-*
2 *tional security*”; and

3 (2) in paragraph (3), by inserting “*and the rel-*
4 *evant local military installation*” after “*notice to the*
5 *governor of the State*”.

6 (e) *IDENTIFICATION OF ACTIONS TO MITIGATE ALL*
7 *ADVERSE IMPACTS.*—Subsection (d)(2)(F) is amended by
8 inserting “*all*” before “*adverse impacts of projects filed*”.

9 (f) *DEPARTMENT OF DEFENSE FINDING OF UNAC-*
10 *CEPTABLE RISK.*—Subsection (e)(1) of such section is
11 amended by inserting “, *including unacceptable risk to*
12 *pilot safety and unacceptable loss of training days*” after
13 “*risk to the national security of the United States*”.

14 (g) *DEFINITION OF ADVERSE IMPACT ON MILITARY*
15 *OPERATIONS AND READINESS.*—Subsection (h)(1) of such
16 section is amended by inserting “*pilot safety,*” after “*in-*
17 *cluding flight operations,*”.

18 (h) *CLERICAL AMENDMENT.*—The table of sections at
19 the beginning of chapter 7 of title 10, United States Code,
20 is amended by striking the item relating to section 183a
21 and inserting the following:

“183a. *Military Mission Sustainment Siting Clearinghouse for review of energy projects.*”.

22 **SEC. 314. OPERATIONAL ENERGY POLICY.**

23 (a) *IN GENERAL.*—Section 2926 of title 10, United
24 States Code, is amended—

1 (1) *by redesignating subsections (a), (b), (c), and*
2 *(d) as subsections (c), (d), (e), (f), respectively;*

3 (2) *by inserting before subsection (c), as redesign-*
4 *ated by paragraph (1), the following new sub-*
5 *sections:*

6 “(a) *OPERATIONAL ENERGY POLICY.—In carrying out*
7 *section 2911(a) of this title, the Secretary of Defense shall*
8 *ensure the types, availability, and use of operational energy*
9 *promote the readiness of the armed forces for their military*
10 *missions.*

11 “(b) *AUTHORITIES.—The Secretary of Defense may—*

12 “(1) *require the Secretary of a military depart-*
13 *ment or the commander of a combatant command to*
14 *assess the energy supportability of systems, capabili-*
15 *ties, and plans;*

16 “(2) *authorize the use of energy security, cost of*
17 *backup power, and energy resilience as factors in the*
18 *cost-benefit analysis for procurement of operational*
19 *equipment; and*

20 “(3) *in selecting equipment that will use oper-*
21 *ational energy, give favorable consideration to the ac-*
22 *quisition of equipment that enhances energy security,*
23 *energy resilience, energy conservation, and reduces*
24 *logistical vulnerabilities.”; and*

1 (3) in subsection (c), as redesignated by subpara-
2 graph (A)—

3 (A) in the subsection heading, by striking
4 “ALTERNATIVE FUEL ACTIVITIES” and inserting
5 “FUNCTIONS OF THE ASSISTANT SECRETARY OF
6 DEFENSE FOR ENERGY, INSTALLATIONS, AND
7 ENVIRONMENT”;

8 (B) by striking “heads of the military de-
9 partments and the Assistant Secretary of Defense
10 for Research and Engineering” and inserting
11 “heads of the appropriate Department of Defense
12 components”;

13 (C) in paragraph (1), by striking “lead the
14 alternative fuels activities” and inserting “over-
15 see the operational energy activities”;

16 (D) in paragraph (2), by striking “regard-
17 ing the development of alternative fuels by the
18 military departments and the Office of the Sec-
19 retary of Defense” and inserting “regarding the
20 policies and investments that affect the use of
21 operational energy across the Department of De-
22 fense”;

23 (E) in paragraph (3), by striking “prescribe
24 policy to streamline the investments in alter-
25 native fuel activities across the Department of

1 *Defense*” and inserting “*recommend to the Sec-*
2 *retary policy to improve warfighting capability*
3 *through energy security and energy resilience*”;
4 *and*

5 *(F) in paragraph (5), by striking “sub-*
6 *section (c)(4)” and inserting “subsection (e)(4)”.*

7 **(b) CONFORMING AMENDMENTS.**—(1) *Section*
8 *2925(b)(1) of title 10, United States Code, is amended by*
9 *striking “section 2926(b)” and inserting “section 2926(d)”.*

10 (2) *Section 1061(c)(55) of the National Defense Au-*
11 *thorization Act for Fiscal Year 2017 (Public Law 114–328;*
12 *10 U.S.C. 111 note) is amended by striking “section*
13 *2926(c)(4)” and inserting “section 2926(e)(4)”.*

14 **SEC. 315. FUNDING TREATMENT OF PERFLUOROCTANE**
15 **SULFONIC ACID AND PERFLUOROCTANOIC**
16 **ACID AT STATE-OWNED AND OPERATED NA-**
17 **TIONAL GUARD INSTALLATIONS.**

18 **(a) ASSISTANCE AUTHORIZED.**—*The Secretary con-*
19 *cerned may provide for the treatment of perfluorooctane sul-*
20 *fonic acid and perfluorooctanoic acid in drinking water*
21 *from wells owned and operated by a local water authority*
22 *undertaken to attain the lifetime health advisory level for*
23 *such acids in drinking water.*

1 **(b) REQUIREMENTS FOR ASSISTANCE.**—*The Secretary*
2 *concerned may only provide for the treatment of drinking*
3 *water pursuant to subsection (a) if—*

4 (1) *the local water authority has requested such*
5 *treatment from the Secretary during the fiscal year*
6 *when the treatment is provided;*

7 (2) *the elevated levels of perfluorooctane sulfonic*
8 *acid and perfluorooctanoic acid in the drinking water*
9 *are the result of activities conducted by or paid for*
10 *by the Department of the Army or the Department of*
11 *the Air Force at a State-owned National Guard in-*
12 *stallation;*

13 (3) *such treatment takes place only during the*
14 *fiscal year in which the request was made;*

15 (4) *the local water authority waives all claims*
16 *against the United States and the National Guard for*
17 *treatment expenses incurred before the fiscal year dur-*
18 *ing which the treatment is taking place; and*

19 (5) *the cost of any treatment provided pursuant*
20 *to subsection (a) does not exceed the actual cost of the*
21 *treatment attributable to the activities conducted by*
22 *or paid for by the Department of the Army or the De-*
23 *partment of the Air Force, as the case may be.*

24 **(c) EXISTING AGREEMENTS.**—*Treatment of drinking*
25 *water pursuant to subsection (a) may be provided without*

1 *regard to existing contractual provisions in agreements be-*
2 *tween the Department of the Army, the Department of the*
3 *Air Force, or the National Guard Bureau, as the case may*
4 *be, and the State in which the base is located relating to*
5 *environmental response actions or indemnification.*

6 (d) *AUTHORITY TO ENTER INTO AGREEMENTS.—The*
7 *Secretary concerned may enter into such grants, cooperative*
8 *agreements, or contracts with a local water authority as*
9 *may be necessary to implement this section.*

10 (e) *USE OF DSMOA.—Using up to \$45,000,000 of the*
11 *funds authorized to be appropriated by section 301 for oper-*
12 *ation and maintenance, the Secretary concerned may pay,*
13 *utilizing an existing Defense-State Memorandum of Agree-*
14 *ment, costs that would otherwise be eligible for payment*
15 *under that agreement.*

16 (f) *TERMINATION OF AUTHORITY.—The authority*
17 *under this section shall terminate on September 30, 2021.*

18 (g) *RETROACTIVE EFFECT.—Notwithstanding para-*
19 *graphs (1), (3), (4) of subsection (b), the Secretary con-*
20 *cerned may reimburse a local water authority or a State*
21 *for the treatment of drinking water pursuant to this section*
22 *if—*

23 (1) *the local water authority or state requested*
24 *such a payment from the National Guard Bureau*
25 *prior to March 1, 2018, or the National Guard Bu-*

1 *reau was aware of a treatment plan by the local*
2 *water authority or state prior to that date; and*

3 *(2) the local water authority or the State, as the*
4 *case may be, waives all claims against the United*
5 *States and the National Guard for treatment expenses*
6 *incurred before January 1, 2018.*

7 *(h) CONFORMING AMENDMENTS.—*

8 *(1) RESPONSIBILITY FOR RESPONSE ACTIONS.—*
9 *Section 2701(c)(1) of title 10, United States Code, is*
10 *amended by inserting “or pollutants or contami-*
11 *nants” after “releases of hazardous substances”.*

12 *(2) DEFINITION OF FACILITY.—Section 2700(2)*
13 *of title 10, United States Code, is amended—*

14 *(A) by striking “The terms ‘environment’,*
15 *‘facility’,” and inserting “(A) The terms ‘envi-*
16 *ronment’,”; and*

17 *(B) by adding at the end the following new*
18 *subparagraph:*

19 *“(B) The term ‘facility’—*

20 *“(i) has the meaning given the term in sec-*
21 *tion 101 of CERCLA (42 U.S.C. 9601); and*

22 *“(ii) includes real property which is owned*
23 *by, leased, to, or otherwise possessed by the*
24 *United States at locations conducting military*

1 *activities under the authority of either this title*
2 *or title 32.”.*

3 *(i) DEFINITIONS.—In this section—*

4 *(1) LIFETIME HEALTH ADVISORY.—The term*
5 *“lifetime health advisory” means the United States*
6 *Environmental Protection Agency Lifetime Health*
7 *Advisory for the presence of perfluorooctane sulfonic*
8 *acid and perfluorooctanoic acid in drinking water.*

9 *(2) SECRETARY CONCERNED.—The term “Sec-*
10 *retary concerned” means the Secretary of the Army or*
11 *the Secretary of the Air Force.*

12 *(3) STATE.—The term “State” means any of the*
13 *several States, the District of Columbia, the Common-*
14 *wealth of Puerto Rico, Guam, and the Virgin Islands.*

15 *(4) STATE-OWNED NATIONAL GUARD INSTALLA-*
16 *TION.—The term “State-owned National Guard in-*
17 *stallation” means a facility or site owned or operated*
18 *by a State when such facility or site is used for train-*
19 *ing the National Guard pursuant to chapter 5 of title*
20 *32, United States Code, with funds provided by the*
21 *Secretary of Defense or the Secretary of a military*
22 *department, even though the Department of Defense is*
23 *not the owner or operator of such facility or site.*

Subtitle C—Reports

2 SEC. 321. REPORTS ON READINESS.

3 (a) *UNIFORM APPLICABILITY OF READINESS REPORT-*
4 *ING SYSTEM.*—Subsection (b) of section 117 of title 10,
5 *United States Code, is amended—*

6 (1) *by inserting “and maintaining” after “estab-*
7 *lishing”;*

8 (2) *in paragraph (1), by striking “reporting sys-*
9 *tem is applied uniformly throughout the Department*
10 *of Defense” and inserting “reporting system and asso-*
11 *ciated policies are applied uniformly throughout the*
12 *Department of Defense, including between and among*
13 *the joint staff and each of the armed forces”;*

14 (3) *by redesignating paragraphs (2) and (3) as*
15 *paragraphs (5) and (6), respectively;*

16 (4) *by inserting after paragraph (1) the fol-*
17 *lowing new paragraphs:*

18 “(2) *that is the single authoritative readiness re-*
19 *porting system for the Department, and that there*
20 *shall be no military service specific systems;*

21 “(3) *that readiness assessments are accomplished*
22 *at an organizational level at, or below, the level at*
23 *which forces are employed;*

24 “(4) *that the reporting system include resources*
25 *information, force posture, and mission centric capa-*

1 *bility assessments, as well as predicted changes to*
2 *these attributes;”*; and

3 *(5) in paragraph (5), as redesignated by para-*
4 *graph (3) of this subsection, by inserting “, or element*
5 *of a unit,” after “readiness status of a unit”.*

6 *(b) CAPABILITIES OF READINESS REPORTING SYS-*
7 *TEM.—Such section is further amended in subsection (c)—*

8 *(1) in paragraph (1)—*

9 *(A) by striking “Measure, on a monthly*
10 *basis, the capability of units” and inserting*
11 *“Measure the readiness of units”; and*

12 *(B) by striking “conduct their assigned*
13 *wartime missions” and inserting “conduct their*
14 *designed and assigned missions”;*

15 *(2) in paragraph (2)—*

16 *(A) by striking “Measure, on an annual*
17 *basis,” and inserting “Measure”; and*

18 *(B) by striking “wartime missions” and in-*
19 *serting “designed and assigned missions”;*

20 *(3) in paragraph (3)—*

21 *(A) by striking “Measure, on an annual*
22 *basis,” and inserting “Measure”; and*

23 *(B) by striking “wartime missions” and in-*
24 *serting “designed and assigned missions”;*

1 (4) in paragraph (4), by striking “Measure, on
2 a monthly basis,” and inserting “Measure”;

3 (5) in paragraph (5), by striking “Measure, on
4 an annual basis,” and inserting “Measure”;

5 (6) by striking paragraphs (6) and (8) and re-
6 designating paragraph (7) as paragraph (6); and

7 (7) in paragraph (6), as so redesignated, by
8 striking “Measure, on a quarterly basis,” and insert-
9 ing “Measure”.

10 (c) *SEMI-ANNUAL AND MONTHLY JOINT READINESS*
11 *REVIEWS*.—Such section is further amended in subsection
12 (d)(1)(A) by inserting “, which includes a validation of
13 readiness data currency and accuracy” after “joint readi-
14 ness review”.

15 (d) *QUARTERLY REPORT ON CHANGE IN CURRENT*
16 *STATE OF UNIT READINESS*.—Such section is further
17 amended—

18 (1) in subsection (e), by striking “SUBMISSION
19 TO CONGRESSIONAL COMMITTEES” and inserting
20 “QUARTERLY REPORT ON JOINT READINESS”;

21 (2) by redesignating subsection (f) as subsection
22 (h); and

23 (3) by inserting after subsection (e) the following
24 new subsection:

1 “(f) *QUARTERLY REPORT ON MONTHLY CHANGES IN*
2 *CURRENT STATE OF READINESS OF UNITS.*—*The Secretary*
3 *shall each quarter submit to the congressional defense com-*
4 *mittees a report on each monthly upgrade or downgrade*
5 *of the current state of readiness of a unit that was issued*
6 *by the commander of a unit during the previous quarter,*
7 *together with the rationale of the commander for the*
8 *issuance of such upgrade or downgrade.”.*

9 (e) *ANNUAL REPORT TO CONGRESS ON OPERATIONAL*
10 *CONTRACT SUPPORT.*—*Such section is further amended by*
11 *inserting after subsection (f), as added by subsection (d) of*
12 *this section, the following new subsection:*

13 “(g) *ANNUAL REPORT ON OPERATIONAL CONTRACT*
14 *SUPPORT.*—*The Secretary shall each year submit to the*
15 *congressional defense committees a report in writing con-*
16 *taining the results of the most recent annual measurement*
17 *of the capability of operational contract support to support*
18 *current and anticipated wartime missions of the armed*
19 *forces. Each such report shall be submitted in unclassified*
20 *form, but may include a classified annex.”.*

21 (f) *REGULATIONS.*—*Such section is further amended*
22 *in subsection (h), as redesignated by subsection (d) of this*
23 *section, by striking “prescribe the units that are subject to*
24 *reporting in the readiness reporting system, what type of*
25 *equipment is subject to such reporting” and inserting “pre-*

1 (1) *A description of current cold weather capa-*
2 *bilities and training to support United States mili-*
3 *tary operations in cold climates across the joint force.*

4 (2) *A description of anticipated requirements for*
5 *United States military operations in cold and ex-*
6 *treme cold weather in the Arctic, Northeast Asia, and*
7 *Northern and Eastern Europe.*

8 (3) *A description of the current cold weather*
9 *readiness of the joint force, the ability to increase cold*
10 *weather training across the joint force, and any*
11 *equipment, infrastructure, personnel, or resource limi-*
12 *tations or gaps that may exist.*

13 (4) *An analysis of potential opportunities to ex-*
14 *pand cold weather training for the Army, the Navy,*
15 *the Air Force, and the Marine Corps and the re-*
16 *sources or infrastructure required for such expansion.*

17 (5) *An analysis of potential cold weather am-*
18 *phibious landing locations, including the potential for*
19 *a combined arms live fire exercise.*

20 ***Subtitle D—Other Matters***

21 **SEC. 331. PILOT PROGRAMS ON INTEGRATION OF MILITARY** 22 **INFORMATION SUPPORT AND CIVIL AFFAIRS** 23 **ACTIVITIES.**

24 (a) *PILOT PROGRAMS AUTHORIZED.*—

1 (1) *IN GENERAL.*—*The commander of any geo-*
2 *graphic combatant command designated by the Sec-*
3 *retary of Defense for purposes of this section, and the*
4 *Commander of the United States Special Operations*
5 *Command if so designated, may carry out one or*
6 *more pilot programs designed to assess the feasibility*
7 *and advisability of integrating military information*
8 *support and civil affairs in support of the theater*
9 *campaign plans of such combatant command.*

10 (2) *CONCURRENCE OF CHIEFS OF MISSION.*—*Ac-*
11 *tivities under a pilot program under this section may*
12 *be carried out in a country only with the concurrence*
13 *of the Chief of Mission for that country.*

14 **(b) REQUIREMENT FOR BOTH MILITARY INFORMATION**
15 **SUPPORT AND CIVIL AFFAIRS CAPABILITIES.**—

16 (1) *IN GENERAL.*—*Except as provided in para-*
17 *graphs (2) and (3), each pilot program under this*
18 *section shall include both a military information sup-*
19 *port capability and a civil affairs capability.*

20 (2) *NO MILITARY INFORMATION SUPPORT CAPA-*
21 *BILITY.*—*A pilot program may be carried out in a re-*
22 *gion or country in which no military information*
23 *support capability is deployed if the program is com-*
24 *plemented by a Department of State public diplo-*
25 *macy effort that contributes to the fulfillment of the*

1 *objectives of the commander of the combatant com-*
2 *mand concerned to convey information to foreign au-*
3 *diences in the region or country to influence their emo-*
4 *tions, motives, objective reasoning, and behavior in*
5 *support of the applicable theater campaign plan.*

6 (3) *NO CIVIL AFFAIRS CAPABILITY.*—*A pilot pro-*
7 *gram may be carried out in a region or country in*
8 *which no civil affairs capability is deployed if the*
9 *program is complemented by an effort of the Depart-*
10 *ment of State or the United States Agency for Inter-*
11 *national Development to contribute to the fulfillment*
12 *of the objectives of the commander of the combatant*
13 *command concerned to reestablish or maintain sta-*
14 *bility within the region or country in support of the*
15 *applicable theater campaign plan.*

16 (4) *PLAN.*—*In the event a pilot program will be*
17 *carried out pursuant to paragraph (2) or (3), plan-*
18 *ning for the pilot program shall include an expla-*
19 *nation of concept, budget, timeline, and metrics for*
20 *measuring the effectiveness of activities of the Depart-*
21 *ment of State or United States Agency for Inter-*
22 *national Development, as applicable, under the pilot*
23 *program.*

24 (c) *DURATION.*—*The authority to carry out pilot pro-*
25 *grams under this section shall cease on September 30, 2023.*

1 (d) *ANNUAL REPORTS.*—

2 (1) *IN GENERAL.*—*Not later than 90 days after*
3 *the last day of each of fiscal year 2019 through 2023,*
4 *the Secretary shall submit to the congressional defense*
5 *committees a report on the pilot programs carried out*
6 *under this section during the preceding fiscal year.*

7 (2) *ELEMENTS.*—*Each report under this sub-*
8 *section shall include, for the fiscal year covered by*
9 *such report, the following:*

10 (A) *A list of all pilot programs carried out,*
11 *set forth by combatant command.*

12 (B) *A list of all pilot programs commenced,*
13 *set forth by combatant command.*

14 (C) *The amount of funds provided for each*
15 *pilot program carried out.*

16 (D) *The objectives of each pilot program*
17 *carried out, and the metrics used or to be used*
18 *to measure the effectiveness of such pilot pro-*
19 *gram.*

20 (E) *A description of the manner in which*
21 *each pilot program carried out supports the ap-*
22 *plicable theater campaign plan of the com-*
23 *manders of the combatant command concerned.*

24 (F) *If a pilot program was concluded, an*
25 *assessment of the value of the program, a de-*

1 *scription and assessment of lessons learned*
2 *through the program, and any recommendations*
3 *the Secretary considers appropriate for follow-on*
4 *efforts in connection with the program.*

5 *(e) FUNDING.—*

6 *(1) IN GENERAL.—Of the amounts authorized to*
7 *be appropriated for each of fiscal years 2019 through*
8 *2023 for the Department of Defense for operation and*
9 *maintenance and available for the combatant com-*
10 *mands, an aggregate of \$20,000,000 may be used in*
11 *each such fiscal year by each such combatant com-*
12 *mand for pilot programs under this section.*

13 *(2) LIMITATION ON AMOUNT FOR PARTICULAR*
14 *PROGRAMS.—The amount expended on any particular*
15 *pilot program may not exceed \$2,000,000.*

16 *(f) DEFINITIONS.—In this section:*

17 *(1) CIVIL AFFAIRS.—The term “civil affairs”*
18 *means activities intended to establish, maintain, in-*
19 *fluence, or exploit relations between military forces,*
20 *indigenous populations, and institutions by directly*
21 *supporting the attainment of objectives relating to the*
22 *reestablishment or maintenance of stability within a*
23 *region or country.*

24 *(2) MILITARY INFORMATION SUPPORT.—The*
25 *term “military information support” means oper-*

1 *ations to convey selected information and indicators*
2 *to foreign audiences to influence their emotions, mo-*
3 *tives, objective reasoning, and ultimately the behavior*
4 *of foreign governments, organizations, groups, and in-*
5 *dividuals in a manner favorable to the objectives of*
6 *those planning such operations.*

7 (3) *THEATER CAMPAIGN PLAN.*—*The term “the-*
8 *ater campaign plan” means a plan developed by a*
9 *combatant command for the steady-state activities of*
10 *the command, including operations, security coopera-*
11 *tion, and other activities designed to achieve strategic*
12 *end states in the theater.*

13 **SEC. 332. REPORTING ON FUTURE YEARS BUDGETING BY**
14 **SUBACTIVITY GROUP.**

15 *Along with the budget for each fiscal year submitted*
16 *by the President pursuant to section 1105(a) of title 31,*
17 *United States Code, the Secretary of Defense and the Secre-*
18 *taries of the military departments shall include in the OP-*
19 *5 Justification Books as detailed by Department of Defense*
20 *Financial Management Regulation 7000.14–R the amount*
21 *for each individual subactivity group (SAG) as detailed in*
22 *the Department’s future years defense program pursuant to*
23 *section 221 of title 10, United States Code.*

1 **SEC. 333. RESTRICTION ON UPGRADES TO AVIATION DEM-**
2 **ONSTRATION TEAM AIRCRAFT.**

3 (a) *IN GENERAL.*—*Except as provided under sub-*
4 *section (b), the Secretary of Defense may not upgrade the*
5 *type, model, or series of aircraft used by a military service*
6 *for its fixed wing aviation demonstration teams, including*
7 *Blue Angel and Thunderbird aircraft, until the service's ac-*
8 *tive and reserve duty squadrons and weapon training*
9 *schools have replaced 100 percent of the existing type,*
10 *model, and series of aircraft.*

11 (b) *WAIVER AUTHORITY.*—*The Secretary of Defense*
12 *may, upon written notice to the congressional defense com-*
13 *mittees, waive the prohibition under subsection (a) for the*
14 *purpose of carrying out upgrades to the type, model, or se-*
15 *ries of the aircraft described under such subsection that are*
16 *necessary to ensure the safety of pilots.*

17 **SEC. 334. U.S. SPECIAL OPERATIONS COMMAND CIVILIAN**
18 **PERSONNEL.**

19 *Of the funds authorized to be appropriated by this Act*
20 *for Operation and Maintenance, Defense-wide for U.S. Spe-*
21 *cial Operations Command civilian personnel, not less than*
22 *\$6,200,000 shall be used to fund the detail of civilian per-*
23 *sonnel to the office of the Assistant Secretary of Defense for*
24 *Special Operations and Low-Intensity Conflict to support*
25 *the Secretariat for Special Operations.*

1 **SEC. 335. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **SERVICE-SPECIFIC DEFENSE READINESS RE-**
3 **PORTING SYSTEMS.**

4 (a) *LIMITATION.*—None of the funds authorized to be
5 appropriated by this Act or otherwise made available for
6 the Department of Defense for fiscal year 2019 for operation
7 and maintenance, research, development, test, and evalua-
8 tion, or procurement, and available to operate service spe-
9 cific Defense Readiness Reporting Systems (DRRS) may be
10 made available for such purpose except for required mainte-
11 nance and in order to facilitate the transition to DRRS-
12 Strategic (DRRS-S).

13 (b) *PLAN.*—Not later than February 1, 2019, the
14 Under Secretary for Personnel and Readiness shall submit
15 to the congressional defense committees a resource and fund-
16 ing plan to include a schedule with relevant milestones on
17 the elimination of service-specific DRRS and the migration
18 of the military services and other organizations to DRRS-
19 S.

20 (c) *TRANSITION.*—The military services shall complete
21 the transition to DRRS-S not later than October 1, 2019.
22 The Secretary of Defense shall notify the congressional de-
23 fense committees upon the complete transition of the serv-
24 ices.

25 (d) *REPORTING REQUIREMENT.*—

1 (1) *IN GENERAL.*—*The Under Secretary for Per-*
2 *sonnel and Readiness, the Under Secretary for Acqui-*
3 *sition and Sustainment, and the Under Secretary for*
4 *Research and Engineering, in coordination with the*
5 *Secretaries of the military departments and other or-*
6 *ganizations with relevant technical expertise, shall es-*
7 *tablish a working group including individuals with*
8 *expertise in application or software development, data*
9 *science, testing, and development and assessment of*
10 *performance metrics to assess the current process for*
11 *collecting, analyzing, and communicating readiness*
12 *data, and develop a strategy for implementing any*
13 *recommended changes to improve and establish readi-*
14 *ness metrics using the current DRRS-Strategic plat-*
15 *form.*

16 (2) *ELEMENTS.*—*The assessment conducted pur-*
17 *suant to paragraph (1) shall include—*

18 (A) *identification of modern tools, methods,*
19 *and approaches to readiness to more effectively*
20 *and efficiently collect, analyze, and make deci-*
21 *sion based on readiness data; and*

22 (B) *consideration of cost and schedule.*

23 (3) *SUBMISSION TO CONGRESS.*—*Not later than*
24 *February 1, 2020, the Secretary of Defense shall sub-*

1 *mit to the congressional defense committees the assess-*
 2 *ment conducted pursuant to paragraph (1).*

3 *(e) DEFENSE READINESS REPORTING REQUIRE-*
 4 *MENTS.—To the maximum extent practicable, the Secretary*
 5 *of Defense shall meet defense readiness reporting require-*
 6 *ments consistent with the recommendations of the working*
 7 *group established under subsection (d)(1).*

8 **SEC. 336. REPURPOSING AND REUSE OF SURPLUS ARMY**
 9 **FIREARMS.**

10 *Section 348(b) of the National Defense Authorization*
 11 *Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.*
 12 *1365) is amended by inserting “shredded or” before “melted*
 13 *and repurposed”.*

14 **SEC. 337. LIMITATION ON AVAILABILITY OF FUNDS FOR ES-**
 15 **TABLISHMENT OF ADDITIONAL SPECIALIZED**
 16 **UNDERGRADUATE PILOT TRAINING FACILITY.**

17 *(a) LIMITATION.—Of the funds authorized to be appro-*
 18 *priated by this Act or otherwise made available for the De-*
 19 *partment of Defense for fiscal year 2019 for Specialized Un-*
 20 *dergraduate Pilot Training for the Air Force (referred to*
 21 *in this section as “SUPT”) no funds may be used to enter*
 22 *into a contract for the procurement of equipment, facilities,*
 23 *real property, or services to establish a new SUPT location*
 24 *in the United States until the date on which the Secretary*

1 *of the Air Force submits to the congressional defense com-*
2 *mittees the certification described under subsection (b).*

3 (b) *CERTIFICATION.*—*The certification referred to in*
4 *subsection (a) is a certification that—*

5 (1) *existing SUPT installations are operating at*
6 *maximum capacity in terms of pilot production; and*

7 (2) *the Air Force plans to operate existing*
8 *SUPT installations at maximum capacity over the*
9 *future years defense program.*

10 (c) *REPORT.*—

11 (1) *IN GENERAL.*—*Not later than March 1, 2019,*
12 *the Secretary of the Air Force shall submit to the con-*
13 *gressional defense committees a report on existing*
14 *SUPT production, resourcing, and locations.*

15 (2) *ELEMENTS.*—*The report required under*
16 *paragraph (1) shall include the following elements:*

17 (A) *A description of the strategy of the Air*
18 *Force for utilizing existing SUPT locations to*
19 *produce the number of pilots the Air Force re-*
20 *quires.*

21 (B) *The number of pilots that each SUPT*
22 *location has graduated, by year, over the pre-*
23 *vious 5 fiscal years.*

24 (C) *The forecast number of pilots that each*
25 *SUPT location will produce for fiscal year 2019.*

1 (D) *The maximum production capacity of*
2 *each SUPT location.*

3 (E) *A cost estimate of the resources required*
4 *for each SUPT location to reach maximum pro-*
5 *duction capacity.*

6 (F) *A determination as to whether increas-*
7 *ing production capacity at existing SUPT loca-*
8 *tions will satisfy the Air Force’s SUPT require-*
9 *ment.*

10 (G) *A timeline and cost estimation of estab-*
11 *lishing a new SUPT location.*

12 (H) *A business case analysis comparing the*
13 *establishment of a new SUPT location to in-*
14 *creasing production capacity at existing SUPT*
15 *locations.*

16 **SEC. 338. SCOPE OF AUTHORITY FOR RESTORATION OF**
17 **LAND DUE TO MISHAP.**

18 *Subsection (e) of section 2691 of title 10, United States*
19 *Code, as added by section 2814 of the Military Construction*
20 *Authorization Act for Fiscal Year 2018 (division B of Pub-*
21 *lic Law 115–91; 131 Stat. 1849), is amended by adding*
22 *at the end the following new paragraph:*

23 “(3) *The authority under paragraphs (1) and (2) in-*
24 *cludes activities and expenditures necessary to complete res-*
25 *toration to meet the regulations of the Federal department*

1 *or agency with administrative jurisdiction over the affected*
2 *land, which may be different than the regulations of the*
3 *Department of Defense.”.*

4 **SEC. 339. REDESIGNATION OF THE UTAH TEST AND TRAIN-**
5 **ING RANGE (UTTR).**

6 *The Utah Test and Training Range (UTTR) located*
7 *in northwestern Utah and eastern Nevada may be redesi-*
8 *gnated.*

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

11 **SEC. 351. LIMITATION ON MODIFICATIONS TO NAVY FACILI-**
12 **TIES SUSTAINMENT, RESTORATION, AND**
13 **MODERNIZATION (FSRM) STRUCTURE AND**
14 **MECHANISM.**

15 *The Secretary of the Navy may not make any modi-*
16 *fication to the existing Navy Facilities Sustainment, Res-*
17 *toration, and Modernization (FSRM) structure or mecha-*
18 *nism that would modify duty relationships or significantly*
19 *alter the existing structure until 90 days after providing*
20 *notice of the proposed modification to the congressional de-*
21 *fense committees.*

1 **TITLE IV—MILITARY PERSONNEL**
2 **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, 485,741.*
8 (2) *The Navy, 331,900.*
9 (3) *The Marine Corps, 186,100.*
10 (4) *The Air Force, 325,720.*

11 **SEC. 402. END STRENGTHS FOR COMMISSIONED OFFICERS**
12 **ON ACTIVE DUTY IN CERTAIN GRADES.**

13 *The Armed Forces are authorized strengths for com-*
14 *missioned officers on active duty as of September 30, 2019,*
15 *in the grades as follows in the number specified:*

- 16 (1) *The Army:*
17 (A) *Colonel, 3,970.*
18 (B) *Lieutenant colonel, 8,700.*
19 (C) *Major, 15,470.*
20 (2) *The Navy:*
21 (A) *Captain, 3,060.*
22 (B) *Commander, 6,670.*
23 (C) *Lieutenant commander, 11,010.*
24 (3) *The Marine Corps:*
25 (A) *Colonel, 650.*

1 (B) *Lieutenant colonel, 1,910.*

2 (C) *Major, 3,920.*

3 (4) *The Air Force:*

4 (A) *Colonel, 3,450.*

5 (B) *Lieutenant colonel, 10,270.*

6 (C) *Major, 13,920.*

7 ***Subtitle B—Reserve Forces***

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

9 (a) *IN GENERAL.—The Armed Forces are authorized*
10 *strengths for Selected Reserve personnel of the reserve com-*
11 *ponents as of September 30, 2019, as follows:*

12 (1) *The Army National Guard of the United*
13 *States, 343,500.*

14 (2) *The Army Reserve, 199,500.*

15 (3) *The Navy Reserve, 59,000.*

16 (4) *The Marine Corps Reserve, 38,500.*

17 (5) *The Air National Guard of the United*
18 *States, 106,600.*

19 (6) *The Air Force Reserve, 69,800.*

20 (7) *The Coast Guard Reserve, 7,000.*

21 (b) *END STRENGTH REDUCTIONS.—The end strengths*
22 *prescribed by subsection (a) for the Selected Reserve of any*
23 *reserve component shall be proportionately reduced by—*

24 (1) *the total authorized strength of units orga-*
25 *nized to serve as units of the Selected Reserve of such*

1 *component which are on active duty (other than for*
2 *training) at the end of the fiscal year; and*

3 *(2) the total number of individual members not*
4 *in units organized to serve as units of the Selected*
5 *Reserve of such component who are on active duty*
6 *(other than for training or for unsatisfactory partici-*
7 *pation in training) without their consent at the end*
8 *of the fiscal year.*

9 *(c) END STRENGTH INCREASES.—Whenever units or*
10 *individual members of the Selected Reserve of any reserve*
11 *component are released from active duty during any fiscal*
12 *year, the end strength prescribed for such fiscal year for*
13 *the Selected Reserve of such reserve component shall be in-*
14 *creased proportionately by the total authorized strengths of*
15 *such units and by the total number of such individual mem-*
16 *bers.*

17 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
18 **DUTY IN SUPPORT OF THE RESERVES.**

19 *Within the end strengths prescribed in section 411(a),*
20 *the reserve components of the Armed Forces are authorized,*
21 *as of September 30, 2019, the following number of Reserves*
22 *to be serving on full-time active duty or full-time duty, in*
23 *the case of members of the National Guard, for the purpose*
24 *of organizing, administering, recruiting, instructing, or*
25 *training the reserve components:*

1 (1) *The Army National Guard of the United*
2 *States, 30,155.*

3 (2) *The Army Reserve, 16,261.*

4 (3) *The Navy Reserve, 10,101.*

5 (4) *The Marine Corps Reserve, 2,261.*

6 (5) *The Air National Guard of the United*
7 *States, 19,450.*

8 (6) *The Air Force Reserve, 3,588.*

9 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**
10 **(DUAL STATUS).**

11 *The minimum number of military technicians (dual*
12 *status) as of the last day of fiscal year 2019 for the reserve*
13 *components of the Army and the Air Force (notwith-*
14 *standing section 129 of title 10, United States Code) shall*
15 *be the following:*

16 (1) *For the Army National Guard of the United*
17 *States, 22,294.*

18 (2) *For the Army Reserve, 6,492.*

19 (3) *For the Air National Guard of the United*
20 *States, 18,969.*

21 (4) *For the Air Force Reserve, 8,880.*

1 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
2 **THORIZED TO BE ON ACTIVE DUTY FOR**
3 **OPERATIONAL SUPPORT.**

4 *During fiscal year 2019, the maximum number of*
5 *members of the reserve components of the Armed Forces who*
6 *may be serving at any time on full-time operational sup-*
7 *port duty under section 115(b) of title 10, United States*
8 *Code, is the following:*

9 (1) *The Army National Guard of the United*
10 *States, 17,000.*

11 (2) *The Army Reserve, 13,000.*

12 (3) *The Navy Reserve, 6,200.*

13 (4) *The Marine Corps Reserve, 3,000.*

14 (5) *The Air National Guard of the United*
15 *States, 16,000.*

16 (6) *The Air Force Reserve, 14,000.*

17 **Subtitle C—Authorization of**
18 **Appropriations**

19 **SEC. 421. MILITARY PERSONNEL.**

20 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
21 *hereby authorized to be appropriated for fiscal year 2019*
22 *for the use of the Armed Forces and other activities and*
23 *agencies of the Department of Defense for expenses, not oth-*
24 *erwise provided for, for military personnel, as specified in*
25 *the funding table in section 4401.*

1 **(b) CONSTRUCTION OF AUTHORIZATION.**—*The author-*
2 *ization of appropriations in subsection (a) supersedes any*
3 *other authorization of appropriations (definite or indefi-*
4 *nite) for such purpose for fiscal year 2019.*

5 **SEC. 422. LIMITATION ON USE OF FUNDS FOR PERSONNEL**
6 **IN FISCAL YEAR 2019 IN EXCESS OF STATU-**
7 **TORILY SPECIFIED END STRENGTHS FOR FIS-**
8 **CAL YEAR 2018.**

9 *Notwithstanding any other provision of this title,*
10 *funds authorized to be appropriated by this Act or otherwise*
11 *made available for the Department of Defense for fiscal year*
12 *2019 for military personnel may be not obligated or ex-*
13 *pended for a number of military personnel covered by an*
14 *end strength in title IV of the National Defense Authoriza-*
15 *tion Act for Fiscal Year 2018 (Public Law 115–91) in ex-*
16 *cess of such end strength until the Secretary of Defense has*
17 *submitted to the congressional defense committees the report*
18 *required under subsection (b) of section 1041.*

1 **TITLE V—MILITARY PERSONNEL**
2 **POLICY**

3 **Subtitle A—Officer Personnel Policy**

4 **PART I—OFFICER PERSONNEL MANAGEMENT**

5 **REFORM**

6 **SEC. 501. REPEAL OF CODIFIED SPECIFICATION OF AU-**
7 **THORIZED STRENGTHS OF CERTAIN COMMIS-**
8 **SIONED OFFICERS ON ACTIVE DUTY.**

9 *Effective as of October 1, 2018, the text of section 523*
10 *of title 10, United States Code, is amended to read as fol-*
11 *lows:*

12 *“The total number of commissioned officers serving on*
13 *active duty in the Army, Air Force, or Marine Corps in*
14 *each of the grades of major, lieutenant colonel, or colonel,*
15 *or in the Navy in each of the grades of lieutenant com-*
16 *mander, commander, or captain, at the end of any fiscal*
17 *year shall be as specifically authorized by Act of Congress*
18 *for such fiscal year.”.*

19 **SEC. 502. ANNUAL DEFENSE MANPOWER REQUIREMENTS**
20 **REPORT MATTERS.**

21 *(a) DATE OF SUBMITTAL.—Subsection (a) of section*
22 *115a of title 10, United States Code, is amended in the mat-*
23 *ter preceding paragraph (1) by striking “not later than 45*
24 *days after the date on which” and inserting “on the date*
25 *on which”.*

1 **(b) SPECIFICATION OF ANTICIPATED OPPORTUNITIES**
2 **FOR PROMOTION OF COMMISSIONED OFFICERS.**—Sub-
3 *section (d) of such section is amended by adding the fol-*
4 *lowing new paragraph:*

5 *“(4) The opportunities for promotion of commis-*
6 *sioned officers anticipated to be estimated pursuant to*
7 *section 623(b)(4) of this title for the fiscal year in*
8 *which such report is submitted for purposes of pro-*
9 *motion selection boards convened pursuant to section*
10 *611 of this title during such fiscal year.”.*

11 **(c) ENUMERATION OF REQUIRED NUMBERS OF CER-**
12 **TAIN COMMISSIONED OFFICERS.**—*Such section is further*
13 *amended by adding at the end the following new subsection:*

14 *“(i) In each such report, the Secretary shall also in-*
15 *clude a separate statement of the number of officers required*
16 *for the next fiscal year in each grade as follows:*

17 *“(1) Major, lieutenant colonel, and colonel of*
18 *each of the Army, the Air Force, and the Marine*
19 *Corps.*

20 *“(2) Lieutenant commander, commander, and*
21 *captain of the Navy.”.*

1 **SEC. 503. REPEAL OF REQUIREMENT FOR ABILITY TO COM-**
2 **plete 20 YEARS OF SERVICE BY AGE 62 AS**
3 **QUALIFICATION FOR ORIGINAL APPOINT-**
4 **MENT AS A REGULAR COMMISSIONED OFFI-**
5 **CER.**

6 (a) *REPEAL.*—Subsection (a) of section 532 of title 10,
7 *United States Code*, is amended—

8 (1) *by striking paragraph (2); and*

9 (2) *by redesignating paragraphs (3), (4), and (5)*
10 *as paragraphs (2), (3), and (4), respectively.*

11 (b) *CONFORMING AMENDMENT.*—Such section is fur-
12 *ther amended by striking subsection (d).*

13 (c) *EFFECTIVE DATE.*—The amendments made by this
14 *section shall take effect on the date of the enactment of this*
15 *Act, and shall apply with respect to original appointments*
16 *of regular commissioned officers of the Armed Forces made*
17 *on or after that date.*

18 **SEC. 504. ENHANCEMENT OF AVAILABILITY OF CONSTRUC-**
19 **TIVE SERVICE CREDIT FOR PRIVATE SECTOR**
20 **TRAINING OR EXPERIENCE UPON ORIGINAL**
21 **APPOINTMENT AS A COMMISSIONED OFFI-**
22 **CER.**

23 (a) *REGULAR OFFICERS.*—

24 (1) *IN GENERAL.*—Subsection (b) of section 533
25 *of title 10, United States Code*, is amended—

1 (A) in paragraph (1), by striking subpara-
2 graph (D) and inserting the following new sub-
3 paragraph (D):

4 “(D) Additional credit for special training or ex-
5 perience in a particular officer career field as des-
6 ignated by the Secretary concerned, if such training
7 or experience is directly related to the operational
8 needs of the armed force concerned.”; and

9 (B) in paragraph (2)—

10 (i) by striking “Except as authorized
11 by the Secretary concerned in individual
12 cases and under regulations prescribed by
13 the Secretary of Defense in the case of a
14 medical or dental officer, the amount” and
15 inserting “The amount”; and

16 (ii) by striking “in the grade of major
17 in the Army, Air Force, or Marine Corps or
18 lieutenant commander in the Navy” and in-
19 serting “in the grade of colonel in the
20 Army, Air Force, or Marine Corps or cap-
21 tain in the Navy”.

22 (2) *REPEAL OF TEMPORARY AUTHORITY FOR*
23 *SERVICE CREDIT FOR CRITICALLY NECESSARY CYBER-*
24 *SPACE-RELATED EXPERIENCE.*—Such section is fur-
25 ther amended—

1 (A) in subsections (a)(2) and (c), by strik-
2 ing “or (g)”; and

3 (B) by striking subsection (g).

4 (b) *RESERVE OFFICERS.*—

5 (1) *IN GENERAL.*—Subsection (b) of section
6 12207 of title 10, United States Code, is amended—

7 (A) in paragraph (1), by striking subpara-
8 graph (D) and inserting the following new sub-
9 paragraph (D):

10 “(D) Additional credit for special training or ex-
11 perience in a particular officer career field as des-
12 ignated by the Secretary concerned, if such training
13 or experience is directly related to the operational
14 needs of the armed force concerned.”; and

15 (B) by striking paragraph (3) and inserting
16 the following new paragraph (3):

17 “(3) The amount of constructive service credit credited
18 to an officer under this subsection may not exceed the
19 amount required in order for the officer to be eligible for
20 an original appointment as a reserve officer of the Army,
21 Air Force, or Marine Corps in the grade of colonel or as
22 a reserve officer of the Navy in the grade of captain.”.

23 (2) *REPEAL OF TEMPORARY AUTHORITY FOR*
24 *SERVICE CREDIT FOR CRITICALLY NECESSARY CYBER-*

1 *SPACE-RELATED EXPERIENCE.*—Such section is fur-
 2 *ther amended—*

3 *(A) by striking subsection (e);*

4 *(B) by redesignating subsections (f) and (g)*
 5 *as subsections (e) and (f), respectively; and*

6 *(C) in subsection (e), as redesignated by*
 7 *subparagraph (B), by striking “, (d), or (e)” and*
 8 *inserting “or (d)”.*

9 **SEC. 505. STANDARDIZED TEMPORARY PROMOTION AU-**
 10 **THORITY ACROSS THE MILITARY DEPART-**
 11 **MENTS FOR OFFICERS IN CERTAIN GRADES**
 12 **WITH CRITICAL SKILLS.**

13 *(a) STANDARDIZED TEMPORARY PROMOTION AUTHOR-*
 14 *ITY.—*

15 *(1) IN GENERAL.—Chapter 35 of title 10, United*
 16 *States Code, is amended by adding at the end the fol-*
 17 *lowing new section:*

18 **“§ 605. Promotion to certain grades for officers with**
 19 **critical skills: colonel, lieutenant colonel,**
 20 **major, captain; captain, commander, lieu-**
 21 **tenant commander, lieutenant**

22 *“(a) IN GENERAL.—An officer in the grade of first*
 23 *lieutenant, captain, major, or lieutenant colonel in the*
 24 *Army, Air Force, or Marine Corps, or lieutenant (junior*
 25 *grade), lieutenant, lieutenant commander, or commander in*

1 *the Navy, who is described in subsection (b) may be tempo-*
2 *rarily promoted to the grade of captain, major, lieutenant*
3 *colonel, or colonel in the Army, Air Force, or Marine Corps,*
4 *or lieutenant, lieutenant commander, commander, or cap-*
5 *tain in the Navy, as applicable, under regulations pre-*
6 *scribed by the Secretary of the military department con-*
7 *cerned. Appointments under this section shall be made by*
8 *the President, by and with the advice and consent of the*
9 *Senate.*

10 “(b) *COVERED OFFICERS.*—*An officer described in this*
11 *subsection is any officer in a grade specified in subsection*
12 *(a) who—*

13 “(1) *has a skill in which the armed force con-*
14 *cerned has a critical shortage of personnel (as deter-*
15 *mined by the Secretary of the military department*
16 *concerned); and*

17 “(2) *is serving in a position (as determined by*
18 *the Secretary of the military department concerned)*
19 *that—*

20 “(A) *is designated to be held by a captain,*
21 *major, lieutenant colonel, or colonel in the Army,*
22 *Air Force, or Marine Corps, or lieutenant, lieu-*
23 *tenant commander, commander, or captain in*
24 *the Navy, as applicable; and*

1 “(B) requires that an officer serving in such
2 position have the skill possessed by such officer.

3 “(c) STATUS OF OFFICERS APPOINTED.—

4 “(1) PRESERVATION OF POSITION AND STA-
5 TUS.—An appointment under this section does not
6 change the position on the active-duty list or the per-
7 manent, probationary, or acting status of the officer
8 so appointed, prejudice the officer in regard to other
9 promotions or appointments, or abridge the rights or
10 benefits of the officer.

11 “(2) GRADE FOR PURPOSES OF ANNUAL DE-
12 FENSE MANPOWER REPORTS.—For purposes of section
13 115a of this title, an officer holding an appointment
14 under this section is considered as serving in the
15 grade of the temporary promotion this section.

16 “(d) BOARD RECOMMENDATION REQUIRED.—A tem-
17 porary promotion under this section may be made only
18 upon the recommendation of a board of officers convened
19 by the Secretary of the military department concerned for
20 the purpose of recommending officers for such promotions.

21 “(e) ACCEPTANCE AND EFFECTIVE DATE OF APPOINT-
22 MENT.—Each appointment under this section, unless ex-
23 pressly declined, is, without formal acceptance, regarded as
24 accepted on the date such appointment is made, and a
25 member so appointed is entitled to the pay and allowances

1 *of the grade of the temporary promotion under this section*
2 *from the date the appointment is made.*

3 “(f) *TERMINATION OF APPOINTMENT.*—*Unless sooner*
4 *terminated, an appointment under this section termi-*
5 *nates—*

6 “(1) *on the date the officer who received the ap-*
7 *pointment is promoted to the permanent grade of cap-*
8 *tain, major, lieutenant colonel, or colonel in the*
9 *Army, Air Force, or Marine Corps, or lieutenant,*
10 *lieutenant commander, commander, or captain in the*
11 *Navy; or*

12 “(2) *on the date the officer is detached from a*
13 *position described in subsection (b)(2), unless the offi-*
14 *cer is on a promotion list to the permanent grade of*
15 *captain, major, lieutenant colonel, or colonel in the*
16 *Army, Air Force, or Marine Corps, or lieutenant,*
17 *lieutenant commander, commander, or captain in the*
18 *Navy, in which case the appointment terminates on*
19 *the date the officer is promoted to that grade.*

20 “(g) *LIMITATION ON NUMBER OF ELIGIBLE POSI-*
21 *TIONS.*—*An appointment under this section may only be*
22 *made for service in a position designated by the Secretary*
23 *of the military department concerned for the purposes of*
24 *this section. The number of positions so designated may not*
25 *exceed the following:*

1 “(1) *In the case of the Army—*

2 “(A) *as captain, 120;*

3 “(B) *as major, 350;*

4 “(C) *as lieutenant colonel, 200; and*

5 “(D) *as colonel, 100.*

6 “(2) *In the case of the Air Force—*

7 “(A) *as captain, 100;*

8 “(B) *as major, 325;*

9 “(C) *as lieutenant colonel, 175; and*

10 “(D) *as colonel, 80.*

11 “(3) *In the case of the Marine Corps—*

12 “(A) *as captain, 50;*

13 “(B) *as major, 175;*

14 “(C) *as lieutenant colonel, 100; and*

15 “(D) *as colonel, 50.*

16 “(4) *In the case of the Navy—*

17 “(A) *as lieutenant, 100;*

18 “(B) *as lieutenant commander, 325;*

19 “(C) *as commander, 175; and*

20 “(D) *as captain, 80.”.*

21 (2) *CLERICAL AMENDMENT.—The table of sec-*
 22 *tions at the beginning of chapter 35 of such title is*
 23 *amended by adding at the end the following new item:*

“605. *Promotion to certain grades for officers with critical skills: colonel, lieutenant colonel, major, captain; captain, commander, lieutenant commander, lieutenant.”.*

1 **(b) REPEAL OF SUPERSEDED AUTHORITY APPLICABLE**
2 **TO NAVY LIEUTENANTS.—**

3 **(1) REPEAL.—***Chapter 544 of title 10, United*
4 *States Code, is repealed.*

5 **(2) CLERICAL AMENDMENTS.—***The tables of*
6 *chapters at the beginning of title 10, United States*
7 *Code, and at the beginning of subtitle C of such title,*
8 *are each amended by striking the item relating to*
9 *chapter 544.*

10 **SEC. 506. AUTHORITY FOR PROMOTION BOARDS TO REC-**
11 **COMMEND OFFICERS OF PARTICULAR MERIT**
12 **BE PLACED HIGHER ON A PROMOTION LIST.**

13 **(a) DOPMA BOARDS.—**

14 **(1) IN GENERAL.—***Section 616 of title 10,*
15 *United States Code, is amended by adding at the end*
16 *the following new subsection:*

17 **“(g)(1)** *In selecting the officers to be recommended for*
18 *promotion, a selection board may, when authorized by the*
19 *Secretary of the military department concerned, recommend*
20 *officers of particular merit, from among those officers se-*
21 *lected for promotion, to be placed higher on the promotion*
22 *list established by the Secretary under section 624(a)(1) of*
23 *this title.*

24 **“(2)** *An officer may be recommended to be placed high-*
25 *er on a promotion list under paragraph (1) only if the offi-*

1 *cer receives the recommendation of at least a majority of*
2 *the members of the board, unless the Secretary concerned*
3 *establishes an alternative requirement. Any such alternative*
4 *requirement shall be furnished to the board as part of the*
5 *guidelines furnished to the board under section 615 of this*
6 *title.*

7 “(3) *For the officers recommended to be placed higher*
8 *on a promotion list under paragraph (1), the board shall*
9 *recommend the order in which those officers should be*
10 *placed on the list.*”.

11 (2) *PROMOTION SELECTION BOARD REPORTS*
12 *RECOMMENDING OFFICERS OF PARTICULAR MERIT BE*
13 *PLACED HIGHER ON PROMOTION LIST.—Section 617*
14 *of such title is amended by adding at the end the fol-*
15 *lowing new subsection:*

16 “(d) *A selection board convened under section 611(a)*
17 *of this title shall, when authorized under section 616(g) of*
18 *this title, include in its report to the Secretary concerned*
19 *the names of those officers recommended by the board to*
20 *be placed higher on the promotion list and the order in*
21 *which the board recommends that those officers should be*
22 *placed on the list.*”.

23 (3) *OFFICERS OF PARTICULAR MERIT APPEARING*
24 *HIGHER ON PROMOTION LIST.—Section 624(a)(1) of*
25 *such title is amended in the first sentence by adding*

1 *at the end “or based on particular merit, as deter-*
2 *mined by the promotion board”.*

3 **(b) ROPMA BOARDS.—**

4 **(1) IN GENERAL.—***Section 14108 of title 10,*
5 *United States Code, is amended by adding at the end*
6 *the following new subsection:*

7 *“(f) OFFICERS OF PARTICULAR MERIT.—(1) In select-*
8 *ing the officers to be recommended for promotion, a pro-*
9 *motion board may, when authorized by the Secretary of the*
10 *military department concerned, recommend officers of par-*
11 *ticular merit, from among those officers selected for pro-*
12 *motion, to be placed higher on the promotion list established*
13 *by the Secretary under section 14308(a) of this title.*

14 *“(2) An officer may be recommended to be placed high-*
15 *er on a promotion list under paragraph (1) only if the offi-*
16 *cer receives the recommendation of at least a majority of*
17 *the members of the board, unless the Secretary concerned*
18 *establishes an alternative requirement. Any such alternative*
19 *requirement shall be furnished to the board as part of the*
20 *guidelines furnished to the board under section 14107 of this*
21 *title.*

22 *“(3) For the officers recommended to be placed higher*
23 *on a promotion list under paragraph (1), the board shall*
24 *recommend the order in which those officers should be*
25 *placed on the list.”.*

1 (2) *PROMOTION BOARD REPORTS RECOMMENDING*
2 *OFFICERS OF PARTICULAR MERIT BE PLACED HIGHER*
3 *ON PROMOTION LIST.*—Section 14109 of such title is
4 amended by adding at the end the following new sub-
5 section:

6 “(d) *OFFICERS OF PARTICULAR MERIT.*—A promotion
7 board convened under section 14101(a) of this title shall,
8 when authorized under section 14108(f) of this title, include
9 in its report to the Secretary concerned the names of those
10 officers recommended by the board to be placed higher on
11 the promotion list and the order in which the board rec-
12 ommends that those officers should be placed on the list.”.

13 (3) *OFFICERS OF PARTICULAR MERIT APPEARING*
14 *HIGHER ON PROMOTION LIST.*—Section 14308(a) of
15 such title is amended in the first sentence by adding
16 at the end “or based on particular merit, as deter-
17 mined by the promotion board”.

18 **SEC. 507. AUTHORITY FOR OFFICERS TO OPT OUT OF PRO-**
19 **MOTION BOARD CONSIDERATION.**

20 (a) *ACTIVE-DUTY LIST OFFICERS.*—Section 619 of
21 title 10, United States Code, is amended—

22 (1) in subsection (d), by adding at the end the
23 following new paragraph:

24 “(6) An officer excluded under subsection (e).”;
25 and

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

3 “(e) *AUTHORITY TO ALLOW OFFICERS TO OPT OUT*
4 *OF SELECTION BOARD CONSIDERATION.*—(1) *The Secretary*
5 *of a military department may provide that an officer under*
6 *the jurisdiction of the Secretary may, upon the officer’s re-*
7 *quest and with the approval of the Secretary, be excluded*
8 *from consideration by a selection board convened under sec-*
9 *tion 611(a) of this title to consider officers for promotion*
10 *to the next higher grade.*

11 “(2) *The Secretary concerned may only approve a re-*
12 *quest under paragraph (1) if—*

13 “(A) *the basis for the request is to allow an offi-*
14 *cer to complete a broadening assignment, advanced*
15 *education, another assignment of significant value to*
16 *the Department, or a career progression requirement*
17 *delayed by the assignment or education;*

18 “(B) *the Secretary determines the exclusion from*
19 *consideration is in the best interest of the military de-*
20 *partment concerned; and*

21 “(C) *the officer has not previously failed of selec-*
22 *tion for promotion to the grade for which the officer*
23 *requests the exclusion from consideration.”.*

24 (b) *RESERVE ACTIVE-STATUS LIST OFFICERS.*—Sec-
25 *tion 14301 of such title is amended—*

1 (1) *in subsection (c)—*

2 (A) *in the subsection heading, by striking*
3 *“PREVIOUSLY SELECTED OFFICERS NOT ELIGI-*
4 *BLE” and inserting “CERTAIN OFFICERS NOT”;*
5 *and*

6 (B) *by adding at the end the following new*
7 *paragraph:*

8 “*(6) An officer excluded under subsection (j).*”;
9 *and*

10 (2) *by adding at the end the following new sub-*
11 *section:*

12 “*(j) AUTHORITY TO ALLOW OFFICERS TO OPT OUT*
13 *OF SELECTION BOARD CONSIDERATION.—(1) The Secretary*
14 *a military department may provide that an officer under*
15 *the jurisdiction of the Secretary may, upon the officer’s re-*
16 *quest and with the approval of the Secretary, be excluded*
17 *from consideration by a selection board convened under sec-*
18 *tion 14101(a) of this title to consider officers for promotion*
19 *to the next higher grade.*

20 “*(2) The Secretary concerned may only approve a re-*
21 *quest under paragraph (1) if—*

22 “*(A) the basis for the request is to allow an offi-*
23 *cer to complete a broadening assignment, advanced*
24 *education, another assignment of significant value to*

1 *the Department, or a career progression requirement*
2 *delayed by the assignment or education;*

3 *“(B) the Secretary determines the exclusion from*
4 *consideration is in the best interest of the military de-*
5 *partment concerned; and*

6 *“(C) the officer has not previously failed of selec-*
7 *tion for promotion to the grade for which the officer*
8 *requests the exclusion from consideration.”.*

9 **SEC. 508. COMPETITIVE CATEGORY MATTERS.**

10 *Section 621 of title 10, United States Code, is amend-*
11 *ed—*

12 *(1) by inserting “(a) COMPETITIVE CAT-*
13 *EGORIES.—” before “Under regulations”; and*

14 *(2) by adding at the end the following new sub-*
15 *sections:*

16 *“(b) BASES FOR COMPETITIVE CATEGORIES.—Com-*
17 *petitive categories shall be established on the bases as fol-*
18 *lows:*

19 *“(1) Officers occupying similar officer qualifica-*
20 *tions, specialties, occupations, or ratings shall be*
21 *grouped together.*

22 *“(2) Promotion timing, promotion opportunity,*
23 *and officer career length shall each be tailored to par-*
24 *ticular officer qualifications, specialties, occupations,*
25 *or ratings.*

1 “(c) *CONSISTENCY NOT REQUIRED IN PROMOTION*
2 *TIMING OR OPPORTUNITY.*—*In establishing competitive cat-*
3 *egories, the Secretary of a military department shall not*
4 *be required to provide consistency in promotion timing or*
5 *promotion opportunity among competitive categories of the*
6 *armed force concerned.*”.

7 **SEC. 509. PROMOTION ZONE MATTERS.**

8 (a) *ALIGNMENT WITH ANNUAL DEFENSE MANPOWER*
9 *REQUIREMENTS REPORTS.*—*Subsection (b) of section 623*
10 *of title 10, United States Code, is amended—*

11 (1) *in paragraph (3), by striking “and” at the*
12 *end;*

13 (2) *in paragraph (4), by striking the period at*
14 *the end and inserting “; and”; and*

15 (3) *by adding after paragraph (4) the following*
16 *new paragraph (5):*

17 “(5) *the alignment of opportunities for pro-*
18 *motion for officers considered by any particular selec-*
19 *tion board with opportunities for promotion in the*
20 *next year as estimated pursuant to paragraph (4)*
21 *and reported in the annual defense manpower re-*
22 *quirements report covering such year under section*
23 *115a of this title.*”.

1 ***(b) PROHIBITION ON DETERMINATION OF OFFICERS IN***
2 ***PROMOTION ZONE BASED ON YEAR OF ORIGINAL APPOINT-***
3 ***MENT TO CURRENT GRADE.—***

4 ***(1) IN GENERAL.—Such section is further***
5 ***amended by adding at the end the following new sub-***
6 ***section:***

7 ***“(c) The Secretary concerned may not determine the***
8 ***number of officers in a promotion zone on the basis of the***
9 ***year in which officers receive their original appointment***
10 ***in their current grade.”.***

11 ***(2) EFFECTIVE DATE.—The amendment made by***
12 ***paragraph (1) shall take effect on the date of the en-***
13 ***actment of this Act, and shall apply with respect to***
14 ***promotion zones established for promotion selection***
15 ***boards convened on or after that date.***

16 **SEC. 510. ALTERNATIVE PROMOTION AUTHORITY FOR OFFI-**
17 **CERS IN DESIGNATED COMPETITIVE CAT-**
18 **EGORIES OF OFFICERS.**

19 ***(a) ALTERNATIVE PROMOTION AUTHORITY.—***

20 ***(1) IN GENERAL.—Chapter 36 of title 10, United***
21 ***States Code, is amended by adding at the end the fol-***
22 ***lowing new subchapter:***

1 “SUBCHAPTER VI—ALTERNATIVE PROMOTION
 2 AUTHORITY FOR OFFICERS IN DESIGNATED
 3 COMPETITIVE CATEGORIES

“Sec.

“649a. Officers in designated competitive categories.

“649b. Selection for promotion.

“649c. Eligibility for consideration for promotion.

“649d. Opportunities for consideration for promotion.

“649e. Promotions.

“649f. Failure of selection for promotion.

“649g. Retirement: retirement for years of service; selective early retirement.

“649h. Continuation on active duty.

“649h-1. Continuation on active duty: officers in certain military specialties and
 career tracks.

“649i. Other administrative authorities.

“649j. Regulations.

4 “§ 649a. Officers in designated competitive categories

5 “(a) AUTHORITY TO DESIGNATE COMPETITIVE CAT-
 6 EGORIES OF OFFICERS.—Each Secretary of a military de-
 7 partment may designate one or more competitive categories
 8 for promotion of officers under section 621 of this title that
 9 are under the jurisdiction of such Secretary as a competi-
 10 tive category of officers whose promotion, retirement, and
 11 continuation on active duty shall be subject to the provi-
 12 sions of this subchapter.

13 “(b) LIMITATION ON EXERCISE OF AUTHORITY.—The
 14 Secretary of a military department may not designate a
 15 competitive category of officers for purposes of this sub-
 16 chapter until 60 days after the date on which the Secretary
 17 submits to the Committees on Armed Services of the Senate
 18 and the House of Representatives a report on the designa-

1 *tion of the competitive category. The report on the designa-*
2 *tion of a competitive category shall set forth the following:*

3 “(1) *A detailed description of officer require-*
4 *ments for officers within the competitive category.*

5 “(2) *An explanation of the number of opportuni-*
6 *ties for consideration for promotion to each particular*
7 *grade, and an estimate of promotion timing, within*
8 *the competitive category.*

9 “(3) *An estimate of the size of the promotion*
10 *zone for each grade within the competitive category.*

11 “(4) *A description of any other matters the Sec-*
12 *retary considered in determining to designate the*
13 *competitive category for purposes of this subchapter.*

14 **“§ 649b. Selection for promotion**

15 “(a) *IN GENERAL.—Except as provided in this section,*
16 *the selection for promotion of officers in any competitive*
17 *category of officers designated for purposes of this sub-*
18 *chapter shall be governed by the provisions of subchapter*
19 *I of this chapter.*

20 “(b) *NO RECOMMENDATION FOR PROMOTION OF OFFI-*
21 *CERS BELOW PROMOTION ZONE.—Section 616(b) of this*
22 *title shall not apply to the selection for promotion of officers*
23 *described in subsection (a).*

24 “(c) *RECOMMENDATION FOR OFFICERS TO BE EX-*
25 *CLUDED FROM FUTURE CONSIDERATION FOR PRO-*

1 *MOTION.*—*In making recommendations pursuant to section*
2 *616 of this title for purposes of the administration of this*
3 *subchapter, a selection board convened under section 611(a)*
4 *of this title may recommend that an officer considered by*
5 *the board be excluded from future consideration for pro-*
6 *motion under this chapter.*

7 **“§ 649c. Eligibility for consideration for promotion**

8 “(a) *IN GENERAL.*—*Except as provided by this sec-*
9 *tion, eligibility for promotion of officers in any competitive*
10 *category of officers designated for purposes of this sub-*
11 *chapter shall be governed by the provisions of section 619*
12 *of this title.*

13 “(b) *INAPPLICABILITY OF CERTAIN TIME-IN-GRADE*
14 *REQUIREMENTS.*—*Paragraphs (2) through (4) of section*
15 *619(a) of this title shall not apply to the promotion of offi-*
16 *cers described in subsection (a).*

17 “(c) *INAPPLICABILITY TO OFFICERS ABOVE AND*
18 *BELOW PROMOTION ZONE.*—*The following provisions of*
19 *section 619(c) of this title shall not apply to the promotion*
20 *of officers described in subsection (a):*

21 “(1) *The reference in paragraph (1) of that sec-*
22 *tion to an officer above the promotion zone.*

23 “(2) *Paragraph (2)(A) of that section.*

1 “(d) *INELIGIBILITY OF CERTAIN OFFICERS.*—The fol-
2 *lowing officers are not eligible for promotion under this sub-*
3 *chapter:*

4 “(1) *An officer described in section 619(d) of this*
5 *title.*

6 “(2) *An officer not included within the pro-*
7 *motion zone.*

8 “(3) *An officer who has failed of promotion to a*
9 *higher grade the maximum number of times specified*
10 *for opportunities for promotion for such grade within*
11 *the competitive category concerned pursuant to sec-*
12 *tion 649d of this title.*

13 “(4) *An officer recommended by a selection board*
14 *to be removed from consideration for promotion in ac-*
15 *cordance with section 649b(c) of this title.*

16 **“§ 649d. Opportunities for consideration for pro-**
17 **motion**

18 “(a) *SPECIFICATION OF NUMBER OF OPPORTUNITIES*
19 *FOR CONSIDERATION FOR PROMOTION.*—*In designating a*
20 *competitive category of officers pursuant to section 649a of*
21 *this title, the Secretary of a military department shall*
22 *specify the number of opportunities for consideration for*
23 *promotion to be afforded officers of the armed force con-*
24 *cerned within the category for promotion to each grade*

1 *above the grade of first lieutenant or lieutenant (junior*
2 *grade), as applicable.*

3 “(b) *LIMITED AUTHORITY OF SECRETARY OF MILI-*
4 *TARY DEPARTMENT TO MODIFY NUMBER OF OPPORTUNI-*
5 *TIES.—The Secretary of a military department may modify*
6 *the number of opportunities for consideration for promotion*
7 *to be afforded officers of an armed force within a competi-*
8 *tive category for promotion to a particular grade, as pre-*
9 *viously specified by the Secretary pursuant subsection (a)*
10 *or this subsection, not more frequently than once every five*
11 *years.*

12 “(c) *DISCRETIONARY AUTHORITY OF SECRETARY OF*
13 *DEFENSE TO MODIFY NUMBER OF OPPORTUNITIES.—The*
14 *Secretary of Defense may modify the number of opportuni-*
15 *ties for consideration for promotion to be afforded officers*
16 *of an armed force within a competitive category for pro-*
17 *motion to a particular grade, as previously specified or*
18 *modified pursuant to any provision of this section, at the*
19 *discretion of the Secretary.*

20 “(d) *LIMITATION ON NUMBER OF OPPORTUNITIES*
21 *SPECIFIED.—The number of opportunities for consider-*
22 *ation for promotion to be afforded officers of an armed force*
23 *within a competitive category for promotion to a particular*
24 *grade, as specified or modified pursuant to any provision*
25 *of this section, may not exceed five opportunities.*

1 “(e) *EFFECT OF CERTAIN REDUCTION IN NUMBER OF*
2 *OPPORTUNITIES SPECIFIED.*—*If, by reason of a reduction*
3 *in the number of opportunities for consideration for pro-*
4 *motion under this section, an officer would no longer have*
5 *one or more opportunities for consideration for promotion*
6 *that were available to the officer before the reduction, the*
7 *officer shall be afforded one additional opportunity for con-*
8 *sideration for promotion after the reduction.*

9 **“§ 649e. Promotions**

10 “Sections 620 through 626 of this title shall apply in
11 promotions of officers in competitive categories of officers
12 designated for purposes of this subchapter.

13 **“§ 649f. Failure of selection for promotion**

14 “(a) *IN GENERAL.*—*Except as provided in this section,*
15 *sections 627 through 632 of this title shall apply to pro-*
16 *motions of officers in competitive categories of officers des-*
17 *ignated for purposes of this subchapter.*

18 “(b) *INAPPLICABILITY OF FAILURE OF SELECTION FOR*
19 *PROMOTION TO OFFICERS ABOVE PROMOTION ZONE.*—*The*
20 *reference in section 627 of this title to an officer above the*
21 *promotion zone shall not apply in the promotion of officers*
22 *described in subsection (a).*

23 “(c) *SPECIAL SELECTION BOARD MATTERS.*—*The ref-*
24 *erence in section 628(a)(1) of this title to a person above*

1 *the promotion zone shall not apply in the promotion of offi-*
2 *cers described in subsection (a).*

3 “(d) *EFFECT OF FAILURE OF SELECTION.—In the ad-*
4 *ministration of this subchapter pursuant to subsection*
5 *(a)—*

6 “(1) *an officer described in subsection (a) shall*
7 *not be deemed to have failed twice of selection for pro-*
8 *motion for purposes of section 629(e)(2) of this title*
9 *until the officer has failed selection of promotion to*
10 *the next higher grade the maximum number of times*
11 *specified for opportunities for promotion to such*
12 *grade within the competitive category concerned pur-*
13 *suant to section 649d of this title; and*

14 “(2) *any reference in section 631(a) or 632(a) of*
15 *this title to an officer who has failed of selection for*
16 *promotion to the next higher grade for the second time*
17 *shall be deemed to refer instead to an officer described*
18 *in subsection (a) who has failed of selection for pro-*
19 *motion to the next higher grade for the maximum*
20 *number of times specified for opportunities for pro-*
21 *motion to such grade within the competitive category*
22 *concerned pursuant to such section 649d.*

1 **“§ 649g. Retirement: retirement for years of service; se-**
2 **lective early retirement**

3 “(a) *RETIREMENT FOR YEARS OF SERVICES.*—Sec-
4 *tions 633 through 636 of this title shall apply to the retire-*
5 *ment of officers in competitive categories of officers des-*
6 *ignated for purposes of this subchapter.*

7 “(b) *SELECTIVE EARLY RETIREMENT.*—Sections 638
8 *and 638a of this title shall apply to the retirement of offi-*
9 *cers described in subsection (a).*

10 **“§ 649h. Continuation on active duty**

11 “(a) *IN GENERAL.*—An officer subject to discharge or
12 *retirement pursuant to this subchapter may, subject to the*
13 *needs of the service, be continued on active duty if the officer*
14 *is selected for continuation on active duty in accordance*
15 *with this section by a selection board convened under sec-*
16 *tion 611(b) of this title.*

17 “(b) *IDENTIFICATION OF POSITIONS FOR OFFICERS*
18 *CONTINUED ON ACTIVE DUTY.*—

19 “(1) *IN GENERAL.*—Officers may be selected for
20 *continuation on active duty pursuant to this section*
21 *only for assignment to positions identified by the Sec-*
22 *retary of the military department concerned for which*
23 *vacancies exist or are anticipated to exist.*

24 “(2) *IDENTIFICATION.*—Before convening a selec-
25 *tion board pursuant to section 611(b) of this title for*
26 *purposes of selection of officers for continuation on*

1 *active duty pursuant to this section, the Secretary of*
2 *the military department concerned shall specify for*
3 *purposes of the board the positions identified by the*
4 *Secretary to which officers selected for continuation*
5 *on active duty may be assigned.*

6 “(c) *RECOMMENDATION FOR CONTINUATION.*—*A selec-*
7 *tion board may recommend an officer for continuation on*
8 *active duty pursuant to this section only if the board deter-*
9 *mines that the officer is qualified for assignment to one or*
10 *more positions identified pursuant to subsection (b) on the*
11 *basis of skills, knowledge, and behavior required of an offi-*
12 *cer to perform successfully in such position or positions.*

13 “(d) *APPROVAL OF SECRETARY OF MILITARY DEPART-*
14 *MENT.*—*Continuation of an officer on active duty under*
15 *this section pursuant to the action of a selection board is*
16 *subject to the approval of the Secretary of the military de-*
17 *partment concerned.*

18 “(e) *NONACCEPTANCE OF CONTINUATION.*—*An officer*
19 *who is selected for continuation on active duty pursuant*
20 *to this section, but who declines to continue on active duty,*
21 *shall be discharged or retired, as appropriate, in accordance*
22 *with section 632 of this title.*

23 “(f) *PERIOD OF CONTINUATION.*—

24 “(1) *IN GENERAL.*—*An officer continued on ac-*
25 *tive duty pursuant to this section shall remain on ac-*

1 *tive duty, and serve in the position to which assigned*
2 *(or in another position to which assigned with the ap-*
3 *proval of the Secretary of the military department*
4 *concerned), for a total of not more than three years*
5 *after the date of assignment to the position to which*
6 *first so assigned.*

7 “(2) *ADDITIONAL CONTINUATION.*—*An officer*
8 *whose continued service pursuant to this section*
9 *would otherwise expire pursuant to paragraph (1)*
10 *may be continued on active duty if selected for con-*
11 *tinuation on active duty in accordance with this sec-*
12 *tion before the date of expiration pursuant to that*
13 *paragraph.*

14 “(g) *EFFECT OF EXPIRATION OF CONTINUATION.*—
15 *Each officer continued on active duty pursuant to this sub-*
16 *section who is not selected for continuation on active duty*
17 *pursuant to subsection (f)(2) at the completion of the offi-*
18 *cer’s term of continued service shall, unless sooner dis-*
19 *charged or retired under another provision of law—*

20 “(1) *be discharged upon the expiration of the*
21 *term of continued service; or*

22 “(2) *if eligible for retirement under another other*
23 *provision of law, be retired under that law on the*
24 *first day of the first month following the month in*

1 *which the officer completes the term of continued serv-*
2 *ice.*

3 “(h) *TREATMENT OF DISCHARGE OR RETIREMENT.*—
4 *The discharge or retirement of an officer pursuant to this*
5 *section shall be considered to be an involuntary discharge*
6 *or retirement for purposes of any other provision of law.*

7 **“§ 649h-1. Continuation on active duty: officers in cer-**
8 ***tain military specialties and career tracks***

9 *“In addition to continuation on active duty provided*
10 *for in section 649h of this title, an officer to whom section*
11 *637a of this title applies may be continued on active duty*
12 *in accordance with the provisions of such section 637a.*

13 **“§ 649i. Other administrative authorities**

14 *“(a) IN GENERAL.—The following provisions of this*
15 *title shall apply to officers in competitive categories of offi-*
16 *cers designated for purposes of this subchapter:*

17 *“(1) Section 638b, relating to voluntary retire-*
18 *ment incentives.*

19 *“(2) Section 639, relating to continuation on ac-*
20 *tive duty to complete disciplinary action.*

21 *“(3) Section 640, relating to deferment of retire-*
22 *ment or separation for medical reasons.*

23 **“§ 649j. Regulations**

24 *“The Secretary of Defense shall prescribe regulations*
25 *regarding the administration of this subchapter. The ele-*

1 *ments of such regulations shall include mechanisms to clar-*
 2 *ify the manner in which provisions of other subchapters of*
 3 *this chapter shall be used in the administration of this sub-*
 4 *chapter in accordance with the provisions of this sub-*
 5 *chapter.”.*

6 (2) *CLERICAL AMENDMENT.—The table of sub-*
 7 *chapters at the beginning of chapter 36 of such title*
 8 *is amended by adding at the end the following new*
 9 *item:*

**“VI. Alternative Promotion Authority for Officers in Des-
 igned Competitive Categories 649a”.**

10 (b) *REPORT.—*

11 (1) *IN GENERAL.—Not later than 180 days after*
 12 *the date of the enactment of this Act, the Secretary of*
 13 *Defense shall, in consultation with the Secretaries of*
 14 *the military departments, submit to the Committees*
 15 *on Armed Services of the Senate and the House of*
 16 *Representatives a report on the authorities in sub-*
 17 *chapter VI of chapter 36 of title 10, United States*
 18 *Code (as added by subsection (a)).*

19 (2) *ELEMENTS.—The report shall include the fol-*
 20 *lowing:*

21 (A) *A detailed analysis and assessment of*
 22 *the manner in which the exercise of the authori-*
 23 *ties in subchapter VI of chapter 36 of title 10,*
 24 *United States Code (as so added), will effect the*

1 *career progression of commissioned officers in the*
2 *Armed Forces.*

3 *(B) A description of the competitive cat-*
4 *egories of officers that are anticipated to be des-*
5 *ignated as competitive categories of officers for*
6 *purposes of such authorities.*

7 *(C) A plan for implementation of such au-*
8 *thorities.*

9 *(D) Such recommendations for legislative or*
10 *administrative action as the Secretary of Defense*
11 *considers appropriate to improve or enhance*
12 *such authorities.*

13 **SEC. 511. APPLICABILITY TO ADDITIONAL OFFICER GRADES**
14 **OF AUTHORITY FOR CONTINUATION ON AC-**
15 **TIVE DUTY OF OFFICERS IN CERTAIN MILI-**
16 **TARY SPECIALTIES AND CAREER TRACKS.**

17 *Section 637a(a) of title 10, United States Code, is*
18 *amended—*

19 *(1) by striking “grade O–4” and inserting*
20 *“grade O–2”; and*

21 *(2) by inserting “632,” before “633,”.*

1 **PART II—OTHER MATTERS**
2 **SEC. 516. MATTERS RELATING TO SATISFACTORY SERVICE**
3 **IN GRADE FOR PURPOSES OF RETIREMENT**
4 **GRADE OF OFFICERS IN HIGHEST GRADE OF**
5 **SATISFACTORY SERVICE.**

6 (a) *CONDITIONAL DETERMINATIONS OF GRADE OF*
7 *SATISFACTORY SERVICE.—*

8 (1) *IN GENERAL.—*Subsection (a)(1) of section
9 1370 of title 10, United States Code, is amended by
10 adding at the end the following new sentences: “When
11 an officer is under investigation for alleged mis-
12 conduct at the time of retirement, the Secretary con-
13 cerned may conditionally determine the highest grade
14 of satisfactory service of the officer pending comple-
15 tion of the investigation. Such grade is subject to re-
16 opening in accordance with subsection (f).”.

17 (2) *OFFICERS IN O–9 AND O–10 GRADES.—*Sub-
18 section (c) of such section is amended by adding at
19 the end the following new paragraph:

20 “(4) The Secretary of Defense may make a conditional
21 certification regarding satisfactory service in grade under
22 paragraph (1) with respect to an officer under that para-
23 graph notwithstanding the fact that there is pending the
24 disposition of an adverse personnel action against the offi-
25 cer for alleged misconduct. The retired grade of an officer

1 *following such a conditional certification is subject to re-*
2 *opening in accordance with subsection (f).”.*

3 (3) *RESERVE OFFICERS.*—*Subsection (d)(1) of*
4 *such section is amended by adding at the end the fol-*
5 *lowing new sentences: “When an officer is under in-*
6 *vestigation for alleged misconduct at the time of re-*
7 *irement, the Secretary concerned may conditionally*
8 *determine the highest grade of satisfactory service of*
9 *the officer pending completion of the investigation.*
10 *Such grade is subject to reopening in accordance with*
11 *subsection (f).”.*

12 (b) *DETERMINATIONS OF SATISFACTORY SERVICE.*—
13 *Such section is further amended—*

14 (1) *by redesignating subsection (e) as subsection*
15 *(g); and*

16 (2) *by inserting after subsection (d) the following*
17 *new subsection (e):*

18 “(e) *DETERMINATIONS OF SATISFACTORY SERVICE IN*
19 *GRADE.*—*The determination whether an officer’s service in*
20 *grade is satisfactory for purposes of any provision of this*
21 *section shall—*

22 “(1) *be based on quantative and qualitative con-*
23 *siderations;*

24 “(2) *take into account both acts and omissions;*
25 *and*

1 “(3) take into account service in current grade
2 and in any prior grade in which served (whether a
3 lower or higher grade).”.

4 (c) *FINALITY OF RETIRED GRADE DETERMINA-*
5 *TIONS.*—Such section is further amended by inserting after
6 subsection (e), as amended by subsection (b) of this section,
7 the following new subsection:

8 “(f) *FINALITY OF RETIRED GRADE DETERMINA-*
9 *TIONS.*—(1) Except as otherwise provided by law, a deter-
10 mination or certification of the retired grade of an officer
11 pursuant to this section is administratively final on the day
12 the officer is retired, and may not be reopened.

13 “(2) A determination or certification of the retired
14 grade of an officer may be reopened as follows:

15 “(A) If the retirement or retired grade of the offi-
16 cer was procured by fraud.

17 “(B) If substantial evidence comes to light after
18 the retirement that could have led to a lower retired
19 grade under this section if known by competent au-
20 thority at the time of retirement.

21 “(C) If a mistake of law or calculation was made
22 in the determination of the retired grade.

23 “(D) In the case of a retired grade following a
24 conditional determination under subsection (a)(1) or
25 (d)(1) or conditional certification under subsection

1 (c)(4), if the investigation of or personnel action
2 against the officer, as applicable, results in adverse
3 findings.

4 “(E) If the Secretary concerned determines, pur-
5 suant to regulations prescribed by the Secretary of
6 Defense, that good cause exists to reopen the deter-
7 mination or certification.

8 “(3) If a determination or certification of the retired
9 grade of an officer is reopened, the Secretary concerned—

10 “(A) shall notify the officer of the reopening; and

11 “(B) may not make an adverse determination on
12 the retired grade of the officer until the officer has
13 had a reasonable opportunity to respond regarding
14 the basis of the reopening.

15 “(4) If a certification of the retired grade of an officer
16 covered by subsection (c) is reopened, the Secretary con-
17 cerned shall also notify the President and Congress of the
18 reopening.

19 “(5) If the retired grade of an officer is reduced
20 through the reopening of the officer’s retired grade, the re-
21 tired pay of the officer under chapter 71 of this title shall
22 be recalculated, and any modification of the retired pay of
23 the officer shall go into effect on the effective date of the
24 reduction of the officer’s retired grade.”.

1 (d) *EFFECTIVE DATE.*—*The amendments made by*
2 *subsection (a) shall take effect on the date of the enactment*
3 *of this Act, and shall apply with respect to officers who*
4 *retire from the Armed Forces on or after that date.*

5 **SEC. 517. REDUCTION IN NUMBER OF YEARS OF ACTIVE**
6 **NAVAL SERVICE REQUIRED FOR PERMANENT**
7 **APPOINTMENT AS A LIMITED DUTY OFFICER.**

8 *Section 5589(d) of title 10, United States Code, is*
9 *amended by striking “10 years” and inserting “8 years”.*

10 **SEC. 518. REPEAL OF ORIGINAL APPOINTMENT QUALIFICA-**
11 **TION REQUIREMENT FOR WARRANT OFFI-**
12 **CERS IN THE REGULAR ARMY.**

13 (a) *IN GENERAL.*—*Section 3310 of title 10, United*
14 *States Code, is repealed.*

15 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
16 *the beginning of chapter 335 of such title is amended by*
17 *striking the item relating to section 3310.*

18 **SEC. 519. UNIFORM GRADE OF SERVICE OF THE CHIEFS OF**
19 **CHAPLAINS OF THE ARMED FORCES.**

20 *The grade of service as Chief of Chaplains of the Army,*
21 *Chief of Chaplains of the Navy, and Chief of Chaplains of*
22 *the Air Force of an officer serving in such position shall*
23 *be such grade as the Secretary of Defense shall specify. The*
24 *grade of service shall be the same for service in each such*
25 *position.*

1 **SEC. 520. WRITTEN JUSTIFICATION FOR APPOINTMENT OF**
2 **CHIEFS OF CHAPLAINS IN GRADE BELOW**
3 **GRADE OF MAJOR GENERAL OR REAR ADMI-**
4 **RAL.**

5 (a) *CHIEF OF CHAPLAINS OF THE ARMY.*—Section
6 3036 of title 10, United States Code, is amended by adding
7 at the end the following new subsection:

8 “(h) If an individual is appointed Chief of Chaplains
9 in a regular grade below the grade of major general, the
10 Secretary of the Army shall submit to the Committees on
11 Armed Services of the Senate and the House of Representa-
12 tives a report setting forth in writing the justification for
13 the appointment of the individual as Chief of Chaplains
14 in such lower grade.”.

15 (b) *CHIEF OF CHAPLAINS OF THE NAVY.*—Section
16 5142(b) of such title is amended—

17 (1) by inserting “(1)” after “(b)”; and

18 (2) by adding at the end the following new para-
19 graph:

20 “(2) If an individual is appointed Chief of Chaplains
21 in a regular grade below the grade of rear admiral, the Sec-
22 retary of the Navy shall submit to the Committees on Armed
23 Services of the Senate and the House of Representatives a
24 report setting forth in writing the justification for the ap-
25 pointment of the individual as Chief of Chaplains in such
26 lower grade.”.

1 (c) *CHIEF OF CHAPLAINS OF THE AIR FORCE.*—Section
2 tion 8039(a) of such title is amended—

3 (1) by redesignating paragraphs (2) and (3) as
4 paragraphs (3) and (4), respectively; and

5 (2) by inserting after paragraph (1) the fol-
6 lowing new paragraph (2):

7 “(2) If an individual is appointed Chief of Chaplains
8 in a regular grade below the grade of major general, the
9 Secretary of the Air Force shall submit to the Committees
10 on Armed Services of the Senate and the House of Rep-
11 resentatives a report setting forth in writing the justifica-
12 tion for the appointment of the individual as Chief of Chap-
13 lains in such lower grade.”.

14 ***Subtitle B—Reserve Component***
15 ***Management***

16 ***SEC. 521. AUTHORITY TO ADJUST EFFECTIVE DATE OF PRO-***
17 ***MOTION IN THE EVENT OF UNDUE DELAY IN***
18 ***EXTENDING FEDERAL RECOGNITION OF PRO-***
19 ***MOTION.***

20 (a) *IN GENERAL.*—Section 14308(f) of title 10, United
21 States Code, is amended—

22 (1) by inserting “(1)” before “The effective date
23 of promotion”; and

24 (2) by adding at the end the following new para-
25 graph:

1 “(2) *If the Secretary concerned determines that there*
2 *was an undue delay in extending Federal recognition in*
3 *the next higher grade in the Army National Guard or the*
4 *Air National Guard to a reserve commissioned officer of*
5 *the Army or the Air Force, and the delay was not attrib-*
6 *utable to the action (or inaction) of such officer, the effective*
7 *date of the promotion concerned under paragraph (1) may*
8 *be adjusted to a date determined by the Secretary concerned,*
9 *but not earlier than the effective date of the State pro-*
10 *motion.”.*

11 **(b) EFFECTIVE DATE.**—*The amendments made by sub-*
12 *section (a) shall take effect on the date of the enactment*
13 *of this Act, and shall apply with respect to promotions of*
14 *officers whose State effective date is on or after that date.*

15 **SEC. 522. AUTHORITY TO DESIGNATE CERTAIN RESERVE**
16 **OFFICERS AS NOT TO BE CONSIDERED FOR**
17 **SELECTION FOR PROMOTION.**

18 *Section 14301 of title 10, United States Code, is*
19 *amended by adding at the end the following new subsection:*

20 “(j) **CERTAIN OFFICERS NOT TO BE CONSIDERED FOR**
21 **SELECTION FOR PROMOTION.**—*The Secretary of the mili-*
22 *tary department concerned may provide that an officer who*
23 *is in an active status, but is in a duty status in which*
24 *the only points the officer accrues under section 12732(a)(2)*
25 *of this title are pursuant to subparagraph (C)(i) of that*

1 *section (relating to membership in a reserve component),*
 2 *shall not be considered for selection for promotion until*
 3 *completion of two years of service in such duty status. Any*
 4 *such officer may remain on the reserve active-status list.”.*

5 **SEC. 523. EXPANSION OF PERSONNEL SUBJECT TO AU-**
 6 **THORITY OF THE CHIEF OF THE NATIONAL**
 7 **GUARD BUREAU IN THE EXECUTION OF**
 8 **FUNCTIONS AND MISSIONS OF THE NA-**
 9 **TIONAL GUARD BUREAU.**

10 *Section 10508(b)(1) of title 10, United States Code, is*
 11 *amended by striking “sections 2103,” and all that follows*
 12 *through “of title 32,” and inserting “sections 2102, 2103,*
 13 *2105, and 3101, and subchapter IV of chapter 53, of title*
 14 *5, or sections 328 and 709 of title 32,”.*

15 **SEC. 524. REPEAL OF PROHIBITION ON SERVICE ON ARMY**
 16 **RESERVE FORCES POLICY COMMITTEE BY**
 17 **MEMBERS ON ACTIVE DUTY.**

18 *Section 10302 of title 10, United States Code, is*
 19 *amended—*

20 *(1) in subsection (b), by striking “not on active*
 21 *duty” each place it appears; and*

22 *(2) in subsection (c)—*

23 *(A) by inserting “of the reserve components”*
 24 *after “among the members”; and*

25 *(B) by striking “not on active duty”.*

1 ***Subtitle C—General Service***
2 ***Authorities***

3 ***SEC. 531. ASSESSMENT OF NAVY STANDARD WORKWEEK***
4 ***AND RELATED ADJUSTMENTS.***

5 (a) *ASSESSMENT.*—*The Secretary of the Navy shall*
6 *conduct a comprehensive assessment of the Navy standard*
7 *workweek.*

8 (b) *OTHER REQUIREMENTS.*—*The Secretary shall—*

9 (1) *update Office of the Chief of Naval Oper-*
10 *ations Instruction 1000.16L in order to—*

11 (A) *obtain an examination of current in-*
12 *port workloads; and*

13 (B) *identify the manpower necessary to exe-*
14 *cute in-port workload for all surface ship classes;*

15 (2) *update the criteria used in the Instruction*
16 *referred to in paragraph (1) that are used to reassess*
17 *the factors used to calculate manpower requirements*
18 *periodically or when conditions change; and*

19 (3) *using the updates required by paragraphs (1)*
20 *and (2), identify personnel needs and costs associated*
21 *with the planned larger size of the Navy fleet.*

22 (c) *ADDED DEMANDS.*—*The Secretary shall identify*
23 *and quantify added demands on Navy ship crews, including*
24 *Ready Relevant Learning training periods and additional*

1 *work that affects readiness and technical qualifications for*
2 *Navy ship crews.*

3 (d) *DEADLINE.—The Secretary shall complete car-*
4 *rying out the requirements in this section by not later than*
5 *180 days after the date of the enactment of this Act.*

6 **SEC. 532. MANNING OF FORWARD DEPLOYED NAVAL**
7 **FORCES.**

8 *Commencing not later than October 1, 2019, the Sec-*
9 *retary of the Navy shall implement a policy to man ships*
10 *homeported overseas (commonly referred to as “Forward*
11 *Deployed Naval Forces”)* at manning levels not less than
12 *the levels established for each ship class or type of unit, in-*
13 *cluding any adjustments resulting from as a result of*
14 *changes from actions in connection with section 531, relat-*
15 *ing to an assessment of the Navy standard workweek and*
16 *related adjustments.*

17 **SEC. 533. NAVY WATCHSTANDER RECORDS.**

18 (a) *IN GENERAL.—The Secretary of the Navy shall re-*
19 *quire that, commencing not later than 180 days after the*
20 *date of the enactment of this Act, key watchstanders on*
21 *Navy surface ships shall maintain a career record of*
22 *watchstanding hours and specific operational evolutions.*

23 (b) *KEY WATCHSTANDER DEFINED.—In this section,*
24 *the term “key watchstander” means each of the following:*

25 (1) *Officer of the Deck.*

1 (2) *Any other officer specified by the Secretary*
2 *for purposes of this section.*

3 **SEC. 534. QUALIFICATION EXPERIENCE REQUIREMENTS**
4 **FOR CERTAIN NAVY WATCHSTATIONS.**

5 (a) *IN GENERAL.*—*Not later than 90 days after the*
6 *date the of enactment of this Act, the Secretary of the Navy*
7 *shall submit to the Committees on Armed Services of the*
8 *Senate and the House of Representatives a report on the*
9 *adequacy of individual training for certain watchstations,*
10 *including any planned or recommended changes in quali-*
11 *fication standards for such watchstations.*

12 (b) *WATCHSTATIONS.*—*The watchstations covered by*
13 *the report required by subsection (a) are the following:*

14 (1) *Officer of the Deck.*

15 (2) *Combat Information Center Watch Officer.*

16 (3) *Tactical Action Officer.*

17 **SEC. 535. REPEAL OF 15-YEAR STATUTE OF LIMITATIONS ON**
18 **MOTIONS OR REQUESTS FOR REVIEW OF DIS-**
19 **CHARGE OR DISMISSAL FROM THE ARMED**
20 **FORCES.**

21 (a) *REPEAL.*—*Section 1553(a) of title 10, United*
22 *States Code, is amended by striking the second sentence.*

23 (b) *EFFECTIVE DATE.*—*The amendment made by this*
24 *section shall take effect on October 1, 2019.*

1 **SEC. 536. TREATMENT OF CLAIMS RELATING TO MILITARY**
2 **SEXUAL TRAUMA IN CORRECTION OF MILI-**
3 **TARY RECORDS AND REVIEW OF DISCHARGE**
4 **OR DISMISSAL PROCEEDINGS.**

5 (a) *CORRECTION OF MILITARY RECORDS.*—

6 (1) *IN GENERAL.*—Subsection (h) of section 1552
7 of title 10, United States Code, is amended in para-
8 graphs (1) and (2)(B), by striking “post-traumatic
9 stress disorder or traumatic brain injury” and insert-
10 ing “post-traumatic stress disorder, traumatic brain
11 injury, or military sexual trauma”.

12 (2) *QUARTERLY REPORTS.*—Subsection (i)(1) of
13 such section is amended by inserting “, or an experi-
14 ence of military sexual trauma,” after “traumatic
15 brain injury”.

16 (b) *REVIEW OF DISCHARGE OR DISMISSAL.*—Section
17 1553(d) of such title is amended—

18 (1) by striking “or traumatic brain injury” each
19 place it appears (other than the second place it ap-
20 pears in paragraph (3)(B)) and inserting “, trau-
21 matic brain injury, or military sexual trauma”; and

22 (2) in paragraph (3)(B), by inserting “and” be-
23 fore “whose” the second place it appears.

1 ***Subtitle D—Military Justice***
2 ***Matters***

3 **SEC. 541. PUNITIVE ARTICLE ON DOMESTIC VIOLENCE**
4 **UNDER THE UNIFORM CODE OF MILITARY**
5 **JUSTICE.**

6 *(a) PUNITIVE ARTICLE.—*

7 *(1) IN GENERAL.—Subchapter X of chapter 47 of*
8 *title 10, United States Code (the Uniform Code of*
9 *Military Justice), is amended by inserting after sec-*
10 *tion 928a (article 128a) the following new section (ar-*
11 *ticle):*

12 **“§ 928b. Art. 128b. Domestic violence**

13 *“(a) IN GENERAL.—Any person who—*

14 *“(1) commits a violent offense against a spouse,*
15 *an intimate partner, or an immediate family member*
16 *of that person;*

17 *“(2) with intent to threaten or intimidate a*
18 *spouse, an intimate partner, or an immediate family*
19 *member of that person—*

20 *“(A) commits an offense under this chapter*
21 *against any person; or*

22 *“(B) commits an offense under this chapter*
23 *against any property, including an animal;*

1 “(3) *with intent to threaten or intimidate a*
2 *spouse, an intimate partner, or an immediate family*
3 *member of that person, violates a protection order;*

4 “(4) *with intent to commit a violent offense*
5 *against a spouse, an intimate partner, or an imme-*
6 *diate family member of that person, violates a protec-*
7 *tion order; or*

8 “(5) *assaults a spouse, an intimate partner, or*
9 *an immediate family member of that person by stran-*
10 *gling or suffocating;*
11 *shall be punished as a court-martial may direct.*

12 “(b) *DEFINITIONS.—In this section (article):*

13 “(1) *IMMEDIATE FAMILY.—The term ‘immediate*
14 *family’, with respect to an accused, means a spouse,*
15 *parent, brother or sister, child of the accused, a person*
16 *to whom the accused stands in loco parentis, and any*
17 *other person who lives in the household involved and*
18 *is related by blood or marriage to the accused.*

19 “(2) *INTIMATE PARTNER.—The term ‘intimate*
20 *partner’, with respect to an accused, means—*

21 “(A) *a former spouse of the accused;*

22 “(B) *a person who has a child in common*
23 *with the accused;*

24 “(C) *a person who cohabits or has cohabited*
25 *as a spouse with the accused; or*

1 “(D) a person who is or has been in a social
2 relationship of a romantic or intimate nature
3 with the accused, as determined by the length of
4 the relationship, the type of relationship, and the
5 frequency of interaction between the person and
6 the accused.

7 “(3) *PROTECTION ORDER*.—The term ‘protection
8 order’ means—

9 “(A) a military protective order enforceable
10 under section 890 of this title (article 90); or

11 “(B) a protection order, as defined in sec-
12 tion 2266 of title 18 and, if issued by a State,
13 Indian tribal, or territorial court, is in accord-
14 ance with the standards specified in section 2265
15 of such title.

16 “(4) *STRANGLING*.—The term ‘strangling’ means
17 intentionally or knowingly impeding the normal
18 breathing or circulation of the blood of a person by
19 applying pressure to the throat or neck, regardless of
20 whether the impeding results in any visible injury or
21 whether there is any intent to kill or protractedly in-
22 jure the victim.

23 “(5) *SUFFOCATING*.—The term ‘suffocating’
24 means intentionally or knowingly impeding the nor-
25 mal breathing of a person by covering the mouth or

1 *the nose, regardless of whether the impeding results in*
 2 *any visible injury or whether there is any intent to*
 3 *kill or protractedly injure the victim.*

4 “(6) *VIOLENT OFFENSE.*—*The term ‘violent of-*
 5 *fense’ means a violation of any of the provisions of*
 6 *this chapter as follows:*

7 “(A) *Section 918 of this title (article 118).*

8 “(B) *Section 919(a) of this title (article*
 9 *119(a)).*

10 “(C) *Section 919a of this title (article*
 11 *119a).*

12 “(D) *Section 920 of this title (article 120).*

13 “(E) *Section 920b of this title (article*
 14 *120b).*

15 “(F) *Section 922 of this title (article 122).*

16 “(G) *Section 925 of this title (article 125).*

17 “(H) *Section 926 of this title (article 126).*

18 “(I) *Section 928 of this title (article 128).*

19 “(J) *Section 928a of this title (article*
 20 *128a).*

21 “(K) *Section 930 of this title (article 130).”.*

22 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 23 *tions at the beginning of subchapter X of chapter 47*
 24 *of such title (the Uniform Code of Military Justice)*

1 *is amended by inserting after the item relating to sec-*
 2 *tion 928a (article 128a) the following new item:*

“928b. 128b. Domestic violence.”.

3 *(b) EFFECTIVE DATE.—The amendments made by this*
 4 *section shall take effect on January 1, 2019, immediately*
 5 *after the coming into effect of the amendments made by the*
 6 *Military Justice Act of 2016 (division E of Public Law*
 7 *114–328) as provided in section 5542 of that Act (130 Stat.*
 8 *2967; 10 U.S.C. 801 note).*

9 **SEC. 542. INCLUSION OF STRANGULATION AND SUFFO-**
 10 **CATION IN CONDUCT CONSTITUTING AGGRA-**
 11 **VATED ASSAULT FOR PURPOSES OF THE UNI-**
 12 **FORM CODE OF MILITARY JUSTICE.**

13 *(a) IN GENERAL.—Subsection (b) of section 928 of title*
 14 *10, United States Code (article 128 of the Uniform Code*
 15 *of Military Justice), is amended—*

16 *(1) in paragraph (1), by striking “or” at the*
 17 *end;*

18 *(2) in paragraph (2), by adding “or” after the*
 19 *semicolon; and*

20 *(3) by inserting after paragraph (2) the fol-*
 21 *lowing new paragraph:*

22 *“(3) who commits an assault by strangulation or*
 23 *suffocation;”.*

24 *(b) EFFECTIVE DATE.—The amendments made by sub-*
 25 *section (a) shall take effect on January 1, 2019, imme-*

1 *diately after the coming into effect of the amendment made*
2 *by section 5441 of the Military Justice Act of 2016 (division*
3 *E of Public Law 114–328; 130 Stat. 2954) as provided in*
4 *section 5542 of that Act (130 Stat. 2967; 10 U.S.C. 801*
5 *note).*

6 **SEC. 543. AUTHORITIES OF DEFENSE ADVISORY COM-**
7 **MITTEE ON INVESTIGATION, PROSECUTION,**
8 **AND DEFENSE OF SEXUAL ASSAULT IN THE**
9 **ARMED FORCES.**

10 *Section 546 of the Carl Levin and Howard P. “Buck”*
11 *McKeon National Defense Authorization Act for Fiscal Year*
12 *2015 (10 U.S.C. 1561 note) is amended—*

13 *(1) by redesignating subsections (d) and (e) as*
14 *subsections (e) and (f), respectively; and*

15 *(2) by inserting after subsection (c) the following*
16 *new subsection (d):*

17 *“(d) AUTHORITIES.—*

18 *“(1) HEARINGS.—The Advisory Committee may*
19 *hold such hearings, sit and act at such times and*
20 *places, take such testimony, and receive such evidence*
21 *as the committee considers appropriate to carry out*
22 *its duties under this section.*

23 *“(2) INFORMATION FROM FEDERAL AGENCIES.—*

24 *Upon request by the chair of the Advisory Committee,*
25 *a department or agency of the Federal Government*

1 *shall provide information that the Advisory Com-*
2 *mittee considers necessary to carry out its duties*
3 *under this section.”.*

4 **SEC. 544. PROTECTIVE ORDERS AGAINST INDIVIDUALS SUB-**
5 **JECT TO THE UNIFORM CODE OF MILITARY**
6 **JUSTICE.**

7 *(a) PROTECTIVE ORDERS.—*

8 *(1) IN GENERAL.—Subchapter II of chapter 47 of*
9 *title 10, United States Code (the Uniform Code of*
10 *Military Justice), is amended by inserting after sec-*
11 *tion 809 (article 9) the following new section (article):*

12 **“§ 809a. Art. 9a. Protective orders**

13 **“(a) ISSUANCE AUTHORIZED.—**

14 **“(1) IN GENERAL.—In accordance with such reg-**
15 **ulations as the President may prescribe and subject to**
16 **the provisions of this section, upon proper application**
17 **therefor pursuant to subsection (b), a military judge**
18 **or military magistrate may issue the following:**

19 **“(A) A protective order described in sub-**
20 **section (c) on an emergency basis against a per-**
21 **son subject to this chapter.**

22 **“(B) A protective order described in sub-**
23 **section (c), other than a protective order on an**
24 **emergency basis, against a person subject to this**
25 **chapter.**

1 “(2) *OTHER PROTECTIVE ORDERS.*—*Nothing in*
2 *this section may be construed as limiting or altering*
3 *any authority of a military judge or military mag-*
4 *istrate to issue a protective order, other than a protec-*
5 *tive order described in subsection (c), against a per-*
6 *son subject to this chapter under any other provision*
7 *of law or regulation.*

8 “(b) *APPLICATION.*—

9 “(1) *IN GENERAL.*—*Application for a protective*
10 *order under this section shall be made in accordance*
11 *with such requirements and procedures as the Presi-*
12 *dent shall prescribe. Such requirements and proce-*
13 *dures shall, to the extent practicable, conform to the*
14 *requirements and procedures generally applicable to*
15 *applications for protective orders in civilian jurisdic-*
16 *tions of the United States.*

17 “(2) *ELIGIBILITY.*—*Application for a protective*
18 *order may be made by any individual. The regula-*
19 *tions prescribed for purposes of this section may not*
20 *limit eligibility for application to judge advocates or*
21 *other attorneys or to military commanders or other*
22 *members of the armed forces.*

23 “(c) *PROTECTIVE ORDERS.*—

24 “(1) *IN GENERAL.*—*A protective order described*
25 *in this subsection is an order that—*

1 “(A) restrains a person from harassing,
2 stalking, threatening, or otherwise contacting or
3 communicating with another person who stands
4 in relation to the person as described in sub-
5 section (d)(8) or (g)(8) of section 922 of title 18,
6 or engaging in other conduct that would place
7 such other person in reasonable fear of bodily in-
8 jury to any such other person; and

9 “(B) by its terms, explicitly prohibits—

10 “(i) the use, attempted use, or threat-
11 ened use of physical force by the person
12 against another person who stands in rela-
13 tion to the person as described in subsection
14 (d)(8) or (g)(8) of section 922 of title 18
15 that would reasonably be expected to cause
16 bodily injury;

17 “(ii) the initiation by the person re-
18 strained of any contact or communication
19 with such other person; or

20 “(iii) actions described by both clauses
21 (i) and (ii).

22 “(2) DEFINITIONS.—In this subsection:

23 “(A) The term ‘contact’ includes contact in
24 person or through a third party, or through gifts,

1 “(B) *The term ‘communication’ includes*
2 *communication in person or through a third*
3 *party, and by telephone or in writing by letter,*
4 *data fax, or other electronic means.*

5 “(d) *DUE PROCESS.—*

6 “(1) *PROTECTION OF DUE PROCESS.—Except as*
7 *provided in paragraph (2), a protective order de-*
8 *scribed in subsection (c) may only be issued after the*
9 *person to be subject to the order has received such no-*
10 *tice and opportunity to be heard on the order as the*
11 *President shall prescribe.*

12 “(2) *EMERGENCY ORDERS.—A protective order*
13 *on an emergency basis may be issued on an ex parte*
14 *basis under such rules and limitations as the Presi-*
15 *dent shall prescribe.*

16 “(e) *NATURE AND SCOPE OF PROTECTIVE ORDERS.—*
17 *The President shall prescribe any requirements or limita-*
18 *tions applicable to nature and scope of protective orders de-*
19 *scribed in subsection (c), including requirements and limi-*
20 *tations relating to the following:*

21 “(1) *The duration of protective orders on an*
22 *emergency basis, and of other protective orders.*

23 “(2) *The scope of protective orders on an emer-*
24 *gency basis, and of other protective orders.*

25 “(f) *COMMAND MATTERS.—*

1 “(1) *DELIVERY TO COMMANDER.*—A copy of a
2 *protective order described in subsection (c) against a*
3 *member of the armed forces shall be provided to such*
4 *commanding officer in the chain of command of the*
5 *member as the President shall prescribe for purposes*
6 *of this section.*

7 “(2) *INCLUSION IN PERSONNEL FILE.*—Any pro-
8 *TECTIVE ORDER DESCRIBED IN SUBSECTION (C) AGAINST A*
9 *MEMBER SHALL BE PLACED AND RETAINED IN THE MILITARY*
10 *PERSONNEL FILE OF THE MEMBER.*

11 “(3) *NOTICE TO CIVILIAN LAW ENFORCEMENT OF*
12 *ISSUANCE.*—Any protective order described in sub-
13 *SECTION (C) AGAINST A MEMBER SHALL BE TREATED AS A*
14 *MILITARY PROTECTIVE ORDER FOR PURPOSES OF SECTION*
15 *1567a OF THIS TITLE, INCLUDING FOR PURPOSES OF MANDA-*
16 *TORY NOTIFICATION OF ISSUANCE TO CIVILIAN LAW ENFORCE-*
17 *MENT AS REQUIRED BY THAT SECTION.*

18 “(4) *AUTHORITY OF COMMANDING OFFICERS.*—
19 *Nothing in this section may be construed as prohib-*
20 *ITING A COMMANDING OFFICER FROM ISSUING OR ENFORCING*
21 *ANY OTHERWISE LAWFUL ORDER IN THE NATURE OF A PROTEC-*
22 *TIVE ORDER DESCRIBED IN SUBSECTION (C) TO OR AGAINST*
23 *MEMBERS OF THE OFFICER’S COMMAND.*

24 “(g) *DELIVERY TO CERTAIN PERSONS.*—A physical
25 *copy of any protective order described in subsection (c) shall*

1 *be provided, as soon as practicable after issuance, to the*
2 *following:*

3 “(1) *The person or persons protected by the pro-*
4 *TECTIVE ORDER OR TO THE GUARDIAN OF SUCH A PERSON IF*
5 *SUCH PERSON IS UNDER THE AGE OF 18 YEARS.*

6 “(2) *The person subject to the protective order.*

7 “(h) *ENFORCEMENT.—A protective order described in*
8 *SUBSECTION (c) shall be enforceable by a military judge or*
9 *military magistrate under such rules, and subject to such*
10 *requirements and limitations, as the President shall pre-*
11 *scribe.”.*

12 “(2) *CLERICAL AMENDMENT.—The table of sec-*
13 *tions at the beginning of subchapter II of chapter 47*
14 *of such title is amended by inserting after the item*
15 *relating to section 809 (article 9) the following new*
16 *item:*

“809a. 9a. *Protective orders.*”.

17 “(b) *AUTHORITY OF MILITARY MAGISTRATES.—*

18 “(1) *IN GENERAL.—Section 826a(b) of title 10,*
19 *United States Code (article 26a(b) of the Uniform*
20 *Code of Military Justice), is amended by striking*
21 *“819 or 830a of this title (article 19 or 30a)” and in-*
22 *serting “809a, 819, or 830 of this title (article 9a, 19,*
23 *or 30a)”.*

24 “(2) *EFFECTIVE DATE.—The amendment made by*
25 *paragraph (1) shall take effect on January 1, 2019,*

1 *immediately after the coming into effect pursuant to*
2 *section 5542 of the Military Justice Act of 2016 (divi-*
3 *sion E of Public Law 114–328; 130 Stat. 2967; 10*
4 *U.S.C. 801 note) of the amendment made by section*
5 *5185 of the Military Justice Act of 2016 (130 Stat.*
6 *2902), to which the amendment made by paragraph*
7 *(1) relates.*

8 **SEC. 545. EXPANSION OF ELIGIBILITY FOR SPECIAL VIC-**
9 **TIMS’ COUNSEL SERVICES.**

10 (a) *IN GENERAL.*—*Subsection (a) of section 1044e of*
11 *title 10, United States Code, is amended by striking “al-*
12 *leged sex-related offense” each place it appears and insert-*
13 *ing “alleged covered violence offense”.*

14 (b) *TYPES OF LEGAL ASSISTANCE AUTHORIZED.*—
15 *Subsection (b) of such section is amended—*

16 (1) *by striking “the alleged sex-related offense”*
17 *each place it appears and inserting “the alleged cov-*
18 *ered violence offense”; and*

19 (2) *in paragraph (3), by inserting “if and as ap-*
20 *plicable,” after “or domestic abuse advocate,”.*

21 (c) *AVAILABILITY OF SVCS.*—*Such section is further*
22 *amended—*

23 (1) *in subsection (b)(10), by striking “subsection*
24 *(h)” and inserting “subsection (j)”;*

1 (2) by redesignating subsections (g) and (h) as
2 subsections (i) and (j), respectively;

3 (3) in subsection (f)—

4 (A) by striking the subsection heading and
5 inserting “AVAILABILITY OF SVCS IN CONNEC-
6 TION WITH SEX-RELATED OFFENSES.—”; and

7 (B) in paragraph (1), by inserting “an al-
8 leged covered violence offense that is” before “an
9 alleged sex-related offense” the first place it ap-
10 pears; and

11 (4) by inserting after subsection (f) the following
12 new subsections:

13 “(g) AVAILABILITY OF SVCS IN CONNECTION WITH
14 DOMESTIC VIOLENCE OFFENSES.—(1) An individual de-
15 scribed in subsection (a)(2) who is the victim of an alleged
16 covered violence offense that is an alleged domestic violence
17 offense shall be offered the option of receiving assistance
18 from a Special Victims’ Counsel upon report of an alleged
19 domestic violence offense or at the time the victim seeks as-
20 sistance from a Family Advocate, a domestic violence vic-
21 tim advocate, a military criminal investigator, a victim/
22 witness liaison, a trial counsel, a healthcare provider, or
23 any other personnel designated by the Secretary concerned
24 for purposes of this subsection.

1 “(2) Paragraphs (2) and (3) of subsection (f) shall
2 apply to the availability of Special Victims’ Counsel under
3 this subsection to victims of an alleged domestic violence
4 offense.

5 “(h) AVAILABILITY OF SVCs IN CONNECTION WITH
6 OTHER COVERED VIOLENCE OFFENSES.—An individual
7 described in subsection (a)(2) who is the victim of an al-
8 leged covered violence offense (other than an alleged offense
9 covered by subsection (f) or (g)) shall be offered the option
10 of receiving assistance from a Special Victims’ Counsel
11 upon report of such alleged covered violence offense or at
12 the time the victim seeks assistance from a military crimi-
13 nal investigator, a victim/witness liaison, a trial counsel,
14 a healthcare provider, or any other personnel designated by
15 the Secretary concerned for purposes of this subsection.”.

16 (d) DEFINITIONS.—Subsection (i) of such section, as
17 redesignated by subsection (c)(2) of this section, is further
18 amended to read as follows:

19 “(i) DEFINITIONS.—In this section:

20 “(1) ALLEGED COVERED VIOLENCE OFFENSE.—
21 The term ‘alleged covered violence offense’ means any
22 allegation of the following:

23 “(A) A violation of section 918, 919, 919a,
24 920, 920b, 925, 928a, or 930 of this title (article

1 118, 119, 119a, 120, 120b, 125, 128a, or 130 of
2 *the Uniform Code of Military Justice*).

3 “(B) *A violation of subsection (b) of section*
4 *928 of this title (article 128 of the Uniform Code*
5 *of Military Justice), if the offense was aggra-*
6 *vated.*

7 “(C) *A violation of any other provision of*
8 *chapter 47 of this title (the Uniform Code of*
9 *Military Justice) that the Secretary of Defense*
10 *and the Secretary of Homeland Security jointly*
11 *specify as an alleged covered violence offense for*
12 *purposes of this section.*

13 “(D) *An attempt to commit an offense spec-*
14 *ified in subparagraph (A), (B), or (C) as pun-*
15 *ishable under section 880 of this title (article 80*
16 *of the Uniform Code of Military Justice).*

17 “(E) *A conspiracy to commit an offense*
18 *specified in subparagraph (A), (B), or (C) as*
19 *punishable under section 881 of this title (article*
20 *81 of the Uniform Code of Military Justice).*

21 “(F) *A solicitation to commit an offense*
22 *specified in subparagraph (A), (B), or (C) as*
23 *punishable under section 882 of this title (article*
24 *82 of the Uniform Code of Military Justice).*

1 “(2) *ALLEGED DOMESTIC VIOLENCE OFFENSE.*—

2 *The term ‘alleged domestic violence offense’ means*
3 *any allegation of the following:*

4 “(A) *A violation of section 919b of this title*
5 *(article 119b of the Uniform Code of Military*
6 *Justice).*

7 “(B) *A violation of section 920, 928 (if the*
8 *offense was aggravated), or 930 of this title (arti-*
9 *cle 120, 128, or 130 of the Uniform Code of Mili-*
10 *tary Justice) in which the victim of the violation*
11 *is a spouse or other intimate partner of the ac-*
12 *cus ed or a child of the spouse or other intimate*
13 *partner of the accused and the accused.*

14 “(C) *A violation of any other provision of*
15 *chapter 47 of this title (the Uniform Code of*
16 *Military Justice) that the Secretary of Defense*
17 *and the Secretary of Homeland Security jointly*
18 *specify as an alleged domestic violence offense for*
19 *purposes of this section.*

20 “(D) *An attempt to commit an offense spec-*
21 *ified in subparagraph (A), (B), or (C) as pun-*
22 *ishable under section 880 of this title (article 80*
23 *of the Uniform Code of Military Justice).*

24 “(E) *A conspiracy to commit an offense*
25 *specified in subparagraph (A), (B), or (C) as*

1 *punishable under section 881 of this title (article*
2 *81 of the Uniform Code of Military Justice).*

3 *“(F) A solicitation to commit an offense*
4 *specified in subparagraph (A), (B), or (C) as*
5 *punishable under section 882 of this title (article*
6 *82 of the Uniform Code of Military Justice).*

7 *“(3) ALLEGED SEX-RELATED OFFENSE.—The*
8 *term ‘alleged sex-related offense’ means any allegation*
9 *of the following:*

10 *“(A) A violation of section 920, 920b, 920c,*
11 *or 930 of this title (article 120, 120b, 120c, or*
12 *130 of the Uniform Code of Military Justice).*

13 *“(B) A violation of any other provision of*
14 *chapter 47 of this title (the Uniform Code of*
15 *Military Justice) that the Secretary of Defense*
16 *and the Secretary of Homeland Security jointly*
17 *specify as an alleged sex-related offense for pur-*
18 *poses of this section.*

19 *“(C) An attempt to commit an offense speci-*
20 *fied in subparagraph (A) or (B) as punishable*
21 *under section 880 of this title (article 80 of the*
22 *Uniform Code of Military Justice).*

23 *“(D) A conspiracy to commit an offense*
24 *specified in subparagraph (A) or (B) as punish-*

1 able under section 881 of this title (article 81 of
2 the Uniform Code of Military Justice).

3 “(E) A solicitation to commit an offense
4 specified in subparagraph (A) or (B) as punish-
5 able under section 882 of this title (article 82 of
6 the Uniform Code of Military Justice).”.

7 (e) CONFORMING AND CLERICAL AMENDMENTS.—

8 (1) HEADING AMENDMENT.—The heading of such
9 section is amended to read as follows:

10 “**§ 1044e. Special Victims’ Counsel: victims of sex-re-**
11 **lated offenses, domestic violence offenses,**
12 **and other violence offenses”.**

13 (2) TABLE OF SECTIONS.—The table of sections
14 at the beginning of chapter 53 of such title is amend-
15 ed by striking the item relating to section 1044e and
16 inserting the following new item:

 “1044e. Special Victims’ Counsel: victims of sex-related offenses, domestic violence
 offenses, and other violence offenses.”.

17 (f) EFFECTIVE DATE.—

18 (1) IN GENERAL.—The amendments made by
19 this section shall take effect on such date after Janu-
20 ary 1, 2019, as the President shall specify for pur-
21 poses of this section.

22 (2) DATE SPECIFIED.—In specifying a date for
23 purposes of paragraph (1), the President shall specify
24 a date that permits the Secretaries concerned and the

1 *Armed Forces the opportunity to assess and properly*
2 *allocate the personnel and other resources required to*
3 *fully implement and carry out the amendments made*
4 *by this section.*

5 (3) *IMPLEMENTATION ACTIVITIES.—During the*
6 *period beginning on the date of the enactment of this*
7 *Act and ending on the date specified for purposes of*
8 *paragraph (1), the Secretaries concerned and the*
9 *Armed Forces shall—*

10 (A) *establish mechanisms to ensure that a*
11 *priority is afforded in the discharge of duties of*
12 *Special Victims' Counsel under the amendments*
13 *made by this section to serious cases of child*
14 *abuse and other domestic violence (including*
15 *cases involving aggravated assault and serious*
16 *neglect that could result in serious injury or*
17 *death); and*

18 (B) *strongly consider the advisability of em-*
19 *ploying civilians to perform duties of Special*
20 *Victims' Counsel in the matters covered by the*
21 *amendments in the event the number of military*
22 *Special Victims' Counsel is insufficient for the*
23 *full and effective discharge of such duties.*

24 (4) *SECRETARIES CONCERNED DEFINED.—In*
25 *this subsection, the term "Secretaries concerned" has*

1 *the meaning given that term in section 101(a)(9) of*
2 *title 10, United States Code.*

3 **SEC. 546. CLARIFICATION OF EXPIRATION OF TERM OF AP-**
4 **PELLATE MILITARY JUDGES OF THE UNITED**
5 **STATES COURT OF MILITARY COMMISSION**
6 **REVIEW.**

7 *(a) IN GENERAL.—Section 950f(b) of title 10, United*
8 *States Code, is amended by adding at the end the following*
9 *new paragraph:*

10 *“(6) The term of an appellate military judge assigned*
11 *to the Court under paragraph (2) or appointed to the Court*
12 *under paragraph (3) shall expire on the earlier of the date*
13 *on which—*

14 *“(A) the judge leaves active duty; or*

15 *“(B) the judge is reassigned to other duties in*
16 *accordance with section 949b(b)(4) of this title.”.*

17 *(b) APPLICABILITY.—The amendment made by sub-*
18 *section (a) shall apply to each judge of the United States*
19 *Court of Military Commission Review serving on that court*
20 *on the date of the enactment of this Act and each judge*
21 *assigned or appointed to that court on or after such date.*

1 **SEC. 547. EXPANSION OF POLICIES ON EXPEDITED TRANS-**
2 **FER OF MEMBERS OF THE ARMED FORCES**
3 **WHO ARE VICTIMS OF SEXUAL ASSAULT.**

4 (a) *ELIGIBILITY OF ADDITIONAL MEMBERS FOR*
5 *TRANSFER.*—*The Secretary of Defense shall modify section*
6 *105.9 of title 32, Code of Federal Regulations, and any*
7 *other regulations and policy of the Department of Defense*
8 *applicable to the expedited transfer of members of the*
9 *Armed Forces who allege they are a victim of sexual assault,*
10 *in order to provide that a member of the Armed Forces de-*
11 *scribed in subsection (b) is eligible for expedited transfer*
12 *under such regulations and policy in connection with an*
13 *allegation as described in that paragraph.*

14 (b) *COVERED MEMBERS.*—*A member of the Armed*
15 *Forces described in this subsection is any member as fol-*
16 *lows:*

17 (1) *A member who is an alleged victim of sexual*
18 *assault committed by the spouse or intimate partner*
19 *of the member, which spouse or intimate partner is*
20 *not a member of the Armed Forces.*

21 (2) *A member who is an alleged victim of phys-*
22 *ical domestic violence (other than sexual assault) com-*
23 *mitted by the spouse or intimate partner of the mem-*
24 *ber, regardless of whether the spouse or intimate part-*
25 *ner is a member of the Armed Forces.*

1 (c) *PHYSICAL DOMESTIC VIOLENCE.*—*In carrying out*
2 *subsection (a), the Secretary shall prescribe the offenses or*
3 *other actions constituting physical domestic violence for*
4 *purposes of subsection (b)(2).*

5 **SEC. 548. UNIFORM COMMAND ACTION FORM ON DISPOSI-**
6 **TION OF UNRESTRICTED SEXUAL ASSAULT**
7 **CASES INVOLVING MEMBERS OF THE ARMED**
8 **FORCES.**

9 (a) *UNIFORM FORM REQUIRED.*—*The Secretary of De-*
10 *fense shall establish a uniform command action form, ap-*
11 *plicable across the Armed Forces, for reporting the final dis-*
12 *position of cases of sexual assault in which—*

13 (1) *the alleged offender is a member of the Armed*
14 *Forces; and*

15 (2) *the victim files an unrestricted report on the*
16 *alleged assault.*

17 (b) *ELEMENTS.*—*The form required by subsection (a)*
18 *shall provide for the inclusion of information on the fol-*
19 *lowing:*

20 (1) *The final disposition of the case.*

21 (2) *Appropriate demographic information on the*
22 *victim and the alleged offender.*

23 (3) *The status of the alleged offender as of final*
24 *disposition of the case.*

1 (4) *Whether the victim received assistance from*
2 *a Special Victims' Counsel in connection with the*
3 *case.*

4 (5) *Whether the victim was disciplined for any*
5 *collateral misconduct in connection with the case.*

6 (6) *The number of years working in a criminal*
7 *justice litigation billet of any trial counsel who pros-*
8 *ecuted or otherwise consulted on the case.*

9 **SEC. 549. INCLUSION OF INFORMATION ON CERTAIN COL-**
10 **LATERAL CONDUCT OF VICTIMS OF SEXUAL**
11 **ASSAULT IN ANNUAL REPORTS ON SEXUAL**
12 **ASSAULT INVOLVING MEMBERS OF THE**
13 **ARMED FORCES.**

14 *Section 1631(b) of the Ike Skelton National Defense*
15 *Authorization Act for Fiscal Year 2011 (10 U.S.C. 1561*
16 *note) is amended by adding at the end the following new*
17 *paragraph:*

18 “(13) *Information on the frequency with which*
19 *individuals who were identified as victims of sexual*
20 *assault in case files of military criminal investigative*
21 *organizations were also accused of or punished for*
22 *misconduct or crimes considered collateral to the sex-*
23 *ual assault under investigation by such organizations,*
24 *including the type of misconduct or crime and the*
25 *punishment, if any, received.”.*

1 **Subtitle E—Member Education,**
2 **Training, Transition, and Resil-**
3 **ience**

4 **SEC. 551. CONSECUTIVE SERVICE OF SERVICE OBLIGATION**
5 **IN CONNECTION WITH PAYMENT OF TUITION**
6 **FOR OFF-DUTY TRAINING OR EDUCATION**
7 **FOR COMMISSIONED OFFICERS OF THE**
8 **ARMED FORCES WITH ANY OTHER SERVICE**
9 **OBLIGATIONS.**

10 (a) *IN GENERAL.*—Section 2007(b) of title 10, United
11 States Code, is amended by adding at the end the following
12 new paragraph:

13 “(3) Any active duty service obligation of a commis-
14 sioned officer under this subsection shall be served consecu-
15 tively with any other service obligation of the officer (wheth-
16 er active duty or otherwise) under any other provision of
17 law.”.

18 (b) *EFFECTIVE DATE.*—The amendment made by this
19 section shall take effect on the date of the enactment of this
20 Act, and shall apply with respect to agreements for the pay-
21 ment of tuition for off-duty training or education that are
22 entered into on or after that date.

1 **SEC. 552. CONSECUTIVE SERVICE OF ACTIVE SERVICE OBLI-**
2 **GATIONS FOR MEDICAL TRAINING WITH**
3 **OTHER SERVICE OBLIGATIONS FOR EDU-**
4 **CATION OR TRAINING.**

5 (a) *UNIFORMED SERVICES UNIVERSITY OF THE*
6 *HEALTH SCIENCES.*—Section 2114(d) of title 10, United
7 States Code, is amended—

8 (1) by inserting “(1)” after “(d)”; and

9 (2) by adding at the end the following new para-
10 graph:

11 “(2) A commissioned service obligation incurred as a
12 result of participation in a military intern, residency, or
13 fellowship training program shall be served consecutively
14 with the commissioned service obligation imposed by this
15 section and by any other provision of this title for education
16 or training.”.

17 (b) *HEALTH PROFESSIONS SCHOLARSHIP AND FINAN-*
18 *CIAL ASSISTANCE PROGRAM.*—Section 2123(b) of such title
19 is amended—

20 (1) by inserting “(1)” after “(b)”; and

21 (2) by adding at the end the following new para-
22 graph:

23 “(2) A commissioned service obligation incurred as a
24 result of participation in a military intern, residency, or
25 fellowship training program shall be served consecutively
26 with the active duty obligation imposed by this section and

1 *by any other provision of this title for education or train-*
2 *ing.”.*

3 (c) *EFFECTIVE DATE.*—*The amendments made by this*
4 *section shall apply to individuals beginning participation*
5 *in a military intern, residency, or fellowship training pro-*
6 *gram on or after January 1, 2020.*

7 **SEC. 553. CLARIFICATION OF APPLICATION AND HONOR-**
8 **ABLE SERVICE REQUIREMENTS UNDER THE**
9 **TROOPS-TO-TEACHERS PROGRAM TO MEM-**
10 **BERS OF THE RETIRED RESERVE.**

11 (a) *IN GENERAL.*—*Paragraph (2)(B) of section*
12 *1154(d) of title 10, United States Code, is amended—*

13 (1) *by inserting “(A)(iii),” after “A(i),”;*

14 (2) *by inserting “transferred to the Retired Re-*
15 *serve, or” after “member is retired,”; and*

16 (3) *by striking “separated,” and inserting “sepa-*
17 *rated”.*

18 (b) *CONFORMING AMENDMENTS.*—*The second sentence*
19 *of paragraph (3)(D) of such section is amended—*

20 (1) *by inserting “, the transfer of the member to*
21 *the Retired Reserve,” after “retirement of the mem-*
22 *ber”;* and

23 (2) *by inserting “transfer,” after “after the re-*
24 *tirement,”.*

1 **SEC. 554. PROHIBITION ON USE OF FUNDS FOR ATTEND-**
2 **ANCE OF ENLISTED PERSONNEL AT SENIOR**
3 **LEVEL AND INTERMEDIATE LEVEL OFFICER**
4 **PROFESSIONAL MILITARY EDUCATION**
5 **COURSES.**

6 (a) *PROHIBITION.*—None of the funds authorized to be
7 appropriated or otherwise made available for the Depart-
8 ment of Defense may be obligated or expended for the pur-
9 pose of the attendance of enlisted personnel at senior level
10 and intermediate level officer professional military edu-
11 cation courses.

12 (b) *SENIOR LEVEL AND INTERMEDIATE LEVEL OFFI-*
13 *CER PROFESSIONAL MILITARY EDUCATION COURSES DE-*
14 *FINED.*—In this section, the term “senior level and inter-
15 mediate level officer professional military education
16 courses” means any course offered by a school specified in
17 section 2151(b) of title 10, United States Code.

18 (c) *REPEAL OF SUPERSEDED LIMITATION.*—

19 (1) *IN GENERAL.*—Section 547 of the National
20 Defense Authorization Act for Fiscal Year 2018 (Pub-
21 lic Law 115–91) is repealed.

22 (2) *PRESERVATION OF CERTAIN REPORTING RE-*
23 *QUIREMENT.*—The repeal in paragraph (1) shall not
24 be interpreted to terminate the requirement of the
25 Comptroller General of the United States to submit
26 the report required by subsection (c) of section 547 of

1 *the National Defense Authorization Act for Fiscal*
2 *Year 2018.*

3 **SEC. 555. REPEAL OF PROGRAM ON ENCOURAGEMENT OF**
4 **POSTSEPARATION PUBLIC AND COMMUNITY**
5 **SERVICE.**

6 (a) *REPEAL.—*

7 (1) *IN GENERAL.—Section 1143a of title 10,*
8 *United States Code, is repealed.*

9 (2) *CLERICAL AMENDMENT.—The table of sec-*
10 *tions at the beginning of chapter 58 of such title is*
11 *amended by striking the item relating to section*
12 *1143a.*

13 (b) *CONFORMING AMENDMENTS.—Section 1144(b) of*
14 *such title is amended—*

15 (1) *by striking paragraph (8); and*

16 (2) *by redesignating paragraphs (9), (10), and*
17 *(11) as paragraphs (8), (9), and (10), respectively.*

18 **SEC. 556. EXPANSION OF AUTHORITY TO ASSIST MEMBERS**
19 **IN OBTAINING PROFESSIONAL CREDENTIALS.**

20 *Section 2015 of title 10, United States Code, is amend-*
21 *ed—*

22 (1) *by redesignating subsections (b) through (e)*
23 *as subsections (c) through (f), respectively; and*

24 (2) *by inserting after subsection (a) the following*
25 *new subsection (b):*

1 “(b) *PROFESSIONAL CREDENTIALS NOT RELATED TO*
 2 *MILITARY TRAINING AND SKILLS.*—Under the program re-
 3 quired by this section, the Secretary of Defense, and the Sec-
 4 retary of Homeland Security, with respect to the Coast
 5 Guard when it is not operating as a service in the Navy,
 6 may enable members of the armed forces to obtain, while
 7 serving in the armed forces, professional credentials for
 8 which such members are other otherwise qualified that do
 9 not relate to military training and skills if such Secretary
 10 determines that such action is in the best interests of the
 11 United States.”.

12 **SEC. 557. ENHANCEMENT OF AUTHORITIES IN CONNECTION**
 13 **WITH JUNIOR RESERVE OFFICERS’ TRAINING**
 14 **CORPS PROGRAMS.**

15 (a) *FLEXIBILITY IN AUTHORITIES FOR MANAGEMENT*
 16 *OF PROGRAMS AND UNITS.*—

17 (1) *IN GENERAL.*—Chapter 102 of title 10,
 18 United States Code, is amended by adding at the end
 19 the following new section:

20 **“§2034. Flexibility in authorities for management of**
 21 **programs and units**

22 “(a) *AUTHORITY TO CONVERT OTHERWISE CLOSING*
 23 *UNITS TO NATIONAL DEFENSE CADET CORPS PROGRAM*
 24 *UNITS.*—If the Secretary of a military department is noti-
 25 fied by a local educational agency of the intent of the agency

1 *to close its Junior Reserve Officers' Training Corps, the*
2 *Secretary shall offer the agency the option of converting the*
3 *unit to a National Defense Cadet Corps (NDCC) program*
4 *unit in lieu of closing the unit.*

5 “(b) *FLEXIBILITY IN ADMINISTRATION OF INSTRU-*
6 *TORS.—*

7 “(1) *IN GENERAL.—The Secretaries of the mili-*
8 *tary departments may, without regard to any other*
9 *provision of this chapter, undertake initiatives de-*
10 *signed to promote flexibility in the hiring and com-*
11 *ensation of instructors for the Junior Reserve Offi-*
12 *cers' Training Corps program under the jurisdiction*
13 *of such Secretaries.*

14 “(2) *ELEMENTS.—The initiatives undertaken*
15 *pursuant to this subsection may provide for one or*
16 *more of the following:*

17 “(A) *Termination of the requirement for a*
18 *waiver as a condition of the hiring of well-quali-*
19 *fied non-commissioned officers with a bachelor's*
20 *degree for senior instructor positions within the*
21 *Junior Reserve Officers' Training Corps.*

22 “(B) *Specification of a single instructor as*
23 *the minimum number of instructors required to*
24 *found and operate a Junior Reserve Officers'*
25 *Training Corps unit.*

1 “(C) *Authority for Junior Reserve Officers’*
2 *Training Corps instructors to undertake school*
3 *duties, in addition to Junior Reserve Officers’*
4 *Training Corps duties, at small schools.*

5 “(D) *Authority for the payment of instruc-*
6 *tor compensation for a limited number of Junior*
7 *Reserve Officers’ Training Corps instructors on a*
8 *10-month per year basis rather than a 12-month*
9 *per year basis.*

10 “(E) *Such other actions as the Secretaries*
11 *of the military departments consider appro-*
12 *priate.*

13 “(c) *FLEXIBILITY IN ALLOCATION AND USE OF TRAV-*
14 *EL FUNDING.—The Secretaries of the military departments*
15 *shall take appropriate actions to provide so-called regional*
16 *directors of the Junior Reserve Officers’ Training Corps*
17 *programs located at remote rural schools enhanced discre-*
18 *tion in the allocation and use of funds for travel in connec-*
19 *tion with Junior Reserve Officers’ Training Corps activi-*
20 *ties.*

21 “(d) *STANDARDIZATION OF PROGRAM DATA.—The*
22 *Secretary of Defense shall take appropriate actions to*
23 *standardize the data collected and maintained on the Jun-*
24 *ior Reserve Officers’ Training Corps programs in order to*
25 *facilitate and enhance the collection and analysis of such*

1 *data. Such actions shall include a requirement for the use*
2 *of the National Center for Education Statistics (NCES)*
3 *identification code for each school with a unit under a Jun-*
4 *ior Reserve Officers' Training Corps program in order to*
5 *facilitate identification of such schools and their units*
6 *under the Junior Reserve Officers' Training Corps pro-*
7 *grams.”.*

8 (2) *CLERICAL AMENDMENT.—The table of sec-*
9 *tions at the beginning of chapter 102 of such title is*
10 *amended by adding at the end the following new item:*
 “2034. *Flexibility in authorities for management of programs and units.*”.

11 (b) *AUTHORITY FOR ADDITIONAL UNITS.—The Secre-*
12 *taries of the military departments may, using amounts au-*
13 *thorized to be appropriated by this Act and available in*
14 *the funding tables in sections 4301 and 4401 for purposes*
15 *of the Junior Reserve Officers' Training Corps programs,*
16 *establish an aggregate of not more than 100 units under*
17 *the Junior Reserve Officers' Training Corps programs in*
18 *low-income and rural areas of the United States and areas*
19 *of the United States currently underserved by the Junior*
20 *Reserve Officers' Training Corps programs.*

1 ***Subtitle F—Defense Dependents’***
2 ***Education and Military Family***
3 ***Readiness Matters***

4 ***PART I—DEFENSE DEPENDENTS’ EDUCATION***
5 ***MATTERS***

6 ***SEC. 561. CONTINUATION OF AUTHORITY TO ASSIST LOCAL***
7 ***EDUCATIONAL AGENCIES THAT BENEFIT DE-***
8 ***PENDENTS OF MEMBERS OF THE ARMED***
9 ***FORCES AND DEPARTMENT OF DEFENSE CI-***
10 ***VILIAN EMPLOYEES.***

11 *(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT*
12 *NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the*
13 *amount authorized to be appropriated for fiscal year 2019*
14 *by section 301 and available for operation and maintenance*
15 *for Defense-wide activities as specified in the funding table*
16 *in section 4301, \$40,000,000 shall be available only for the*
17 *purpose of providing assistance to local educational agen-*
18 *cies under subsection (a) of section 572 of the National De-*
19 *fense Authorization Act for Fiscal Year 2006 (Public Law*
20 *109–163; 20 U.S.C. 7703b).*

21 *(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this*
22 *section, the term “local educational agency” has the mean-*
23 *ing given that term in section 7013(9) of the Elementary*
24 *and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).*

1 **SEC. 562. IMPACT AID FOR CHILDREN WITH SEVERE DIS-**
2 **ABILITIES.**

3 (a) *IN GENERAL.*—Of the amount authorized to be ap-
4 propriated for fiscal year 2019 pursuant to section 301 and
5 available for operation and maintenance for Defense-wide
6 activities as specified in the funding table in section 4301,
7 \$10,000,000 shall be available for payments under section
8 363 of the Floyd D. Spence National Defense Authorization
9 Act for Fiscal Year 2001 (as enacted into law by Public
10 Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

11 (b) *USE OF CERTAIN AMOUNT.*—Of the amount avail-
12 able under subsection (a) for payments as described in that
13 subsection, \$5,000,000 shall be available for such payments
14 to local educational agencies determined by the Secretary
15 of Defense, in the discretion of the Secretary, to have higher
16 concentrations of military children with severe disabilities.

17 **SEC. 563. DEPARTMENT OF DEFENSE EDUCATION ACTIVITY**
18 **POLICIES AND PROCEDURES ON SEXUAL**
19 **HARASSMENT OF STUDENTS OF ACTIVITY**
20 **SCHOOLS.**

21 (a) *APPLICABILITY OF TITLE IX PROTECTIONS.*—The
22 provisions of title IX of the Education Amendments of 1972
23 (20 U.S.C. 1681 et seq.) (in this section referred to as “title
24 IX”) with respect to education programs or activities re-
25 ceiving Federal financial assistance shall apply equally to

1 *education programs and activities administered by the De-*
2 *partment of Defense Education Activity (DODEA).*

3 **(b) POLICIES AND PROCEDURES.**—*Not later than*
4 *March 31, 2019, the Department of Defense Education Ac-*
5 *tivity shall establish policies and procedures to protect stu-*
6 *dents at schools of the Activity who are victims of sexual*
7 *harassment. Such policies and procedures shall afford pro-*
8 *tections at least comparable to the protections afforded*
9 *under title IX.*

10 **(c) ELEMENTS.**—*The policies and procedures required*
11 *by subsection (b) shall include, at a minimum, the fol-*
12 *lowing:*

13 **(1)** *A policy addressing sexual harassment of*
14 *students at the schools of the Department of Defense*
15 *Education Activity that uses and incorporates terms,*
16 *procedures, protections, investigation standards, and*
17 *standards of evidence consistent with title IX.*

18 **(2)** *A procedure by which—*

19 **(A)** *a student of a school of the Activity, or*
20 *a parent of such a student, may file a complaint*
21 *with the school alleging an incident of sexual*
22 *harassment at the school; and*

23 **(B)** *such a student or parent may appeal*
24 *the decision of the school regarding such com-*
25 *plaint.*

1 (3) *A procedure and mechanisms for the ap-*
2 *pointment and training of, and allocation of respon-*
3 *sibility to, a coordinator at each school of the Activity*
4 *for sexual harassment matters involving students from*
5 *the military community served by such school.*

6 (4) *Training of employees of the Activity, and*
7 *volunteers at schools of the Activity, on the policies*
8 *and procedures.*

9 (5) *Mechanisms for the broad distribution and*
10 *display of the policy described in paragraph (1), in-*
11 *cluding on the Internet website of the Activity and on*
12 *Internet websites of schools of the Activity, in printed*
13 *and online versions of student handbooks, and in bro-*
14 *chures and flyers displayed on school bulletin boards*
15 *and in guidance counselor offices.*

16 (6) *Reporting and recordkeeping requirements*
17 *designed to ensure that—*

18 (A) *complaints of sexual harassment at*
19 *schools of the Activity are handled—*

20 (i) *with professionalism and consist-*
21 *ency; and*

22 (ii) *in a manner that permits coordi-*
23 *nators referred to in paragraph (3) to track*
24 *trends in incidents of sexual harassment*

1 *and to identify repeat offenders of sexual*
2 *harassment; and*

3 *(B) appropriate members of the local lead-*
4 *ership of military communities are held account-*
5 *able for acting upon complaints of sexual harass-*
6 *ment at schools of the Activity.*

7 **PART II—MILITARY FAMILY READINESS MATTERS**

8 **SEC. 566. IMPROVEMENT OF AUTHORITY TO CONDUCT FAM-**
9 **ILY SUPPORT PROGRAMS FOR IMMEDIATE**
10 **FAMILY MEMBERS OF THE ARMED FORCES**
11 **ASSIGNED TO SPECIAL OPERATIONS FORCES.**

12 *(a) COSTS OF PARTICIPATION OF FAMILY MEMBERS*
13 *IN PROGRAMS.—Section 1788a of title 10, United States*
14 *Code, is amended—*

15 *(1) by redesignating subsections (c), (d), and (e)*
16 *as subsections (d), (e), and (f), respectively; and*

17 *(2) by inserting after subsection (b) the following*
18 *new subsection (c):*

19 *“(c) COSTS OF FAMILY MEMBER PARTICIPATION.—In*
20 *carrying out family support programs under this section,*
21 *the Commander may also pay, or reimburse immediate*
22 *family members, for transportation, food, lodging, child*
23 *care, supplies, fees, and training materials in connection*
24 *with the participation of family members in such pro-*
25 *grams.”.*

1 (b) *FUNDING.*—Subsection (d) of such section, as redesi-
2 gnated by subsection (a)(1) of this section, is amended—

3 (1) by striking “up to \$5,000,000” and inserting
4 “up to \$10,000,000”; and

5 (2) by inserting before the period the following:
6 “; including payment of costs of participation in such
7 programs as authorized by subsection (c)”.

8 (c) *TECHNICAL AMENDMENT.*—Paragraph (3) of sub-
9 section (f) of such section, as so redesignated, is amended
10 by striking “section 167(i)” and inserting “section 167(j)”.

11 **SEC. 567. EXPANSION OF PERIOD OF AVAILABILITY OF MILI-**
12 **TARY ONESOURCE PROGRAM FOR RETIRED**
13 **AND DISCHARGED MEMBERS OF THE ARMED**
14 **FORCES AND THEIR IMMEDIATE FAMILIES.**

15 (a) *IN GENERAL.*—Under regulations prescribed by the
16 Secretary of Defense, the period of eligibility for the Mili-
17 tary OneSource program of the Department of Defense of
18 an eligible individual retired, discharged, or otherwise re-
19 leased from the Armed Forces, and for the eligible imme-
20 diate family members of such an individual, shall be the
21 one-year period beginning on the date of the retirement, dis-
22 charge, or release, as applicable, of such individual.

23 (b) *INFORMATION TO FAMILIES.*—The Secretary shall,
24 in such manner as the Secretary considers appropriate, in-
25 form military families and families of veterans of the

1 *Armed Forces of the wide range of benefits available through*
2 *the Military OneSource program.*

3 **SEC. 568. EXPANSION OF AUTHORITY FOR NONCOMPETI-**
4 **TIVE APPOINTMENTS OF MILITARY SPOUSES**
5 **BY FEDERAL AGENCIES.**

6 *(a) EXPANSION TO INCLUDE ALL SPOUSES OF MEM-*
7 *BERS OF THE ARMED FORCES ON ACTIVE DUTY.—Section*
8 *3330d of title 5, United States Code, is amended—*

9 *(1) in subsection (a)—*

10 *(A) by striking paragraphs (3), (4), and*
11 *(5); and*

12 *(B) by redesignating paragraph (6) as*
13 *paragraph (3);*

14 *(2) by striking subsections (b) and (c) and in-*
15 *serting the following new subsection (b):*

16 *“(b) APPOINTMENT AUTHORITY.—The head of an*
17 *agency may appoint noncompetitively—*

18 *“(1) a spouse of a member of the Armed Forces*
19 *on active duty; or*

20 *“(2) a spouse of a disabled or deceased member*
21 *of the Armed Forces.”;*

22 *(3) by redesignating subsection (d) as subsection*
23 *(c); and*

1 (4) *in subsection (c), as so redesignated, by strik-*
2 *ing “subsection (a)(6)” in paragraph (1) and insert-*
3 *ing “subsection (a)(3)”.*

4 (b) *HEADING AMENDMENT.—The heading of such sec-*
5 *tion is amended to read as follows:*

6 **“§ 3330d. Appointment of military spouses”.**

7 (c) *CLERICAL AMENDMENT.—The table of sections at*
8 *the beginning of chapter 33 of such title is amended by*
9 *striking the item relating to section 3330d and inserting*
10 *the following new item:*

 “3330d. Appointment of military spouses.”.

11 **SEC. 569. IMPROVEMENT OF MY CAREER ADVANCEMENT AC-**
12 **COUNT PROGRAM FOR MILITARY SPOUSES.**

13 (a) *OUTREACH ON AVAILABILITY OF PROGRAM.—*

14 (1) *IN GENERAL.—The Secretary of Defense shall*
15 *take appropriate actions to ensure that military*
16 *spouses who are eligible for participation in the My*
17 *Career Advancement Account (MyCAA) program of*
18 *the Department of Defense are, to the extent prac-*
19 *ticable, made aware of the program.*

20 (2) *COMPTROLLER GENERAL REPORT.—Not later*
21 *than 180 days after the date of the enactment of this*
22 *Act, the Comptroller General of the United States*
23 *shall submit to the Committees on Armed Services of*
24 *the Senate and the House of Representatives a report*
25 *setting forth such recommendations as the Comp-*

1 *troller General considers appropriate regarding the*
2 *following:*

3 *(A) Mechanisms to increase awareness of*
4 *the My Career Advancement Account program*
5 *among military spouses who are eligible to par-*
6 *ticipate in the program.*

7 *(B) Mechanisms to increase participation*
8 *in the My Career Advancement Account program*
9 *among military spouses who are eligible to par-*
10 *ticipate in the program.*

11 *(b) TRAINING FOR INSTALLATION CAREER COUN-*
12 *SELORS ON PROGRAM.—The Secretaries of the military de-*
13 *partments shall take appropriate actions to ensure that ca-*
14 *reer counselors at military installations receive appropriate*
15 *training and current information on eligibility for and use*
16 *of benefits under the My Career Advancement Account pro-*
17 *gram, including financial assistance to cover costs associ-*
18 *ated with professional recertification, portability of occupa-*
19 *tional licenses, professional credential exams, and other*
20 *mechanisms in connection with the portability of profes-*
21 *sional licenses.*

1 **SEC. 570. ACCESS TO MILITARY INSTALLATIONS FOR CER-**
2 **TAIN SURVIVING SPOUSES AND OTHER NEXT**
3 **OF KIN OF MEMBERS OF THE ARMED FORCES**
4 **WHO DIE WHILE ON ACTIVE DUTY OR CER-**
5 **TAIN RESERVE DUTY.**

6 (a) *PROCEDURES FOR ACCESS OF SURVIVING*
7 *SPOUSES REQUIRED.*—*The Secretary of Defense, acting*
8 *jointly with the Secretary of Homeland Security, shall es-*
9 *tablish procedures by which an eligible surviving spouse*
10 *may obtain unescorted access, as appropriate, to military*
11 *installations in order to receive benefits to which the eligible*
12 *surviving spouse may be entitled by law or policy.*

13 (b) *ELIGIBLE SURVIVING SPOUSE.*—

14 (1) *IN GENERAL.*—*In this section, the term “eli-*
15 *gible surviving spouse” means an individual who—*

16 (A) *is a surviving spouse of a member of the*
17 *Armed Forces who dies while serving—*

18 (i) *on active duty; or*

19 (ii) *on such reserve duty as the Sec-*
20 *retary of Defense and the Secretary of*
21 *Homeland Security may jointly specify for*
22 *purposes of this section; and*

23 (B) *has guardianship of one or more de-*
24 *pendent children of such member.*

25 (2) *STATUS NOT EFFECTED BY REMARRIAGE.*—

26 *An individual is an eligible surviving spouse for pur-*

1 *poses of this section without regard to whether the in-*
2 *dividual remarries after the death of the member con-*
3 *cerned.*

4 *(c) PROCEDURES FOR ACCESS OF NEXT OF KIN AU-*
5 *THORIZED.—*

6 *(1) IN GENERAL.—The Secretary of Defense, act-*
7 *ing jointly with the Secretary of Homeland Security,*
8 *may establish procedures by which the next of kin of*
9 *a deceased member of the Armed Forces, in addition*
10 *to an eligible surviving spouse, may obtain access to*
11 *military installations for such purposes and under*
12 *such conditions as the Secretaries jointly consider ap-*
13 *propriate.*

14 *(2) NEXT OF KIN.—If the Secretaries establish*
15 *procedures pursuant to paragraph (1), the Secretaries*
16 *shall jointly specify the individuals who shall con-*
17 *stitute next of kin for purposes of such procedures.*

18 *(d) CONSIDERATIONS.—Any procedures established*
19 *under this section shall—*

20 *(1) be applied consistently across the Depart-*
21 *ment of Defense and the Department of Homeland Se-*
22 *curity, including all components of the Departments;*

23 *(2) minimize any administrative burden on a*
24 *surviving spouse or dependent child, including*
25 *through the elimination of any requirement for a sur-*

1 *living spouse to apply as a personal agent for contin-*
2 *ued access to military installations in accompani-*
3 *ment of a dependent child;*

4 *(3) take into account measures required to en-*
5 *sure the security of military installations, including*
6 *purpose and eligibility for access and renewal perio-*
7 *dicity; and*

8 *(4) take into account such other factors as the*
9 *Secretary of Defense or the Secretary of Homeland*
10 *Security considers appropriate.*

11 *(e) DEADLINE.—The procedures required by subsection*
12 *(a) shall be established by the date that is not later than*
13 *one year after the date of the enactment of this Act.*

14 **SEC. 571. DEPARTMENT OF DEFENSE MILITARY FAMILY**
15 **READINESS COUNCIL MATTERS.**

16 *(a) MEMBER MATTERS.—*

17 *(1) MEMBERSHIP.—Paragraph (1)(B) of sub-*
18 *section (b) of section 1781a of title 10, United States*
19 *Code, is amended—*

20 *(A) in clause (i), by striking “a member of*
21 *the armed force to be represented” and inserting*
22 *“a member or civilian employee of the armed*
23 *force to be represented”; and*

24 *(B) by striking clause (ii) and inserting the*
25 *following new clause (ii):*

1 “(ii) One representative, who shall be a
2 member or civilian employee of the National
3 Guard Bureau, to represent both the Army
4 National Guard and the Air National
5 Guard.”.

6 (2) *TERMS.*—Paragraph (2) of such subsection is
7 amended—

8 (A) in subparagraph (A)—

9 (i) in the first sentence, by striking
10 “clauses (i) and (iii) of”; and

11 (ii) by striking the second sentence;
12 and

13 (B) in subparagraph (B), by striking “three
14 years” and inserting “two years”.

15 (b) *DUTIES.*—Subsection (d) of such section is amend-
16 ed—

17 (1) in paragraph (2), by striking “military fam-
18 ily readiness by the Department of Defense” and in-
19 serting “military family readiness programs and ac-
20 tivities of the Department of Defense”; and

21 (2) by adding at the end the following new para-
22 graph:

23 “(4) To make recommendations to the Secretary
24 of Defense to improve collaboration, awareness, and
25 promotion of accurate and timely military family

1 *readiness information and support services by policy*
2 *makers, service providers, and targeted beneficiaries.”.*

3 *(c) ANNUAL REPORTS.—Subsection (e) of such section*
4 *is amended by striking “February 1” and inserting “July*
5 *1”.*

6 *(d) EFFECTIVE DATE.—*

7 *(1) IN GENERAL.—The amendments made by*
8 *this section shall take effect on the date of the enact-*
9 *ment of this Act.*

10 *(2) APPLICABILITY OF MEMBERSHIP AND TERM*
11 *AMENDMENTS.—The amendments made by subsection*
12 *(a) shall apply to members of the Department of De-*
13 *fense Military Family Readiness Council appointed*
14 *after the date of the enactment of this Act.*

15 **SEC. 572. MULTIDISCIPLINARY TEAMS FOR MILITARY IN-**
16 **STALLATIONS ON CHILD ABUSE AND OTHER**
17 **DOMESTIC VIOLENCE.**

18 *(a) MULTIDISCIPLINARY TEAMS REQUIRED.—*

19 *(1) IN GENERAL.—Under regulations prescribed*
20 *by each Secretary concerned, there shall be established*
21 *and maintained for each military installation, except*
22 *as provided in paragraph (2), one or more multidisci-*
23 *plinary teams on child abuse and other domestic vio-*
24 *lence for the purposes specified in subsection (b).*

1 (2) *SINGLE TEAM FOR PROXIMATE INSTALLA-*
2 *TIONS.*—*A single multidisciplinary team described in*
3 *paragraph (1) may be established and maintained*
4 *under this subsection for two or more military instal-*
5 *lations in proximity with one another if the Secretary*
6 *concerned determines, in consultation with the Sec-*
7 *retary of Defense, that a single team for such installa-*
8 *tions suffices to carry out the purposes of such teams*
9 *under subsection (b) for such installations.*

10 (b) *PURPOSES.*—*The purposes of each multidisci-*
11 *plinary team maintained pursuant to subsection (a) shall*
12 *be as follows:*

13 (1) *To provide for the sharing of information*
14 *among such team and other appropriate personnel on*
15 *the installation or installations concerned regarding*
16 *the progress of investigations into and resolutions of*
17 *incidents of child abuse and other domestic violence*
18 *involving members of the Armed Forces stationed at*
19 *or otherwise assigned to the installation or installa-*
20 *tions.*

21 (2) *To provide for and enhance collaborative ef-*
22 *forts among such team and other appropriate per-*
23 *sonnel of the installation or installations regarding*
24 *investigations into and resolutions of such incidents.*

1 (3) *To enhance the social services available to*
2 *military families at the installation or installations*
3 *in connection with such incidents, including through*
4 *the enhancement of cooperation among specialists and*
5 *other personnel providing such services to such mili-*
6 *tary families in connection with such incidents*

7 (4) *To carry out such other duties regarding the*
8 *response to child abuse and other domestic violence at*
9 *the installation or installations as the Secretary con-*
10 *cerned considers appropriate for such purposes.*

11 *(c) PERSONNEL.—*

12 (1) *IN GENERAL.—Each multidisciplinary team*
13 *maintained pursuant to subsection (a) shall be com-*
14 *posed of the following:*

15 (A) *One or more judge advocates.*

16 (B) *Appropriate personnel of one or more*
17 *military criminal investigation services.*

18 (C) *Appropriate mental health profes-*
19 *sionals.*

20 (D) *Appropriate medical personnel.*

21 (E) *Family advocacy case workers.*

22 (F) *Such other personnel as the Secretary*
23 *or Secretaries concerned consider appropriate.*

24 (2) *EXPERTISE AND TRAINING.—Any individual*
25 *assigned to a multidisciplinary team shall possess*

1 *such expertise, and shall undertake such training as*
2 *is required to maintain such expertise, as the Sec-*
3 *retary concerned shall specify for purposes of this sec-*
4 *tion in order to ensure that members of the team re-*
5 *main appropriately qualified to carry out the pur-*
6 *poses of the team under this section. The training and*
7 *expertise so specified shall include training and ex-*
8 *pertise on special victims' crimes, including child*
9 *abuse and other domestic violence.*

10 *(d) COORDINATION AND COLLABORATION WITH NON-*
11 *MILITARY RESOURCES.—*

12 *(1) USE OF COMMUNITY RESOURCES SERVING IN-*
13 *STALLATIONS.—In providing under this section for a*
14 *multidisciplinary team for a military installation or*
15 *installations that benefit from services or resources on*
16 *child abuse or other domestic violence that are pro-*
17 *vided by civilian entities in the vicinity of the instal-*
18 *lation or installations, the Secretary concerned may*
19 *take the availability of such services or resources to*
20 *the installation or installations into account in pro-*
21 *viding for the composition and duties of the team.*

22 *(2) BEST PRACTICES.—The Secretaries concerned*
23 *shall take appropriate actions to ensure that multi-*
24 *disciplinary teams maintained pursuant to subsection*
25 *(a) remain fully and currently apprised of best prac-*

1 *tices in the civilian sector on investigations into and*
2 *resolutions of incidents of child abuse and other do-*
3 *mestic violence and on the social services provided in*
4 *connection with such incidents.*

5 (3) *COLLABORATION.*—*In providing for the en-*
6 *hancement of social services available to military*
7 *families in accordance with subsection (b)(3), the Sec-*
8 *retaries concerned shall permit, facilitate, and encour-*
9 *age multidisciplinary teams to collaborate with ap-*
10 *propriate civilian agencies in the vicinity of the mili-*
11 *tary installations concerned with regard to avail-*
12 *ability, provision, and use of such services to and by*
13 *such families.*

14 (e) *ANNUAL REPORTS.*—*Not later than March 1 of*
15 *each of 2020 through 2022, each Secretary concerned shall*
16 *submit to the Committees on Armed Services of the Senate*
17 *and the House of Representatives a report on the activities*
18 *of multidisciplinary teams maintained pursuant to sub-*
19 *section (a) under the jurisdiction of such Secretary during*
20 *the preceding year. Each report shall set forth, for the pe-*
21 *riod covered by such report, the following:*

22 (1) *A summary description of the activities of*
23 *the multidisciplinary teams concerned, including the*
24 *number and composition of such teams, the recurring*

1 *activities of such teams, and any notable achieve-*
2 *ments of such teams.*

3 (2) *A description of any impediments to the ef-*
4 *fectiveness of such teams.*

5 (3) *Such recommendations for legislative or ad-*
6 *ministrative action as such Secretary considers ap-*
7 *propriate in order to improve the effectiveness of such*
8 *teams.*

9 (4) *Such other matters with respect to such*
10 *teams as such Secretary considers appropriate.*

11 (f) *SECRETARY CONCERNED.—*

12 (1) *DEFINITION.—In this section, the term “Sec-*
13 *retary concerned” has the meaning given that term in*
14 *section 101(a)(9) of title 10, United States Code.*

15 (2) *USAGE WITH RESPECT TO MULTIPLE INSTAL-*
16 *LATIONS.—For purposes of this section, any reference*
17 *to “Secretary concerned” with respect to a single mul-*
18 *tidisciplinary team established and maintained pur-*
19 *suant to subsection (a) for two or more military in-*
20 *stallations that are under the jurisdiction of different*
21 *Secretaries concerned, shall be deemed to refer to each*
22 *Secretary concerned who has jurisdiction of such an*
23 *installation, acting jointly.*

1 **SEC. 573. PROVISIONAL OR INTERIM CLEARANCES TO PRO-**
2 **VIDE CHILDCARE SERVICES AT MILITARY**
3 **CHILDCARE CENTERS.**

4 (a) *IN GENERAL.*—*The Secretary of Defense shall im-*
5 *plement a policy to permit the issuance on a provisional*
6 *or interim basis of clearances for the provision of childcare*
7 *services at military childcare centers.*

8 (b) *ELEMENTS.*—*The policy required by subsection (a)*
9 *shall provide for the following:*

10 (1) *Any clearance issued under the policy shall*
11 *be temporary and contingent upon the satisfaction of*
12 *such requirements for the issuance of a clearance on*
13 *a permanent basis as the Secretary considers appro-*
14 *priate.*

15 (2) *Any individual issued a clearance on a pro-*
16 *visional or interim basis under the policy shall be*
17 *subject to such supervision in the provision of*
18 *childcare services using such clearance as the Sec-*
19 *retary considers appropriate.*

20 (c) *CLEARANCE DEFINED.*—*In this section, the term*
21 *“clearance”, with respect to an individual and the provi-*
22 *sion of childcare services, means the formal approval of the*
23 *individual, after appropriate background checks and other*
24 *review, to provide childcare services to children at a mili-*
25 *tary childcare center of the Department of Defense.*

1 **SEC. 574. PILOT PROGRAM ON PREVENTION OF CHILD**
2 **ABUSE AND TRAINING ON SAFE CHILDCARE**
3 **PRACTICES AMONG MILITARY FAMILIES.**

4 (a) *PILOT PROGRAM.*—

5 (1) *IN GENERAL.*—*The Secretary of Defense*
6 *shall, acting through the Defense Health Agency,*
7 *carry out a pilot program on universal home visits*
8 *for purposes of providing eligible covered beneficiaries*
9 *and their families training on safe childcare practices*
10 *aimed at reducing child abuse and fatalities due to*
11 *abuse and neglect, assessments of risk factors for child*
12 *abuse, and connections with community resources to*
13 *meet identified needs.*

14 (2) *SCOPE.*—*The pilot program shall be designed*
15 *to facilitate connections between covered beneficiaries*
16 *and their families and community resources (includ-*
17 *ing existing resources provided by the Armed Forces).*
18 *The pilot program, including the practices covered by*
19 *training pursuant to the pilot program, shall conform*
20 *to evidence-based scientific criteria, including criteria*
21 *available through publications in peer-reviewed sci-*
22 *entific journals.*

23 (3) *ELEMENTS.*—*The pilot program shall in-*
24 *clude the following:*

25 (A) *Between one and three home visits, and*
26 *not more than seven other contacts, except in un-*

1 usual cases (such as deployments), with such
2 home visits by a team led by a nurse, whenever
3 practicable, to provide screening, community re-
4 source referral, and training to eligible covered
5 beneficiaries and their families on the following:

6 (i) General maternal and infant
7 health.

8 (ii) Safe sleeping environments.

9 (iii) Feeding and bathing.

10 (iv) Adequate supervision.

11 (v) Common hazards.

12 (vi) Self-care.

13 (vii) Recognition of post-partum de-
14 pression, substance abuse, and domestic vio-
15 lence in a mother or her partner and com-
16 munity violence.

17 (viii) Skills for management of infant
18 crying.

19 (ix) Other positive parenting skills and
20 practices.

21 (x) The importance of participating in
22 ongoing healthcare for an infant and in on-
23 going healthcare for post-partum depression.

24 (xi) Finding, qualifying for, and par-
25 ticipating in available community resources

1 *with respect to infant care, childcare, and*
2 *parenting support.*

3 *(xii) Planning for parenting or guard-*
4 *ianship of children during deployment.*

5 *(xiii) Such other matters as the Sec-*
6 *retary considers appropriate.*

7 *(B) If a parent is deployed at the time of*
8 *birth—*

9 *(i) the first home visit pursuant to sub-*
10 *paragraph (A) shall, to the extent prac-*
11 *ticable, incorporate both parents, in person*
12 *with the local parent and by electronic*
13 *means (such as Skype or FaceTime) with*
14 *the deployed parent; and*

15 *(ii) another such home visit shall be*
16 *conducted upon the return of the parent*
17 *from deployment, and shall include both*
18 *parents.*

19 *(C) An electronic directory of community*
20 *resources available to eligible covered bene-*
21 *ficiaries and their families in order to assist*
22 *teams described in subparagraph (A) in con-*
23 *necting beneficiaries and families with such re-*
24 *sources.*

1 (D) *An electronic integrated data system*

2 *to—*

3 (i) *support teams in referring bene-*
4 *ficiaries to the services and resources to be*
5 *offered under subsection (c)(3) and track*
6 *beneficiary usage;*

7 (ii) *track interactions between teams*
8 *described in subparagraph (A) and eligible*
9 *beneficiaries and their families; and*

10 (iii) *otherwise evaluate the implemen-*
11 *tation and effectiveness of the pilot pro-*
12 *gram.*

13 (b) *MANDATORY PARTICIPATION.—*

14 (1) *IN GENERAL.—Except as provided in para-*
15 *graph (2), the Secretary shall require all eligible cov-*
16 *ered beneficiaries at each installation at which the*
17 *pilot program is being conducted to be contacted by*
18 *the pilot program under this section.*

19 (2) *EXCEPTION.—The Secretary shall encourage*
20 *participation by both parents of a child in the pilot*
21 *program, but participation by one parent shall be*
22 *sufficient to meet the requirement under paragraph*
23 *(1).*

24 (c) *AVAILABLE SERVICES AND RESOURCES.—*

1 (1) *IN GENERAL.*—*In carrying out the pilot pro-*
2 *gram under this section, the Secretary shall offer serv-*
3 *ices and resources to an eligible covered beneficiary*
4 *based on the particular needs of the beneficiary and*
5 *the beneficiary’s family.*

6 (2) *VOLUNTARY PARTICIPATION.*—*Participation*
7 *by an eligible covered beneficiary and family in any*
8 *service or resource offered under paragraph (1) shall*
9 *be at the election of the beneficiary.*

10 (3) *ASSESSMENT OF ELIGIBLE COVERED BENE-*
11 *FICIARIES.*—

12 (A) *IN GENERAL.*—*In carrying out the pilot*
13 *program, the Secretary shall conduct, or attempt*
14 *to conduct, an assessment of every eligible cov-*
15 *ered beneficiary and beneficiary family partici-*
16 *pating in the pilot program, regardless of risk*
17 *factors, to determine which services and resources*
18 *to offer such beneficiary and family under para-*
19 *graph (1).*

20 (B) *PARTICULAR NEEDS.*—*In conducting*
21 *an assessment of an eligible covered beneficiary*
22 *and family under subparagraph (A), the Sec-*
23 *retary shall assess their needs and eligibility for*
24 *particular services and resources and connect the*
25 *beneficiary and family to services and resources*

1 *for which they have a need and are eligible, ei-*
2 *ther within the Department of Defense or else-*
3 *where.*

4 *(d) INVOLVEMENT OF MEDICAL STAFF.—*

5 *(1) IN GENERAL.—The Secretary shall ensure*
6 *that the pilot program under this section is conducted*
7 *by licensed medical staff of the Department of Defense*
8 *and not family advocacy staff.*

9 *(2) HOME VISITS.—*

10 *(A) IN GENERAL.—The Secretary shall en-*
11 *sure that the pilot program includes the fol-*
12 *lowing:*

13 *(i) An initial contact made prenatally*
14 *(except when not possible, in which case the*
15 *contact shall occur as soon after birth as*
16 *possible) by a team described in subsection*
17 *(a)(3)(A), which shall include screening for*
18 *the matters specified in that subsection.*

19 *(ii) Home visits by a nurse or other li-*
20 *censed medical professional trained in the*
21 *practices covered by the program at the*
22 *birth of a child, which visits shall follow a*
23 *research-based structured clinical protocol*
24 *and include use of the electronic integrated*
25 *data described in subsection (a)(3)(D).*

1 (B) *TIMING OF VISITS.*—*The first visits*
2 *under subparagraph (A)(ii) shall occur between*
3 *two and five weeks after hospital discharge with*
4 *appropriate follow-up generally accomplished*
5 *within two home visits.*

6 (C) *DURATION OF VISITS.*—*Visits under*
7 *this paragraph shall have a duration between 90*
8 *minutes and 2 hours.*

9 (D) *FINAL VISIT.*—*Not later than 45 days*
10 *after the last visit conducted by a nurse under*
11 *subparagraph (A)(ii) with respect to an eligible*
12 *covered beneficiary, appropriate staff shall fol-*
13 *low-up with the beneficiary and the beneficiary's*
14 *family to assess if they are using the services rec-*
15 *ommended under subsection (c).*

16 (e) *IMPLEMENTATION ASSESSMENTS.*—

17 (1) *IN GENERAL.*—*The Secretary shall carry out*
18 *not fewer than five implementation assessments in ac-*
19 *cordance with this subsection in order to assess the ef-*
20 *fectiveness of the elements and requirements of the*
21 *pilot program.*

22 (2) *SCHEDULE.*—*The implementation assessment*
23 *required by this subsection shall be completed by not*
24 *later than two years after the date of the enactment*
25 *of this Act.*

1 (3) *LOCATIONS.*—*The implementation assess-*
2 *ments shall be carried out at not less than five mili-*
3 *tary installations selected by the Secretary for pur-*
4 *poses of this subsection. In selecting such installa-*
5 *tions, the Secretary shall select installations rep-*
6 *resenting a range of circumstances, including instal-*
7 *lations in an urban location and a rural location, in-*
8 *stallations with a large population and with a small*
9 *population, installations currently experiencing high*
10 *incidence of child abuse, neglect, or both and low inci-*
11 *dence of child abuse, neglect, or both, installations*
12 *with a hospital or clinic and without a hospital or*
13 *clinic, joint installations, and installations serving*
14 *only one Armed Force.*

15 (4) *ASSESSMENT.*—*In carrying out the imple-*
16 *mentation assessments, the Secretary shall seek to ob-*
17 *tain an assessment of each of the following:*

18 (A) *The ability of nurses or other licensed*
19 *medical professionals to contact families eligible*
20 *for participation in the pilot program.*

21 (B) *The extent to which families eligible for*
22 *participation in the program actually partici-*
23 *pate in the pilot program.*

1 (C) *The ability of medical personnel to ad-*
2 *here to the clinical protocols of the pilot pro-*
3 *gram.*

4 (D) *The extent to which families partici-*
5 *pating in the pilot program are being connected*
6 *to services and resources under the pilot pro-*
7 *gram.*

8 (E) *The extent to which families partici-*
9 *pating in the pilot program are using services*
10 *and resources under the pilot program.*

11 (f) *REPORTS.—*

12 (1) *INITIAL REPORT.—Not later than 180 days*
13 *after the date of the enactment of this Act, the Sec-*
14 *retary shall submit to the Committees on Armed Serv-*
15 *ices of the Senate and the House of Representatives a*
16 *report on the pilot program to be carried out pursu-*
17 *ant to this section. The report shall include a com-*
18 *prehensive description of each implementation assess-*
19 *ment to be carried out pursuant to subsection (e), in-*
20 *cluding—*

21 (A) *the installation at which such imple-*
22 *mentation assessment is being carried out;*

23 (B) *a justification for the selection of such*
24 *installation for purposes of subsection (e); and*

1 (C) *the elements and requirements of the*
2 *pilot program being carried out through such*
3 *implementation assessment, including strategy*
4 *and metrics for evaluating effectiveness.*

5 (2) *FINAL REPORT.*—*Not later than 180 days*
6 *after the completion of the pilot program, the Sec-*
7 *retary shall submit to the committees specified in*
8 *paragraph (1) a report on the pilot program. The re-*
9 *port shall include the following:*

10 (A) *A comprehensive description and assess-*
11 *ment of each of the implementation assessments*
12 *under subsection (e).*

13 (B) *A comprehensive description and assess-*
14 *ment of the pilot program.*

15 (C) *Such recommendations for legislative or*
16 *administrative action as the Secretary considers*
17 *appropriate in light of pilot program, including*
18 *recommendations for modifications of the pilot*
19 *program or extension of the pilot program on an*
20 *permanent basis at additional locations.*

21 (g) *IMPLEMENTATION DEFENSE-WIDE.*—*If the Sec-*
22 *retary determines as a result of the pilot program that any*
23 *element of the pilot program is effective, the Secretary shall*
24 *take appropriate actions to implement the pilot program*

1 as a program throughout and across the military installa-
2 tions of the Department.

3 (h) *DEFINITIONS.*—*In this section:*

4 (1) *The term “community”, with respect to a*
5 *military installation, means the catchment area for*
6 *community services of the installation, including serv-*
7 *ices provided on the installation and services provided*
8 *by State, county, and local jurisdictions in which the*
9 *installation is located or in the vicinity of the instal-*
10 *lation.*

11 (2) *The term “eligible covered beneficiary”*
12 *means a covered beneficiary (as that term is defined*
13 *in section 1072 of title 10, United States Code) who*
14 *obtains pre-natal and obstetrical care in a military*
15 *medical treatment facility in connection with a birth*
16 *covered by the pilot program.*

17 **SEC. 575. PILOT PROGRAM ON PARTICIPATION OF MILITARY**
18 **SPOUSES IN TRANSITION ASSISTANCE PRO-**
19 **GRAM ACTIVITIES.**

20 (a) *PILOT PROGRAM REQUIRED.*—*The Secretary of*
21 *Defense shall carry out a pilot program to assess the*
22 *feasability and advisability of permitting military spouses*
23 *to participate in activities under the Transition Assistance*
24 *Program (TAP) under section 1144 of title 10, United*
25 *States Code, on military installations.*

1 (b) *LOCATIONS.*—*The Secretary shall carry out the*
2 *pilot program at not fewer than five military installations*
3 *selected by the Secretary for purposes of the pilot program.*

4 (c) *DURATION.*—*The Secretary shall carry out the*
5 *pilot program during the five-year period beginning on the*
6 *date of the enactment of this Act.*

7 (d) *PARTICIPATION.*—

8 (1) *IN GENERAL.*—*Under the pilot program, the*
9 *spouse of a member of the Armed Forces assigned to*
10 *a military installation at which the pilot program is*
11 *carried out who is participating in activities under*
12 *the Transition Assistance Program may participate*
13 *in such activities under the Program as the spouse*
14 *considers appropriate, regardless of whether the mem-*
15 *ber is also participating in such activities at the time*
16 *of the spouse's participation.*

17 (2) *ADEQUATE FACILITIES.*—*The Secretary shall*
18 *ensure that the facilities for the carrying out of ac-*
19 *tivities under the Transition Assistance Program at*
20 *each installation at which the pilot program is car-*
21 *ried out are adequate to permit the participation in*
22 *such activities of any spouse of a member of the*
23 *Armed Forces at the installation who seeks to partici-*
24 *pate in such activities.*

25 (e) *REPORTS.*—

1 (1) *INITIAL REPORT.*—Not later than six months
2 after the date of the enactment of this Act, the Sec-
3 retary shall submit to the Committees on Armed Serv-
4 ices of the Senate and the House of Representatives a
5 report on the pilot program, including a comprehen-
6 sive description of the pilot program.

7 (2) *FINAL REPORT.*—Not later than six months
8 after the completion of the pilot program, the Sec-
9 retary shall submit to the Committees on Armed Serv-
10 ices of the Senate and the House of Representatives a
11 report on the pilot program. The report shall include
12 the following:

13 (A) A comprehensive description of the pilot
14 program, including the installations at which the
15 pilot program was carried out and the rates of
16 participation of military spouses in activities
17 under the Transition Assistance Program pursu-
18 ant to the pilot program.

19 (B) Such recommendations for extension or
20 expansion of the pilot program, including mak-
21 ing the pilot program permanent, as the Sec-
22 retary considers appropriate in light of the pilot
23 program.

1 **SEC. 576. SMALL BUSINESS ACTIVITIES OF MILITARY**
2 **SPOUSES ON MILITARY INSTALLATIONS IN**
3 **THE UNITED STATES.**

4 (a) *ASSESSMENT OF SMALL BUSINESS ACTIVITIES.*—
5 *The Secretary of Defense shall submit to Congress a report*
6 *setting forth an assessment of the feasibility and advis-*
7 *ability of permitting military spouses to engage in small*
8 *business activities on military installations in the United*
9 *States and in partnership with commissaries, exchange*
10 *stores, and other morale, welfare, and recreation facilities*
11 *of the Armed Forces in the United States.*

12 (b) *ELEMENTS.*—*The assessment shall—*

13 (1) *take into account the usage by military*
14 *spouses of installation facilities, utilities, and other*
15 *resources in the conduct of small business activities on*
16 *military installations in the United States and such*
17 *other matters in connection with the conduct of such*
18 *business activities by military spouses as the Sec-*
19 *retary considers appropriate; and*

20 (2) *seek to identify mechanisms to ensure that*
21 *costs and fees associated with the usage by military*
22 *spouses of such facilities, utilities, and other resources*
23 *in connection with such business activities does not*
24 *meaningfully curtail or eliminate the opportunity for*
25 *military spouses to profit reasonably from such busi-*
26 *ness activities.*

1 **Subtitle G—Decorations and**
2 **Awards**

3 **SEC. 581. AUTHORIZATION FOR AWARD OF THE DISTIN-**
4 **GUISHED SERVICE CROSS FOR JUSTIN T.**
5 **GALLEGOS FOR ACTS OF VALOR DURING OP-**
6 **ERATION ENDURING FREEDOM.**

7 *(a) AUTHORIZATION.—Notwithstanding the time limi-*
8 *tations specified in section 3744 of title 10, United States*
9 *Code, or any other time limitation with respect to the*
10 *awarding of certain medals to persons who served in the*
11 *Armed Forces, the Secretary of the Army may award the*
12 *Distinguished Service Cross under section 3742 of such title*
13 *to Justin T. Gallegos for the acts of valor during Operation*
14 *Enduring Freedom described in subsection (b).*

15 *(b) ACTION DESCRIBED.—The acts of valor referred to*
16 *in subsection (a) are the actions of Justin T. Gallegos on*
17 *October 3, 2009, while serving in the grade of Staff Sergeant*
18 *in Afghanistan while serving with B Troop, 3d Squadron,*
19 *61st Cavalry Regiment, 4th Brigade Combat Team, 4th In-*
20 *fantry Division.*

21 **SEC. 582. AWARD OF MEDALS OR OTHER COMMENDATIONS**
22 **TO HANDLERS OF MILITARY WORKING DOGS.**

23 *(a) PROGRAM OF AWARD REQUIRED.—Each Secretary*
24 *of a military department shall carry out a program to pro-*
25 *vide for the award of one or more medals or other com-*

1 *commendations to handlers of military working dogs under the*
 2 *jurisdiction of such Secretary to recognize valor or meri-*
 3 *torious achievement by such handlers and dogs.*

4 (b) *MEDALS AND COMMENDATIONS.*—*Any medal or*
 5 *commendation awarded pursuant to a program under sub-*
 6 *section (a) shall be of such design, and include such ele-*
 7 *ments, as the Secretary of the military department con-*
 8 *cerned shall specify.*

9 (c) *PRESENTATION AND ACCEPTANCE.*—*Any medal or*
 10 *commendation awarded pursuant to a program under sub-*
 11 *section (a) may be presented to and accepted by the handler*
 12 *concerned on behalf of the handler and the military working*
 13 *dog concerned.*

14 (d) *REGULATIONS.*—*Medals and commendations shall*
 15 *be awarded under programs under subsection (a) in accord-*
 16 *ance with regulations prescribed by the Secretary of Defense*
 17 *for purposes of this section.*

18 ***Subtitle H—Other Matters***

19 ***SEC. 591. AUTHORITY TO AWARD DAMAGED PERSONAL PRO-*** 20 ***TECTIVE EQUIPMENT TO MEMBERS SEPA-*** 21 ***RATING FROM THE ARMED FORCES AND VET-*** 22 ***ERANS AS MEMENTOS OF MILITARY SERVICE.***

23 (a) *IN GENERAL.*—*Chapter 152 of title 10, United*
 24 *States Code, is amended by adding at the end the following*
 25 *new section:*

1 **“§2568a. Damaged personal protective equipment:**
 2 **award to members separating from the**
 3 **armed forces and veterans**

4 “The Secretary of a military department may award
 5 to a member of the armed forces under the jurisdiction of
 6 the Secretary who is separating from the armed forces, and
 7 to any veteran formerly under the jurisdiction of the Sec-
 8 retary, demilitarized personal protective equipment (PPE)
 9 of the member or veteran that was damaged in combat or
 10 otherwise during the deployment of the member or veteran.
 11 The award of equipment under this section shall be without
 12 cost to the member or veteran concerned.”.

13 (b) CLERICAL AMENDMENT.—The table of sections at
 14 the beginning of chapter 152 of such title is amended by
 15 adding at the end the following new item:

“2568a. Damaged personal protective equipment: award to members separating
 from the armed forces and veterans.”.

16 **SEC. 592. STANDARDIZATION OF FREQUENCY OF ACADEMY**
 17 **VISITS OF THE AIR FORCE ACADEMY BOARD**
 18 **OF VISITORS WITH ACADEMY VISITS OF**
 19 **BOARDS OF OTHER MILITARY SERVICE ACAD-**
 20 **EMIES.**

21 Section 9355 of title 10, United States Code, is amend-
 22 ed by striking subsection (d) and inserting the following
 23 new subsection:

1 “(d) *The Board shall visit the Academy annually.*
2 *With the approval of the Secretary of the Air Force, the*
3 *Board or its members may make other visits to the Academy*
4 *in connection with the duties of the Board or to consult*
5 *with the Superintendent of the Academy. Board members*
6 *shall have access to the Academy grounds and the cadets,*
7 *faculty, staff, and other personnel of the Academy for the*
8 *purposes of the duties of the Board.*”.

9 **SEC. 593. REDESIGNATION OF THE COMMANDANT OF THE**
10 **UNITED STATES AIR FORCE INSTITUTE OF**
11 **TECHNOLOGY AS THE PRESIDENT OF THE**
12 **UNITED STATES AIR FORCE INSTITUTE OF**
13 **TECHNOLOGY.**

14 (a) *REDESIGNATION.*—Section 9314b(a) of title 10,
15 *United States Code, is amended—*

16 (1) *in subsection heading, by striking “COM-*
17 *MANDANT” and inserting “PRESIDENT”;*

18 (2) *by striking “Commandant” each place it ap-*
19 *pears and inserting “President”; and*

20 (3) *in the heading of paragraph (3), by striking*
21 *“COMMANDANT” and inserting “PRESIDENT”.*

22 (b) *REFERENCES.*—*Any reference in any law, regula-*
23 *tion, map, document, paper, or other record of the United*
24 *States to the Commandant of the United States Air Force*
25 *Institute of Technology shall be deemed to be a reference*

1 *to the President of the United States Air Force Institute*
2 *of Technology.*

3 **SEC. 594. LIMITATION ON JUSTIFICATIONS ENTERED BY**
4 **MILITARY RECRUITERS FOR ENLISTMENT OR**
5 **ACCESSION OF INDIVIDUALS INTO THE**
6 **ARMED FORCES.**

7 (a) *IN GENERAL.*—*In any case in which a database*
8 *or system maintained by an Armed Force regarding the*
9 *reasons why individuals elect to enlist or access into the*
10 *Armed Force provides for military recruiters to select*
11 *among pre-specified options for reasons for such election,*
12 *military recruiters entering data into such database or sys-*
13 *tem may select only among such pre-specified options as*
14 *reasons for the enlistment or accession of any particular*
15 *individual.*

16 (b) *MILITARY RECRUITER DEFINED.*—*In this section,*
17 *the term “military recruiter” means a person who as the*
18 *duty to recruit persons into the Armed Forces for military*
19 *service.*

20 **SEC. 595. NATIONAL COMMISSION ON MILITARY, NATIONAL,**
21 **AND PUBLIC SERVICE MATTERS.**

22 (a) *DEFINITIONS.*—*Section 551(c) of the National De-*
23 *fense Authorization Act for Fiscal Year 2017 (Public Law*
24 *114–328; 130 Stat. 2130) is amended—*

1 (1) in paragraph (1), by inserting after “United
2 *States Code*” the following: “or active status (as that
3 term is defined in subsection (d)(4) of such section)”;

4 (2) in paragraph (2)—

5 (A) by striking “‘national service’” and in-
6 serting “‘public service’”; and

7 (B) by striking “or State Government” and
8 inserting “, State, Tribal, or local government”;

9 (3) in paragraph (3)—

10 (A) by striking “‘public service’” and in-
11 serting “‘national service’”; and

12 (B) by striking “employment” and insert-
13 ing “participation”; and

14 (4) by adding at the end the following new para-
15 graph:

16 “(4) The term ‘establishment date’ means Sep-
17 tember 19, 2017.”.

18 (b) *EXCEPTION TO PAPERWORK REDUCTION ACT.*—

19 Section 555(e) of that Act (130 Stat. 2134) is amended by
20 adding at the end the following new paragraph:

21 “(4) *PAPERWORK REDUCTION ACT.*—For pur-
22 poses of developing its recommendations, the informa-
23 tion collection of the Commission may be treated as
24 a pilot project under section 3505(a) of title 44,
25 *United States Code*. In addition, the Commission

1 *shall not be subject to the requirements of section*
2 *3506(c)(2)(A) of such title.”.*

3 **SEC. 596. BURIAL OF UNCLAIMED REMAINS OF INMATES AT**
4 **THE UNITED STATES DISCIPLINARY BAR-**
5 **RACKS CEMETERY, FORT LEAVENWORTH,**
6 **KANSAS.**

7 *Section 985 of title 10, United States Code, is amend-*
8 *ed—*

9 (1) *in subsection (b), by striking “A person who*
10 *is ineligible” in the matter preceding paragraph (1)*
11 *and inserting “Except as provided in subsection (c),*
12 *a person who is ineligible”;*

13 (2) *by redesignating subsection (c) as subsection*
14 *(d); and*

15 (3) *by inserting after subsection (b) the following*
16 *new subsection (c):*

17 “(c) **UNCLAIMED REMAINS OF MILITARY PRIS-**
18 **ONERS.**—*Subsection (b) shall not preclude the burial at the*
19 *United States Disciplinary Barracks Cemetery at Fort*
20 *Leavenworth, Kansas, of a military prisoner, including a*
21 *military prisoner who is a person described in section*
22 *2411(b) of title 38, who dies while in custody of a military*
23 *department and whose remains are not claimed by the per-*
24 *son authorized to direct disposition of the remains or by*
25 *other persons legally authorized to dispose of the remains.”.*

1 **SEC. 597. SPACE-AVAILABLE TRAVEL ON DEPARTMENT OF**
2 **DEFENSE AIRCRAFT FOR VETERANS WITH**
3 **SERVICE-CONNECTED DISABILITIES RATED**
4 **AS TOTAL.**

5 (a) *IN GENERAL.*—Subsection (c) of section 2641b of
6 title 10, United States Code, is amended—

7 (1) by redesignating paragraphs (4) and (5) as
8 paragraphs (5) and (6), respectively; and

9 (2) by inserting after paragraph (3) the fol-
10 lowing new paragraph (4):

11 “(4) Subject to subsection (f), veterans with a
12 permanent service-connected disability rated as
13 total.”.

14 (b) *CONDITIONS AND LIMITATIONS.*—Such section is
15 further amended—

16 (1) by redesignating subsection (f) as subsection
17 (g); and

18 (2) by inserting after subsection (e) the following
19 new subsection (f):

20 “(f) *VETERANS WITH SERVICE-CONNECTED DISABIL-*
21 *ITIES RATED AS TOTAL.*—(1) Travel may not be provided
22 under this section to a veteran eligible for travel pursuant
23 to subsection (c)(4) in priority over any member eligible
24 for travel under subsection (c)(1) or any dependent of such
25 a member eligible for travel under this section.

1 “(2) *The authority in subsection (c)(4) may not be*
2 *construed as affecting or in any way imposing on the De-*
3 *partment of Defense, any armed force, or any commercial*
4 *company with which they contract an obligation or expecta-*
5 *tion that they will retrofit or alter, in any way, military*
6 *aircraft or commercial aircraft, or related equipment or fa-*
7 *cilities, used or leased by the Department or such armed*
8 *force to accommodate passengers provided travel under such*
9 *authority on account of disability.*

10 “(3) *The authority in subsection (c)(4) may not be*
11 *construed as preempting the authority of a flight com-*
12 *mander to determine who boards the aircraft and any other*
13 *matters in connection with safe operation of the aircraft.”.*

14 **TITLE VI—COMPENSATION AND**
15 **OTHER PERSONNEL BENEFITS**
16 **Subtitle A—Pay and Allowances**

17 **SEC. 601. FISCAL YEAR 2019 INCREASE IN MILITARY BASIC**

18 **PAY.**

19 (a) *WAIVER OF SECTION 1009 ADJUSTMENT.—The ad-*
20 *justment to become effective during fiscal year 2019 re-*
21 *quired by section 1009 of title 37, United States Code, in*
22 *the rates of monthly basic pay authorized members of the*
23 *uniformed services shall not be made.*

1 (b) *INCREASE IN BASIC PAY.*—Effective on January
2 1, 2019, the rates of monthly basic pay for members of the
3 uniformed services are increased by 2.6 percent.

4 **SEC. 602. REPEAL OF AUTHORITY FOR PAYMENT OF PER-**
5 **SONAL MONEY ALLOWANCES TO NAVY OFFI-**
6 **CERS SERVING IN CERTAIN POSITIONS.**

7 (a) *REPEAL.*—Section 414 of title 37, United States
8 Code, is amended—

9 (1) by striking subsection (b); and

10 (2) by redesignating subsection (c) as subsection
11 (b).

12 (b) *EFFECTIVE DATE.*—The amendments made by sub-
13 section (a) shall take effect on December 31, 2018, and shall
14 apply with respect to personal money allowances payable
15 under section 414 of title 37, United States Code, for years
16 beginning after that date.

17 **SEC. 603. DEPARTMENT OF DEFENSE PROPOSAL FOR A PAY**
18 **TABLE FOR MEMBERS OF THE ARMED**
19 **FORCES USING STEPS IN GRADE BASED ON**
20 **TIME IN GRADE RATHER THAN TIME IN SERV-**
21 **ICE.**

22 (a) *PROPOSAL REQUIRED.*—Not later than 120 days
23 after the date of the enactment of this Act, the Secretary
24 of Defense shall submit to the congressional defense commit-
25 tees a report setting forth a proposal for a pay table for

1 *members of the Armed Forces that uses steps in grade for*
2 *each pay grade based on time of service within such pay*
3 *grade rather than on time of service in the Armed Forces*
4 *as a whole.*

5 (b) *COMPTROLLER GENERAL ASSESSMENT.*—*Not later*
6 *than April 1, 2019, the Comptroller General of the United*
7 *States shall submit to the congressional defense committees*
8 *a report setting forth an assessment by the Comptroller*
9 *General of the proposed pay table required pursuant to sub-*
10 *section (a), including an assessment of the effects of using*
11 *the proposed pay table, rather than the current pay table*
12 *for members of the Armed Forces, on recruitment and reten-*
13 *tion of members of the Armed Forces as a whole and on*
14 *recruitment and retention of members of the Armed Forces*
15 *with particular sets of skills (including cyber and other*
16 *technical skills).*

17 **SEC. 604. FINANCIAL SUPPORT FOR LESSORS UNDER THE**
18 **MILITARY HOUSING PRIVATIZATION INITIA-**
19 **TIVE DURING 2019.**

20 (a) *SUPPORT AUTHORIZED.*—*Subject to subsection (c),*
21 *for each month during 2019, the Secretary of Defense may*
22 *pay to a lessor of covered housing up to 2 percent of the*
23 *amount calculated under section 403(b)(3)(A)(i) of title 37,*
24 *United States Code, for the area in which the covered hous-*

1 *ing exists for each member to whom such lessor leases cov-*
2 *ered housing for such month.*

3 (b) *COVERED HOUSING.*—*In this section, the term*
4 *“covered housing” means a unit of housing—*

5 (1) *acquired or constructed under the alternative*
6 *authority of subchapter IV of chapter 169 of title 10,*
7 *United States Code (known as the Military Housing*
8 *Privatization Initiative);*

9 (2) *that is leased to a member of a uniformed*
10 *service who resides in such unit; and*

11 (3) *for which the lessor charges such member rent*
12 *that equals or exceeds the amount calculated under*
13 *section 403(b)(3)(A) of title 37, United States Code.*

14 (c) *SUPPORT CONTINGENT ON NOTICE TO CON-*
15 *GRESS.*—

16 (1) *IN GENERAL.*—*The Secretary may not make*
17 *payments to a lessor for particular covered housing in*
18 *2019 authorized by subsection (a) until the Secretary*
19 *submits to the Committees on Armed Services of the*
20 *Senate and the House of Representatives a notice on*
21 *such payments.*

22 (2) *ELEMENTS.*—*The notice on payments to a*
23 *lessor for particular covered housing in 2019 for pur-*
24 *poses of paragraph (1) shall include the following:*

1 (A) *A documented request from the lessor*
2 *for additional funding in connection with such*
3 *housing and endorsed by the commander of the*
4 *military installation concerned.*

5 (B) *A description of the formula to be used*
6 *by the Secretary to calculate the amount of such*
7 *payments.*

8 (C) *A description of the current financial*
9 *condition of the lessor in connection with such*
10 *housing, including the following:*

11 (i) *The current debt coverage ratio of*
12 *the lessor for such housing.*

13 (ii) *An assessment of the lessor's abil-*
14 *ity to fund future sustainment costs for such*
15 *housing in the absence of payments as de-*
16 *scribed in subsection (a).*

17 (iii) *An assessment of whether any*
18 *earnings for the lessor from other covered*
19 *housing, if any, can offset predicted short-*
20 *falls in funding for such housing.*

21 (D) *An assessment of the effects, if any, of*
22 *recent reductions in basic allowance for housing*
23 *on the financial viability of such housing for the*
24 *lessor.*

1 (E) *A plan to ensure the long-term finan-*
2 *cial stability of such housing.*

3 (F) *A recommendation whether the contract*
4 *between the lessor and government for such hous-*
5 *ing area should be retained without modifica-*
6 *tion, or modified, to ensure long-term financial*
7 *viability of such housing.*

8 **SEC. 605. MODIFICATION OF AUTHORITY OF PRESIDENT TO**
9 **DETERMINE ALTERNATIVE PAY ADJUSTMENT**
10 **IN ANNUAL BASIC PAY OF MEMBERS OF THE**
11 **UNIFORMED SERVICES.**

12 (a) *MODIFICATION.*—*Section 1009(e) of title 37,*
13 *United States Code, is amended—*

14 (1) *in paragraph (1), by striking “or serious eco-*
15 *nomical conditions affecting the general welfare”;*

16 (2) *by striking paragraph (2); and*

17 (3) *by redesignating paragraph (3) as para-*
18 *graph (2).*

19 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
20 *section (a) shall take effect on the date of the enactment*
21 *of this Act, and—*

22 (1) *if the date of the enactment of this Act occurs*
23 *before September 1 of a year, shall apply with respect*
24 *to plans for alternative pay adjustments for any year*
25 *beginning after such year; and*

1 (2) if the date of the enactment of this Act occurs
2 after August 31 of a year, shall apply with respect to
3 plans for alternative pay adjustments for any year
4 beginning after the year following such year.

5 **SEC. 606. ELIGIBILITY OF RESERVE COMPONENT MEMBERS**
6 **FOR HIGH-DEPLOYMENT ALLOWANCE FOR**
7 **LENGTHY OR NUMEROUS DEPLOYMENTS AND**
8 **FREQUENT MOBILIZATIONS.**

9 Section 436(a)(2)(C)(ii) of title 37, United States
10 Code, is amended by inserting after “under” the first place
11 it appears the following: “section 12304b of title 10 or”.

12 **SEC. 607. ELIGIBILITY OF RESERVE COMPONENT MEMBERS**
13 **FOR NONREDUCTION IN PAY WHILE SERVING**
14 **IN THE UNIFORMED SERVICES OR NATIONAL**
15 **GUARD.**

16 Section 5538(a) of title 5, United States Code, is
17 amended in the matter preceding paragraph (1) by insert-
18 ing after “under” the following: “section 12304b of title 10
19 or”.

1 **SEC. 608. TEMPORARY ADJUSTMENT IN RATE OF BASIC AL-**
2 **LOWANCE FOR HOUSING FOLLOWING IDENTI-**
3 **FICATION OF SIGNIFICANT UNDERDETER-**
4 **MINATION OF CIVILIAN HOUSING COSTS FOR**
5 **HOUSING AREAS.**

6 *Section 403(b) of title 37, United States Code, is*
7 *amended by adding at the end the following new paragraph:*

8 *“(8)(A) Under the authority of this paragraph, the*
9 *Secretary of Defense may prescribe a temporary adjustment*
10 *in the current rates of basic allowance for housing for a*
11 *military housing area or portion of a military housing area*
12 *if the Secretary determines that the actual costs of adequate*
13 *housing for civilians in that military housing area or por-*
14 *tion thereof differ from such current rates of basic allowance*
15 *for housing by an amount in excess of 20 percent of such*
16 *current rates of basic allowance for housing.*

17 *“(B) Any temporary increase in rates of basic allow-*
18 *ance for housing under this paragraph shall remain in ef-*
19 *fect only until the next annual adjustment in rates of basic*
20 *allowance for housing under this subsection by law.*

21 *“(C) This paragraph shall cease to be effective on De-*
22 *cember 31, 2019.”.*

1 ***Subtitle B—Bonuses and Special***
2 ***and Incentive Pays***

3 ***SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING***
4 ***BONUS AND SPECIAL PAY AUTHORITIES.***

5 *(a) AUTHORITIES RELATING TO TITLE 37 CONSOLI-*
6 *DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-*
7 *THORITIES.—The following sections of title 37, United*
8 *States Code, are amended by striking “December 31, 2018”*
9 *and inserting “December 31, 2019”:*

10 *(1) Section 331(h), relating to general bonus au-*
11 *thority for enlisted members.*

12 *(2) Section 332(g), relating to general bonus au-*
13 *thority for officers.*

14 *(3) Section 334(i), relating to special aviation*
15 *incentive pay and bonus authorities for officers.*

16 *(4) Section 335(k), relating to special bonus and*
17 *incentive pay authorities for officers in health profes-*
18 *sions.*

19 *(5) Section 336(g), relating to contracting bonus*
20 *for cadets and midshipmen enrolled in the Senior Re-*
21 *serve Officers’ Training Corps.*

22 *(6) Section 351(h), relating to hazardous duty*
23 *pay.*

24 *(7) Section 352(g), relating to assignment pay or*
25 *special duty pay.*

1 (8) *Section 353(i), relating to skill incentive pay*
2 *or proficiency bonus.*

3 (9) *Section 355(h), relating to retention incen-*
4 *tives for members qualified in critical military skills*
5 *or assigned to high priority units.*

6 (b) *AUTHORITIES RELATING TO RESERVE FORCES.—*
7 *Section 910(g) of title 37, United States Code, relating to*
8 *income replacement payments for reserve component mem-*
9 *bers experiencing extended and frequent mobilization for ac-*
10 *tive duty service, is amended by striking “December 31,*
11 *2018” and inserting “December 31, 2019”.*

12 (c) *TITLE 10 AUTHORITIES RELATING TO HEALTH*
13 *CARE PROFESSIONALS.—The following sections of title 10,*
14 *United States Code, are amended by striking “December 31,*
15 *2018” and inserting “December 31, 2019”:*

16 (1) *Section 2130a(a)(1), relating to nurse officer*
17 *candidate accession program.*

18 (2) *Section 16302(d), relating to repayment of*
19 *education loans for certain health professionals who*
20 *serve in the Selected Reserve.*

21 (d) *AUTHORITIES RELATING TO NUCLEAR OFFI-*
22 *CERS.—Section 333(i) of title 37, United States Code, is*
23 *amended by striking “December 31, 2018” and inserting*
24 *“December 31, 2019”.*

1 (e) *AUTHORITY TO PROVIDE TEMPORARY INCREASE IN*
2 *RATES OF BASIC ALLOWANCE FOR HOUSING.*—Section
3 *403(b)(7)(E) of title 37, United States Code, is amended*
4 *by striking “December 31, 2018” and inserting “December*
5 *31, 2019”.*

6 ***Subtitle C—Disability Pay, Retired***
7 ***Pay, and Survivor Benefits***

8 ***SEC. 621. TECHNICAL CORRECTIONS IN CALCULATION AND***
9 ***PUBLICATION OF SPECIAL SURVIVOR INDEM-***
10 ***NITY ALLOWANCE COST OF LIVING ADJUST-***
11 ***MENTS.***

12 (a) *MONTHS FOR WHICH ADJUSTMENT APPLICA-*
13 *BLE.*—Paragraph (2) of section 1450(m) of title 10, United
14 *States Code, is amended—*

15 (1) *in subparagraph (I), by striking “December”*
16 *and inserting “November”; and*

17 (2) *in subparagraph (J), by striking “for months*
18 *during any calendar year after 2018” and inserting*
19 *“for months after November 2018”.*

20 (b) *COST OF LIVING ADJUSTMENT.*—Paragraph (6) of
21 *such section is amended—*

22 (1) *in the paragraph heading, by striking*
23 *“AFTER 2018” and inserting “AFTER NOVEMBER 2018”;*
24 *and*

1 (2) by striking subparagraphs (A) and (B) and
2 inserting the following new subparagraphs:

3 “(A) *IN GENERAL.*—Whenever retired pay is
4 increased for a month under section 1401a of
5 this title (or any other provision of law), the
6 amount of the allowance payable under para-
7 graph (1) for that month shall also be increased.

8 “(B) *AMOUNT OF INCREASE.*—With respect
9 to an eligible survivor of a member of the uni-
10 formed services, the increase for a month shall
11 be—

12 “(i) the amount payable pursuant to
13 paragraph (2) for months during the pre-
14 ceding 12-month period; plus

15 “(ii) an amount equal to a percentage
16 of the amount determined pursuant to
17 clause (i), which percentage is the percent-
18 age by which the retired pay of the member
19 would have increased for the month, as de-
20 scribed in subparagraph (A), if the member
21 was alive (and otherwise entitled to such
22 pay).

23 “(C) *ROUNDING DOWN.*—The monthly
24 amount of an allowance payable under this sub-

1 section, if not a multiple of \$1, shall be rounded
2 to the next lower multiple of \$1.

3 “(D) *PUBLIC NOTICE ON AMOUNT OF AL-*
4 *LOWANCE PAYABLE.*—Whenever an increase in
5 the amount of the allowance payable under para-
6 graph (1) is made pursuant to this paragraph,
7 the Secretary of Defense shall publish the amount
8 of the allowance so payable by reason of such in-
9 crease, including the months for which payable.”.

10 (c) *EFFECTIVE DATE.*—The amendments made by this
11 section shall take effect on December 1, 2018.

12 ***Subtitle D—Other Matters***

13 ***SEC. 631. RATES OF PER DIEM FOR LONG-TERM TEM-*** 14 ***PORARY DUTY ASSIGNMENTS.***

15 (a) *REPORT ON COST-BENEFIT ANALYSIS OF NOVEM-*
16 *BER 2014 CHANGE OF POLICY.*—

17 (1) *IN GENERAL.*—Not later than 90 days after
18 the date of the enactment of this Act, the Secretary of
19 Defense shall submit to the Committees on Armed
20 Services of the Senate and the House of Representa-
21 tives a report setting forth an analysis, conducted by
22 the Secretary for purposes of the report, of the costs
23 and benefits of the change in policy of the Depart-
24 ment of Defense on rates of per diem for long-term
25 temporary duty assignments that took effect on No-

1 *vember 1, 2014. The study shall be consistent with the*
2 *principles and requirements of Office of Management*
3 *and Budget Circular A-94.*

4 (2) *ELEMENT ASSESSING COST-BENEFIT.—The*
5 *report under paragraph (1) shall specify, in par-*
6 *ticular, whether or not the benefits of the change in*
7 *policy described in that paragraph have outweighed*
8 *and will continue to outweigh the costs of the change*
9 *of policy.*

10 (b) *CONTINGENT REVERSION TO PRIOR POLICY.—*

11 (1) *LACK OF REPORT.—If the report required by*
12 *subsection (a)(1) is not submitted to the committees*
13 *of Congress referred to in that subsection by the con-*
14 *tingency date, effective as of the contingency date, the*
15 *policy of the Department on rates of per diem for*
16 *long-term temporary duty assignments shall be the*
17 *policy as in effect as of October 31, 2014.*

18 (2) *FINDING OF COSTS OUTWEIGHING BENE-*
19 *FITS.—If the specification in the report as required*
20 *by subsection (a)(2) is that the benefits of the change*
21 *in policy described in subsection (a)(1) have not out-*
22 *weighed or will not continue to outweigh the costs of*
23 *the change of policy, effective as of the date of the re-*
24 *port, the policy of the Department on rates of per*

1 *diem for long-term temporary duty assignments shall*
2 *be the policy as in effect as of October 31, 2014.*

3 (3) *CONTINGENCY DATE DEFINED.*—*In this sub-*
4 *section, the term “contingency date” means the date*
5 *that is 120 days after the date of the enactment of*
6 *this Act.*

7 **SEC. 632. PROHIBITION ON PER DIEM ALLOWANCE REDUC-**
8 **TIONS BASED ON THE DURATION OF TEM-**
9 **PORARY DUTY ASSIGNMENT OR CIVILIAN**
10 **TRAVEL.**

11 (a) *MEMBERS.*—*Section 474(d)(3) of title 37, United*
12 *States Code, is amended by adding at the end the following*
13 *new sentence: “The Secretary of a military department*
14 *shall not alter the amount of the per diem allowance, or*
15 *the maximum amount of reimbursement, for a locality*
16 *based on the duration of the temporary duty assignment*
17 *in the locality of a member of the armed forces under the*
18 *jurisdiction of the Secretary.”.*

19 (b) *CIVILIAN EMPLOYEES.*—*Section 5702(a)(2) of title*
20 *5, United States Code, is amended by adding at the end*
21 *the following new sentence: “The Secretary of Defense shall*
22 *not alter the amount of the per diem allowance, or the max-*
23 *imum amount of reimbursement, for a locality based on the*
24 *duration of the travel in the locality of an employee of the*
25 *Department.”.*

1 (c) *REPEALS.*—

2 (1) *EXISTING POLICY AND REGULATIONS.*—*The*
3 *policy, and any regulations issued pursuant to such*
4 *policy, implemented by the Secretary of Defense on*
5 *November 1, 2014, with respect to reductions in per*
6 *diem allowances based on duration of temporary duty*
7 *assignment or civilian travel shall have no force or ef-*
8 *fect.*

9 (2) *ATTEMPTED STATUTORY FIX.*—*Section 672 of*
10 *the National Defense Authorization Act for Fiscal*
11 *Year 2017 (Public Law 114–328; 37 U.S.C. 474 note;*
12 *130 Stat. 2178) is repealed.*

13 ***TITLE VII—HEALTH CARE***
14 ***PROVISIONS***

15 ***Subtitle A—TRICARE and Other***
16 ***Health Care Benefits***

17 ***SEC. 701. CONSOLIDATION OF COST-SHARING REQUIRE-***
18 ***MENTS UNDER TRICARE SELECT AND***
19 ***TRICARE PRIME.***

20 (a) *TRICARE SELECT.*—

21 (1) *IN GENERAL.*—*Section 1075 of title 10,*
22 *United States Code, is amended—*

23 (A) *in subsection (c), by striking para-*
24 *graphs (1) and (2) and inserting the following*
25 *new paragraphs:*

1 “(1) With respect to beneficiaries in the active-
2 duty family member category or the retired category
3 other than beneficiaries described in paragraph
4 (2)(B), the cost-sharing requirements shall be cal-
5 culated pursuant to subsection (d)(1).

6 “(2)(A) With respect to beneficiaries described in
7 subparagraph (B) in the active-duty family member
8 category or the retired category, the cost-sharing re-
9 quirements shall be calculated as if the beneficiary
10 were enrolled in *TRICARE Extra* or *TRICARE*
11 *Standard* as if *TRICARE Extra* or *TRICARE*
12 *Standard*, as the case may be, were still being carried
13 out by the Secretary.

14 “(B) Beneficiaries described in this subpara-
15 graph are the following beneficiaries:

16 “(i) Retired members and the family mem-
17 bers of such retired members covered by section
18 1086(c)(1) of this title by reason of being retired
19 under chapter 61 of this title or being a depend-
20 ent of such a retired member.

21 “(ii) Survivors covered by section
22 1086(c)(2) of this title.”;

23 (B) by striking subsection (e); and

1 (C) by redesignating subsections (f), (g),
2 and (h) as subsections (e), (f), and (g), respec-
3 tively.

4 (2) CONFORMING AMENDMENT.—Subsection
5 (d)(2) of such section is amended by striking “, and
6 the amounts specified under paragraphs (1) and (2)
7 of subsection (e),”.

8 (b) TRICARE PRIME.—Section 1075a(a) of title 10,
9 United States Code, is amended—

10 (1) by striking paragraph (2) and inserting the
11 following new paragraph:

12 “(2) With respect to beneficiaries in the active-
13 duty family member category or the retired category
14 (as described in section 1075(b)(1) of this title) other
15 than beneficiaries described in paragraph (3)(B), the
16 cost-sharing requirements shall be calculated pursuant
17 to subsection (b)(1).”; and

18 (2) in paragraph (3), by striking subparagraph
19 (B) and inserting the following new subparagraph:

20 “(B) Beneficiaries described in this subpara-
21 graph are the following beneficiaries:

22 “(i) Retired members and the family mem-
23 bers of such retired members covered by section
24 1086(c)(1) of this title by reason of being retired

1 under chapter 61 of this title or being a depend-
2 ent of such a retired member.

3 “(ii) Survivors covered by section
4 1086(c)(2) of this title.”.

5 (c) *EFFECTIVE DATE.*—The amendments made by this
6 section shall take effect on January 1, 2019.

7 **SEC. 702. ADMINISTRATION OF TRICARE DENTAL PLANS**
8 **THROUGH THE FEDERAL EMPLOYEES DEN-**
9 **TAL INSURANCE PROGRAM.**

10 (a) *ELIGIBILITY OF ADDITIONAL BENEFICIARIES*
11 *UNDER THE FEDERAL EMPLOYEES DENTAL INSURANCE*
12 *PROGRAM.*—Section 8951(8) of title 5, United States Code,
13 is amended by striking “1076c” and inserting “1076a or
14 1076c”.

15 (b) *ADMINISTRATION OF TRICARE DENTAL PLANS.*—
16 Subsection (b) of section 1076a of title 10, United States
17 Code, is amended to read as follows:

18 “(b) *ADMINISTRATION OF PLANS.*—The plans estab-
19 lished under this section shall be administered by the Sec-
20 retary of Defense through an agreement with the Director
21 of the Office of Personnel Management to allow persons de-
22 scribed in subsection (a) to enroll in an insurance plan
23 under chapter 89A of title 5, in accordance with terms pre-
24 scribed by the Secretary, including terms, to the extent
25 practical, as defined by the Director through regulation,

1 *consistent with subsection (d) and, to the extent practicable*
2 *in relation to such chapter 89A, other provisions of this sec-*
3 *tion.”.*

4 (c) *APPLICABILITY.—The amendments made by this*
5 *section shall apply with respect to the first contract year*
6 *for chapter 89A of title 5, United States Code, that begins*
7 *on or after January 1, 2022.*

8 (d) *TRANSITION.—To ensure the successful transition*
9 *of programs, in carrying out the TRICARE dental program*
10 *under section 1076a of title 10, United States Code, the Sec-*
11 *retary of Defense shall ensure that the contractor for such*
12 *program provides claims information under such program*
13 *to carriers providing dental coverage under chapter 89A of*
14 *title 5, United States Code.*

15 **SEC. 703. CONTRACEPTION COVERAGE PARITY UNDER THE**
16 **TRICARE PROGRAM.**

17 (a) *IN GENERAL.—Section 1074d(b)(3) of title 10,*
18 *United States Code, is amended by inserting before the pe-*
19 *riod at the end the following: “(including all methods of*
20 *contraception approved by the Food and Drug Administra-*
21 *tion, contraceptive care (including with respect to insertion,*
22 *removal, and follow up), sterilization procedures, and pa-*
23 *tient education and counseling in connection therewith)”.*

24 (b) *PROHIBITION ON COST-SHARING FOR CERTAIN*
25 *SERVICES.—*

1 (1) *TRICARE SELECT*.—Section 1075(c) of such
2 title is amended by adding at the end the following
3 new paragraph:

4 “(4) For all beneficiaries under this section,
5 there is no cost-sharing for any method of contracep-
6 tion provided by a network provider.”.

7 (2) *TRICARE PRIME*.—Section 1075a(b) of such
8 title is amended by adding at the end the following
9 new paragraph:

10 “(5) For all beneficiaries under this section, there is
11 no cost-sharing for any method of contraception provided
12 by a network provider.”.

13 (3) *PHARMACY BENEFITS PROGRAM*.—Section
14 1074g(a)(6) of such title is amended by adding at the
15 end the following new subparagraph:

16 “(D) Notwithstanding subparagraphs (A) and (B),
17 there is no cost-sharing for any prescription contraceptive
18 on the uniform formulary provided by a network retail
19 pharmacy provider or the mail order pharmacy program.”.

20 (c) *EFFECTIVE DATE*.—The amendments made by this
21 section shall take effect on January 1, 2020.

22 **SEC. 704. PILOT PROGRAM ON OPIOID MANAGEMENT IN**
23 **THE MILITARY HEALTH SYSTEM.**

24 (a) *PILOT PROGRAM*.—

1 (1) *IN GENERAL.*—Beginning not later than 180
2 days after the date of the enactment of this Act, the
3 Director of the Defense Health Agency shall imple-
4 ment a comprehensive pilot program to minimize
5 early opioid exposure in beneficiaries under the
6 TRICARE program and to prevent progression to
7 misuse or abuse of opioid medications.

8 (2) *OPIOID SAFETY ACROSS CONTINUUM OF*
9 *CARE.*—The pilot program shall include elements to
10 maximize opioid safety across the entire continuum of
11 care consisting of patient, physician or dentist, and
12 pharmacist.

13 (b) *ELEMENTS OF PILOT PROGRAM.*—The pilot pro-
14 gram shall include the following:

15 (1) *Identification of potential opioid misuse or*
16 *abuse in pharmacies of military treatment facilities,*
17 *retail network pharmacies, and the home delivery*
18 *pharmacy and transmission of alerts regarding such*
19 *potential mistreatment to opioid prescribing physi-*
20 *cians or dentists.*

21 (2) *Direct engagement with, education for, and*
22 *management of beneficiaries under the TRICARE*
23 *program to help such beneficiaries avoid opioid mis-*
24 *use or abuse.*

1 (3) *Provision of in-home disposal kits to deacti-*
2 *vate excess opioids and prevent unauthorized use.*

3 (4) *Proactive outreach by specialist pharmacists*
4 *to such beneficiaries when identifying potential*
5 *opioid misuse or abuse.*

6 (5) *Monitoring of such beneficiaries through the*
7 *use of predictive analytics to identify the potential for*
8 *abuse and addiction before such beneficiaries begin an*
9 *opioid prescription.*

10 (6) *Detection of fraud, waste, and abuse.*

11 (c) *REPORT ON PILOT PROGRAM.—*

12 (1) *IN GENERAL.—Not later than 180 days be-*
13 *fore completion of the pilot program, the Secretary of*
14 *Defense shall submit to the Committees on Armed*
15 *Services of the Senate and the House of Representa-*
16 *tives a report that describes the conduct of the pilot*
17 *program.*

18 (2) *ELEMENTS.—The report required by para-*
19 *graph (1) shall include the following:*

20 (A) *A description of the pilot program, in-*
21 *cluding outcome measures developed to determine*
22 *the overall effectiveness of the pilot program.*

23 (B) *A description of the ability of the pilot*
24 *program to identify opioid misuse and abuse*
25 *among beneficiaries under the TRICARE pro-*

1 *gram in each pharmacy venue of the pharmacy*
2 *program of the military health system.*

3 (C) *A description of the impact of the use*
4 *of predictive analytics to monitor such bene-*
5 *ficiaries to identify the potential for opioid abuse*
6 *and addiction before such beneficiaries begin an*
7 *opioid prescription.*

8 (D) *A description of any reduction in the*
9 *misuse or abuse of opioid medications among*
10 *such beneficiaries as a result of the pilot pro-*
11 *gram.*

12 (d) *DURATION.—*

13 (1) *IN GENERAL.—Except as provided in para-*
14 *graph (2), the Director shall carry out the pilot pro-*
15 *gram for a period of not more than three years.*

16 (2) *EXPANSION.—The Director may implement*
17 *the pilot program on a permanent basis if the Direc-*
18 *tor determines that the pilot program successfully re-*
19 *duces early opioid exposure in beneficiaries under the*
20 *TRICARE program and prevents progression to mis-*
21 *use or abuse of opioid medications.*

22 (e) *TRICARE PROGRAM DEFINED.—In this section,*
23 *the term “TRICARE program” has the meaning given that*
24 *term in section 1072 of title 10, United States Code.*

1 **SEC. 705. PILOT PROGRAM ON TREATMENT OF MEMBERS OF**
2 **THE ARMED FORCES FOR POST-TRAUMATIC**
3 **STRESS DISORDER RELATED TO MILITARY**
4 **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-traumatic*
9 *stress disorder resulting from military sexual trauma, in-*
10 *cluding treatment for substance abuse, depression, and other*
11 *issues related to such conditions.*

12 (b) *DISCHARGE THROUGH PARTNERSHIPS.*—*The pilot*
13 *program authorized by subsection (a) shall be carried out*
14 *through partnerships with public, private, and non-profit*
15 *health care organizations and institutions that—*

16 (1) *provide health care to members of the Armed*
17 *Forces;*

18 (2) *provide evidence-based treatment for psycho-*
19 *logical and neurological conditions that are common*
20 *among members of the Armed Forces, including post-*
21 *traumatic stress disorder, traumatic brain injury,*
22 *substance abuse, and depression;*

23 (3) *provide health care, support, and other bene-*
24 *fits to family members of members of the Armed*
25 *Forces; and*

1 (4) provide health care under the TRICARE pro-
2 gram (as that term is defined in section 1072 of title
3 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 Forces
9 suffering from post-traumatic stress disorder resulting
10 from military sexual trauma, including treatment for
11 substance abuse, depression, and other issues related
12 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 the
19 Armed Forces individually and among the organiza-
20 tions and institutions participating in the pilot pro-
21 gram with respect to the treatment of conditions de-
22 scribed in paragraph (1).

23 (d) EVALUATION METRICS.—Before commencement of
24 the pilot program, the Secretary shall establish metrics to

1 *be used to evaluate the effectiveness of the pilot program*
2 *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 Serv-*
7 *ices of the Senate and the House of Representatives a*
8 *report on the pilot program authorized by subsection*
9 *(a). The report shall include a description of the pilot*
10 *program and such other matters on the pilot program*
11 *as the Secretary considers appropriate.*

12 *(2) FINAL REPORT.—Not later than 180 days*
13 *after the cessation of the pilot program under sub-*
14 *section (f), the Secretary shall submit to the commit-*
15 *tees of Congress referred to in paragraph (1) a report*
16 *on the pilot program. The report shall include the fol-*
17 *lowing:*

18 *(A) A description of the pilot program, in-*
19 *cluding the partnership under the pilot program*
20 *as described in subsection (b).*

21 *(B) An assessment of the effectiveness of the*
22 *pilot program and the activities under the pilot*
23 *program.*

24 *(C) Such recommendations for legislative or*
25 *administrative action as the Secretary considers*

1 *appropriate in light of the pilot program, in-*
2 *cluding recommendations for extension or mak-*
3 *ing permanent the authority for the pilot pro-*
4 *gram.*

5 (f) *TERMINATION.*—*The Secretary may not carry out*
6 *the pilot program authorized by subsection (a) after the date*
7 *that is three years after the date of the enactment of this*
8 *Act.*

9 ***Subtitle B—Health Care***
10 ***Administration***

11 ***SEC. 711. IMPROVEMENT OF ADMINISTRATION OF DEFENSE***
12 ***HEALTH AGENCY AND MILITARY MEDICAL***
13 ***TREATMENT FACILITIES.***

14 (a) *IN GENERAL.*—*Subsection (a) of section 1073c of*
15 *title 10, United States Code, is amended—*

16 (1) *by redesignating paragraphs (2) and (3) as*
17 *paragraphs (3) and (4), respectively; and*

18 (2) *by inserting after paragraph (1) the fol-*
19 *lowing new paragraph (2):*

20 “(2) *In addition to the responsibilities set forth in*
21 *paragraph (1), the Director of the Defense Health Agency*
22 *shall have the authority—*

23 “(A) *to direct, control, and serve as the primary*
24 *rater of the performance of commanders or directors*
25 *of military medical treatment facilities;*

1 “(B) to direct and control any intermediary or-
2 ganizations between the Defense Health Agency and
3 military medical treatment facilities;

4 “(C) to determine the scope of medical care pro-
5 vided at each military medical treatment facility to
6 meet the military personnel readiness requirements of
7 the senior military operational commander of the
8 military installation;

9 “(D) to determine total workforce requirements
10 at each military medical treatment facility;

11 “(E) to direct joint manning at military med-
12 ical treatment facilities and intermediary organiza-
13 tions;

14 “(F) to establish training and skills sustainment
15 venues for military medical personnel;

16 “(G) to address personnel staffing shortages at
17 military medical treatment facilities; and

18 “(H) to approve service nominations for com-
19 manders or directors of military medical treatment
20 facilities.”.

21 (b) *COMBAT SUPPORT RESPONSIBILITIES.*—Sub-
22 section (d)(2) of such section is amended by adding at the
23 end the following new subparagraph:

24 “(C) Ensuring that the Defense Health Agency
25 meets the military personnel readiness requirements

1 *of the senior military operational commanders of the*
2 *military installations.”.*

3 **SEC. 712. ORGANIZATIONAL FRAMEWORK OF THE MILITARY**
4 **HEALTHCARE SYSTEM TO SUPPORT MEDICAL**
5 **REQUIREMENTS OF THE COMBATANT COM-**
6 **MANDS.**

7 *(a) ORGANIZATIONAL FRAMEWORK REQUIRED.—The*
8 *Secretary of Defense shall, acting through the Director of*
9 *the Defense Health Agency, implement an organizational*
10 *framework for the military healthcare system that most ef-*
11 *fectively implements chapter 55 of title 10, United States*
12 *Code, in a manner that maximizes interoperability and*
13 *fully integrates medical capabilities of the Armed Forces*
14 *in order to enhance joint military medical operations in*
15 *support of requirements of the combatant commands.*

16 *(b) IMPLEMENTATION.—*

17 *(1) COMMENCEMENT.—Implementation of the or-*
18 *ganizational framework required by subsection (a)*
19 *shall commence not later than October 1, 2018.*

20 *(2) PHASED IMPLEMENTATION.—Implementation*
21 *of the organizational framework may occur in phases,*
22 *as considered appropriate by the Director.*

23 *(3) COMPLETION.—The organizational frame-*
24 *work shall be fully implemented by not later than Oc-*
25 *tober 1, 2020.*

1 (4) *COMPLIANCE WITH CERTAIN REQUIRE-*
2 *MENTS.—The organizational framework, as imple-*
3 *mented, shall comply with all requirements of section*
4 *1073c of title 10, United States Code, except for the*
5 *October 1, 2018, implementation date specified in*
6 *such section.*

7 (c) *HEALTH-READINESS REGIONS IN CONUS RE-*
8 *QUIRED.—The organizational framework required by sub-*
9 *section (a) shall meet the requirements as follows:*

10 (1) *HEALTH-READINESS REGIONS.—There shall*
11 *be not more than three health-readiness regions estab-*
12 *lished in the continental United States.*

13 (2) *LEADER.—Each region under paragraph (1)*
14 *shall be led by a commander or director who is a*
15 *member of the Armed Forces serving in a grade not*
16 *higher than major general or rear admiral and who*
17 *shall be—*

18 (A) *selected by the Director from among*
19 *members of the Armed Forces recommended by*
20 *the military departments for service in such po-*
21 *sition; and*

22 (B) *under the authority, direction, and con-*
23 *trol of the Director while serving in such posi-*
24 *tion.*

25 (3) *REGIONAL HUBS.—*

1 (A) *IN GENERAL.*—Each region under para-
2 graph (1) shall include a major military medical
3 center designated by the Director to serve as the
4 regional hub for the provision of specialized med-
5 ical services in such region.

6 (B) *CAPABILITIES.*—A major medical center
7 may not be designated as a regional hub unless
8 the center—

9 (i) includes one or more large graduate
10 medical education training platforms; and

11 (ii) provides, at a minimum, role 4
12 medical care.

13 (C) *LOCATION.*—Any major medical center
14 designated as a regional hub of a region shall be
15 geographically located so as to maximize the sup-
16 port provided by uniformed medical resources in
17 the region to the combatant commands. In desig-
18 nating major medical centers as a regional hub,
19 the Director shall give consideration to the col-
20 location of such centers with major aerial debar-
21 kation points of patients in the medical evacu-
22 ation system of the United States Transportation
23 Command.

24 (D) *MAJOR HEALTH CARE DELIVERY PLAT-*
25 *FORM.*—A major medical center designated as a

1 *regional hub of a region shall serve as the major*
2 *health care delivery platform for the provision of*
3 *complex specialized medical care in the region,*
4 *whether through patient referrals from other*
5 *military medical treatment facilities in the re-*
6 *gion or through referrals from other regions in*
7 *the case of certain specialized medical services*
8 *(such as treatment for severe burns) which may*
9 *only be available at a military medical treat-*
10 *ment facility within the region.*

11 (4) *ADDITIONAL MILITARY MEDICAL CENTERS.—*

12 *Consistent with section 1073d of title 10, United*
13 *States Code, each region under paragraph (1) may*
14 *include one or more additional military medical cen-*
15 *ters, whether established or maintained by the Direc-*
16 *tor for purposes of this section, in order to serve loca-*
17 *tions in the region, if any, as follows:*

18 (A) *Locations with large beneficiary popu-*
19 *lations.*

20 (B) *Locations that serve as the primary*
21 *readiness platforms of the Armed Forces.*

22 (5) *PATIENT REFERRALS AND COORDINATION.—*

23 *The Director shall ensure effective and efficient med-*
24 *ical care referrals and coordination among military*
25 *medical treatment facilities in each region under*

1 *paragraph (1), and among local or regional high-per-*
2 *forming health systems in the region, through local or*
3 *regional partnerships with institutional or individual*
4 *civilian providers.*

5 *(d) HEALTH-READINESS REGIONS OCONUS RE-*
6 *QUIRED.—The organizational framework required by sub-*
7 *section (a) shall meet the requirements as follows:*

8 *(1) HEALTH-READINESS REGIONS.—There shall*
9 *be established not more than two health-readiness re-*
10 *gions outside the continental United States—*

11 *(A) to enhance joint military medical oper-*
12 *ations in support of the requirements of the com-*
13 *batant commands in such region or regions, with*
14 *a specific focus on existing and future contin-*
15 *gency and operational plans;*

16 *(B) to ensure the provision of high-quality*
17 *healthcare services to beneficiaries; and*

18 *(C) to improve the interoperability of*
19 *healthcare delivery systems in regions (whether*
20 *under this subsection, subsection (c), or both).*

21 *(2) PATIENT REFERRALS AND COORDINATION.—*
22 *The Director shall ensure effective and efficient med-*
23 *ical care referrals and coordination among military*
24 *medical treatment facilities in any region under*

1 *paragraph (1), and among local or regional high-per-*
2 *forming health systems in such region.*

3 *(e) PLANNING AND COORDINATION.—*

4 *(1) SUSTAINMENT OF CLINICAL COMPETENCIES*
5 *AND STAFFING.—The Director shall—*

6 *(A) provide in each health-readiness region*
7 *under this section healthcare delivery venues for*
8 *uniformed medical and dental personnel to ob-*
9 *tain operational clinical competencies; and*

10 *(B) coordinate with the military depart-*
11 *ments to ensure that staffing at military medical*
12 *treatment facilities in each region supports read-*
13 *iness requirements for members of the Armed*
14 *Forces and military medical personnel.*

15 *(2) OVERSIGHT AND ALLOCATION OF RE-*
16 *SOURCES.—*

17 *(A) IN GENERAL.—The Director shall, con-*
18 *sistent with section 193 of title 10, United States*
19 *Code, coordinate with the Chairman of the Joint*
20 *Chiefs of Staff, through the Joint Staff Surgeon,*
21 *to conduct oversight and direct resources to sup-*
22 *port requirements related to readiness or oper-*
23 *ational medicine support that are validated by*
24 *the Joint Staff.*

1 (B) *SUPPLY AND DEMAND FOR MEDICAL*
2 *SERVICES.*—*Based on operational medical force*
3 *readiness requirements of the combatant com-*
4 *mands validated by the Joint Staff, the Director*
5 *shall—*

6 (i) *validate supply and demand re-*
7 *quirements for medical and dental services*
8 *at each military medical treatment facility;*

9 (ii) *in coordination with the oper-*
10 *ational medical force readiness organiza-*
11 *tions required by subsection (f)(1), provide*
12 *currency workload for uniformed medical*
13 *and dental personnel at each facility to*
14 *maintain skills proficiency; and*

15 (iii) *if workload is insufficient to meet*
16 *requirements, identify alternative training*
17 *and clinical practice sites for uniformed*
18 *medical and dental personnel, and establish*
19 *military-civilian training partnerships, to*
20 *provide such workload.*

21 (f) *OPERATIONAL MEDICAL FORCE READINESS ORGA-*
22 *NIZATIONS OF THE ARMED FORCES.*—

23 (1) *ESTABLISHMENT.*—*Not later than October 1,*
24 *2019, the Secretary of Defense shall, acting through*
25 *the Secretary of the military department concerned,*

1 *establish in each military department an operational*
2 *medical force readiness organization in accordance*
3 *with this subsection.*

4 (2) *LEADER.—*

5 (A) *IN GENERAL.—Each operational med-*
6 *ical force readiness organization established*
7 *under paragraph (1) shall be led by the Surgeon*
8 *General of an Armed Force.*

9 (B) *CONSTRUCTION OF DUTIES.—The duties*
10 *of a Surgeon General under this paragraph as*
11 *leader of an operational medical force readiness*
12 *organization are in addition to the duties of such*
13 *Surgeon General under section 3036, 5137, or*
14 *8036 of title 10, United States Code, as applica-*
15 *ble.*

16 (3) *RESPONSIBILITIES.—The responsibilities of*
17 *an operational medical force readiness organization*
18 *are limited to the responsibilities as follows:*

19 (A) *To recruit, organize, train, and equip*
20 *uniformed medical and dental personnel of the*
21 *military department concerned.*

22 (B) *To assign uniformed medical and den-*
23 *tal personnel of the military department con-*
24 *cerned to military medical treatment facilities*
25 *for training activities specific to such military*

1 *department and for operational and training*
2 *missions, during which assignment such per-*
3 *sonnel shall be under the operational control of*
4 *the commander or director of the military med-*
5 *ical treatment facility concerned, subject to the*
6 *authority, direction, and control of the Director.*

7 *(C) To ensure the readiness for operational*
8 *deployment of medical and dental personnel and*
9 *deployable medical or dental teams or units of*
10 *the Armed Force or Armed Forces concerned.*

11 *(D) To provide logistical support for oper-*
12 *ational deployment of medical and dental per-*
13 *sonnel and deployable medical or dental teams*
14 *or units of the Armed Force or Armed Forces*
15 *concerned.*

16 *(E) To oversee the mobilization and demobi-*
17 *lization in connection with operational deploy-*
18 *ment of medical and dental personnel of the*
19 *Armed Force or Armed Forces concerned.*

20 *(F) To carry out operational medical and*
21 *dental force development for the military depart-*
22 *ment concerned.*

23 *(G) In coordination with the Secretary con-*
24 *cerned, to ensure that the operational medical*
25 *force readiness organizations of the Armed*

1 *Forces support the medical and dental readiness*
2 *responsibilities of the Director and the Secretary*
3 *concerned.*

4 (4) *MEDICAL FORCE REQUIREMENTS OF COMBAT-*
5 *ANT COMMANDS.—*

6 (A) *IN GENERAL.—Each operational med-*
7 *ical force readiness organization shall ensure*
8 *that the uniformed medical and dental personnel*
9 *serving in the military department concerned re-*
10 *ceive training and clinical practice opportunities*
11 *necessary to ensure that such personnel are capa-*
12 *ble of meeting the operational medical force re-*
13 *quirements of the combatant commands applica-*
14 *ble to such personnel. Such training and practice*
15 *opportunities shall be provided through pro-*
16 *grams and activities of the Defense Health Agen-*
17 *cy and by such other mechanisms as the Sec-*
18 *retary shall designate for purposes of this para-*
19 *graph.*

20 (B) *REQUIREMENTS.—The commanders of*
21 *the combatant commands shall apprise oper-*
22 *ational medical force readiness organizations of*
23 *the operational medical force requirements of the*
24 *combatant commands through the Joint Staff.*

1 (5) *NO COMMAND AUTHORITY.*—*An operational*
2 *medical force readiness organization established under*
3 *paragraph (1) shall have no command authority.*

4 (g) *DISESTABLISHMENT OF SUPERSEDED MEDICAL*
5 *ORGANIZATIONS.*—

6 (1) *IN GENERAL.*—*Not later than the date on*
7 *which the Secretary of Defense establishes an oper-*
8 *ational medical force readiness organization within a*
9 *military department pursuant to subsection (f), the*
10 *Secretary of Defense shall, acting through the Sec-*
11 *retary of such military department concerned, dises-*
12 *tablish the following:*

13 (A) *In the case of the Army, the Army Med-*
14 *ical Command, and any associated subordinate*
15 *command or organization.*

16 (B) *In the case of the Navy, the Bureau of*
17 *Medicine and Surgery of the Navy, and any as-*
18 *sociated subordinate command or organization.*

19 (C) *In the case of the Air Force, the Air*
20 *Force Medical Service, and any associated subor-*
21 *dinate command or organization.*

22 (2) *TRANSFER OF PERSONNEL AUTHORIZA-*
23 *TIONS.*—*Any personnel authorization of a command*
24 *or organization disestablished pursuant to paragraph*
25 *(1) as of the date of disestablishment may be trans-*

1 *ferred by the Secretary to the Defense Health Agency*
2 *or any other organization of the Department of De-*
3 *fense considered appropriate by the Secretary, includ-*
4 *ing an operational medical force readiness organiza-*
5 *tion under subsection (f).*

6 **SEC. 713. STREAMLINING OF TRICARE PRIME BENEFICIARY**
7 **REFERRAL PROCESS.**

8 *(a) IN GENERAL.—The Secretary of Defense shall*
9 *streamline the process under section 1095f of title 10,*
10 *United States Code, by which beneficiaries enrolled in*
11 *TRICARE Prime are referred to the civilian provider net-*
12 *work for inpatient or outpatient care under the TRICARE*
13 *program.*

14 *(b) OBJECTIVES.—In carrying out the requirement in*
15 *subsection (a), the Secretary shall meet the following objec-*
16 *tives:*

17 *(1) The referral process shall model best industry*
18 *practices for referrals from primary care managers to*
19 *specialty care providers.*

20 *(2) The process shall strictly limit administra-*
21 *tive requirements for enrolled beneficiaries, relying*
22 *instead on communications among providers and care*
23 *coordinators to arrange appointments within applica-*
24 *ble access to care scheduling time standards.*

1 (3) *Beneficiary preferences for communications*
2 *relating to appointment referrals using state-of-the-*
3 *art information technology shall be used to expedite*
4 *the process.*

5 (4) *There shall be effective and efficient processes*
6 *to determine the availability of appointments at mili-*
7 *tary medical treatment facilities and, when unavail-*
8 *able, to make prompt referrals to network providers*
9 *under the TRICARE program.*

10 (5) *There shall be no right-of-first refusal re-*
11 *quirement under the process.*

12 (c) *DEADLINE FOR IMPLEMENTATION.—The require-*
13 *ment in subsection (a) shall be implemented for referrals*
14 *under TRICARE Prime in calendar year 2019.*

15 (d) *EVALUATION AND IMPROVEMENT.—After 2019, the*
16 *Secretary shall—*

17 (1) *evaluate the process described in subsection*
18 *(a) not less often annually; and*

19 (2) *make appropriate improvements to the proc-*
20 *ess in light of such evaluation.*

21 (e) *DEFINITIONS.—In this section, the terms*
22 *“TRICARE program” and “TRICARE Prime” have the*
23 *meaning given such terms in section 1072 of title 10,*
24 *United States Code.*

1 **SEC. 714. SHARING OF INFORMATION WITH STATE PRE-**
2 **SCRIPTION DRUG MONITORING PROGRAMS.**

3 (a) *IN GENERAL.*—Section 1074g of title 10, United
4 States Code, is amended—

5 (1) *by redesignating subsections (g) and (h) as*
6 *subsections (h) and (i), respectively; and*

7 (2) *by inserting after subsection (f) the following*
8 *new subsection (g):*

9 “(g) *SHARING OF INFORMATION WITH STATE PRE-*
10 *SCRIPTION DRUG MONITORING PROGRAMS.*—(1) *The Sec-*
11 *retary of Defense shall establish and maintain a program*
12 *(to be known as the ‘Military Health System Prescription*
13 *Drug Monitoring Program’)* *in accordance with this sub-*
14 *section. The program shall include a special emphasis on*
15 *drugs provided through facilities of the uniformed services.*

16 “(2) *The program shall be—*

17 “(A) *comparable to prescription drug monitoring*
18 *programs operated by States, including such pro-*
19 *grams approved by the Secretary of Health and*
20 *Human Services under section 399O of the Public*
21 *Health Service Act (42 U.S.C. 280g–3); and*

22 “(B) *applicable to designated controlled sub-*
23 *stance prescriptions under the pharmacy benefits pro-*
24 *gram.*

25 “(3)(A) *The Secretary shall establish appropriate pro-*
26 *cedures for the bi-directional sharing of patient-specific in-*

1 *formation regarding prescriptions for designated controlled*
2 *substances between the program and State prescription*
3 *drug monitoring programs.*

4 “(B) *The purpose of sharing of information under this*
5 *paragraph shall be to prevent misuse and diversion of*
6 *opioid medications and other designated controlled sub-*
7 *stances.*

8 “(C) *Any disclosure of patient-specific information by*
9 *the Secretary under this paragraph is an authorized disclo-*
10 *sure for purposes of the health information privacy regula-*
11 *tions promulgated under the Health Insurance Portability*
12 *and Accountability Act of 1996 (Public Law 104–191).*

13 “(4)(A) *Any procedures developed pursuant to para-*
14 *graph (3)(A) shall include appropriate safeguards, as deter-*
15 *mined by the Secretary, concerning cyber security of De-*
16 *partment of Defense systems and operational security of De-*
17 *partment personnel.*

18 “(B) *To the extent the Secretary considers appropriate,*
19 *the program may be treated as comparable to a State pro-*
20 *gram for purposes of bi-directional sharing of controlled*
21 *substance prescription information.*

22 “(5) *For purposes of this subsection, any reference to*
23 *a program operated by a State includes any program oper-*
24 *ated by a county, municipality, or other subdivision within*
25 *that State.”.*

1 (b) *CONFORMING AMENDMENT.*—Section 1079(q) of
2 such title is amended by striking “section 1074g(g)” and
3 inserting “section 1074g(h)”.

4 **SEC. 715. IMPROVEMENT OF REIMBURSEMENT BY DEPART-**
5 **MENT OF DEFENSE OF ENTITIES CARRYING**
6 **OUT STATE VACCINATION PROGRAMS IN CON-**
7 **NECTION WITH VACCINES PROVIDED TO COV-**
8 **ERED BENEFICIARIES UNDER THE TRICARE**
9 **PROGRAM.**

10 Section 719(a) of the National Defense Authorization
11 Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.
12 1074g note) is amended—

13 (1) in paragraph (1), by striking “for the cost of
14 vaccines provided to covered beneficiaries through
15 such program”; and

16 (2) in paragraph (2)—

17 (A) in subparagraph (A), by striking “to
18 purchase vaccines provided” and inserting “in
19 making vaccines available”;

20 (B) in subparagraph (B), by striking “to
21 provide vaccines” and all that follows through
22 the period at the end and inserting “with respect
23 to a State vaccination program may not exceed
24 the amount the Department would reimburse an
25 entity for making vaccines available to the num-

1 *ber of covered beneficiaries who reside in the*
 2 *State concerned.”; and*

3 *(C) by adding at the end the following new*
 4 *subparagraph:*

5 “(C) *INAPPLICABILITY OF LIMITATION.—*
 6 *Subparagraph (B) shall not apply to amounts*
 7 *assessed by entities that provide independent*
 8 *verification that the assessments of such entities*
 9 *are below the costs of the private sector in mak-*
 10 *ing vaccines available.”.*

11 ***Subtitle C—Reports and Other***
 12 ***Matters***

13 ***SEC. 721. EXTENSION OF AUTHORITY FOR JOINT DEPART-***
 14 ***MENT OF DEFENSE-DEPARTMENT OF VET-***
 15 ***ERANS AFFAIRS MEDICAL FACILITY DEM-***
 16 ***ONSTRATION FUND.***

17 *Section 1704(e) of the National Defense Authorization*
 18 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
 19 *2573), as amended by section 722 of the Carl Levin and*
 20 *Howard P. “Buck” McKeon National Defense Authoriza-*
 21 *tion Act for Fiscal Year 2015 (Public Law 113–291), sec-*
 22 *tion 723 of the National Defense Authorization Act for Fis-*
 23 *cal Year 2016 (Public Law 114–92), section 741(a) of the*
 24 *National Defense Authorization Act for Fiscal Year 2017*
 25 *(Public Law 114–328), and section 719 of the National De-*

1 *fense Authorization Act for Fiscal Year 2018 (Public Law*
2 *115–91), is further amended by striking “September 30,*
3 *2019” and inserting “September 30, 2020”.*

4 **SEC. 722. INCREASE IN NUMBER OF APPOINTED MEMBERS**
5 **OF THE HENRY M. JACKSON FOUNDATION**
6 **FOR THE ADVANCEMENT OF MILITARY MEDI-**
7 **CINE.**

8 *Section 178(c)(1)(C) of title 10, United States Code,*
9 *is amended by striking “four members” and inserting “six*
10 *members”.*

11 **SEC. 723. CESSATION OF REQUIREMENT FOR MENTAL**
12 **HEALTH ASSESSMENT OF MEMBERS AFTER**
13 **REDEPLOYMENT FROM A CONTINGENCY OP-**
14 **ERATION UPON DISCHARGE OR RELEASE**
15 **FROM THE ARMED FORCES.**

16 *Section 1074m of title 10, United States Code, is*
17 *amended—*

18 *(1) in subsection (a)(1)(C), by striking “Once”*
19 *and inserting “Subject to subsection (d), once”; and*
20 *(2) in subsection (d), by striking “subsection*
21 *(a)(1)(D)” and inserting “subparagraph (C) or (D) of*
22 *subsection (a)(1)”.*

1 **SEC. 724. PILOT PROGRAM ON EARNING BY SPECIAL OPER-**
2 **ATIONS FORCES MEDICS OF CREDITS TO-**
3 **WARDS A PHYSICIAN ASSISTANT DEGREE.**

4 (a) *IN GENERAL.*—*The Assistant Secretary of Defense*
5 *for Health Affairs shall conduct a pilot program to assess*
6 *the feasibility and advisability of partnerships between spe-*
7 *cial operations forces and institutions of higher education,*
8 *and health care systems if determined appropriate by the*
9 *Assistant Secretary for purposes of the pilot program,*
10 *through which special operations forces medics earn credit*
11 *toward the master’s degree of physician assistant for mili-*
12 *tary operational work and training performed by the med-*
13 *ics.*

14 (b) *DURATION.*—*The Assistant Secretary shall conduct*
15 *the pilot program for a period not to exceed five years.*

16 (c) *CLINICAL TRAINING.*—*Partnerships under sub-*
17 *section (a) shall permit medics participating in the pilot*
18 *program to conduct clinical training at medical facilities*
19 *of the Department of Defense and the civilian sector.*

20 (d) *EVALUATION.*—*The evaluation of work and train-*
21 *ing performed by medics for which credits are earned under*
22 *the pilot program shall comply with civilian clinical eval-*
23 *uation standards applicable to the awarding of master’s de-*
24 *grees of physician assistant.*

25 (e) *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 Committees on
4 Armed Services of the Senate and the House of Rep-
5 resentative a report that shall include the following:

6 (A) A comprehensive framework for the
7 military education to be provided to special op-
8 erations forces medics under the pilot program,
9 including courses of instruction at institutions of
10 higher education and any health care systems
11 participating in the pilot program.

12 (B) Metrics to be used to assess the effective-
13 ness of the pilot program.

14 (C) A description of the mechanisms to be
15 used by the Department, medics, or both to cover
16 the costs of education received by medics under
17 the pilot program through institutions of higher
18 education or health care systems, including pay-
19 ment by the Department in return for a military
20 service commitment, tuition or other educational
21 assistance by the Department, use by medics of
22 post-9/11 educational assistance available
23 through the Department of Veterans Affairs, and
24 any other mechanisms the Secretary considers
25 appropriate for purposes of the pilot program.

1 (2) *FINAL REPORT*.—Not later than 180 days
2 after completion of the pilot program, the Secretary
3 shall submit to the Committees on Armed Services of
4 the Senate and the House of Representatives a final
5 report on the pilot program. The report shall include
6 the following:

7 (A) *An evaluation of the pilot program*
8 *using the metrics of assessment set forth pursu-*
9 *ant to paragraph (1)(B).*

10 (B) *An assessment of the utility of the fund-*
11 *ing mechanisms set forth pursuant to paragraph*
12 *(1)(C).*

13 (C) *An assessment of the effects of the pilot*
14 *program on recruitment and retention of medics*
15 *for special operations forces.*

16 (D) *An assessment of the feasibility and ad-*
17 *visability of extending one or more authorities*
18 *for joint professional military education under*
19 *chapter 107 of title 10, United States Code, to*
20 *warrant officers or enlisted personnel, and if the*
21 *Secretary considers the extension of any such au-*
22 *thorities feasible and advisable, recommendations*
23 *for legislative or administrative action to so ex-*
24 *tend such authorities.*

1 (f) *CONSTRUCTION OF AUTHORITIES.*—*Nothing in this*
2 *section may be construed to—*

3 (1) *authorize an officer or employee of the Fed-*
4 *eral Government to create, endorse, or otherwise*
5 *incentivize a particular curriculum or degree track;*
6 *or*

7 (2) *require, direct, review, or control a State or*
8 *educational institution, or the instructional content,*
9 *curriculum, and related activities of a State or edu-*
10 *cational institution.*

11 **SEC. 725. PILOT PROGRAM ON PARTNERSHIPS WITH CIVIL-**
12 **IAN ORGANIZATIONS FOR SPECIALIZED MED-**
13 **ICAL TRAINING.**

14 (a) *IN GENERAL.*—*The Secretary of Defense shall*
15 *carry out a pilot program to assess the feasibility and ad-*
16 *visability of establishing partnerships with public, private,*
17 *and non-profit organizations and institutions to provide*
18 *short-term specialized medical training to advance the med-*
19 *ical skills and capabilities of military medical providers.*

20 (b) *DURATION.*—*The Secretary may carry out the*
21 *pilot program under subsection (a) for a period of not more*
22 *than three years.*

23 (c) *EVALUATION METRICS.*—*Before commencing the*
24 *pilot program under subsection (a), the Secretary shall es-*

1 *tabish metrics to be used to evaluate the effectiveness of the*
2 *pilot program.*

3 (d) *REPORTS.—*

4 (1) *INITIAL REPORT.—*

5 (A) *IN GENERAL.—Not later than 180 days*
6 *before the commencement of the pilot program*
7 *under subsection (a), the Secretary shall submit*
8 *to the Committees on Armed Services of the Sen-*
9 *ate and the House of Representatives a report on*
10 *the pilot program.*

11 (B) *ELEMENTS.—The report required by*
12 *subparagraph (A) shall include a description of*
13 *the pilot program, the evaluation metrics estab-*
14 *lished under subsection (c), and such other mat-*
15 *ters relating to the pilot program as the Sec-*
16 *retary considers appropriate.*

17 (2) *FINAL REPORT.—*

18 (A) *IN GENERAL.—Not later than 180 days*
19 *after the completion of the pilot program under*
20 *subsection (a), the Secretary shall submit to the*
21 *Committees on Armed Services of the Senate and*
22 *the House of Representatives a report on the*
23 *pilot program.*

24 (B) *ELEMENTS.—The report required by*
25 *subparagraph (A) shall include the following:*

1 (i) *A description of the pilot program,*
2 *including the partnerships established under*
3 *the pilot program as described in subsection*
4 *(a).*

5 (ii) *An assessment of the effectiveness*
6 *of the pilot program.*

7 (iii) *Such recommendations for legisla-*
8 *tive or administrative action as the Sec-*
9 *retary considers appropriate in light of the*
10 *pilot program, including recommendations*
11 *for extending or making permanent the au-*
12 *thority for the pilot program.*

13 (e) *FUNDING.—*

14 (1) *IN GENERAL.—The amount authorized to be*
15 *appropriated for fiscal year 2019 for the Department*
16 *of Defense for the Defense Health Program for edu-*
17 *cation and training shall be increased by \$2,500,000.*

18 (2) *AVAILABILITY.—The amount of the increase*
19 *of the authorization under paragraph (1) shall be*
20 *available to carry out this section and shall remain*
21 *available for obligation until the completion of the*
22 *pilot program under this section.*

1 **SEC. 726. REGISTRY OF INDIVIDUALS EXPOSED TO PER-**
2 **AND POLYFLUOROALKYL SUBSTANCES ON**
3 **MILITARY INSTALLATIONS.**

4 (a) *ESTABLISHMENT OF REGISTRY.*—

5 (1) *IN GENERAL.*—*Not later than one year after*
6 *the date of the enactment of this Act, the Secretary of*
7 *Veterans Affairs shall—*

8 (A) *establish and maintain a registry for el-*
9 *igible individuals who may have been exposed to*
10 *per- and polyfluoroalkyl substances (in this sec-*
11 *tion referred to as “PFAS”) due to the environ-*
12 *mental release of aqueous film-forming foam (in*
13 *this section referred to as “AFFF”) on military*
14 *installations to meet the requirements of military*
15 *specification MIL–F–24385F;*

16 (B) *include any information in such reg-*
17 *istry that the Secretary of Veterans Affairs deter-*
18 *mines necessary to ascertain and monitor the*
19 *health effects of the exposure of members of the*
20 *Armed Forces to PFAS associated with AFFF;*

21 (C) *develop a public information campaign*
22 *to inform eligible individuals about the registry,*
23 *including how to register and the benefits of reg-*
24 *istering; and*

25 (D) *periodically notify eligible individuals*
26 *of significant developments in the study and*

1 *treatment of conditions associated with exposure*
2 *to PFAS.*

3 (2) *COORDINATION.*—*The Secretary of Veterans*
4 *Affairs shall coordinate with the Secretary of Defense*
5 *in carrying out paragraph (1).*

6 (b) *REPORTS.*—

7 (1) *INITIAL REPORT.*—*Not later than two years*
8 *after the date on which the registry under subsection*
9 *(a) is established, the Secretary of Veterans Affairs*
10 *shall submit to Congress an initial report containing*
11 *the following:*

12 (A) *An assessment of the effectiveness of ac-*
13 *tions taken by the Secretary of Veterans Affairs*
14 *and the Secretary of Defense to collect and main-*
15 *tain information on the health effects of exposure*
16 *to PFAS.*

17 (B) *Recommendations to improve the collec-*
18 *tion and maintenance of such information.*

19 (C) *Using established and previously pub-*
20 *lished epidemiological studies, recommendations*
21 *regarding the most effective and prudent means*
22 *of addressing the medical needs of eligible indi-*
23 *viduals with respect to exposure to PFAS.*

24 (2) *FOLLOW-UP REPORT.*—*Not later than five*
25 *years after submitting the initial report under para-*

1 *graph (1), the Secretary of Veterans Affairs shall sub-*
2 *mit to Congress a follow-up report containing the fol-*
3 *lowing:*

4 (A) *An update to the initial report sub-*
5 *mitted under paragraph (1).*

6 (B) *An assessment of whether and to what*
7 *degree the content of the registry established*
8 *under subsection (a) is current and scientifically*
9 *up-to-date.*

10 (3) *INDEPENDENT SCIENTIFIC ORGANIZATION.—*
11 *The Secretary of Veterans Affairs shall enter into an*
12 *agreement with an independent scientific organiza-*
13 *tion to prepare the reports under paragraphs (1) and*
14 *(2).*

15 (c) *RECOMMENDATIONS FOR ADDITIONAL EXPOSURES*
16 *TO BE INCLUDED.—Not later than five years after the date*
17 *of the enactment of this Act, and every five years thereafter,*
18 *the Secretary of Veterans Affairs, in consultation with the*
19 *Secretary of Defense and the Administrator of the Environ-*
20 *mental Protection Agency, shall submit to Congress rec-*
21 *ommendations for additional chemicals with respect to*
22 *which individuals exposed to such chemicals should be in-*
23 *cluded in the registry established under subsection (a).*

24 (d) *ELIGIBLE INDIVIDUAL DEFINED.—In this section,*
25 *the term “eligible individual” means any individual who,*

1 *on or after a date specified by the Secretary of Veterans*
2 *Affairs through regulations, served or is serving in the*
3 *Armed Forces at a military installation where AFFF was*
4 *used or at another location of the Department of Defense*
5 *where AFFF was used.*

6 **SEC. 727. INCLUSION OF GAMBLING DISORDER IN HEALTH**
7 **ASSESSMENTS FOR MEMBERS OF THE ARMED**
8 **FORCES AND RELATED RESEARCH EFFORTS.**

9 (a) *ANNUAL PERIODIC HEALTH ASSESSMENT.*—*The*
10 *Secretary of Defense shall incorporate medical screening*
11 *questions specific to gambling disorder into the Annual*
12 *Periodic Health Assessment conducted by the Department*
13 *of Defense for members of the Armed Forces.*

14 (b) *RESEARCH EFFORTS.*—*The Secretary shall incor-*
15 *porate into ongoing research efforts of the Department ques-*
16 *tions on gambling disorder, as appropriate, including by*
17 *restoring such questions into the Health Related Behaviors*
18 *Survey of Active Duty Military Personnel and the Health*
19 *Related Behaviors Survey of Reserve Component Personnel.*

20 (c) *REPORT.*—*Not later than two years after the date*
21 *of the enactment of this Act, the Secretary shall submit to*
22 *the congressional defense committees a report on efforts un-*
23 *dertaken pursuant to subsections (a) and (b) and the find-*
24 *ings of the assessments and surveys described in those sub-*

1 *sections with respect to the prevalence of gambling disorder*
2 *among members of the Armed Forces.*

3 **SEC. 728. COMPTROLLER GENERAL REVIEW OF DEFENSE**
4 **HEALTH AGENCY OVERSIGHT OF TRICARE**
5 **MANAGED CARE SUPPORT CONTRACTORS.**

6 (a) *REVIEW.*—*Not later than 180 days after the date*
7 *of the enactment of this Act, the Comptroller General of the*
8 *United States shall submit to the congressional defense com-*
9 *mittees a review of the oversight conducted by the Defense*
10 *Health Agency with respect to the transition of managed*
11 *care support contractors for the TRICARE program.*

12 (b) *MATTERS INCLUDED.*—*The review conducted*
13 *under subsection (a) shall include the following:*

14 (1) *The extent to which the Defense Health Agen-*
15 *cy provided guidance and oversight to the outgoing*
16 *and incoming managed care support contractors dur-*
17 *ing the transition period prior to the start of health*
18 *care delivery.*

19 (2) *The extent to which there were any issues*
20 *with health care delivery, and if so—*

21 (A) *the effect, if any, of the guidance and*
22 *oversight by the Defense Health Agency during*
23 *the transition period on those issues; and*

1 (B) the solutions of the Defense Health
2 Agency for remediating any deficiencies of man-
3 aged care support contractors.

4 (3) The extent to which the Defense Health Agen-
5 cy has reviewed any lessons learned from prior tran-
6 sitions and incorporated those lessons into the current
7 transition.

8 (c) *ONGOING REQUIREMENT.*—The Comptroller Gen-
9 eral shall review any transition of managed care support
10 contractors for the TRICARE program occurring after the
11 date of the review under subsection (a) and submit to the
12 congressional defense committees a similar review for each
13 such transition.

14 (d) *TRICARE PROGRAM DEFINED.*—In this section,
15 the term “TRICARE program” has the meaning given that
16 term in section 1072 of title 10, United States Code.

17 **TITLE VIII—ACQUISITION POL-**
18 **ICY, ACQUISITION MANAGE-**
19 **MENT, AND RELATED MAT-**
20 **TERS**

21 **Subtitle A—Acquisition Policy and**
22 **Management**

23 **SEC. 801. PERMANENT SUPPLY CHAIN RISK MANAGEMENT**

24 **AUTHORITY.**

25 (a) *PERMANENT EXTENSION OF AUTHORITY.*—

1 (1) *IN GENERAL.*—Chapter 137 of title 10,
2 *United States Code*, is amended by adding at the end
3 *the following new section:*

4 “§2339a. **Requirements for information relating to**
5 **supply chain risk**

6 “(a) *AUTHORITY.*—Subject to subsection (b), the head
7 *of a covered agency may—*

8 “(1) *carry out a covered procurement action;*
9 *and*

10 “(2) *limit, notwithstanding any other provision*
11 *of law, in whole or in part, the disclosure of informa-*
12 *tion relating to the basis for carrying out a covered*
13 *procurement action.*

14 “(b) *DETERMINATION AND NOTIFICATION.*—*The head*
15 *of a covered agency may exercise the authority provided in*
16 *subsection (a) only after—*

17 “(1) *obtaining a joint recommendation by the*
18 *Under Secretary of Defense for Acquisition and*
19 *Sustainment and the Chief Information Officer of the*
20 *Department of Defense, on the basis of a risk assess-*
21 *ment by the Under Secretary of Defense for Intel-*
22 *ligence, that there is a significant supply chain risk*
23 *to a covered system;*

24 “(2) *making a determination in writing, in un-*
25 *classified or classified form, with the concurrence of*

1 *the Under Secretary of Defense for Acquisition and*
2 *Sustainment, that—*

3 *“(A) use of the authority in subsection*
4 *(a)(1) is necessary to protect national security*
5 *by reducing supply chain risk;*

6 *“(B) less intrusive measures are not reason-*
7 *ably available to reduce such supply chain risk;*
8 *and*

9 *“(C) in a case where the head of the covered*
10 *agency plans to limit disclosure of information*
11 *under subsection (a)(2), the risk to national se-*
12 *curity due to the disclosure of such information*
13 *outweighs the risk due to not disclosing such in-*
14 *formation; and*

15 *“(3) providing a classified or unclassified notice*
16 *of the determination made under paragraph (2) to the*
17 *appropriate congressional committees, which notice*
18 *shall include—*

19 *“(A) the information required by section*
20 *2304(f)(3) of this title;*

21 *“(B) the joint recommendation by the*
22 *Under Secretary of Defense for Acquisition and*
23 *Sustainment and the Chief Information Officer*
24 *of the Department of Defense as specified in*
25 *paragraph (1);*

1 “(C) a summary of the risk assessment by
2 the Under Secretary of Defense for Intelligence
3 that serves as the basis for the joint recommenda-
4 tion specified in paragraph (1); and

5 “(D) a summary of the basis for the deter-
6 mination, including a discussion of less intrusive
7 measures that were considered and why they
8 were not reasonably available to reduce supply
9 chain risk.

10 “(c) *DELEGATION*.—The head of a covered agency may
11 not delegate the authority provided in subsection (a) or the
12 responsibility to make a determination under subsection (b)
13 to an official below the level of the service acquisition execu-
14 tive for the agency concerned.

15 “(d) *LIMITATION ON DISCLOSURE*.—If the head of a
16 covered agency has exercised the authority provided in sub-
17 section (a)(2) to limit disclosure of information—

18 “(1) no action undertaken by the agency head
19 under such authority shall be subject to review in a
20 bid protest before the Government Accountability Of-
21 fice or in any Federal court; and

22 “(2) the agency head shall—

23 “(A) notify appropriate parties of a covered
24 procurement action and the basis for such action

1 *only to the extent necessary to effectuate the cov-*
2 *ered procurement action;*

3 “(B) *notify other Department of Defense*
4 *components or other Federal agencies responsible*
5 *for procurements that may be subject to the same*
6 *or similar supply chain risk, in a manner and*
7 *to the extent consistent with the requirements of*
8 *national security; and*

9 “(C) *ensure the confidentiality of any such*
10 *notifications.*

11 “(e) *DEFINITIONS.—In this section:*

12 “(1) *HEAD OF A COVERED AGENCY.—The term*
13 *‘head of a covered agency’ means each of the fol-*
14 *lowing:*

15 “(A) *The Secretary of Defense.*

16 “(B) *The Secretary of the Army.*

17 “(C) *The Secretary of the Navy.*

18 “(D) *The Secretary of the Air Force.*

19 “(2) *COVERED PROCUREMENT ACTION.—The*
20 *term ‘covered procurement action’ means any of the*
21 *following actions, if the action takes place in the*
22 *course of conducting a covered procurement:*

23 “(A) *The exclusion of a source that fails to*
24 *meet qualification standards established in ac-*
25 *cordance with the requirements of section 2319 of*

1 *this title for the purpose of reducing supply*
2 *chain risk in the acquisition of covered systems.*

3 *“(B) The exclusion of a source that fails to*
4 *achieve an acceptable rating with regard to an*
5 *evaluation factor providing for the consideration*
6 *of supply chain risk in the evaluation of pro-*
7 *posals for the award of a contract or the issuance*
8 *of a task or delivery order.*

9 *“(C) The decision to withhold consent for a*
10 *contractor to subcontract with a particular*
11 *source or to direct a contractor for a covered sys-*
12 *tem to exclude a particular source from consider-*
13 *ation for a subcontract under the contract.*

14 *“(3) COVERED PROCUREMENT.—The term ‘cov-*
15 *ered procurement’ means—*

16 *“(A) a source selection for a covered system*
17 *or a covered item of supply involving either a*
18 *performance specification, as provided in section*
19 *2305(a)(1)(C)(ii) of this title, or an evaluation*
20 *factor, as provided in section 2305(a)(2)(A) of*
21 *this title, relating to supply chain risk;*

22 *“(B) the consideration of proposals for and*
23 *issuance of a task or delivery order for a covered*
24 *system or a covered item of supply, as provided*
25 *in section 2304c(d)(3) of this title, where the task*

1 *or delivery order contract concerned includes a*
2 *contract clause establishing a requirement relat-*
3 *ing to supply chain risk; or*

4 *“(C) any contract action involving a con-*
5 *tract for a covered system or a covered item of*
6 *supply where such contract includes a clause es-*
7 *tablishing requirements relating to supply chain*
8 *risk.*

9 *“(4) SUPPLY CHAIN RISK.—The term ‘supply*
10 *chain risk’ means the risk that an adversary may*
11 *sabotage, maliciously introduce unwanted function, or*
12 *otherwise subvert the design, integrity, manufac-*
13 *turing, production, distribution, installation, oper-*
14 *ation, or maintenance of a covered system so as to*
15 *surveil, deny, disrupt, or otherwise degrade the func-*
16 *tion, use, or operation of such system.*

17 *“(5) COVERED SYSTEM.—The term ‘covered sys-*
18 *tem’ means a national security system, as that term*
19 *is defined in section 3542(b) of title 44.*

20 *“(6) COVERED ITEM OF SUPPLY.—The term ‘cov-*
21 *ered item of supply’ means an item of information*
22 *technology (as that term is defined in section 11101*
23 *of title 40) that is purchased for inclusion in a cov-*
24 *ered system, and the loss of integrity of which could*
25 *result in a supply chain risk for a covered system.*

1 “(7) *APPROPRIATE CONGRESSIONAL COMMIT-*
 2 *TEES.*—*The term ‘appropriate congressional commit-*
 3 *tees’ means—*

4 “(A) *in the case of a covered system in-*
 5 *cluded in the National Intelligence Program or*
 6 *the Military Intelligence Program, the Select*
 7 *Committee on Intelligence of the Senate, the Per-*
 8 *manent Select Committee on Intelligence of the*
 9 *House of Representatives, and the congressional*
 10 *defense committees; and*

11 “(B) *in the case of a covered system not oth-*
 12 *erwise included in subparagraph (A), the con-*
 13 *gressional defense committees.”.*

14 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 15 *tions at the beginning of such chapter is amended by*
 16 *inserting after the item relating to section 2339 the*
 17 *following new item:*

“2339a. *Requirements for information relating to supply chain risk.*”.

18 (b) *REPEAL OF OBSOLETE AUTHORITY.*—*Section*
 19 *806(g) of the Ike Skelton National Defense Authorization*
 20 *Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C.*
 21 *2304 note) is hereby repealed.*

22 **SEC. 802. COMMERCIALLY AVAILABLE MARKET RESEARCH.**

23 (a) *IN GENERAL.*—*Subsection (e) of section 2431a of*
 24 *title 10, United States code, is amended by adding at the*
 25 *end the following new paragraph:*

1 “(10) *The term ‘market research’ includes—*

2 “(A) *government market research directly*
3 *with prospective vendors, including—*

4 “(i) *contacting knowledgeable individ-*
5 *uals in government and industry regarding*
6 *market capabilities to meet requirements;*

7 “(ii) *reviewing the results of recent*
8 *market research undertaken to meet similar*
9 *or identical requirements;*

10 “(iii) *publishing formal requests for*
11 *information in appropriate technical or sci-*
12 *entific journals or business publications;*

13 “(iv) *querying the governmentwide*
14 *database of contracts and other procurement*
15 *instruments intended for use by multiple*
16 *agencies;*

17 “(v) *participating in interactive, on-*
18 *line communication among industry, acqui-*
19 *sition personnel, and customers;*

20 “(vi) *obtaining source lists of similar*
21 *items from other contracting activities or*
22 *agencies, trade associations, or other*
23 *sources;*

24 “(vii) *reviewing catalogs and other*
25 *generally available product literature pub-*

1 *lished by manufacturers, distributors, and*
2 *dealers or available online;*

3 *“(viii) conducting interchange meet-*
4 *ings or holding presolicitation conferences*
5 *to involve potential offerors early in the ac-*
6 *quisition process; and*

7 *“(ix) ensuring that any conflicts of in-*
8 *terest presented by vendors providing gov-*
9 *ernment capability statements are both dis-*
10 *closed and mitigated; and*

11 *“(B) commercially available third-party*
12 *market research.”.*

13 *(b) REVIEW.—Not later than 120 days after the date*
14 *of the enactment of this Act, the Under Secretary of Defense*
15 *for Acquisition and Sustainment, in consultation with the*
16 *Under Secretary of Defense for Research and Engineering,*
17 *shall review the guidance of the Department of Defense with*
18 *regard to those portions of the Federal Acquisition Regula-*
19 *tion regarding commercially available market research, in-*
20 *cluding sections 10.001(a)(2)(vi) and 10.002(b). The review*
21 *shall, at a minimum—*

22 *(1) assess the impact that conducting market re-*
23 *search has on the Department’s resources; and*

24 *(2) ensure that commercially available market*
25 *research is considered among other sources of research,*

1 *as appropriate, and reviewed prior to developing new*
2 *requirements documents for an acquisition by the De-*
3 *partment.*

4 **SEC. 803. COMPTROLLER GENERAL ASSESSMENT OF ACQUI-**
5 **SITION PROGRAMS AND RELATED INITIA-**
6 **TIVES.**

7 *(a) IN GENERAL.—Chapter 131 of title 10, United*
8 *States Code, is amended by adding at the end the following*
9 *new section:*

10 **“§2229b. Comptroller General assessment on acquisi-**
11 **tion programs and initiatives**

12 *“(a) ASSESSMENT REQUIRED.—The Comptroller Gen-*
13 *eral of the United States shall submit to the congressional*
14 *defense committees an annual assessment of selected acquisi-*
15 *tion programs and initiatives of the Department of Defense*
16 *by March 30th of each year, beginning in 2020.*

17 *“(b) ANALYSES TO BE INCLUDED.—The assessment re-*
18 *quired under subsection (a) shall include—*

19 *“(1) a macro analysis of how well acquisition*
20 *programs and initiatives are performing and reasons*
21 *for that performance;*

22 *“(2) a summary of organizational and legislative*
23 *changes and emerging assessment methodologies since*
24 *the last assessment, and a discussion of the implica-*

1 *tions for execution and oversight of programs and ini-*
2 *tiatives; and*

3 *“(3) specific analyses of individual acquisition*
4 *programs and initiatives.*

5 *“(c) ACQUISITION PROGRAMS AND INITIATIVES TO BE*
6 *CONSIDERED.—The assessment required under subsection*
7 *(a) shall consider the following programs and initiatives:*

8 *“(1) Selected weapon systems, as determined ap-*
9 *propriate by the Comptroller General.*

10 *“(2) Selected information technology systems and*
11 *initiatives, including defense business systems, net-*
12 *works, and software-intensive systems, as determined*
13 *appropriate by the Comptroller General.*

14 *“(3) Selected prototyping and rapid fielding ac-*
15 *tivities and initiatives, as determined appropriate by*
16 *the Comptroller General.”.*

17 *(b) CLERICAL AMENDMENT.—The table of sections at*
18 *the beginning of such chapter is amended by inserting after*
19 *the item relating to section 2229a the following new item:*

“2229b. Comptroller General assessment on acquisition programs and related ini-
 tiatives.”.

20 *(c) REPEAL OF SUPERSEDED AUTHORITY.—Section*
21 *883(d) of the National Defense Authorization Act for Fiscal*
22 *Year 2016 (Public Law 114–92; 10 U.S.C. 2222 note) is*
23 *amended by striking paragraph (1).*

1 ***Subtitle B—Amendments to General***
2 ***Contracting Authorities, Proce-***
3 ***dures, and Limitations***

4 ***SEC. 811. DEPARTMENT OF DEFENSE CONTRACTING DIS-***
5 ***PUTE MATTERS.***

6 *(a) IN GENERAL.—Not later than 180 days after the*
7 *date of enactment of this Act, the Secretary of Defense shall*
8 *carry out a study of the frequency and effects of bid protests*
9 *involving the same contract award or proposed award that*
10 *have been filed at both the Government Accountability Of-*
11 *fice and the United States Court of Federal Claims. The*
12 *study shall cover Department of Defense contracts and in-*
13 *clude, at a minimum—*

14 *(1) the number of protests that have been filed*
15 *with both tribunals and results;*

16 *(2) the number of such protests where the tribu-*
17 *nals differed in denying or sustaining the action;*

18 *(3) the length of time, in average time and me-*
19 *dian time—*

20 *(A) from initial filing at the Government*
21 *Accountability Office to decision in the United*
22 *States Court of Federal Claims;*

23 *(B) from filing with each tribunal to deci-*
24 *sion by such tribunal;*

1 (C) from the time at which the basis of the
2 protest is known to the time of filing in each tri-
3 bunal; and

4 (D) in the case of an appeal from a decision
5 of the United States Court of Federal Claims,
6 from the date of the initial filing of the appeal
7 to decision in the appeal;

8 (4) the number of protests where performance
9 was stayed or enjoined and for how long;

10 (5) if performance was stayed or enjoined,
11 whether the requirement was obtained in the interim
12 through another vehicle or in-house, or whether dur-
13 ing the period of the stay or enjoining the require-
14 ment went unfulfilled;

15 (6) separately for each tribunal, the number of
16 protests where performance was stayed or enjoined
17 and monetary damages were awarded, which shall in-
18 clude for how long performance was stayed or en-
19 joined and the amount of monetary damages;

20 (7) whether the protestor was a large or small
21 business; and

22 (8) whether the protestor was the incumbent in
23 a prior contract for the same or similar product or
24 service.

1 **(b) REPORT.**—Not later than 180 days after the date
2 of enactment of this Act, the Secretary of Defense shall sub-
3 mit to the congressional defense committees, the Committee
4 on the Judiciary of the Senate, and the Committee on the
5 Judiciary of the House of Representatives a report on the
6 results of the study, along with related recommendations for
7 improving the expediency of the bid protest process. In pre-
8 paring the report, the Secretary shall consult with the At-
9 torney General of the United States, the Comptroller Gen-
10 eral of the United States, and the United States Court of
11 Federal Claims.

12 **(c) ONGOING DATA COLLECTION.**—Not later than 270
13 days after the date of enactment of this Act, the Secretary
14 of Defense shall establish and continuously maintain a data
15 repository to collect on an ongoing basis the information
16 described in subsection (a) and any additional relevant bid
17 protest data the Secretary determines necessary and appro-
18 priate to allow the Department of Defense, the Government
19 Accountability Office, and the United States Court of Fed-
20 eral Claims to assess and review bid protests over time.

21 **(d) ESTABLISHMENT OF EXPEDITED PROCESS FOR**
22 **SMALL VALUE CONTRACTS.**—

23 **(1) IN GENERAL.**—Not later than December 1,
24 2019, the Secretary of Defense shall develop a plan
25 and schedule for an expedited bid protest process for

1 *Department of Defense contracts with a value of less*
2 *than \$100,000.*

3 (2) *CONSULTATION.*—*In carrying out paragraph*
4 *(1), the Secretary of Defense may consult with the*
5 *Government Accountability Office and the United*
6 *States Court of Federal Claims to the extent such en-*
7 *tities may establish a similar process at their election.*

8 (3) *REPORT.*—*Not later than May 1, 2019, the*
9 *Secretary of Defense shall submit to the congressional*
10 *defense committees a report on the plan and schedule*
11 *for implementation of the expedited bid protest proc-*
12 *ess, which shall include a request for any additional*
13 *authorities the Secretary determines appropriate for*
14 *such efforts.*

15 **SEC. 812. CONTINUATION OF TECHNICAL DATA RIGHTS**
16 **DURING CHALLENGES.**

17 (a) *EXERCISE OF RIGHTS IN TECHNICAL DATA BE-*
18 *FORE FINAL DISPOSITION OF A CHALLENGE.*—*Section*
19 *2321(i) of title 10, United States Code, is amended—*

20 (1) *in the subsection heading, by inserting*
21 *“PRIOR TO AND” after “RIGHTS AND LIABILITY”;*

22 (2) *by redesignating paragraphs (1) and (2) as*
23 *paragraphs (3) and (4), respectively; and*

24 (3) *by inserting before paragraph (3), as so re-*
25 *designated, the following new paragraphs:*

1 “(1) Upon issuance of a challenge to a use or release
2 restriction asserted by a contractor or subcontractor under
3 the contract made pursuant to subsection (d) or made under
4 procedures established by the Department of Defense for
5 challenges to asserted use or release restrictions in connec-
6 tion with noncommercial computer software, and until
7 final disposition of such a challenge, the Department of De-
8 fense may exercise rights in the technical data or non-
9 commercial computer software rights consistent with the
10 grounds identified in the challenge pursuant to subsection
11 (d)(3), (or the grounds identified under corresponding De-
12 partment of Defense procedures in the case of noncommer-
13 cial computer software) in order to meet Department of De-
14 fense mission requirements.

15 “(2) In the event that the challenge made by the gov-
16 ernment is not sustained upon final disposition, the con-
17 tractor or subcontractor shall have only a right to damages
18 against the United States if the United States was found
19 to have not acted in good faith and as otherwise provided
20 by law arising from the exercise of rights described in para-
21 graph (1) during the time period described in such para-
22 graph.”.

23 (b) *REVISION OF THE DEFENSE FEDERAL ACQUI-
24 TION REGULATION SUPPLEMENT.*—Not later than 180 days
25 after the date of the enactment of this Act, the Secretary

1 of Defense shall revise the Defense Federal Acquisition Reg-
2 ulation Supplement, by interim or final rule, to implement
3 the amendments made by subsection (a).

4 (c) *EFFECTIVE DATE.*—The amendments made by sub-
5 section (a) and the revision required by subsection (b) shall
6 become effective on the date of publication of the interim
7 or final rule (whichever is earlier) required by subsection
8 (b) and shall apply to solicitations issued by Department
9 of Defense contracting activities after that date unless the
10 senior procurement executive of the agency concerned grants
11 a waiver on a case-by-case basis.

12 (d) *GUIDANCE ON TECHNICAL DATA RIGHT NEGOTIA-*
13 *TION.*—The Secretary of Defense shall develop policies on
14 the negotiation of technical data rights for noncommercial
15 software that reflects the Department of Defense’s needs for
16 technical data rights in the event of a protest or replacement
17 of incumbent contractor to meet defense requirements in the
18 most cost effective manner.

19 **SEC. 813. INCREASED MICRO-PURCHASE THRESHOLD.**

20 (a) *IN GENERAL.*—Section 2338 of title 10, United
21 States Code, is amended by striking “Notwithstanding sub-
22 section (a) of section 1902 of title 41, the micro-purchase
23 threshold for the Department of Defense for purposes of such
24 section is \$5,000” and inserting “The micro-purchase
25 threshold for the Department of Defense is \$10,000”.

1 (b) *CONFORMING AMENDMENT.*—Section 1902(a)(1) of
2 title 41, United States Code, is amended by striking “sec-
3 tions 2338 and 2339 of title 10 and”.

4 (c) *REPEAL OF OBSOLETE AUTHORITY.*—

5 (1) *IN GENERAL.*—Section 2339 of title 10,
6 United States Code, is repealed.

7 (2) *CLERICAL AMENDMENT.*—The table of sec-
8 tions at the beginning of chapter 137 of title 10,
9 United States Code, is amended by striking the item
10 relating to section 2339.

11 **SEC. 814. MODIFICATION OF LIMITATIONS ON SINGLE**
12 **SOURCE TASK OR DELIVERY ORDER CON-**
13 **TRACTS.**

14 Section 2304a(d)(3)(A) of title 10, United States Code,
15 is amended by striking “reasonably perform the work” and
16 inserting “efficiently perform the work”.

17 **SEC. 815. PRELIMINARY COST ANALYSIS REQUIREMENT**
18 **FOR EXERCISE OF MULTIYEAR CONTRACT AU-**
19 **THORITY.**

20 Section 2306b(i)(2)(B) of title 10, United States Code,
21 is amended—

22 (1) by striking “made after the completion of a
23 cost analysis” and inserting “supported by a prelimi-
24 nary cost analysis”; and

1 (2) by striking “for the purpose of section
2 2334(e)(1) of this title, and that the analysis supports
3 those preliminary findings”.

4 **SEC. 816. INCLUSION OF BEST AVAILABLE INFORMATION**
5 **REGARDING PAST PERFORMANCE OF SUB-**
6 **CONTRACTORS AND JOINT VENTURE PART-**
7 **NER.**

8 (a) *REQUIREMENTS FOR PERFORMANCE OF SUB-*
9 *CONTRACTORS AND JOINT VENTURE PARTNERS.*—Not later
10 than 180 days after the date of the enactment of this Act,
11 the Secretary of Defense, in consultation with the Federal
12 Acquisition Regulatory Council and the Administrator for
13 Federal Procurement Policy, shall develop policies for the
14 Department of Defense to ensure the best information re-
15 garding past performance of certain subcontractors and
16 joint venture partners is available when awarding Depart-
17 ment of Defense contracts. The policies shall include pro-
18 posed revisions to the Defense Federal Acquisition Regula-
19 tion Supplement as follows:

20 (1) *Required performance evaluations, as part of*
21 *a government-wide evaluation reporting tool, for first-*
22 *tier subcontractors performing a portion of the con-*
23 *tract valued at not less than 20 percent of the value*
24 *of the prime contract, provided—*

1 (A) the information included in rating the
2 subcontractor is not inconsistent with the infor-
3 mation included in the rating for the prime con-
4 tractor;

5 (B) the subcontractor evaluation is con-
6 ducted consistent with the provisions of section
7 42.15 of the Federal Acquisition Regulation;

8 (C) negative evaluations of a subcontractor
9 in no way obviate the prime contractor's respon-
10 sibility for successful completion of the contract
11 and management of its subcontractors; and

12 (D) that in the judgment of the contracting
13 officer, the overall execution of the work is im-
14 pacted by the performance of the subcontractor
15 or subcontractors.

16 (2) Required performance evaluations, as part of
17 a government-wide evaluation reporting tool, of indi-
18 vidual partners of joint venture-awarded, to ensure
19 that past performance on joint venture projects is
20 considered in future awards to individual joint ven-
21 ture partners, provided—

22 (A) at a minimum, the rating for joint ven-
23 tures includes an identification that allows the
24 evaluation to be retrieved for each partner of the
25 joint venture;

1 (B) each partner, through the joint venture,
2 is given the same opportunity to submit com-
3 ments, rebutting statements, or additional infor-
4 mation, consistent with the provisions of section
5 42.15 of the Federal Acquisition Regulation; and

6 (C) the rating clearly identifies the respon-
7 sibilities of joint venture partners for discrete
8 elements of the work where the partners are not
9 jointly and severally responsible for the project.

10 (3) Processes to request exceptions from the an-
11 nual evaluation requirement under section 42.1502(a)
12 of the Federal Acquisition Regulation where submis-
13 sion of the annual evaluations would not provide the
14 best representation of the performance of a contractor,
15 including subcontractors and joint venture partners,
16 including—

17 (A) where no severable element of the work
18 has been completed;

19 (B) where the contracting officer determines
20 that—

21 (i) an insubstantial portion of the con-
22 tract work has been completed in the pre-
23 ceding year; and

24 (ii) the lack of performance is at non-
25 fault to the contractor; or

1 (C) where the contracting officer determines
2 that there is an issue in dispute which, until re-
3 solved, would likely cause the annual rating to
4 inaccurately reflect the past performance of the
5 contractor.

6 (b) *REPORT ON CONTRACTOR PERFORMANCE AP-*
7 *PEALS.*—Not later than 180 days after the date of the enact-
8 *ment of this Act, the Secretary of Defense shall submit to*
9 *the defense committees a report on contractor and subcon-*
10 *tractor past performance evaluations and appeals, includ-*
11 *ing—*

12 (1) *data on the number of performance evalua-*
13 *tion appeals filed by contractors and subcontractors*
14 *within the previous five years;*

15 (2) *the frequency that an appeal was successful*
16 *and the performance evaluation was changed favor-*
17 *ably for the contractor;*

18 (3) *the time it takes for an appeal to make its*
19 *way through the process from filing to adjudication;*
20 *and*

21 (4) *what impact the appeals process has on the*
22 *tracking of information in the performance database*
23 *system and consideration of contractor and subcon-*
24 *tractor performance on future contracts.*

1 (c) *AGENCY PROGRESS ON PERFORMANCE EVALUA-*
2 *TIONS.*—*Not later than 180 days after the date of the enact-*
3 *ment of this Act, the Secretary of Defense shall develop a*
4 *scorecard that compares the timeliness, completeness, and*
5 *accuracy of contractor performance evaluations among the*
6 *Department’s components. This scorecard shall be reported*
7 *annually to Congress and made publicly available not later*
8 *than December 31 for the prior fiscal year until 2024.*

9 (d) *CONGRESSIONAL ACCESS TO PERFORMANCE*
10 *DATA.*—

11 (1) *IN GENERAL.*—*At the written request of a*
12 *Chairman or Ranking Member of one of the appro-*
13 *priate congressional committees, the Secretary of De-*
14 *fense shall make all contractor performance evalua-*
15 *tions available through electronic access to data sys-*
16 *tems or in another manner specified by the request for*
17 *designated staff members of the appropriate congres-*
18 *sional committees.*

19 (2) *APPROPRIATE CONGRESSIONAL COMMIT-*
20 *TEES.*—*In this subsection, the term “appropriate con-*
21 *gressional committees” means—*

22 (A) *the congressional defense committees;*

23 (B) *the Committee on Homeland Security*
24 *and Governmental Affairs of the Senate; and*

1 (C) the Committee on Oversight and Gov-
2 ernment Reform of the House of Representatives.

3 **SEC. 817. MODIFICATION OF CRITERIA FOR WAIVERS OF RE-**
4 **QUIREMENT FOR CERTIFIED COST AND PRICE**
5 **DATA.**

6 Section 817(b)(2) 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 by striking “; and”
9 and inserting “; or”.

10 **SEC. 818. SUBCONTRACTING PRICE AND APPROVED PUR-**
11 **CHASING SYSTEMS.**

12 (a) *AMENDMENT.*—Section 893 of the Ike Skelton Na-
13 tional Defense Authorization Act for Fiscal Year 2011 (Pub-
14 lic Law 111–383; 10 U.S.C. 2302 note) is amended—

15 (1) in subsection (g), by adding at the end the
16 following new paragraph:

17 “(5) The term ‘approved purchasing system’ has
18 the meaning given the term in section 44.101 of the
19 Federal Acquisition Regulation (or any similar regu-
20 lation).”; and

21 (2) by adding at the end the following new sub-
22 section:

23 “(i) *CONSENT TO SUBCONTRACT.*—If the contractor on
24 a Department of Defense contract requiring a contracting
25 officer’s written consent prior to the contractor entering

1 *into a subcontract has an approved purchasing system, the*
2 *contracting officer may not withhold such consent without*
3 *the written approval of the program manager.”.*

4 (b) *CONFORMING REGULATIONS.—Not later than 120*
5 *days after the date of the enactment of this Act, the Sec-*
6 *retary of Defense shall revise the Defense Federal Acquisi-*
7 *tion Regulation Supplement to conform with the amend-*
8 *ments to section 893 of the Ike Skelton National Defense*
9 *Authorization Act for Fiscal Year 2011 (Public Law 111-*
10 *383; 10 U.S.C. 2302 note) made by this section.*

11 **SEC. 819. COMPTROLLER GENERAL OF THE UNITED STATES**
12 **REPORT ON PROGRESS PAYMENT FINANCING**
13 **OF DEPARTMENT OF DEFENSE CONTRACTS.**

14 (a) *REPORT REQUIRED.—Not later than 180 days*
15 *after the date of the enactment of this Act, the Comptroller*
16 *General of the United States shall submit to the congress-*
17 *sional defense committees a report on the results of an anal-*
18 *ysis, conducted by the Comptroller General, of the effects*
19 *of current financing levels of Department of Defense con-*
20 *tracts on contractors of the Department and the budgets of*
21 *the Department.*

22 (b) *ELEMENTS.—*

23 (1) *IN GENERAL.—The report required by sub-*
24 *section (a) shall include an analysis and assessment*

1 of the impact of the matters specified in paragraph
2 (2), for both government and business, on—

3 (A) the relationship between financing
4 amounts and contractor profit; and

5 (B) the willingness of contractors to pursue
6 contracts with the Department.

7 (2) *COVERED MATTERS.*—The matters specified
8 in this paragraph are each of the following under De-
9 partment contracts:

10 (A) Past changes to progress payment rates
11 and conditions.

12 (B) Progress payment rates and limitations
13 on progressing for undefinitized contract actions.

14 **SEC. 820. AUTHORIZATION TO LIMIT FOREIGN ACCESS TO**
15 **TECHNOLOGY THROUGH CONTRACTS.**

16 The Under Secretary of Defense for Research and En-
17 gineering, or a designee of the Under Secretary, may in-
18 clude in the terms of any contract that the Under Secretary
19 enters into a provision that—

20 (1) limits access by select persons or organiza-
21 tions to technology that is the subject of the contract
22 under terms defined by the Under Secretary, includ-
23 ing by limiting such access to specific periods of time;
24 and

1 (2) *if the person or organization violates the re-*
2 *quirement described in paragraph (1), the Under Sec-*
3 *retary may require the person or organization to for-*
4 *feit intellectual property rights associated with the*
5 *contract.*

6 **SEC. 821. BRIEFING REQUIREMENT ON SERVICES CON-**
7 **TRACTS.**

8 *Not later than 180 days after the date of the enactment*
9 *of this Act, and every 180 days thereafter until the require-*
10 *ments of section 2329(b) of title 10, United States Code,*
11 *are met, the Under Secretary of Defense for Acquisition and*
12 *Sustainment shall brief the congressional defense commit-*
13 *tees on the progress of Department of Defense efforts to meet*
14 *the requirements of such section, including relevant infor-*
15 *mation on the methodology and implementation plans for*
16 *future compliance.*

17 **SEC. 822. SENSE OF CONGRESS ON AWARDING OF CON-**
18 **TRACTS TO RESPONSIBLE COMPANIES THAT**
19 **PRIMARILY EMPLOY AMERICAN WORKERS**
20 **AND DO NOT ACTIVELY TRANSFER AMERICAN**
21 **JOBS TO POTENTIAL ADVERSARIES.**

22 *It is the sense of Congress that the Department of De-*
23 *fense should award contracts to responsible companies that*
24 *primarily employ United States workers or are partners*

1 *in the national technology and industrial base and do not*
2 *actively transfer United States jobs to potential adversaries.*

3 ***Subtitle C—Provisions Relating to***
4 ***Major Defense Acquisition Pro-***
5 ***grams***

6 ***SEC. 831. PROGRAM COST, FIELDING, AND PERFORMANCE***
7 ***GOALS IN PLANNING MAJOR ACQUISITION***
8 ***PROGRAMS.***

9 *Section 2448a of title 10, United States Code, is*
10 *amended—*

11 *(1) in subsection (a)—*

12 *(A) by striking “Secretary of Defense” and*
13 *inserting “designated milestone decision author-*
14 *ity for the major defense acquisition program”;*
15 *and*

16 *(B) by striking “the milestone decision au-*
17 *thority for the major defense acquisition pro-*
18 *gram approves a program that” and inserting*
19 *“the program”; and*

20 *(2) by striking subsection (b).*

1 **SEC. 832. IMPLEMENTATION OF RECOMMENDATIONS OF**
2 **THE INDEPENDENT STUDY ON CONSIDER-**
3 **ATION OF SUSTAINMENT IN WEAPONS SYS-**
4 **TEMS LIFE CYCLE.**

5 (a) *IMPLEMENTATION REQUIRED.*—Not later than 18
6 months after the date of the enactment of this Act, the Sec-
7 retary of Defense shall, except as provided under subsection
8 (b), commence implementation of each recommendation
9 submitted as part of the independent assessment produced
10 under section 844 of the National Defense Authorization Act
11 for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
12 2290).

13 (b) *EXCEPTIONS.*—

14 (1) *DELAYED IMPLEMENTATION.*—The Secretary
15 of Defense may commence implementation of a rec-
16 ommendation described under subsection (a) later
17 than the date required under such subsection if the
18 Secretary provides the congressional defense commit-
19 tees with a specific justification for the delay in im-
20 plementation of such recommendation.

21 (2) *NONIMPLEMENTATION.*—The Secretary of De-
22 fense may opt not to implement a recommendation
23 described under subsection (a) if the Secretary pro-
24 vides to the congressional defense committees—

25 (A) the reasons for the decision not to im-
26 plement the recommendation; and

1 (B) a summary of the alternative actions
2 the Secretary plans to take to address the pur-
3 poses underlying the recommendation.

4 (c) *IMPLEMENTATION PLANS.*—For each recommenda-
5 tion that the Secretary is implementing, or that the Sec-
6 retary plans to implement, the Secretary shall submit to
7 the congressional defense committees—

8 (1) a summary of actions that have been taken
9 to implement the recommendation; and

10 (2) a schedule, with specific milestones, for com-
11 pleting the implementation of the recommendation.

12 **SEC. 833. PILOT PROGRAM TO ACCELERATE MAJOR WEAP-**
13 **ONS SYSTEM PROGRAMS.**

14 (a) *IN GENERAL.*—The Secretary of Defense shall es-
15 tablish a pilot program to reform and accelerate the con-
16 tracting and pricing processes associated with contracts in
17 excess of \$50,000,000 by—

18 (1) basing price reasonableness determinations
19 on actual cost and pricing data for purchases of the
20 same or similar products for the Department of De-
21 fense; and

22 (2) reducing the cost and pricing data to be sub-
23 mitted in accordance with section 2306a of title 10,
24 United States Code.

1 (b) *SUNSET.*—*The authority to carry out the pilot pro-*
 2 *gram under this section shall expire on January 2, 2021.*

3 ***Subtitle D—Provisions Relating to***
 4 ***Acquisition Workforce***

5 ***SEC. 841. PERMANENT AUTHORITY FOR DEMONSTRATION***
 6 ***PROJECTS RELATING TO ACQUISITION PER-***
 7 ***SONNEL MANAGEMENT POLICIES AND PRO-***
 8 ***CEDURES.***

9 (a) *PERMANENT AUTHORITY.*—*Section 1762 of title*
 10 *10, United States Code, is amended by striking subsections*
 11 *(g) and (h).*

12 (b) *SCOPE OF AUTHORITY.*—*Subsection (a) of such sec-*
 13 *tion is amended by striking “COMMENCEMENT.—” and all*
 14 *that follows through “a demonstration project,” and insert-*
 15 *ing “IN GENERAL.—The Secretary of Defense may carry*
 16 *out demonstration projects”.*

17 ***SEC. 842. ESTABLISHMENT OF INTEGRATED REVIEW TEAM***
 18 ***ON DEFENSE ACQUISITION INDUSTRY-GOV-***
 19 ***ERNMENT EXCHANGE.***

20 (a) *STUDY.*—

21 (1) *IN GENERAL.*—*Not later than 30 days after*
 22 *the date of the enactment of this Act, the Secretary of*
 23 *Defense shall direct the Defense Business Board to*
 24 *convene an integrated review team (in this section re-*
 25 *ferred to as the “exchange team”) to undertake a*

1 *study on facilitating the exchange of defense industry*
2 *personnel on term assignments within the Depart-*
3 *ment of Defense.*

4 (2) *MEMBER PARTICIPATION.—*

5 (A) *DEFENSE BUSINESS BOARD.—The*
6 *Chairman of the Defense Business Board shall*
7 *select six members from the membership of the*
8 *Board to participate on the exchange team, in-*
9 *cluding one member to lead the team.*

10 (B) *DEFENSE INNOVATION BOARD.—The*
11 *Chairman of the Defense Innovation Board shall*
12 *select five appropriate members from the mem-*
13 *bership of their Board to participate on the ex-*
14 *change team.*

15 (C) *DEFENSE SCIENCE BOARD.—The Chair-*
16 *man of the Defense Science Board shall select*
17 *five appropriate members from the membership*
18 *of their Board to participate on the exchange*
19 *team.*

20 (D) *REQUIRED EXPERIENCE.—The Chair-*
21 *men referred to in subparagraphs (a) through*
22 *(C) shall ensure that members have significant*
23 *legislative or regulatory expertise and reflect di-*
24 *verse experiences in the public and private sec-*
25 *tor.*

1 (3) *SCOPE.*—*The study conducted pursuant to*
2 *paragraph (1) shall—*

3 (A) *review legal, ethical, and financial dis-*
4 *closure requirements for industry-government ex-*
5 *changes;*

6 (B) *review existing or previous industry-*
7 *government exchange programs such as the De-*
8 *partment of State’s Franklin Fellows Program*
9 *and the Information Technology Exchange Pro-*
10 *gram;*

11 (C) *review how the military departments*
12 *address legal, ethical, and financial requirements*
13 *for members of the reserve components who also*
14 *maintain civilian employment in the defense in-*
15 *dustry;*

16 (D) *produce specific and detailed rec-*
17 *ommendations for any legislation, including the*
18 *amendment or repeal of regulations, as well as*
19 *non-legislative approaches, that the members of*
20 *the exchange team conducting the study deter-*
21 *mine necessary to—*

22 (i) *reduce barriers to industry-govern-*
23 *ment exchange to encourage the flow of ac-*
24 *quisition best practices;*

1 (ii) ensure continuing financial and
2 ethical integrity; and

3 (iii) protect the best interests of the De-
4 partment of Defense; and

5 (E) produce such additional recommenda-
6 tions for legislation as the members consider ap-
7 propriate.

8 (4) ACCESS TO INFORMATION.—The Secretary of
9 Defense shall provide the exchange team with timely
10 access to appropriate information, data, resources,
11 and analysis so that the exchange team may conduct
12 a thorough and independent analysis as required
13 under this subsection.

14 (b) BRIEFING.—Not later than December 31, 2018, the
15 exchange team shall provide an interim briefing to the con-
16 gressional defense committees on the study conducted under
17 subsection (a)

18 (c) FINAL REPORT.—Not later than March 1, 2019,
19 the exchange team shall submit a final report on the study
20 to the Under Secretary of Defense for Acquisition and
21 Sustainment and the congressional defense committees.

22 **SEC. 843. EXCHANGE PROGRAM FOR ACQUISITION WORK-**
23 **FORCE EMPLOYEES.**

24 (a) PROGRAM AUTHORIZED.—The Secretary of De-
25 fense shall establish an exchange program under which the

1 *Under Secretary of Defense for Acquisition and*
2 *Sustainment shall arrange for the temporary assignment*
3 *of civilian personnel in the Department of Defense acquisi-*
4 *tion workforce.*

5 (b) *PURPOSES.*—*The purposes of the exchange pro-*
6 *gram established pursuant to subsection (a) are—*

7 (1) *to familiarize personnel from the acquisition*
8 *workforce with the equities, priorities, processes, cul-*
9 *ture, and workforce of the acquisition-related defense*
10 *agencies;*

11 (2) *to enable participants in the exchange pro-*
12 *gram to return the expertise gained through their ex-*
13 *changes to their original organizations; and*

14 (3) *to improve communication between and inte-*
15 *gration of the organizations that support the policy,*
16 *implementation, and oversight of defense acquisition*
17 *through lasting relationships.*

18 (c) *PARTICIPANTS.*—

19 (1) *NUMBER OF PARTICIPANTS.*—*The Under Sec-*
20 *retary shall select not less than 10 and no more than*
21 *20 participants per year for participation in the ex-*
22 *change program established under subsection (a).*

23 (2) *CRITERIA FOR SELECTION.*—*The Under Sec-*
24 *retary shall select participants for the exchange pro-*

1 *gram established under subsection (a) from among*
2 *mid-career employees and based on—*

3 *(A) the qualifications and desire to partici-*
4 *pate in the program of the employee; and*

5 *(B) the technical needs and capacities of the*
6 *acquisition workforce, as applicable.*

7 *(d) TERMS.—Exchanges pursuant to the exchange pro-*
8 *gram established under subsection (a) shall be for terms of*
9 *one to two years, as determined and negotiated by the*
10 *Under Secretary. The terms may begin and end on a rolling*
11 *basis.*

12 *(e) GUIDANCE AND IMPLEMENTATION.—*

13 *(1) GUIDANCE.—Not later than 90 days after the*
14 *date of the enactment of this Act, the Under Secretary*
15 *shall develop and submit to the congressional defense*
16 *committees interim guidance on the form and con-*
17 *tours of the exchange program established under sub-*
18 *section (a).*

19 *(2) IMPLEMENTATION.—Not later than 180 days*
20 *after the date of the enactment of this Act, the Under*
21 *Secretary shall implement the guidance developed*
22 *under paragraph (1).*

1 ***Subtitle E—Provisions Relating to***
2 ***Commercial Items***

3 ***SEC. 851. REPORT ON COMMERCIAL ITEM PROCUREMENT***
4 ***REFORM.***

5 (a) *REPORT REQUIRED.*—Not later than March 1,
6 2020, the Assistant Secretary of Defense for Acquisition, in
7 consultation with members of the Defense Business Board
8 as appropriate, shall submit to the Committees on Armed
9 Services of the Senate and the House of Representatives a
10 report on reforms for commercial item procurement.

11 (b) *ELEMENTS.*—The report required under subsection
12 (a) shall include the following elements:

13 (1) *A review of recommendations by the inde-*
14 *pendent panel created under section 809 of the Na-*
15 *tional Defense Authorization Act for Fiscal Year 2016*
16 *(Public Law 114–92; 112 Public Law 889) pertaining*
17 *to commercial items.*

18 (2) *A review of commercial item provisions from*
19 *the National Defense Authorization Act for Fiscal*
20 *Year 2016 (Public Law 114–92), the National Defense*
21 *Authorization Act for Fiscal Year 2017 (Public Law*
22 *114–328), the National Defense Authorization Act for*
23 *Fiscal Year 2018 (Public Law 115–91), and other rel-*
24 *evant legislation.*

1 (3) *An analysis of the extent to which the De-*
2 *partment of Defense should treat commercial service*
3 *contracts and commercial products in a similar man-*
4 *ner.*

5 (4) *Such other matters with respect to commer-*
6 *cial item procurement as the Assistant Secretary con-*
7 *siders appropriate.*

8 ***Subtitle F—Industrial Base Matters***

9 **SEC. 861. NATIONAL TECHNOLOGY AND INDUSTRIAL BASE** 10 **APPLICATION PROCESS.**

11 (a) *IN GENERAL.*—*Subchapter II of chapter 148 of*
12 *title 10, United States Code, is amended by adding at the*
13 *end the following new section:*

14 **“§ 2509. National technology and industrial base ap-** 15 **plication process**

16 “(a) *IN GENERAL.*—*The Secretary of Defense shall ad-*
17 *minister a national technology and industrial base applica-*
18 *tion process.*

19 “(b) *ELEMENTS.*—*The application process required*
20 *under subsection (a) shall include the following elements:*

21 “(1) *The Secretary shall designate an official*
22 *within the Office of the Secretary of Defense respon-*
23 *sible for administration of the national technology*
24 *and industrial base application process and associ-*
25 *ated policy.*

1 “(2) A person or organization that meets the def-
2 inition of national technology and industrial base
3 under section 2500(1) of this title shall have the op-
4 portunity to apply for an item to be covered under
5 the national technology and industrial base. The ap-
6 plication shall include, at a minimum, the following
7 information:

8 “(A) Information demonstrating the appli-
9 cant meets such definition.

10 “(B) The section or sections of this chapter,
11 related to the national technology and industrial
12 base, that the applicant seeks to modify.

13 “(C) The applicant’s proposed modifications
14 to the section or sections identified under sub-
15 paragraph (B).

16 “(D) For each item the applicant seeks to
17 include in the national technology and indus-
18 trial base, the applicant shall include the fol-
19 lowing information:

20 “(i) The extent to which such item has
21 commercial applications.

22 “(ii) The number of such items to be
23 procured by current programs of record.

24 “(iii) The criticality of such item to a
25 military unit’s mission accomplishment.

1 “(iv) *The estimated cost and other con-*
2 *siderations of reconstituting the manufac-*
3 *turing capability of such item, if not main-*
4 *tained in the national technology and in-*
5 *dustrial base.*

6 “(v) *National security regulations or*
7 *restrictions imposed on such item that may*
8 *not be imposed on a non-national tech-*
9 *nology and industrial base competitor.*

10 “(vi) *Non-national security-related*
11 *Federal, State, and local government regu-*
12 *lations imposed on such item that may not*
13 *be imposed on a non-national technology*
14 *and industrial base competitor.*

15 “(vii) *The extent to which such item is*
16 *fielded in current programs of record.*

17 “(viii) *The extent to which cost and*
18 *pricing data for such item has been deemed*
19 *fair and reasonable.*

20 “(c) *CONSIDERATION OF APPLICATIONS.—*

21 “(1) *RESPONSIBILITY OF DESIGNATED OFFI-*
22 *CIAL.—The official designated pursuant to subsection*
23 *(b)(1) shall be responsible for providing complete ap-*
24 *plications submitted pursuant to this subsection to the*
25 *appropriate component acquisition executive for con-*

1 *sideration not later than 15 days after receipt of such*
2 *application.*

3 “(2) *REVIEW.*—*Not later than 60 days after re-*
4 *ceiving a complete application, the component acqui-*
5 *sition executive shall review such application, make a*
6 *determination, and return the application to the offi-*
7 *cial designated pursuant to subsection (b)(1).*

8 “(3) *ELEMENTS OF DETERMINATION.*—*The deter-*
9 *mination required under paragraph (2) shall—*

10 “(A) *recommend the modification to this*
11 *chapter proposed pursuant to subsection*
12 *(b)(2)(C);*

13 “(B) *recommend the modification to this*
14 *chapter proposed pursuant to subsection*
15 *(b)(2)(C) with further modifications; or*

16 “(C) *not recommend the modification to*
17 *this chapter proposed pursuant to subsection*
18 *(b)(2)(C).*

19 “(4) *JUSTIFICATION.*—*The determination re-*
20 *quired under paragraph (2) shall also include the ra-*
21 *tionale and justification for the determination.*

22 “(d) *RECOMMENDATIONS FOR LEGISLATION.*—*For ap-*
23 *plications recommended under subsection (c), the official*
24 *designated pursuant to subsection (b)(1) shall be responsible*

1 *for preparing a legislative proposal for consideration by the*
2 *Secretary.”.*

3 (b) *CLERICAL AMENDMENT.—The table of sections at*
4 *the beginning of such subchapter is amended by adding at*
5 *the end the following new item:*

“2509. National technology and industrial base application process.”.

6 (c) *EFFECTIVE DATE.—Section 2509 of title 10,*
7 *United States Code, as added by subsection (a), shall take*
8 *effect 60 days after the date of the enactment of this Act.*

9 **SEC. 862. REPORT ON DEFENSE ELECTRONICS INDUSTRIAL**
10 **BASE.**

11 (a) *IN GENERAL.—Not later than January 31, 2019,*
12 *the Secretary of Defense, in consultation with the Executive*
13 *Agent for Printed Circuit Board and Interconnect Tech-*
14 *nology and the Director of the Office of Management and*
15 *Budget, shall submit to Congress a report examining the*
16 *health of the defense electronics industrial base, including*
17 *analog and passive electronic parts, substrates, printed*
18 *boards, assemblies, connectors, cabling, and related areas,*
19 *both domestically and within the national technology and*
20 *industrial base.*

21 (b) *ELEMENTS.—The report required under subsection*
22 *(a) shall include the following elements:*

23 (1) *An examination of current and planned*
24 *partnerships with the commercial industry.*

1 (2) *Analysis of the current and future defense*
2 *electronics industrial base.*

3 (3) *Threat assessment related to system security.*

4 (4) *An assessment of the health of the engineer-*
5 *ing and production workforce.*

6 (5) *A description of the electronics supply chain*
7 *requirements of defense systems integral to meeting*
8 *the goals of the 2018 National Defense Strategy.*

9 (6) *Recommended actions to address areas*
10 *deemed deficient or vulnerable, and a plan to for-*
11 *malize long-term resourcing for the Executive Agent.*

12 (7) *Any other areas matters determined relevant*
13 *by the Secretary.*

14 **SEC. 863. SUPPORT FOR DEFENSE MANUFACTURING COM-**
15 **MUNITIES TO SUPPORT THE DEFENSE INDUS-**
16 **TRIAL BASE.**

17 (a) *PROGRAM AUTHORIZED.—*

18 (1) *IN GENERAL.—The Secretary of Defense may,*
19 *in coordination with the Secretary of Commerce and*
20 *working in coordination with the defense manufac-*
21 *turing institutes, establish within the Department of*
22 *Defense a program to make long-term investments in*
23 *critical skills, infrastructure, research and develop-*
24 *ment, and small business support in order to*
25 *strengthen the national security innovation base by*

1 *designating and supporting consortiums as defense*
2 *manufacturing communities.*

3 (2) *DESIGNATION.*—*The program authorized by*
4 *this section shall be known as the “Defense Manufac-*
5 *turing Community Support Program” (in this sec-*
6 *tion referred to as the “Program”).*

7 (b) *DESIGNATION OF DEFENSE MANUFACTURING COM-*
8 *MUNITIES COMPLEMENTARY TO DEFENSE MANUFACTURING*
9 *INSTITUTES.*—

10 (1) *IN GENERAL.*—*The Secretary of Defense may*
11 *designate eligible consortiums as defense manufac-*
12 *turing communities through a competitive process,*
13 *and in coordination with the defense manufacturing*
14 *institutes.*

15 (2) *ELIGIBLE CONSORTIUMS.*—*The Secretary*
16 *may establish eligibility criteria for a consortium to*
17 *participate in the Program. In developing such cri-*
18 *teria, the Secretary may consider the merits of—*

19 (A) *including members from academia, de-*
20 *fense industry, commercial industry, and State*
21 *and local government organizations;*

22 (B) *supporting efforts in geographical re-*
23 *gions that have capabilities in key technologies*
24 *or industrial base supply chains that are deter-*
25 *mined critical to national security;*

1 (C) *optimal consortium composition and*
2 *size to promote effectiveness, collaboration, and*
3 *efficiency; and*

4 (D) *complementarity with defense manufac-*
5 *turing institutes.*

6 (3) *DURATION.—Each designation under para-*
7 *graph (1) shall be for a period designated by the Sec-*
8 *retary.*

9 (4) *RENEWAL.—*

10 (A) *IN GENERAL.—The Secretary may*
11 *renew a designation made under paragraph (1)*
12 *for up to two additional two-year periods. Any*
13 *designation as a defense manufacturing commu-*
14 *nity or renewal of such designation that is in ef-*
15 *fect before the date of the enactment of this Act*
16 *shall count toward the limit set forth in this sub-*
17 *paragraph.*

18 (B) *EVALUATION FOR RENEWAL.—The Sec-*
19 *retary shall establish criteria for the renewal of*
20 *a consortium. In establishing such criteria, the*
21 *Secretary may consider—*

22 (i) *the performance of the consortium*
23 *in meeting the established goals of the Pro-*
24 *gram;*

1 (ii) the progress the consortium has
2 made with respect to project-specific
3 metrics, particularly with respect to those
4 metrics that were designed to help commu-
5 nities track their own progress;

6 (iii) whether any changes to the com-
7 position of the eligible consortium or revi-
8 sions of the plan for the consortium would
9 improve the capabilities of the defense in-
10 dustrial base;

11 (iv) the effectiveness of coordination
12 with defense manufacturing institutes; and

13 (v) such other criteria as the Secretary
14 considers appropriate.

15 (5) *APPLICATION FOR DESIGNATION.*—An eligible
16 consortium seeking a designation under paragraph
17 (1) shall submit an application to the Secretary at
18 such time and in such manner as the Secretary may
19 require. In developing such procedures, the Secretary
20 may consider the inclusion of—

21 (A) a description of the regional boundaries
22 of the consortium, and the defense manufac-
23 turing capacity of the region;

1 (B) *an evidence-based plan for enhancing*
2 *the defense industrial base through the efforts of*
3 *the consortium;*

4 (C) *the investments the consortium proposes*
5 *and the strategy of the consortium to address*
6 *gaps in the defense industrial base;*

7 (D) *a description of the outcome-based*
8 *metrics, benchmarks, and milestones that will*
9 *track and the evaluation methods that will be*
10 *used to gauge performance of the consortium;*

11 (E) *how the initiatives will complement de-*
12 *fense manufacturing institutes; and*

13 (F) *such other matters as the Secretary con-*
14 *siders appropriate.*

15 (c) *FINANCIAL AND TECHNICAL ASSISTANCE.—*

16 (1) *IN GENERAL.—Under the Program, the Sec-*
17 *retary of Defense may award financial or technical*
18 *assistance to a member of a consortium designated as*
19 *a defense manufacturing community under the Pro-*
20 *gram as appropriate for purposes of the Program.*

21 (2) *USE OF FUNDS.—A recipient of financial or*
22 *technical assistance under the Program may use such*
23 *financial or technical assistance to support an invest-*
24 *ment that will improve the defense industrial base.*

1 (3) *INVESTMENTS SUPPORTED.*—*Investments*
2 *supported under this subsection may include activi-*
3 *ties not already provided for by defense manufac-*
4 *turing institutes on—*

5 (A) *infrastructure;*

6 (B) *access to capital;*

7 (C) *promotion of exports and foreign direct*
8 *investment;*

9 (D) *equipment or facility upgrades;*

10 (E) *workforce training, retraining, or re-*
11 *ruitment and retention, including that of*
12 *women and underrepresented minorities;*

13 (F) *energy or process efficiency;*

14 (G) *business incubators;*

15 (H) *site preparation;*

16 (I) *advanced research and commercializa-*
17 *tion, including with Federal laboratories and de-*
18 *pots;*

19 (J) *supply chain development; and*

20 (K) *small business assistance.*

21 (d) *RECEIPT OF TRANSFERRED FUNDS.*—*The Sec-*
22 *retary of Defense may accept amounts transferred to the*
23 *Secretary from the head of another agency or a State or*
24 *local governmental organization to carry out this section.*

1 ***Subtitle G—Other Transactions***

2 ***SEC. 871. CHANGE TO NOTIFICATION REQUIREMENT FOR***
3 ***OTHER TRANSACTIONS.***

4 *Section 2371b(f)(1) of title 10, United States Code, is*
5 *amended by inserting after the first sentence the following:*
6 *“The cost of any such option shall be considered for pur-*
7 *poses of subsection (a)(2) as part of the cost to the Depart-*
8 *ment of Defense of a transaction (for a prototype).”.*

9 ***SEC. 872. DATA AND POLICY ON THE USE OF OTHER TRANS-***
10 ***ACTIONS.***

11 ***(a) COLLECTION AND STORAGE.***—*The Service Acquisi-*
12 *tion Executives of the military departments shall collect*
13 *data on the use of other transactions by their respective de-*
14 *partments, and the Under Secretary of Defense for Research*
15 *and Engineering and the Under Secretary of Defense for*
16 *Acquisition and Sustainment shall collect data on all other*
17 *use by the Department of Defense of other transactions, in-*
18 *cluding use by the Defense Agencies. The data shall be stored*
19 *in a manner that allows the Assistant Secretary of Defense*
20 *for Acquisition access at any time.*

21 ***(b) USE OF DATA.***—*The Assistant Secretary of Defense*
22 *for Acquisition shall analyze and leverage the data collected*
23 *under subsection (a) to update policy and guidance related*
24 *to the use of other transactions.*

1 ***Subtitle H—Development and Ac-***
2 ***quisition of Software Intensive***
3 ***and Digital Products and Serv-***
4 ***ices***

5 ***SEC. 881. CLARIFICATIONS REGARDING PROPRIETARY AND***
6 ***TECHNICAL DATA.***

7 *(a) VALIDATION OF PROPRIETARY DATA RESTRIC-*
8 *TIONS.—Section 2321(f) of title 10, United States Code, is*
9 *amended—*

10 *(1) by striking “(1) Except as provided in para-*
11 *graph (2), in” and inserting “In”; and*

12 *(2) by striking paragraph (2).*

13 *(b) RIGHTS IN TECHNICAL DATA.—Section 2320 of*
14 *title 10, United States Code, is amended—*

15 *(1) by striking subsection (f); and*

16 *(2) by redesignating subsections (g) and (h) as*
17 *subsections (f) and (g), respectively.*

18 ***SEC. 882. IMPLEMENTATION OF RECOMMENDATIONS OF***
19 ***THE FINAL REPORT OF THE DEFENSE***
20 ***SCIENCE BOARD TASK FORCE ON THE DE-***
21 ***SIGN AND ACQUISITION OF SOFTWARE FOR***
22 ***DEFENSE SYSTEMS.***

23 *(a) IMPLEMENTATION REQUIRED.—Not later than 18*
24 *months after the date of the enactment of this Act, the Sec-*
25 *retary of Defense shall, except as provided under subsection*

1 *(b), commence implementation of each recommendation*
2 *submitted as part of the final report of the Defense Science*
3 *Board Task Force on the Design and Acquisition of Soft-*
4 *ware for Defense Systems.*

5 *(b) EXCEPTIONS.—*

6 *(1) DELAYED IMPLEMENTATION.—The Secretary*
7 *of Defense may commence implementation of a rec-*
8 *ommendation described under subsection (a) later*
9 *than the date required under such subsection if the*
10 *Secretary provides the congressional defense commit-*
11 *tees with a specific justification for the delay in im-*
12 *plementation of such recommendation.*

13 *(2) NONIMPLEMENTATION.—The Secretary of De-*
14 *fense may opt not to implement a recommendation*
15 *described under subsection (a) if the Secretary pro-*
16 *vides to the congressional defense committees—*

17 *(A) the reasons for the decision not to im-*
18 *plement the recommendation; and*

19 *(B) a summary of the alternative actions*
20 *the Secretary plans to take to address the pur-*
21 *poses underlying the recommendation.*

22 *(c) IMPLEMENTATION PLANS.—For each recommenda-*
23 *tion that the Secretary is implementing, or that the Sec-*
24 *retary plans to implement, the Secretary shall submit to*
25 *the congressional defense committees—*

1 (1) *a summary of actions that have been taken*
2 *to implement the recommendation; and*

3 (2) *a schedule, with specific milestones, for com-*
4 *pleting the implementation of the recommendation.*

5 **SEC. 883. IMPLEMENTATION OF PILOT PROGRAM TO USE**
6 **AGILE OR ITERATIVE DEVELOPMENT METH-**
7 **ODS REQUIRED UNDER SECTION 873 OF THE**
8 **NATIONAL DEFENSE AUTHORIZATION ACT**
9 **FOR FISCAL YEAR 2018.**

10 (a) *IN GENERAL.*—*Not later than 30 days after the*
11 *date of the enactment of this Act, the Secretary of Defense*
12 *shall include the following systems for realignment under*
13 *the pilot program to use agile or iterative development*
14 *methods pursuant to section 873 of the National Defense*
15 *Authorization Act for Fiscal Year 2018 (Public Law 115–*
16 *91):*

17 (1) *Global Positioning System Next Generation*
18 *Operational Control System (GPS OCX).*

19 (2) *Integrated Air and Missile Defense Battle*
20 *Command System (IBCS).*

21 (3) *Command Control Battle Management and*
22 *Communications (C2BMC).*

23 (4) *The family of Distributed Common Ground*
24 *Systems.*

1 (5) *The family of Global Command and Control*
2 *Systems.*

3 (6) *Joint Space Operations Center Mission Sys-*
4 *tems (JMS).*

5 (7) *Joint Strike Fighter Autonomic Logistics In-*
6 *formation System (ALIS).*

7 (8) *Electronic Procurement System (ePS).*

8 (9) *Air Force Integrated Personnel and Pay Sys-*
9 *tem (AFIPPS).*

10 (10) *Navy Personnel and Pay (NP2).*

11 (11) *Integrated Personnel and Pay-Army*
12 *(IPPS-A).*

13 (12) *Maintenance, Repair, and Overhaul*
14 *(MROI).*

15 (13) *Defense Enterprise Accounting Management*
16 *System (DEAMS).*

17 (14) *Army Contract Writing System.*

18 (15) *Contracting IT System.*

19 (16) *Defense-wide Electronic Procurement Capa-*
20 *bilities.*

21 (b) *REVISIONS TO LIST.—The Secretary of Defense*
22 *shall notify the congressional defense committees of any re-*
23 *visions to the list of systems included for realignment under*
24 *subsection (a).*

1 **SEC. 884. ENABLING AND OTHER ACTIVITIES OF THE**
2 **CLOUD EXECUTIVE STEERING GROUP.**

3 (a) *ACTIVITIES REQUIRED.*—Commencing not later
4 than 90 days after the date of the enactment of this Act,
5 the Cloud Executive Steering Group (CESG) established by
6 the Deputy Secretary of Defense in a directive memo-
7 randum dated September 13, 2017, in order to support its
8 Joint Enterprise Defense Infrastructure (JEDI) initiative
9 to procure commercial cloud services, shall conduct certain
10 key enabling activities as follows:

11 (1) *ADVANCED COMMERCIAL NETWORK CAPABILI-*
12 *TIES.*—Develop an approach to rapidly acquire ad-
13 vanced commercial network capabilities, including
14 software-defined networking, on-demand bandwidth,
15 and aggregated cloud access gateways, through com-
16 mercial service providers in order—

17 (A) to support the migration of applications
18 and systems to commercial cloud platforms;

19 (B) to increase visibility of end-to-end per-
20 formance to enable and enforce service level
21 agreements for cloud services;

22 (C) to ensure efficient and common cloud
23 access;

24 (D) to facilitate shifting data and applica-
25 tions from one cloud platform to another;

26 (E) to improve cybersecurity; and

1 (F) to consolidate networks and achieve effi-
2 ciencies and improved performance;

3 (2) *WORKLOAD AND MIGRATION ANALYSIS.*—Con-
4 duct an analysis of existing workloads that would be
5 migrated to the Joint Enterprise Defense Infrastruc-
6 ture, including—

7 (A) identifying all of the cloud initiatives
8 across the Department of Defense, and deter-
9 mining the objectives of such initiatives in con-
10 nection with the intended scope of the Infrastruc-
11 ture;

12 (B) identifying all the systems and applica-
13 tions that the Department would intend to mi-
14 grate to the Infrastructure;

15 (C) conducting rationalization of applica-
16 tions to identify applications and systems that
17 may duplicate the processing of workloads in
18 connection with the Infrastructure; and

19 (D) as result of such actions, arriving at
20 dispositions about migration or termination of
21 systems and applications in connection with the
22 Infrastructure.

23 (b) *LIMITATION ON NEW SYSTEMS AND APPLICA-*
24 *TIONS.*—The Deputy Secretary shall require that no new
25 system or application will be approved for development or

1 *modernization without an assessment that such system or*
2 *application is already, or can and would be, cloud-hosted.*

3 (c) *INTEGRATION AND SUPPORT.—The Deputy Sec-*
4 *retary shall ensure that the activities conducted under sub-*
5 *section (a) are integrated with and support the plan of the*
6 *Department to acquire and migrate to commercial cloud*
7 *services.*

8 (d) *TRANSPARENCY AND COMPETITION.—The Deputy*
9 *Secretary shall ensure that the acquisition approach of the*
10 *Department continues to follow the Federal Acquisition*
11 *Regulation, including part 16.504(c) of such regulation, re-*
12 *garding procedures relating to the preference for multiple*
13 *awards.*

14 ***Subtitle I—Other Matters***

15 **SEC. 891. PROHIBITION ON CERTAIN TELECOMMUNI-** 16 **CATIONS SERVICES OR EQUIPMENT.**

17 (a) *FINDINGS.—Congress makes the following findings:*

18 (1) *In its 2011 “Annual Report to Congress on*
19 *Military and Security Developments Involving the*
20 *People’s Republic of China”, the Department of De-*
21 *fense stated, “China’s defense industry has benefited*
22 *from integration with a rapidly expanding civilian*
23 *economy and science and technology sector, particu-*
24 *larly elements that have access to foreign technology.*
25 *Progress within individual defense sectors appears*

1 *linked to the relative integration of each, through Chi-*
2 *na’s civilian economy, into the global production and*
3 *R&D chain . . . Information technology companies*
4 *in particular, including Huawei, Datang, and*
5 *Zhongxing, maintain close ties to the PLA.”*

6 (2) *In a 2011 report titled “The National Secu-*
7 *rity Implications of Investments and Products from*
8 *the People’s Republic of China in the Telecommuni-*
9 *cations Sector”, the United States China Commission*
10 *stated that “[n]ational security concerns have accom-*
11 *panied the dramatic growth of China’s telecom sector.*
12 *. . . Additionally, large Chinese companies—particu-*
13 *larly those ‘national champions’ prominent in Chi-*
14 *na’s ‘going out’ strategy of overseas expansion—are*
15 *directly subject to direction by the Chinese Com-*
16 *munist Party, to include support for PRC state poli-*
17 *cies and goals.”*

18 (3) *The Commission further stated in its report*
19 *that “[f]rom this point of view, the clear economic*
20 *benefits of foreign investment in the U.S. must be*
21 *weighed against the potential security concerns re-*
22 *lated to infrastructure components coming under the*
23 *control of foreign entities. This seems particularly ap-*
24 *plicable in the telecommunications industry, as Chi-*
25 *nese companies continue systematically to acquire*

1 *significant holdings in prominent global and U.S.*
2 *telecommunications and information technology com-*
3 *panies.”.*

4 (4) *In its 2011 Annual Report to Congress, the*
5 *United States China Commission stated that “[t]he*
6 *extent of the state’s control of the Chinese economy is*
7 *difficult to quantify . . . There is also a category of*
8 *companies that, though claiming to be private, are*
9 *subject to state influence. Such companies are often in*
10 *new markets with no established SOE leaders and*
11 *enjoy favorable government policies that support their*
12 *development while posing obstacles to foreign competi-*
13 *tion. Examples include Chinese telecoms giant*
14 *Huawei and such automotive companies as battery*
15 *maker BYD and vehicle manufacturers Geely and*
16 *Chery.”.*

17 (5) *General Michael Hayden, who served as Di-*
18 *rector of the Central Intelligence Agency and Director*
19 *of the National Security Agency, stated in July 2013*
20 *that Huawei had “shared with the Chinese state inti-*
21 *mate and extensive knowledge of foreign telecommuni-*
22 *cations systems it is involved with”.*

23 (6) *The Federal Bureau of Investigation, in a*
24 *February 2015 Counterintelligence Strategy Partner-*
25 *ship Intelligence Note stated that, “[w]ith the ex-*

1 *panded use of Huawei Technologies Inc. equipment*
2 *and services in U.S. telecommunications service pro-*
3 *vider networks, the Chinese Government’s potential*
4 *access to U.S. business communications is dramati-*
5 *cally increasing. Chinese Government-supported tele-*
6 *communications equipment on U.S. networks may be*
7 *exploited through Chinese cyber activity, with China’s*
8 *intelligence services operating as an advanced per-*
9 *sistent threat to U.S. networks.”.*

10 (7) *The FBI further stated in its February 2015*
11 *counterintelligence note that “China makes no secret*
12 *that its cyber warfare strategy is predicated on con-*
13 *trolling global communications network infrastruc-*
14 *ture”.*

15 (8) *At a hearing before the Committee on Armed*
16 *Services of the House of Representatives on September*
17 *30, 2015, Deputy Secretary of Defense Robert Work,*
18 *responding to a question about the use of Huawei*
19 *telecommunications equipment, stated, “In the Office*
20 *of the Secretary of Defense, absolutely not. And I*
21 *know of no other—I don’t believe we operate in the*
22 *Pentagon, any [Huawei] systems in the Pentagon.”.*

23 (9) *At that hearing, the Commander of the*
24 *United States Cyber Command, Admiral Mike Rog-*
25 *ers, responding to a question about why such Huawei*

1 *telecommunications equipment is not used, stated,*
2 *“As we look at supply chain and we look at potential*
3 *vulnerabilities within the system, that it is a risk we*
4 *felt was unacceptable.”.*

5 *(10) In March 2017, ZTE Corporation pled*
6 *guilty to conspiring to violate the International*
7 *Emergency Economic Powers Act by illegally ship-*
8 *ping U.S.-origin items to Iran, paying the United*
9 *States Government a penalty of \$892,360,064 for ac-*
10 *tivity between January 2010 and January 2016.*

11 *(11) The Department of the Treasury’s Office of*
12 *Foreign Assets Control issued a subpoena to Huawei*
13 *as part of a Federal investigation of alleged violations*
14 *of trade restrictions on Cuba, Iran, Sudan, and*
15 *Syria.*

16 *(12) In the bipartisan “Investigative Report on*
17 *the United States National Security Issues Posed by*
18 *Chinese Telecommunication Companies Huawei and*
19 *ZTE” released in 2012 by the Permanent Select Com-*
20 *mittee on Intelligence of the House of Representatives,*
21 *it was recommended that “U.S. government systems,*
22 *particularly sensitive systems, should not include*
23 *Huawei or ZTE equipment, including in component*
24 *parts. Similarly, government contractors—particu-*
25 *larly those working on contracts for sensitive U.S.*

1 *programs—should exclude ZTE or Huawei equipment*
2 *in their systems.”.*

3 *(b) PROHIBITION ON USE OR PROCUREMENT.—The*
4 *Secretary of Defense may not—*

5 *(1) procure or obtain or extend or renew a con-*
6 *tract to procure or obtain any equipment, system, or*
7 *service that uses covered telecommunications equip-*
8 *ment or services as a substantial or essential compo-*
9 *nent of any system, or as critical technology as part*
10 *of any system; or*

11 *(2) enter into a contract (or extend or renew a*
12 *contract) with an entity that uses any equipment,*
13 *system, or service that uses covered telecommuni-*
14 *cations equipment or services as a substantial or es-*
15 *sential component of any system, or as critical tech-*
16 *nology as part of any system.*

17 *(c) EFFECTIVE DATES.—The prohibition under sub-*
18 *section (b)(1) shall take effect 180 days after the date of*
19 *the enactment of this Act and the prohibition under sub-*
20 *section (b)(2) shall take effect three years after the date of*
21 *the enactment of this Act.*

22 *(d) RULE OF CONSTRUCTION.—Nothing in this section*
23 *shall be construed to—*

24 *(1) prohibit the Secretary of Defense from pro-*
25 *curing with an entity to provide a service that con-*

1 nects to the facilities of a third-party, such as
2 backhaul, roaming, or interconnection arrangements;
3 or

4 (2) cover telecommunications equipment that
5 cannot route or redirect user data traffic or permit
6 visibility into any user data or packets that such
7 equipment transmits or otherwise handles

8 (e) *DEFINITIONS.*—*In this section:*

9 (1) *COVERED FOREIGN COUNTRY.*—*The term*
10 “covered foreign country” means the People’s Repub-
11 lic of China.

12 (2) *COVERED TELECOMMUNICATIONS EQUIPMENT*
13 *OR SERVICES.*—*The term “covered telecommuni-*
14 *cations equipment or services” means any of the fol-*
15 *lowing:*

16 (A) *Telecommunications equipment pro-*
17 *duced by Huawei Technologies Company or ZTE*
18 *Corporation (or any subsidiary or affiliate of*
19 *such entities).*

20 (B) *Telecommunications services provided*
21 *by such entities or using such equipment.*

22 (C) *Telecommunications equipment or serv-*
23 *ices produced or provided by an entity that the*
24 *Secretary of Defense, in consultation with the*
25 *Director of the National Intelligence or the Di-*

1 *rector of the Federal Bureau of Investigation,*
2 *reasonably believes to be an entity owned or con-*
3 *trolled by, or otherwise connected to, the govern-*
4 *ment of a covered foreign country.*

5 **SEC. 892. LIMITATION ON USE OF FUNDS PENDING SUB-**
6 **MITTAL OF REPORT ON ARMY MARKETING**
7 **AND ADVERTISING PROGRAM.**

8 *(a) REPORT REQUIRED.—*

9 *(1) IN GENERAL.—Not later than 90 days after*
10 *the date of the enactment of this Act, the Secretary of*
11 *the Army shall submit to the Committees on Armed*
12 *Services of the Senate and House of Representatives*
13 *a report on the recommendations contained in the*
14 *audit of the Army Audit Agency of the Army's Mar-*
15 *keting and Advertising Program concerning contract*
16 *oversight and return on investment.*

17 *(2) ELEMENTS.—The report required by para-*
18 *graph (1) shall address each of the following:*

19 *(A) The mitigation and oversight measures*
20 *implemented to assure improved program return*
21 *and contract management, including the estab-*
22 *lishment of specific goals to measure long-term*
23 *effects of investments in marketing efforts.*

24 *(B) The establishment of a review process to*
25 *regularly evaluate the effectiveness and efficiency*

1 of marketing efforts, including efforts to better
2 support the accessions missions of the Army.

3 (C) *The increase of acquisition and mar-*
4 *keting experience within the Army Marketing*
5 *and Research Group (in this section referred to*
6 *as the “AMRG”).*

7 (D) *A workforce analysis of AMRG in co-*
8 *operation with the Office of Personnel Manage-*
9 *ment and industry experts assessing the AMRG*
10 *organizational structure, staffing, and training,*
11 *including an assessment of the workplace climate*
12 *and culture internal to the AMRG.*

13 (E) *The establishment of an Army Mar-*
14 *keting and Advisory Board comprised of senior*
15 *Army and marketing and advertising leaders*
16 *and an assessment of industry and service mar-*
17 *keting and advertising best practices, including*
18 *a plan to incorporate relevant practices.*

19 (F) *The status of the implementation of*
20 *contracting practices recommended by the Army*
21 *Audit Agency’s audit of contracting oversight of*
22 *AMRG contained in Audit Report A–2018–*
23 *0033–MTH.*

24 (b) *LIMITATION ON USE OF FUNDS.—Not more than*
25 *50 percent of the amounts authorized to be appropriated*

1 *by this Act or otherwise made available for the AMRG for*
2 *fiscal year 2019 for advertising and marketing activities*
3 *may be obligated or expended until the Secretary of the*
4 *Army submits the report required under subsection (a).*

5 (c) *COMPTROLLER GENERAL REVIEW.—Not later than*
6 *90 days after the date of the submittal of the report required*
7 *under subsection (a), the Comptroller General of the United*
8 *States shall conduct a review of the results and implementa-*
9 *tion of the recommendations of the Army Audit Agency Au-*
10 *dits of the AMRG on contract oversight and return on in-*
11 *vestment. The review shall include an assessment of the ef-*
12 *fects of the implementation of the recommendations on the*
13 *AMRG leadership, workforce, and business practices, and*
14 *return on investment.*

15 **SEC. 893. PERMANENT SBIR AND STTR AUTHORITY FOR**
16 **THE DEPARTMENT OF DEFENSE.**

17 *Section 9 of the Small Business Act (15 U.S.C. 638)*
18 *is amended—*

19 (1) *in subsection (m), by inserting “, except with*
20 *respect to the Department of Defense” after “Sep-*
21 *tember 30, 2022”;* and

22 (2) *in subsection (n)(1)(A)—*

23 (A) *by inserting “(or, with respect to the*
24 *Department of Defense, any fiscal year)” after*
25 *“2022”;* and

1 (B) by inserting “(or, with respect to the
2 Department of Defense, for any fiscal year)”
3 after “for that fiscal year”.

4 **SEC. 894. PROCUREMENT OF TELECOMMUNICATIONS SUP-**
5 **PLIES FOR EXPERIMENTAL PURPOSES.**

6 Section 2373 of title 10, United States Code, is amend-
7 ed by inserting “telecommunications,” after “space flight,”.

8 **SEC. 895. ACCESS BY DEVELOPMENTAL AND OPERATIONAL**
9 **TESTING ACTIVITIES TO DATA REGARDING**
10 **MODELING AND SIMULATION ACTIVITY.**

11 (a) *IN GENERAL.*—Section 139(e) of title 10, United
12 States Code, is amended by adding at the end the following
13 new paragraph:

14 “(4) *The Director shall have prompt access to all data*
15 *regarding modeling and simulation activity proposed to be*
16 *used by military departments and defense agencies in sup-*
17 *port of operational or live fire test and evaluation of mili-*
18 *tary capabilities. This access shall include data associated*
19 *with verification, validation, and accreditation activities.”.*

20 (b) *ADDITIONAL TESTING DATA.*—*Developmental Test*
21 *and Evaluation activities under the leadership of the Under*
22 *Secretary of Defense for Research and Engineering and the*
23 *Under Secretary of Defense for Acquisition and*
24 *Sustainment shall have prompt access to all data regarding*
25 *modeling and simulation activity proposed to be used by*

1 *military departments and defense agencies in support of de-*
2 *velopmental test and evaluation of military capabilities.*
3 *This access shall include data associated with verification,*
4 *validation, and accreditation activities.*

5 **TITLE IX—DEPARTMENT OF DE-**
6 **FENSE ORGANIZATION AND**
7 **MANAGEMENT**

8 **Subtitle A—Office of the Secretary**
9 **of Defense and Related Matters**

10 **SEC. 901. POWERS AND DUTIES OF THE UNDER SECRETARY**
11 **OF DEFENSE FOR RESEARCH AND ENGINEER-**
12 **ING IN CONNECTION WITH PRIORITY EMERG-**
13 **ING TECHNOLOGIES.**

14 (a) *IN GENERAL.*—*In carrying out duties under sec-*
15 *tion 133a of title 10, United States Code, in connection*
16 *with the National Defense Strategy of the Department of*
17 *Defense of 2018, the Under Secretary of Defense for Re-*
18 *search and Engineering shall have the authority to direct*
19 *the Secretaries of the military departments, and the heads*
20 *of all other elements of the Department of Defense with re-*
21 *gard to matters for which the Under Secretary has responsi-*
22 *bility, with respect to programs, projects, and activities in*
23 *connection with technology areas given priority, including*
24 *technology areas as follows:*

25 (1) *Directed energy.*

1 (2) *Hypersonics.*

2 (3) *Artificial intelligence.*

3 (4) *Future space satellite architectures.*

4 (b) *DIRECTION OF SECRETARY OF DEFENSE.—*

5 (1) *IN GENERAL.—The Under Secretary shall*
6 *carry out any powers and duties under this section*
7 *under the authority, direction, and control of the Sec-*
8 *retary.*

9 (2) *CONSTRUCTION OF AUTHORITY.—Nothing in*
10 *this section may be construed as altering or revising*
11 *the authority, direction, and control of the Under Sec-*
12 *retary by the Secretary of Defense and the Deputy*
13 *Secretary of Defense.*

14 (c) *SATELLITE ARCHITECTURES.—*

15 (1) *NO DIRECTIONAL AUTHORITY FOR SPACE*
16 *LAUNCH VEHICLES.—The authority in subsection (a)*
17 *with respect to future space satellite architectures does*
18 *not include the following:*

19 (A) *Authority for space launch vehicles.*

20 (B) *Authority for direction of the Evolved*
21 *Expendable Launch Vehicle program, including*
22 *any program, project, or activity relating to the*
23 *Next Generation Launch System.*

24 (2) *FINAL DECISIONAL AUTHORITY ON ARCHI-*
25 *TECTURES.—The Deputy Secretary of Defense shall*

1 *have final decisional authority over any decision on*
2 *future space satellite architecture under the authority*
3 *in subsection (a). The Deputy Secretary shall exercise*
4 *such final decisional authority in consultation with*
5 *the Secretaries of the military departments.*

6 *(d) COORDINATION.—In executing powers and duties*
7 *under this section, the Under Secretary shall consult with*
8 *appropriate officials of the military departments and the*
9 *Defense Agencies in order to maximize support of effective*
10 *and efficient execution of the National Defense Strategy re-*
11 *ferred to in subsection (a).*

12 *(e) EXPIRATION.—The authority of the Under Sec-*
13 *retary under this section shall expire on the date that is*
14 *one year after the date of the enactment of this Act.*

15 **SEC. 902. REDESIGNATION AND MODIFICATION OF RESPON-**
16 **SIBILITIES OF UNDER SECRETARY OF DE-**
17 **ENSE FOR PERSONNEL AND READINESS.**

18 *(a) REDESIGNATION AND RESPONSIBILITIES AS*
19 *UNDER SECRETARY OF DEFENSE FOR PERSONNEL.—*

20 *(1) IN GENERAL.—Section 136 of title 10,*
21 *United States Code, is amended—*

22 *(A) by striking “and Readiness” each place*
23 *it appears; and*

24 *(B) by striking subsection (d).*

1 (2) *HEADING AMENDMENT.*—*The heading of such*
2 *section is amended to read as follows:*

3 **“§ 136. Under Secretary of Defense for Personnel”.**

4 (b) *DESIGNATION AS CHIEF HUMAN CAPITAL OFFI-*
5 *CER.*—*Such section is further amended—*

6 (1) *by inserting “(1)” after “(b)”;* and

7 (2) *by adding at the end the following new para-*
8 *graph:*

9 “(2) *The Under Secretary is the Chief Human Capital*
10 *Officer of the Department of Defense for purposes of chapter*
11 *14 of title 5.”.*

12 (c) *CLERICAL AMENDMENT.*—*The table of sections at*
13 *the beginning of chapter 4 of such title is amended by strik-*
14 *ing the item relating to section 136 and inserting the fol-*
15 *lowing new item:*

 “136. *Under Secretary of Defense for Personnel.*”.

16 (d) *OTHER CONFORMING AMENDMENTS.*—

17 (1) *TITLE 10, UNITED STATES CODE.*—*Title 10,*
18 *United States Code, is further amended as follows:*

19 (A) *In section 131(b)(3), by striking sub-*
20 *paragraph (E) and inserting the following new*
21 *subparagraph (E):*

22 “(D) *The Undersecretary of Defense for Per-*
23 *sonnel.*”.

24 (B) *In section 137(c), by striking “and*
25 *Readiness”.*

1 (2) *EXECUTIVE SCHEDULE LEVEL III.*—Section
2 5314 of title 5, United States Code, is amended by
3 striking the item relating to the Under Secretary of
4 Defense for Personnel and Readiness and inserting
5 the following new item:

6 “Under Secretary of Defense for Personnel.”.

7 (e) *REFERENCES.*—Any reference to the Under Sec-
8 retary of Defense for Personnel and Readiness in any law,
9 regulation, map, document, record, or other paper of the
10 United States shall be deemed to be a reference to the Under
11 Secretary of Defense for Personnel.

12 **SEC. 903. MODIFICATION OF RESPONSIBILITIES OF THE**
13 **UNDER SECRETARY OF DEFENSE FOR POL-**
14 **ICY.**

15 (a) *IN GENERAL.*—Paragraph (2) of section 134(b) of
16 title 10, United States Code, is amended to read as follows:

17 “(2) The Under Secretary shall assist the Secretary of
18 Defense in the following:

19 “(A) Preparing the National Defense Strategy,
20 as required by section 113 of this title.

21 “(B) Preparing policy guidance for the prepara-
22 tion of campaign and contingency plans by the com-
23 manders of the combatant commands, and in review-
24 ing such plans.

1 “(C) *Preparing policy guidance for the develop-*
2 *ment of the global force posture.*”

3 “(D) *Preparing policy guidance to direct the for-*
4 *mulation of program and budget requests by the mili-*
5 *tary departments and other elements of the Depart-*
6 *ment of Defense, and reviewing such requests in the*
7 *annual planning, programming, and budget process.*”

8 “(E) *Developing planning scenarios that describe*
9 *the present and future strategic and operational envi-*
10 *ronments by which to assess joint force capabilities*
11 *and readiness.*”

12 “(F) *Developing specific outcomes that the joint*
13 *force should be ready to achieve and conducting as-*
14 *sessments of the readiness of the joint force to achieve*
15 *such outcomes.*”

16 “(G) *Devising specific criteria to direct reviews*
17 *by the Director of Cost Assessment and Program*
18 *Evaluation of the implementation of the capability*
19 *and readiness priorities of the Secretary.”.*

20 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
21 *section (a) shall take effect on February 1, 2019.*

1 **SEC. 904. REPORT ON ALLOCATION OF FORMER RESPON-**
2 **SIBILITIES OF THE UNDER SECRETARY OF**
3 **DEFENSE FOR ACQUISITION, TECHNOLOGY,**
4 **AND LOGISTICS.**

5 *Not later than March 1, 2019, the Secretary of Defense*
6 *shall submit to the Committees on Armed Services of the*
7 *Senate and the House of Representatives a report setting*
8 *forth the following:*

9 (1) *A list of each provision of law, whether with-*
10 *in or outside title 10, United States Code, in force as*
11 *of the date of the report that, as of that date, assigns*
12 *a duty, responsibility, or other requirement to the*
13 *Under Secretary of Defense for Acquisition, Tech-*
14 *nology, and Logistics.*

15 (2) *For each duty, responsibility, or other re-*
16 *quirement specified in a provision of law listed pur-*
17 *suant to paragraph (1), the allocation of such duty,*
18 *responsibility, or requirement within the Department*
19 *of Defense, including—*

20 (A) *solely to the Under Secretary of Defense*
21 *for Research and Engineering;*

22 (B) *solely to the Under Secretary of Defense*
23 *for Acquisition and Sustainment;*

24 (C) *on a shared basis between the Under*
25 *Secretary of Defense for Research and Engineer-*

1 *ing and the Under Secretary of Defense for Ac-*
2 *quisition and Sustainment;*

3 *(D) solely to another official or organiza-*
4 *tion of the Department;*

5 *(E) on a shared basis between other officials*
6 *and organizations of the Department; or*

7 *(F) not allocated.*

8 **SEC. 905. ASSISTANT SECRETARY OF DEFENSE FOR STRAT-**
9 **EGY, PLANS, ASSESSMENTS, READINESS, AND**
10 **CAPABILITIES.**

11 *(a) IN GENERAL.—Section 138(b) of title 10, United*
12 *States Code, is amended by adding at the end the following*
13 *new paragraph:*

14 *“(5)(A) One of the Assistant Secretaries is the Assist-*
15 *ant Secretary of Defense for Strategy, Plans, Assessments,*
16 *Readiness and Capabilities.*

17 *“(B) The principal duty of the Assistant Secretary*
18 *shall be to support the Secretary of Defense in developing*
19 *the National Defense Strategy (as required by section 113*
20 *of this title) and related policy guidance for the campaign*
21 *and contingency plans, force development and defense pos-*
22 *ture priorities, and readiness objectives required to execute*
23 *the Strategy.*

24 *“(C) Subject to the authority, direction, and control*
25 *of the Secretary and the Under Secretary of Defense for Pol-*

1 *icy, the Assistant Secretary shall be responsible for the fol-*
2 *lowing:*

3 “(i) *In matters relating to strategy and force*
4 *planning, the following:*

5 “(I) *Supporting the Secretary and the*
6 *Under Secretary in preparing the National De-*
7 *fense Strategy.*

8 “(II) *Producing policy guidance to direct*
9 *the formulation of program and budget requests*
10 *by the military departments and other elements*
11 *of the Department, including the Defense Plan-*
12 *ning Guidance as required by section 113 of this*
13 *title, and review such program and budget re-*
14 *quests.*

15 “(III) *Proposing alternative force sizes and*
16 *structures, joint capabilities and concepts, and*
17 *roles and missions for the armed forces to inform*
18 *the development of annual program and budget*
19 *requests.*

20 “(ii) *In matters relating to plans and force pos-*
21 *ture, the following:*

22 “(I) *Supporting the Secretary and the*
23 *Under Secretary in producing policy guidance to*
24 *inform the development of campaign and contin-*
25 *gency plans by the commanders of the combatant*

1 *commands, including the Contingency Planning*
2 *Guidance for Employment of the Force and the*
3 *Global Defense Posture Report as required by*
4 *section 113 of this title, and reviewing such*
5 *plans.*

6 “(II) *Advising the Secretary and the Under*
7 *Secretary on alternative concepts for the employ-*
8 *ment and posture of the joint force to align with*
9 *the National Defense Strategy and other ap-*
10 *proved policy guidance of the Secretary.*

11 “(iii) *In matters relating to assessments, the fol-*
12 *lowing:*

13 “(I) *Developing planning scenarios that de-*
14 *scribe the present and future strategic and oper-*
15 *ational environments by which to assess joint*
16 *force capabilities and readiness.*

17 “(II) *Producing detailed assessments at the*
18 *strategic, campaign, and mission levels (includ-*
19 *ing through war games) to evaluate the present*
20 *and future capability and readiness of the armed*
21 *forces to conduct joint military campaigns or*
22 *competitions that are prioritized in approved*
23 *policy guidance of the Secretary.*

24 “(III) *Devising specific criteria to direct re-*
25 *views by the Director of Cost Assessment and*

1 *Program Evaluation of the implementation of*
2 *the capability and readiness priorities estab-*
3 *lished in approved policy guidance of the Sec-*
4 *retary.*

5 “(iv) *In matters relating to readiness, the fol-*
6 *lowing:*

7 “(I) *Describing the strategic, campaign,*
8 *and mission outcomes that the joint force should*
9 *be ready to achieve and by which joint force*
10 *readiness will be assessed, in accordance with*
11 *approved strategic guidance of the Secretary.*

12 “(II) *Conducting assessments of the readi-*
13 *ness of the joint force to perform the missions*
14 *prioritized in the National Defense Strategy and*
15 *other approved policy guidance of the Secretary,*
16 *including through the observation of military*
17 *training and exercises.*

18 “(v) *In matters relating to strategic capabilities,*
19 *developing and supervising policy, program planning*
20 *and execution, and allocation and use of resources for*
21 *any strategic capabilities designated by the Under*
22 *Secretary.”.*

23 (b) *EFFECTIVE DATE.*—*The amendment made by this*
24 *section shall take effect on February 1, 2019.*

1 **SEC. 906. CLARIFICATION OF RESPONSIBILITIES AND DU-**
2 **TIES OF THE CHIEF INFORMATION OFFICER**
3 **OF THE DEPARTMENT OF DEFENSE.**

4 *Section 142(b)(1) of title 10, United States Code, is*
5 *amended—*

6 *(1) in subparagraph (A), by inserting “(other*
7 *than with respect to business systems and manage-*
8 *ment)” after “sections 3506(a)(2)”;*

9 *(2) in subparagraph (B), by striking “section*
10 *11315 of title 40” and inserting “sections 11315 and*
11 *11319 of title 40 (other than with respect to business*
12 *systems and management)”;* and

13 *(3) in subparagraph (C), by striking “sections*
14 *2222, 2223(a), and 2224 of this title” and inserting*
15 *“sections 2223(a) (other than with respect to business*
16 *systems and management) and 2224 of this title”.*

17 **SEC. 907. SPECIFICATION OF CERTAIN DUTIES OF THE DE-**
18 **FENSE TECHNICAL INFORMATION CENTER.**

19 *(a) IN GENERAL.—In addition to any other duties*
20 *specified for the Defense Technical Information Center by*
21 *law, regulation, or Department of Defense directive or in-*
22 *struction, the duties of the Center shall include the fol-*
23 *lowing:*

24 *(1) To execute the Global Research Watch Pro-*
25 *gram under section 2365 of title 10, United States*
26 *Code.*

1 (2) *To develop and maintain datasets and other*
2 *data repositories on research and engineering activi-*
3 *ties being conducted within the Department.*

4 (b) *ACTION PLAN.*—*Not later than 90 days after the*
5 *date of the enactment of this Act, the Secretary of Defense*
6 *shall submit to the Committees on Armed Services of the*
7 *Senate and the House of Representatives a plan of action*
8 *for the commencement by the Defense Technical Informa-*
9 *tion Center of the duties specified in subsection (a).*

10 **SEC. 908. LIMITATION ON TERMINATION OF, AND TRANS-**
11 **FER OF FUNCTIONS, RESPONSIBILITIES, AND**
12 **ACTIVITIES OF, THE STRATEGIC CAPABILI-**
13 **TIES OFFICE.**

14 (a) *LIMITATION.*—*The Secretary of Defense may not*
15 *terminate the Strategic Capabilities Office or transfer the*
16 *functions or responsibilities of such office to another entity*
17 *or organization until the Secretary—*

18 (1) *certifies to the congressional defense commit-*
19 *tees that the key functions, responsibilities, and ac-*
20 *tivities of the office will be replicated and managed*
21 *elsewhere after such office has been terminated or its*
22 *functions, responsibilities, or activities have been*
23 *transferred;*

24 (2) *submits to the congressional defense commit-*
25 *tees—*

1 (A) a plan to replicate and manage such
2 functions, responsibilities, and activities else-
3 where; and

4 (B) if the Secretary decides that the Stra-
5 tegic Capabilities Office, or subsequent entity,
6 should report to an official other than the Under
7 Secretary for Research and Engineering, a jus-
8 tification for such decision.

9 (b) **KEY FUNCTIONS.**—The key functions of the office
10 referred to in subsection (a)(1) are the following:

11 (1) Repurposing existing Government and com-
12 mercial systems for new technological advantage.

13 (2) Developing novel concepts of operation that
14 are lower cost, more effective, and more responsive to
15 changing threats than traditional concepts of oper-
16 ation.

17 (3) Developing joint systems and concepts of op-
18 erations to meet emerging threats and military re-
19 quirements based on partnerships with the military
20 services and combatant commanders.

21 (4) Developing prototypes and new concepts of
22 operations that can inform the development of re-
23 quirements and the establishment of acquisition pro-
24 grams.

1 (5) *Such other functions as the Secretary con-*
2 *siders appropriate.*

3 **SEC. 909. TECHNICAL CORRECTIONS TO DEPARTMENT OF**
4 **DEFENSE TEST RESOURCE MANAGEMENT**
5 **CENTER AUTHORITY.**

6 Section 196 of title 10, United States Code, is amended
7 *in subsections (c)(1)(B) and (g) by striking “Under Sec-*
8 *retary of Defense for Acquisition, Technology, and Logis-*
9 *tics” and inserting “Under Secretary of Defense for Re-*
10 *search and Engineering”.*

11 ***Subtitle B—Organization and Man-***
12 ***agement of Other Department of***
13 ***Defense Offices and Elements***

14 **SEC. 921. MODIFICATION OF CERTAIN RESPONSIBILITIES**
15 **OF THE CHAIRMAN OF THE JOINT CHIEFS OF**
16 **STAFF RELATING TO JOINT FORCE CONCEPT**
17 **DEVELOPMENT.**

18 Subparagraph (D) of section 153(a)(6) of title 10,
19 *United States Code, is amended to read as follows:*

20 *“(D) formulating policies for development*
21 *and experimentation on both urgent and long-*
22 *term concepts for the joint employment of the*
23 *armed forces, including establishment of a proc-*
24 *ess within the Joint Staff for—*

1 “(i) analyzing and prioritizing gaps
2 in capabilities that could potentially be ad-
3 dressed by joint concept development using
4 existing or modified joint force capabilities;
5 and

6 “(ii) ensuring that such joint concepts
7 are tested, assessed and, if appropriate,
8 fielded to support the joint force;”.

9 **SEC. 922. ASSISTANT SECRETARY OF DEFENSE FOR SPE-**
10 **CIAL OPERATIONS AND LOW-INTENSITY CON-**
11 **FLICT REVIEW OF UNITED STATES SPECIAL**
12 **OPERATIONS COMMAND.**

13 (a) *REVIEW REQUIRED.*—The Assistant Secretary of
14 Defense for Special Operations and Low-Intensity Conflict
15 shall, in coordination with the Commander of the United
16 States Special Operations Command, conduct a comprehen-
17 sive review of the United States Special Operations Com-
18 mand for purposes of ensuring that the institutional and
19 operational capabilities of special operations forces are ap-
20 propriate to counter anticipated future threats across the
21 spectrum of conflict.

22 (b) *SCOPE OF REVIEW.*—The review required by sub-
23 section (a) shall include, at a minimum, the following:

24 (1) An assessment of the adequacy of special op-
25 erations forces doctrine, organization, training, mate-

1 *riel, education, personnel, and facilities to implement*
2 *the 2018 National Defense Strategy, and rec-*
3 *ommendations, if any, for modifications for that pur-*
4 *pose.*

5 *(2) An assessment of the roles and responsibil-*
6 *ities of special operations forces as assigned by law,*
7 *Department of Defense guidance, or other formal des-*
8 *ignation and recommendations, if any, for additions*
9 *to or divestitures of such roles or responsibilities.*

10 *(3) An assessment of the adequacy of the proc-*
11 *esses through which the United States Special Oper-*
12 *ations Command evaluates and prioritizes the re-*
13 *quirements at the geographic combatant commands*
14 *for special operations forces and special operations-*
15 *unique capabilities and makes recommendations on*
16 *the allocation of special operations forces and special*
17 *operations-unique capabilities to meet such require-*
18 *ments, and recommendations, if any, for modifica-*
19 *tions of such processes.*

20 *(4) Any other matters the Assistant Secretary*
21 *considers appropriate.*

22 *(c) DEADLINES.—*

23 *(1) COMPLETION OF REVIEW.—The review re-*
24 *quired by subsection (a) shall be completed by not*

1 *later than 270 days after the date of the enactment*
2 *of this Act.*

3 (2) *REPORT.*—*Not later than 30 days after com-*
4 *pletion of the review, the Assistant Secretary shall*
5 *submit to the congressional defense committees a re-*
6 *port on the review, including the findings and any*
7 *recommendations of the Assistant Secretary as a re-*
8 *sult of the review.*

9 **SEC. 923. QUALIFICATIONS FOR APPOINTMENT AS DEPUTY**
10 **CHIEF MANAGEMENT OFFICER OF A MILI-**
11 **TARY DEPARTMENT.**

12 (a) *DEPARTMENT OF THE ARMY.*—*An individual may*
13 *not be appointed as Deputy Chief Management Officer of*
14 *the Department of the Army unless the individual—*

15 (1) *has significant experience in business oper-*
16 *ations or management in the public sector; or*

17 (2) *has significant experience managing an en-*
18 *terprise in the private sector.*

19 (b) *DEPARTMENT OF THE NAVY.*—*An individual may*
20 *not be appointed as Deputy Chief Management Officer of*
21 *the Department of the Navy unless the individual—*

22 (1) *has significant experience in business oper-*
23 *ations or management in the public sector; or*

24 (2) *has significant experience managing an en-*
25 *terprise in the private sector.*

1 (c) *DEPARTMENT OF THE AIR FORCE.*—An individual
2 may not be appointed as Deputy Chief Management Officer
3 of the Department of the Air Force unless the individual—

4 (1) has significant experience in business oper-
5 ations or management in the public sector; or

6 (2) has significant experience managing an en-
7 terprise in the private sector.

8 **SEC. 924. EXPANSION OF PRINCIPAL DUTIES OF ASSISTANT**
9 **SECRETARY OF THE NAVY FOR RESEARCH,**
10 **DEVELOPMENT, AND ACQUISITION.**

11 Section 5016(b)(4)(A) of title 10, United States Code,
12 is amended by striking “and acquisition matters” and in-
13 serting “acquisition, and sustainment (including mainte-
14 nance) matters”.

15 **SEC. 925. CROSS-FUNCTIONAL TEAMS IN THE DEPARTMENT**
16 **OF DEFENSE.**

17 (a) *ESTABLISHMENT OF CERTAIN TEAMS.*—

18 (1) *IN GENERAL.*—Among the cross-functional
19 teams established by the Secretary of Defense pursu-
20 ant to subsection (c) of section 911 of the National
21 Defense Authorization Act for Fiscal Year 2017 (Pub-
22 lic Law 114–328; 130 Stat. 2345; 10 U.S.C. 111 note)
23 in support of the organizational strategy for the De-
24 partment of Defense required by subsection (a) of that

1 *section, the Secretary shall establish a cross-functional*
2 *team on each matter as follows:*

3 *(A) Electronic warfare.*

4 *(B) Personnel security.*

5 *(C) Close combat lethality.*

6 *(2) ESTABLISHMENT AND ACTIVITIES.—Each*
7 *cross-functional team established pursuant to para-*
8 *graph (1) shall be established in accordance with sub-*
9 *section (c) of section 911 of the National Defense Au-*
10 *thorization Act for Fiscal Year 2017, and shall be*
11 *governed in its activities in accordance with the pro-*
12 *visions of such subsection (c).*

13 *(3) DEADLINE FOR ESTABLISHMENT.—The cross-*
14 *functional teams required by paragraph (1) shall be*
15 *established by not later than 90 days after the date*
16 *of the enactment of this Act.*

17 *(b) ADDITIONAL CROSS-FUNCTIONAL TEAMS MAT-*
18 *TERS.—*

19 *(1) CRITERIA FOR DISTINGUISHING AMONG*
20 *CROSS-FUNCTIONAL TEAMS.—Not later than 60 days*
21 *after the date of the enactment of this Act, the Sec-*
22 *retary shall issue criteria that distinguish cross-func-*
23 *tional teams under section 911 of the National De-*
24 *fense Authorization Act for Fiscal Year 2017 from*
25 *other types of cross-functional working groups, com-*

1 *mittees, integrated product teams, and task forces of*
2 *the Department.*

3 (2) *PRIMARY RESPONSIBILITY FOR IMPLEMENTA-*
4 *TION OF TEAMS.—The Deputy Secretary of Defense*
5 *shall establish or designate an office within the De-*
6 *partment that shall have primary responsibility for*
7 *implementing section 911 of the National Defense Au-*
8 *thorization Act for Fiscal Year 2017.*

9 **SEC. 926. DEADLINE FOR COMPLETION OF FULL IMPLEMEN-**
10 **TATION OF REQUIREMENTS IN CONNECTION**
11 **WITH ORGANIZATION OF THE DEPARTMENT**
12 **OF DEFENSE FOR MANAGEMENT OF SPECIAL**
13 **OPERATIONS FORCES AND SPECIAL OPER-**
14 **ATIONS.**

15 *The Secretary of Defense shall ensure that the imple-*
16 *mentation of section 922 of the National Defense Authoriza-*
17 *tion Act for Fiscal Year 2017 (Public Law 114–328; 130*
18 *Stat. 2354) and the amendments made by that section is*
19 *fully complete by not later than 90 days after the date of*
20 *the enactment of this Act.*

1 ***Subtitle C—Organization and Man-***
2 ***agement of the Department of***
3 ***Defense Generally***

4 ***SEC. 931. LIMITATION ON AVAILABILITY OF FUNDS FOR***
5 ***MAJOR HEADQUARTERS ACTIVITIES OF THE***
6 ***DEPARTMENT OF DEFENSE.***

7 *(a) IN GENERAL.—Chapter 2 of title 10, United States*
8 *Code, is amended by inserting after section 117 the fol-*
9 *lowing new section:*

10 ***“§118. Major headquarters activities: limitation on***
11 ***funds available***

12 *“(a) OVERALL LIMITATION.—In any fiscal year after*
13 *fiscal year 2020, the aggregate amount that may be obli-*
14 *gated and expended on major headquarters activities may*
15 *not exceed an amount equal to 1.6 percent of the average*
16 *amount authorized to be appropriated for the Department*
17 *of Defense (including for overseas contingency operations)*
18 *over the 10 fiscal years ending with the preceding fiscal*
19 *year.*

20 *“(b) LIMITATIONS ON AVAILABILITY FOR PARTICULAR*
21 *ACTIVITIES.—Within the amount available for a fiscal year*
22 *pursuant to subsection (a), amounts shall be available as*
23 *follows:*

24 *“(1) For the Office of the Secretary of Defense,*
25 *not more than an amount equal to 0.4 percent of the*

1 *average amount authorized to be appropriated for the*
2 *Department of Defense (including for overseas contin-*
3 *gency operations) over the 10 fiscal years ending with*
4 *the preceding fiscal year.*

5 “(2) *For the major headquarters activities of a*
6 *military department, not more than an amount equal*
7 *to 1 percent of the average amount authorized to be*
8 *appropriated for the Department of Defense (includ-*
9 *ing for overseas contingency operations) for such mili-*
10 *tary department over the 10 fiscal years ending with*
11 *the preceding fiscal year.*

12 “(c) *DISTRIBUTION OF REMAINING FUNDS.—Any*
13 *funds available in a fiscal year for major headquarters ac-*
14 *tivities under subsection (a) after the operation of sub-*
15 *section (b) in connection with such fiscal year may be dis-*
16 *tributed for availability by the Secretary of Defense among*
17 *any major headquarters activities other than the Office of*
18 *the Secretary of Defense.*

19 “(d) *DEFINITIONS.—In this section:*

20 “(1) *The term ‘major headquarters activities’ has*
21 *the meaning given the term ‘major Department of De-*
22 *fense headquarters activities’ in section 346(b)(3) of*
23 *the National Defense Authorization Act for Fiscal*
24 *Year 2016 (10 U.S.C. 111 note).*

1 “(2) *The term ‘major headquarters activities of*
2 *a military department’ means the following:*

3 “(A) *In the case of the Army, the Office of*
4 *the Secretary of the Army and the Army Staff.*

5 “(B) *In the case of the Navy, the Office of*
6 *the Secretary of the Navy, the Office of the Chief*
7 *of Naval Operations, and Headquarters, Marine*
8 *Corps.*

9 “(C) *In the case of the Air Force, the Office*
10 *of the Secretary of the Air Force and the Air*
11 *Staff.*

12 “(3) *The term ‘Office of the Secretary of Defense’*
13 *includes the Joint Staff.’’.*

14 (b) *CLERICAL AMENDMENT.—The table of sections at*
15 *the beginning of chapter 2 of such title is amended by in-*
16 *serting after the item relating to section 117 the following*
17 *new item:*

 “118. *Major headquarters activities: limitation on funds available.’’.*

18 **SEC. 932. RESPONSIBILITY FOR POLICY ON CIVILIAN CAS-**
19 **UALTY MATTERS.**

20 (a) *DESIGNATION OF SENIOR CIVILIAN OFFICIAL.—*
21 *Not later than 90 days after the date of the enactment of*
22 *this Act, the Under Secretary of Defense for Policy shall*
23 *designate a senior civilian official of the Department of De-*
24 *fense at or above the level of Assistant Secretary of Defense*
25 *to develop, coordinate, and oversee compliance with the pol-*

1 *icy of the Department relating to civilian casualties result-*
2 *ing from United States military operations.*

3 (b) *RESPONSIBILITIES.—The senior civilian official*
4 *designated under subsection (a) shall ensure that the policy*
5 *referred to in that subsection provides for—*

6 (1) *uniform processes and standards across the*
7 *combatant commands for accurately recording kinetic*
8 *strikes by the United States military;*

9 (2) *the development and dissemination of best*
10 *practices for reducing the likelihood of civilian cas-*
11 *ualties from United States military operations;*

12 (3) *the development of a publicly available Inter-*
13 *net portal for the submittal of allegations of civilian*
14 *casualties resulting from United States military oper-*
15 *ations;*

16 (4) *uniform processes and standards across the*
17 *combatant commands for reviewing and investigating*
18 *allegations of civilian casualties resulting from*
19 *United States military operations, including the con-*
20 *sideration of relevant information from all available*
21 *sources;*

22 (5) *uniform processes and standards across the*
23 *combatant commands for—*

24 (A) *acknowledging the responsibility of the*
25 *United States military for civilian casualties re-*

1 *sulting from United States military operations;*
2 *and*

3 *(B) offering ex gratia payments to civilians*
4 *who have been injured, or to the families of civil-*
5 *ians killed, as a result of United States military*
6 *operations, as determined to be necessary by the*
7 *designated senior civilian official;*

8 *(6) regular engagement with relevant intergov-*
9 *ernmental and nongovernmental organizations; and*

10 *(7) public affairs guidance with respect to mat-*
11 *ters relating to civilian casualties alleged or con-*
12 *firmed to have resulted from United States military*
13 *operations; and*

14 *(8) such other matters with respect to civilian*
15 *casualties resulting from United States military oper-*
16 *ations as the designated senior civilian official con-*
17 *siders appropriate.*

18 *(c) REPORT.—Not later than 180 days after the date*
19 *of the enactment of this Act, the senior civilian official des-*
20 *ignated under subsection (a) shall submit to the congres-*
21 *sional defense committees a report that describes—*

22 *(1) the policy developed by the senior civilian of-*
23 *ficial under that subsection; and*

24 *(2) the efforts of the Department to implement*
25 *such policy.*

1 **SEC. 933. ADDITIONAL MATTERS IN CONNECTION WITH**
2 **BACKGROUND AND SECURITY INVESTIGA-**
3 **TIONS FOR DEPARTMENT OF DEFENSE PER-**
4 **SONNEL.**

5 (a) *ADDITIONAL MATTER FOR ANNUAL REPORTS.*—
6 *Subsection (k)(3) of section 925 of the National Defense Au-*
7 *thorization Act for Fiscal Year 2018 (Public Law 115–91)*
8 *is amended—*

9 (1) *by redesignating subparagraphs (H) through*
10 *(L) as subparagraphs (I) through (M), respectively;*
11 *and*

12 (2) *by inserting after subparagraph (G) the fol-*
13 *lowing new subparagraph (H):*

14 “(H) *The number of denials or revocations*
15 *of a security clearance by each authorized adju-*
16 *dicative agency that occurred separately from a*
17 *periodic reinvestigation.”.*

18 (b) *SENSE OF CONGRESS.*—*Such section is further*
19 *amended—*

20 (1) *by redesignating subsection (l) as subsection*
21 *(m); and*

22 (2) *by inserting after subsection (k) the following*
23 *new subsection (l):*

24 “(l) *SENSE OF CONGRESS.*—*It is the sense of Congress*
25 *that—*

1 “(1) *personnel security investigations, and con-*
2 *tinuous evaluation, form an integral part of the secu-*
3 *rity posture of the Department of Defense; and*

4 “(2) *to the extent practicable, the Department*
5 *should coordinate with the security executive agent to*
6 *ensure that the results of adjudication decisions, ei-*
7 *ther within initial investigations or reinvestigations,*
8 *are communicated in a transparent manner to ensure*
9 *public trust in the adjudication process.”.*

10 **SEC. 934. PROGRAM OF EXPEDITED SECURITY CLEARANCES**

11 **FOR MISSION-CRITICAL POSITIONS.**

12 (a) *IN GENERAL.*—*Not later than 90 days after the*
13 *date of the enactment of this Act, the Security Executive*
14 *Agent shall establish a program for the expedited processing*
15 *of security clearances for mission-critical positions, fulfilled*
16 *by either Government or contract employees. Under such*
17 *program, the Security Executive Agent shall complete the*
18 *processing of applications for security clearances—*

19 (1) *at the secret level in 15 or fewer days; and*

20 (2) *at the top secret level in 45 days or fewer.*

21 (b) *SECURITY EXECUTIVE AGENT.*—*In this section, the*
22 *term “Security Executive Agent” means the Director of Na-*
23 *tional Intelligence acting as the Security Executive Agent*
24 *in accordance with Executive Order 13467 (73 Fed. Reg.*
25 *38103; 50 U.S.C. 3161 note).*

1 **SEC. 935. INFORMATION SHARING PROGRAM FOR POSI-**
2 **TIONS OF TRUST.**

3 (a) *PROGRAM REQUIRED.*—Not later than 90 days
4 after the date of the enactment of this Act, the Security Ex-
5 ecutive Agent shall establish a program to share between
6 and among Federal Government agencies and industry
7 partners of the Federal Government information regarding
8 individuals applying for and in positions of trust, includ-
9 ing derogatory and suitability information.

10 (b) *PRIVACY SAFEGUARDS.*—The Security Executive
11 Agent shall ensure that the program required by subsection
12 (a) includes such safeguards for privacy as the Security Ex-
13 ecutive Agent considers appropriate.

14 (c) *PROVISION OF INFORMATION TO THE PRIVATE*
15 *SECTOR.*—The Security Executive Agent shall ensure that
16 under the program required by subsection (a) sufficient in-
17 formation is provided to the private sector so that employers
18 in the private sector can make informed decisions about hir-
19 ing and retention in positions of trust, while safeguarding
20 personnel privacy.

21 (d) *IMPLEMENTATION PLAN.*—

22 (1) *IN GENERAL.*—Not later than 90 days after
23 the date of the enactment of this Act, the Security Ex-
24 ecutive Agent shall submit to Congress a plan for the
25 implementation of the program required by subsection
26 (a).

1 (2) *CONTENTS.*—*The plan required by para-*
2 *graph (1) shall include the following:*

3 (A) *Matters that address privacy, security,*
4 *and human resources processes.*

5 (B) *Such recommendations as the Security*
6 *Executive Agent may have for legislative or ad-*
7 *ministrative action to carry out or improve the*
8 *program.*

9 (e) *SECURITY EXECUTIVE AGENT.*—*In this section, the*
10 *term “Security Executive Agent” means the Director of Na-*
11 *tional Intelligence acting as the Security Executive Agent*
12 *in accordance with Executive Order 13467 (73 Fed. Reg.*
13 *38103; 50 U.S.C. 3161 note).*

14 **SEC. 936. REPORT ON CLEARANCE IN PERSON CONCEPT.**

15 (a) *REPORT REQUIRED.*—*Not later than 90 days after*
16 *the date of the enactment of this Act, the Security Executive*
17 *Agent shall submit to congressional defense and intelligence*
18 *committees a report on the requirements, feasibility, and*
19 *advisability of implementing a clearance in person concept*
20 *as described in subsection (b) for maintaining access to*
21 *classified information.*

22 (b) *CLEARANCE IN PERSON CONCEPT.*—

23 (1) *IN GENERAL.*—*Implementation of a clear-*
24 *ance in person concept as described in this subsection*
25 *would permit an individual who has been granted a*

1 *national security clearance to maintain eligibility for*
2 *access to classified information, networks, and facili-*
3 *ties after the individual has separated from service to*
4 *the Federal Government or transferred to a position*
5 *that no longer requires access to classified informa-*
6 *tion.*

7 (2) *RECOGNITION AS CURRENT.*—*The concept de-*
8 *scribed in paragraph (1) would also ensure that, un-*
9 *less otherwise directed by the Security Executive*
10 *Agent, the individual’s security clearance would be*
11 *recognized as current, regardless of employment sta-*
12 *tus, with no further need for investigation or re-*
13 *validation until the individual obtains a position re-*
14 *quiring access to classified information.*

15 (c) *CONTENTS.*—*The report required by subsection (a)*
16 *shall address the following:*

17 (1) *Requirements for continuous vetting.*

18 (2) *Appropriate safeguards for privacy.*

19 (3) *An appropriate funding model.*

20 (4) *Fairness to small business concerns and*
21 *independent contractors.*

22 (d) *SECURITY EXECUTIVE AGENT.*—*In this section, the*
23 *term “Security Executive Agent” means the Director of Na-*
24 *tional Intelligence acting as the Security Executive Agent*

1 *in accordance with Executive Order 13467 (73 Fed. Reg.*
2 *38103; 50 U.S.C. 3161 note).*

3 **SEC. 937. STRATEGIC DEFENSE FELLOWS PROGRAM.**

4 (a) *FELLOWSHIP PROGRAM.*—

5 (1) *IN GENERAL.*—*Not later than one year after*
6 *the date of the enactment of this Act, the Secretary of*
7 *Defense shall establish within the Department of De-*
8 *fense a civilian fellowship program designed to pro-*
9 *vide leadership development and the commencement of*
10 *a career track toward senior leadership in the Depart-*
11 *ment.*

12 (2) *DESIGNATION.*—*The fellowship program shall*
13 *be known as the “Strategic Defense Fellows Program”*
14 *(in this section referred to as the “fellows program”).*

15 (b) *ELIGIBILITY.*—*An individual is eligible for par-*
16 *ticipation in the fellows program if the individual—*

17 (1) *is a citizen of the United States or a lawful*
18 *permanent resident of the United States in the year*
19 *in which the individual applies for participation in*
20 *the fellows program; and*

21 (2) *either—*

22 (A) *possesses a graduate degree from an ac-*
23 *credited institution of higher education in the*
24 *United States that was awarded not later than*

1 *two years before the date of the acceptance of the*
2 *individual into the fellows program; or*

3 *(B) will be awarded a graduate degree from*
4 *an accredited institution of higher education in*
5 *the United States not later than six months after*
6 *the date of the acceptance of the individual into*
7 *the fellows program.*

8 *(c) APPLICATION.—*

9 *(1) APPLICATION REQUIRED.—Each individual*
10 *seeking to participate in the fellows program shall*
11 *submit to the Secretary an application therefor at*
12 *such time and in such manner as the Secretary shall*
13 *specify.*

14 *(2) ELEMENTS.—Each application of an indi-*
15 *vidual under this subsection shall include the fol-*
16 *lowing:*

17 *(A) Transcripts of educational achievement*
18 *at the undergraduate and graduate level.*

19 *(B) A resume.*

20 *(C) Proof of citizenship or lawful perma-*
21 *nent residence.*

22 *(D) An endorsement from the applicant's*
23 *graduate institution of higher education.*

24 *(E) An academic writing sample.*

1 (F) *Letters of recommendation addressing*
2 *the applicant's character, academic ability, and*
3 *any extracurricular activities.*

4 (G) *A personal statement by the applicant*
5 *explaining career areas of interest and motiva-*
6 *tions for service in the Department.*

7 (H) *Such other information as the Sec-*
8 *retary considers appropriate.*

9 (d) *SELECTION.—*

10 (1) *IN GENERAL.—Each year, the Secretary shall*
11 *select participants in the fellows program from among*
12 *applicants for the fellows program for such year who*
13 *qualify for participation in the fellows program based*
14 *on character, commitment to public service, academic*
15 *achievement, extracurricular activities, and such*
16 *other qualifications for participation in the fellows*
17 *program as the Secretary considers appropriate.*

18 (2) *NUMBER.—The number of individuals se-*
19 *lected to participate in the fellows program in any*
20 *year may not exceed the numbers as follows:*

21 (A) *Ten individuals from each geographic*
22 *region of the United States as follows:*

23 (i) *The Northeast.*

24 (ii) *The Southeast.*

25 (iii) *The Midwest.*

1 (iv) *The Southwest.*

2 (v) *The West.*

3 (B) *Ten additional individuals.*

4 (3) *BACKGROUND INVESTIGATION.*—*An indi-*
5 *vidual selected to participate in the fellows program*
6 *may not participate in the program unless the indi-*
7 *vidual successfully undergoes a background investiga-*
8 *tion applicable to the position to which the individual*
9 *will be assigned under the fellows program and other-*
10 *wise meets such requirements applicable to assign-*
11 *ment to a sensitive position within the Department*
12 *that the Secretary considers appropriate.*

13 (e) *ASSIGNMENT.*—

14 (1) *IN GENERAL.*—*Each individual who partici-*
15 *pates in the fellows program shall be assigned to a po-*
16 *sition in the Office of the Secretary of Defense.*

17 (2) *POSITION REQUIREMENTS.*—*Each Under*
18 *Secretary of Defense and each Director of a Defense*
19 *Agency who reports directly to the Secretary shall*
20 *submit to the Secretary each year the qualifications*
21 *and skills to be demonstrated by participants in the*
22 *fellows program to qualify for assignment under this*
23 *subsection for service in a position of the office of such*
24 *Under Secretary or Director.*

1 (3) *ASSIGNMENT TO POSITIONS.*—*The Secretary*
2 *shall each year assign participants in the fellows pro-*
3 *gram to positions in the offices of the Under Secre-*
4 *taries and Directors described in paragraph (2). In*
5 *making such assignments, the Secretary shall seek to*
6 *best match the qualifications and skills of partici-*
7 *pants in the fellows program with the requirements of*
8 *positions available for assignment. Each participant*
9 *so assigned shall serve as a special assistant to the*
10 *Under Secretary or Director to whom assigned.*

11 (4) *TERM.*—*The term of each assignment under*
12 *the fellows program shall be one year.*

13 (5) *PAY AND BENEFITS.*—*An individual assigned*
14 *to a position under the fellows program shall be com-*
15 *pensated at the rate of compensation for employees at*
16 *level GS–10 of the General Schedule, and shall be*
17 *treated as an employee of the United States during*
18 *the term of assignment, including for purposes of eli-*
19 *gibility for health care benefits and retirement bene-*
20 *fits available to employees of the United States.*

21 (6) *EDUCATION LOAN REPAYMENT.*—*To the ex-*
22 *tent that funds are provided in advance in appro-*
23 *priations Acts, the Secretary may repay any loan of*
24 *a participant in the fellows program if the loan is de-*
25 *scribed by subparagraph (A), (B), or (C) of section*

1 16301(a)(1) of title 10, United States Code. Any re-
2 payment of loans under this paragraph shall be on a
3 first-come, first-served basis.

4 (f) CAREER DEVELOPMENT.—

5 (1) IN GENERAL.—The Secretary shall ensure
6 that participants in the fellows program—

7 (A) receive opportunities and support ap-
8 propriate for the commencement of a career track
9 within the Department leading toward a future
10 position of senior leadership within the Depart-
11 ment, including ongoing mentorship support
12 through appropriate personnel from entities
13 within the Department such as the Defense Busi-
14 ness Board and the Defense Innovation Board;
15 and

16 (B) are provided appropriate opportunities
17 for employment and advancement within the De-
18 partment upon successful completion of the fel-
19 lows program.

20 (2) RESERVATION OF POSITIONS.—In carrying
21 out paragraph (1)(B), the Secretary shall reserve for
22 participants who successfully complete the fellows pro-
23 gram not fewer than 30 positions in the excepted serv-
24 ice within the Department that are suitable for the
25 commencement of a career track toward senior leader-

1 *ship within the Department. Any position so reserved*
2 *shall not be subject to or covered by any reduction in*
3 *headquarters personnel required under any other pro-*
4 *vision of law.*

5 (3) *NONCOMPETITIVE APPOINTMENT.*—*Upon the*
6 *successful completion of the assignment of a partici-*
7 *part in the fellows program in a position pursuant*
8 *to subsection (e), the Secretary may, without regard*
9 *to the provisions of subchapter I of chapter 33 of title*
10 *5, United States Code, appoint the participant to a*
11 *position reserved pursuant to paragraph (2) if the*
12 *Secretary determines that such appointment will con-*
13 *tribute to the development of highly qualified future*
14 *senior leaders for the Department.*

15 (4) *PUBLICATION OF SELECTION.*—*The Secretary*
16 *shall publish on an Internet website of the Depart-*
17 *ment available to the public the names of the individ-*
18 *uals selected to participate in the fellows program.*

19 (g) *OUTREACH.*—*The Secretary shall undertake appro-*
20 *priate outreach to inform potential participants in the fel-*
21 *lows program of the nature and benefits of participation*
22 *in the fellows program.*

23 (h) *REGULATIONS.*—*The Secretary shall carry out this*
24 *section in accordance with such regulations as the Secretary*
25 *may prescribe for purposes of this section.*

1 (i) *FUNDING.*—*Of the amounts authorized to be appro-*
 2 *riated for each fiscal year for the Department of Defense*
 3 *for operation and maintenance, Defense-wide, \$10,000,000*
 4 *may be available to carry out the fellows program in such*
 5 *fiscal year.*

6 ***Subtitle D—Other Matters***

7 ***SEC. 941. ANALYSIS OF DEPARTMENT OF DEFENSE BUSI-***
 8 ***NESS MANAGEMENT AND OPERATIONS***
 9 ***DATASETS TO PROMOTE SAVINGS AND EFFI-***
 10 ***CIENCIES.***

11 (a) *IN GENERAL.*—*The Chief Management Officer of*
 12 *the Department of Defense shall develop a policy on anal-*
 13 *ysis of Department of Defense datasets on business manage-*
 14 *ment and business operations by the public for purposes*
 15 *of accessing data analysis capabilities that would promote*
 16 *savings and efficiencies and otherwise enhance the utility*
 17 *of such datasets to the Department.*

18 (b) *INITIAL DISCHARGE OF POLICY.*—

19 (1) *IN GENERAL.*—*The Chief Management Offi-*
 20 *cer shall commence the discharge of the policy re-*
 21 *quired pursuant to subsection (a) by—*

22 (A) *identifying one or more matters—*

23 (i) *that are of significance to the De-*
 24 *partment of Defense;*

25 (ii) *that are currently unresolved; and*

1 (iii) whose resolution from a business
2 management or business operations dataset
3 of the Department could benefit from a
4 method or technique of analysis not cur-
5 rently familiar to the Department;

6 (B) identifying between three and five busi-
7 ness management or business operations datasets
8 of the Department not currently available to the
9 public whose evaluation could result in novel
10 data analysis solutions toward management or
11 operations problems of the Department identified
12 by the Chief Management Officer; and

13 (C) encouraging, whether by competition or
14 other mechanisms, the evaluation of the datasets
15 described in subparagraph (B) by appropriate
16 persons and entities in the public or private sec-
17 tor (including academia).

18 (2) *PROTECTION OF SECURITY AND CONFIDEN-*
19 *TIALITY.*—In providing for the evaluation of datasets
20 pursuant to this subsection, the Chief Management
21 Officer shall take appropriate actions to protect the
22 security and confidentiality of any information con-
23 tained in the dataset, including through special pre-
24 cautions to ensure that any personally identifiable in-

1 *formation is not included and no release of informa-*
2 *tion will adversely affect national security missions.*

3 **SEC. 942. RESEARCH AND DEVELOPMENT TO ADVANCE CA-**
4 **PABILITIES OF THE DEPARTMENT OF DE-**
5 **FENSE IN DATA INTEGRATION AND AD-**
6 **VANCED ANALYTICS IN CONNECTION WITH**
7 **PERSONNEL SECURITY.**

8 *(a) PLAN REQUIRED.—The Under Secretary of De-*
9 *fense for Intelligence shall develop a plan on research and*
10 *development activities to advance the capabilities of the De-*
11 *partment of Defense in data integration and advanced ana-*
12 *lytics in connection with personnel security activities of the*
13 *Department. The plan shall, to the extent practicable, pro-*
14 *vide for the leveraging of the capabilities of other govern-*
15 *ment entities, institutions of higher education, and private*
16 *sector entities with advanced, leading-edge expertise in data*
17 *integration and analytics applicable to the challenges faced*
18 *by the Department in connection with personnel security.*

19 *(b) COORDINATION.—Any activities under the plan*
20 *may be carried out in coordination with the Defense Digital*
21 *Service and the Defense Innovation Board.*

22 *(c) BRIEFING.—Not later than 180 days after the date*
23 *of the enactment of this Act, the Under Secretary shall pro-*
24 *vide to the appropriate committees of Congress a briefing*
25 *on the plan.*

1 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
2 *FINED.*—*In this section, the term “appropriate committees*
3 *of Congress” means—*

4 (1) *the Committee on Armed Services, the Com-*
5 *mittee on Appropriations, and the Select Committee*
6 *on Intelligence of the Senate; and*

7 (2) *the Committee on Armed Services, the Com-*
8 *mittee on Appropriations, and the Permanent Select*
9 *Committee on Intelligence of the House of Representa-*
10 *tives.*

11 **TITLE X—GENERAL PROVISIONS**

12 **Subtitle A—Financial Matters**

13 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

14 (a) *AUTHORITY TO TRANSFER AUTHORIZATIONS.*—

15 (1) *AUTHORITY.*—*Upon determination by the*
16 *Secretary of Defense that such action is necessary in*
17 *the national interest, the Secretary may transfer*
18 *amounts of authorizations made available to the De-*
19 *partment of Defense in this division for fiscal year*
20 *2019 between any such authorizations for that fiscal*
21 *year (or any subdivisions thereof). Amounts of au-*
22 *thorizations so transferred shall be merged with and*
23 *be available for the same purposes as the authoriza-*
24 *tion to which transferred.*

1 (2) *LIMITATION.*—*Except as provided in para-*
2 *graph (3), the total amount of authorizations that the*
3 *Secretary may transfer under the authority of this*
4 *section may not exceed \$4,500,000,000.*

5 (3) *EXCEPTION FOR TRANSFERS BETWEEN MILI-*
6 *TARY PERSONNEL AUTHORIZATIONS.*—*A transfer of*
7 *funds between military personnel authorizations*
8 *under title IV shall not be counted toward the dollar*
9 *limitation in paragraph (2).*

10 (b) *LIMITATIONS.*—*The authority provided by sub-*
11 *section (a) to transfer authorizations—*

12 (1) *may only be used to provide authority for*
13 *items that have a higher priority than the items from*
14 *which authority is transferred; and*

15 (2) *may not be used to provide authority for an*
16 *item that has been denied authorization by Congress.*

17 (c) *EFFECT ON AUTHORIZATION AMOUNTS.*—*A trans-*
18 *fer made from one account to another under the authority*
19 *of this section shall be deemed to increase the amount au-*
20 *thorized for the account to which the amount is transferred*
21 *by an amount equal to the amount transferred.*

22 (d) *NOTICE TO CONGRESS.*—*The Secretary shall*
23 *promptly notify Congress of each transfer made under sub-*
24 *section (a).*

1 **SEC. 1002. INCLUSION OF FUNDS FOR AIR FORCE PASS-**
2 **THROUGH ITEMS IN DEFENSE-WIDE BUDGET**
3 **FOR THE DEPARTMENT OF DEFENSE.**

4 (a) *IN GENERAL.*—*In any budget of the President sub-*
5 *mitted to Congress pursuant to section 1105(a) of title 31,*
6 *United States Code, for a fiscal year after fiscal year 2019,*
7 *any funds for an Air Force pass-through item shall be re-*
8 *quested in the Defense-wide budget of the Department of De-*
9 *fense rather than the budget of the Air Force.*

10 (b) *AIR FORCE PASS-THROUGH ITEM DEFINED.*—*In*
11 *this section, the term “Air Force pass-through item” means*
12 *a program, project, or activity for which—*

13 (1) *funds would otherwise be requested for the*
14 *Air Force; and*

15 (2) *funds made available for execution will be ex-*
16 *ecuted by another department, agency, or element of*
17 *the Department of Defense.*

18 **SEC. 1003. REPORT ON SHIFT IN REQUESTS FOR FUNDS**
19 **FOR DEPARTMENT OF DEFENSE ACTIVITIES**
20 **FROM FUNDS FOR OVERSEAS CONTINGENCY**
21 **OPERATIONS TO FUNDS THROUGH THE BASE**
22 **BUDGET.**

23 (a) *REPORT REQUIRED.*—*Not later than 14 days after*
24 *the submittal to Congress of the budget of the President for*
25 *fiscal year 2020 pursuant to section 1105 of title 31, United*
26 *States Code, the Under Secretary of Defense (Comptroller)*

1 *shall submit to the congressional defense committees a re-*
2 *port on any shift during fiscal year 2020 from requests for*
3 *funds for Department of Defense activities for overseas con-*
4 *tingency operations to requests for funds for such activities*
5 *for the Department generally (commonly referred to as the*
6 *“base budget”).*

7 (b) *ELEMENTS.—The report required by subsection (a)*
8 *shall include the following:*

9 (1) *A description of the assumptions used by the*
10 *Department of Defense and the Armed Forces in de-*
11 *termining the programs, projects, and activities for*
12 *which funds were requested for fiscal year 2019 for*
13 *overseas contingency operations for which funds are*
14 *requested for fiscal year 2020 for the Department gen-*
15 *erally, including any changes to the criteria for over-*
16 *seas contingency operations funding requests issued in*
17 *2010 and used by the Office of Management and*
18 *Budget in identifying the programs, projects, and ac-*
19 *tivities for which funds are so requested for fiscal year*
20 *2020.*

21 (2) *The programs, projects, and activities of the*
22 *Department for which funds were requested for fiscal*
23 *year 2019 for overseas contingency operations that*
24 *are requested in the budget for fiscal year 2020 to be*
25 *funded for the Department generally, and the amount*

1 *for such programs, projects, and activities, set forth at*
2 *the level of detail as follows:*

3 *(A) For procurement, by line item.*

4 *(B) For research, development, test, and*
5 *evaluation, by program element (PE) number.*

6 *(C) For operation and maintenance, by sub-*
7 *activity group (SAG).*

8 *(D) For military personnel, by sub-activity*
9 *group.*

10 *(E) For revolving and management funds,*
11 *by sub-activity group.*

12 *(F) For military construction, by project.*

13 **SEC. 1004. RANKING OF AUDITABILITY OF FINANCIAL**
14 **STATEMENTS OF THE ORGANIZATIONS AND**
15 **ELEMENTS OF THE DEPARTMENT OF DE-**
16 **FENSE.**

17 *(a) REPORT ON RANKING.—Not later than 90 days*
18 *after the date of the enactment of this Act, the Secretary*
19 *of Defense shall, in coordination with the Under Secretary*
20 *of Defense (Comptroller), submit to the congressional defense*
21 *committees a report setting forth a ranking of the*
22 *auditability of the financial statements of the departments,*
23 *agencies, organizations, and elements of the Department of*
24 *Defense according to the progress made toward achieving*
25 *auditability as required by law.*

1 **(b) CRITERIA FOR RANKING.**—*The criteria to be used*
2 *for ranking for purposes of the report under this section*
3 *shall be—*

4 *(1) the criteria developed by the Under Secretary*
5 *pursuant to section 1104 of the National Defense Au-*
6 *thorization Act for Fiscal Year 2018 (Public Law*
7 *115–91) for a similar report under that section;*

8 *(2) other criteria developed by the Under Sec-*
9 *retary for purposes of the report under this section;*
10 *or*

11 *(3) a combination of the criteria described in*
12 *paragraphs (1) and (2).*

13 **(c) CONSTRUCTION.**—*The report required by this sec-*
14 *tion is in addition to the report required by section 1104*
15 *of the National Defense Authorization Act for Fiscal Year*
16 *2018.*

17 **SEC. 1005. TRANSPARENCY OF ACCOUNTING FIRMS USED**
18 **TO SUPPORT DEPARTMENT OF DEFENSE**
19 **AUDIT.**

20 *The Secretary of Defense shall require any accounting*
21 *firm under contract or under consideration for a contract*
22 *or for the renewal of an existing contract with the Depart-*
23 *ment of Defense in support of the audit required under sec-*
24 *tion 3521 of title 31, United States Code, to provide a state-*
25 *ment setting forth the details of any disciplinary pro-*

1 *ceedings with respect to the accounting firm or its associ-*
 2 *ated persons before any entity with the authority to enforce*
 3 *compliance with rules or laws applying to audit services*
 4 *offered by accounting firms.*

5 ***Subtitle B—Naval Vessels and***
 6 ***Shipyards***

7 ***SEC. 1011. DATE OF LISTING OF VESSELS AS BATTLE FORCE***
 8 ***SHIPS IN THE NAVAL VESSEL REGISTER AND***
 9 ***OTHER FLEET INVENTORY MEASURES.***

10 (a) *IN GENERAL.*—Section 7301 of title 10, United
 11 *States Code, is amended—*

12 (1) *by redesignating subsection (c) as subsection*
 13 *(d); and*

14 (2) *by inserting after subsection (b) the following*
 15 *new subsection (c):*

16 “(c) *LISTING AS BATTLE FORCE SHIP IN NAVAL VES-*
 17 *SEL REGISTER.*—A covered vessel may not be listed in the
 18 *Naval Vessel Register or other fleet inventory measures as*
 19 *a battle force ship until the delivery date specified in sub-*
 20 *section (a).”.*

21 (b) *DEFINITIONS.*—Such section is further amended by
 22 *striking subsection (d), as redesignated by subsection (a)(1)*
 23 *of this section, and inserting the following new subsection:*

24 “(d) *DEFINITIONS.*—In this section:

1 “(1) *The term ‘covered vessel’ means any vessel*
 2 *of the Navy that is under construction or constructed*
 3 *using amounts authorized to be appropriated for the*
 4 *Department of Defense for shipbuilding and conver-*
 5 *sion, Navy.*

6 “(2) *The term ‘battle force ship’ means the fol-*
 7 *lowing:*

8 “(A) *A commissioned United States Ship*
 9 *warship capable of contributing to combat oper-*
 10 *ations.*

11 “(B) *A United States Naval Ship that con-*
 12 *tributes directly to Navy warfighting or support*
 13 *missions.”.*

14 **SEC. 1012. ANNUAL REPORTS ON EXAMINATION OF NAVY**
 15 **VESSELS.**

16 *Section 7304 of title 10, United States Code, is amend-*
 17 *ed by adding at the end the following new subsection:*

18 “(d) *ANNUAL REPORT.—*

19 “(1) *IN GENERAL.—Not later than March 1 each*
 20 *year, the board designated under subsection (a) shall*
 21 *submit to the congressional defense committees a re-*
 22 *port setting forth the following:*

23 “(A) *An overall narrative summary of the*
 24 *material readiness of Navy ships as compared to*
 25 *established material requirements standards.*

1 “(B) *The overall number and types of ves-*
2 *sels inspected during the preceding fiscal year.*”

3 “(C) *For in-service vessels, material readi-*
4 *ness trends by inspected functional area as com-*
5 *pared to the previous five years.*”

6 “(2) *FORM.—Each report under this subsection*
7 *shall be submitted in an unclassified form that is re-*
8 *leasable to the public without further redaction.*”

9 “(3) *TERMINATION.—No report shall be required*
10 *under this subsection after October 1, 2021.*”

11 **SEC. 1013. LIMITATION ON DURATION OF HOMEPORTING**
12 **OF CERTAIN VESSELS IN FOREIGN LOCA-**
13 **TIONS.**

14 (a) *LIMITATION.—*

15 (1) *IN GENERAL.—Chapter 633 of title 10,*
16 *United States Code, is amended by inserting after sec-*
17 *tion 7310 the following new section:*

18 **“§ 7310a. Homeporting of certain vessels in overseas**
19 **locations: limitation on duration**

20 “(a) *IN GENERAL.—A vessel specified in subsection (b)*
21 *that is listed in the Naval Vessel Register may not be*
22 *homeported in a location other than in the United States*
23 *or Guam for a period of more than 10 consecutive years.*”

24 “(b) *SPECIFIED VESSELS.—The vessels specified in*
25 *this subsection are the following:*”

1 “(1) *Aircraft carrier.*

2 “(2) *Amphibious ship.*

3 “(3) *Cruiser.*

4 “(4) *Destroyer.*

5 “(5) *Frigate.*

6 “(c) *WAIVER.—*

7 “(1) *IN GENERAL.—The Chief of Naval Oper-*
8 *ations may waive the applicability of subsection (a)*
9 *to a ship.*

10 “(2) *EFFECTIVENESS CONTINGENT ON RE-*
11 *PORT.—A waiver under paragraph (1) with respect to*
12 *a ship shall go into effect on the date on which the*
13 *Chief of Naval Operations submits to the congress-*
14 *sional defense committees a report on the waiver set-*
15 *ting forth the following:*

16 “(A) *The ship covered by the waiver.*

17 “(B) *The duration of the waiver for such*
18 *ship*

19 “(C) *The justification of the Chief of Naval*
20 *Operations for the waiver.”.*

21 (2) *CLERICAL AMENDMENT.—The table of sec-*
22 *tions at the beginning of chapter 633 of such title is*
23 *amended by inserting after the item relating to sec-*
24 *tion 7310 the following new item:*

“7310a. *Homeporting of certain vessels in overseas locations: limitation on dura-*
tion.”.

1 (b) *EFFECTIVE DATE.*—*The amendments made by this*
 2 *section shall take effect on October 1, 2020, and shall apply*
 3 *with respect to the homeporting of vessels after that date,*
 4 *regardless of whether the continuous period of homeporting*
 5 *concerned commenced before that date.*

6 **SEC. 1014. SPECIFIC AUTHORIZATION REQUIREMENT FOR**
 7 **NUCLEAR REFUELING OF AIRCRAFT CAR-**
 8 **RIERS.**

9 (a) *IN GENERAL.*—*Chapter 633 of title 10, United*
 10 *States Code, is amended by inserting after section 7314 the*
 11 *following new section:*

12 **“§ 7314a. Nuclear refueling of aircraft carriers: spe-**
 13 **cific authorization required**

14 *“Funds may not be obligated or expended for the pro-*
 15 *curement of a naval nuclear reactor power unit or associ-*
 16 *ated reactor components for the nuclear refueling of an air-*
 17 *craft carrier unless such refueling is specifically authorized,*
 18 *by ship name and hull number, by statute.”.*

19 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 20 *the beginning of chapter 633 of such title is amended by*
 21 *inserting after the item relating to section 7314 the fol-*
 22 *lowing new item:*

“7314a. Nuclear refueling of aircraft carriers: specific authorization required.”.

1 **SEC. 1015. DISMANTLEMENT AND DISPOSAL OF NUCLEAR-**
2 **POWERED AIRCRAFT CARRIERS.**

3 (a) *IN GENERAL.*—Chapter 633 of title 10, United
4 States Code, is amended by adding at the end the following
5 new section:

6 **“§ 7320. Nuclear-powered aircraft carriers: dismantlement and disposal**

7
8 “(a) *IN GENERAL.*—Not less than 90 days before the
9 award of a contract for the dismantlement and disposal of
10 a nuclear-powered aircraft carrier, or the provision of funds
11 to a naval shipyard for the dismantlement and disposal of
12 a nuclear-powered aircraft carrier, the Secretary of the
13 Navy shall submit to the congressional defense committees
14 a report setting forth the following:

15 “(1) *A cost and schedule baseline for the dis-*
16 *mantlement and disposal approved by the service ac-*
17 *quisition executive of the Department of the Navy and*
18 *the Chief of Naval Operations.*

19 “(2) *An independent cost estimate of the dis-*
20 *mantlement and disposal prepared by the Office of*
21 *Cost Analysis and Program Evaluation.*

22 “(3) *A description of the regulatory framework*
23 *applicable to the management of radioactive mate-*
24 *rials in connection with the dismantlement and dis-*
25 *posal, including, in cases in which the Navy intends*

1 to have another government entity serve as the regu-
2 latory enforcement authority—

3 “(A) a certification from that entity of its
4 agreement to serve as the regulatory enforcement
5 authority; and

6 “(B) a description of the legal basis for the
7 authority of that entity to serve as the regulatory
8 enforcement authority.

9 “(b) *SUPPLEMENTAL INFORMATION WITH BUDG-*
10 *ETS.—In the materials submitted to Congress by the Sec-*
11 *retary of Defense in support of the budget of the President*
12 *for a fiscal year (as submitted to Congress under section*
13 *1105(a) of title 31), the Secretary of the Navy shall include*
14 *information on each dismantlement and disposal of a nu-*
15 *clear-powered aircraft carrier occurring or planned to occur*
16 *during the period of the future-years defense program sub-*
17 *mitted to Congress with that budget. Such information shall*
18 *include, by ship concerned, the following:*

19 “(1) *A summary of activities and significant de-*
20 *velopments in connection with such dismantlement*
21 *and disposal.*

22 “(2) *If applicable, a detailed description of cost*
23 *and schedule performance against the baseline for*
24 *such dismantlement and disposal established pursuant*

1 to subsection (a), including a description of and ex-
2 planation for any variance from such baseline.

3 “(3) A description of the amounts requested, or
4 intended or estimated to be requested, for such dis-
5 mantlement and disposal for each of the following:

6 “(A) Each fiscal year covered by the future-
7 years defense program.

8 “(B) Any fiscal years before the fiscal years
9 covered by the future-years defense program.

10 “(C) Any fiscal years after the end of the
11 period of the future-years defense program.

12 “(c) *FUTURE-YEARS DEFENSE PROGRAM DEFINED.*—
13 *In this section, the term ‘future-years defense program’*
14 *means the future-years defense program required by section*
15 *221 of this title.”.*

16 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
17 *the beginning of chapter 633 of such title is amended by*
18 *adding at the end the following new item:*

 “7320. Nuclear-powered aircraft carriers; dismantlement and disposal.”.

19 **SEC. 1016. NATIONAL DEFENSE SEALIFT FUND.**

20 Section 2218(f)(3)(C) of title 10, United States Code,
21 is amended by striking “two foreign constructed ships” and
22 inserting “seven foreign constructed ships during the period
23 beginning with fiscal year 2019 and ending with fiscal year
24 2030”.

1 **SEC. 1017. LIMITATION ON USE OF FUNDS FOR RETIRE-**
2 **MENT OF HOSPITAL SHIPS.**

3 (a) *LIMITATION.*—*Except as provided in subsection*
4 *(b), none of the funds authorized to be appropriated by this*
5 *Act or otherwise made available for fiscal year 2019 for the*
6 *Navy may be obligated or expended to retire, prepare to*
7 *retire, transfer, or place in storage any hospital ship.*

8 (b) *WAIVER.*—*The Secretary of the Navy may waive*
9 *the limitation in subsection (a) with respect to a hospital*
10 *ship if the Secretary certifies to the congressional defense*
11 *committees that the Secretary has—*

12 (1) *identified a replacement capability, and the*
13 *necessary quantity of systems, to meet all hospital*
14 *ship requirements of the combatant commands that*
15 *are currently being met by such hospital ship;*

16 (2) *achieved initial operational capability of all*
17 *systems described in paragraph (1); and*

18 (3) *deployed a sufficient quantity of systems de-*
19 *scribed in paragraph (1) that have achieved initial*
20 *operational capability in order to continue to meet or*
21 *exceed all requirements of the combatant commands*
22 *that are currently being met by such hospital ship.*

1 ***Subtitle C—Counterterrorism***

2 ***SEC. 1021. EXTENSION OF PROHIBITION ON USE OF FUNDS***
3 ***FOR TRANSFER OR RELEASE OF INDIVIDUALS***
4 ***DETAINED AT UNITED STATES NAVAL STA-***
5 ***TION, GUANTANAMO BAY, CUBA, TO THE***
6 ***UNITED STATES.***

7 *Section 1033 of the National Defense Authorization*
8 *Act for Fiscal Year 2018 (Public Law 115–91) is amended*
9 *by striking “December 31, 2018” and inserting “December*
10 *31, 2019”.*

11 ***SEC. 1022. EXTENSION OF PROHIBITION ON USE OF FUNDS***
12 ***TO CONSTRUCT OR MODIFY FACILITIES IN***
13 ***THE UNITED STATES TO HOUSE DETAINEES***
14 ***TRANSFERRED FROM UNITED STATES NAVAL***
15 ***STATION, GUANTANAMO BAY, CUBA.***

16 *Section 1034(a) of the National Defense Authorization*
17 *Act for Fiscal Year 2018 (Public Law 115–91) is amended*
18 *by striking “December 31, 2018” and inserting “December*
19 *31, 2019”.*

1 **SEC. 1023. EXTENSION OF PROHIBITION ON USE OF FUNDS**
2 **FOR TRANSFER OR RELEASE OF INDIVIDUALS**
3 **DETAINED AT UNITED STATES NAVAL STA-**
4 **TION, GUANTANAMO BAY, CUBA, TO CERTAIN**
5 **COUNTRIES.**

6 *Section 1035 of the National Defense Authorization*
7 *Act for Fiscal Year 2018 (Public Law 115–91) is amended*
8 *by striking “December 31, 2018” and inserting “December*
9 *31, 2019”.*

10 **SEC. 1024. EXTENSION OF PROHIBITION ON USE OF FUNDS**
11 **TO CLOSE OR RELINQUISH CONTROL OF**
12 **UNITED STATES NAVAL STATION, GUANTA-**
13 **NAMO BAY, CUBA.**

14 *Section 1036 of the National Defense Authorization*
15 *Act for Fiscal Year 2018 (Public Law 115–91) is amended*
16 *inserting “or 2019” after “fiscal year 2018”.*

17 **SEC. 1025. AUTHORITY TO TRANSFER INDIVIDUALS DE-**
18 **TAINED AT UNITED STATES NAVAL STATION,**
19 **GUANTANAMO BAY, CUBA, TO THE UNITED**
20 **STATES TEMPORARILY FOR EMERGENCY OR**
21 **CRITICAL MEDICAL TREATMENT.**

22 *(a) TEMPORARY TRANSFER FOR MEDICAL TREAT-*
23 *MENT.—Notwithstanding section 1033 of the National De-*
24 *fense Authorization Act for Fiscal Year 2018 (Public Law*
25 *115–91), as amended by section 1021 of this Act, or any*
26 *similar provision of law enacted after September 30, 2015,*

1 *the Secretary of Defense may, after consultation with the*
2 *Secretary of Homeland Security, temporarily transfer an*
3 *individual detained at Guantanamo to a Department of*
4 *Defense medical facility in the United States for the sole*
5 *purpose of providing the individual medical treatment if*
6 *the Secretary of Defense determines that—*

7 (1) *the medical treatment of the individual is*
8 *necessary to prevent death or imminent significant*
9 *injury or harm to the health of the individual;*

10 (2) *the necessary medical treatment is not avail-*
11 *able to be provided at United States Naval Station,*
12 *Guantanamo Bay, Cuba, without incurring excessive*
13 *and unreasonable costs; and*

14 (3) *the Department of Defense has provided for*
15 *appropriate security measures for the custody and*
16 *control of the individual during any period in which*
17 *the individual is temporarily in the United States*
18 *under this section.*

19 (b) *LIMITATION ON EXERCISE OF AUTHORITY.—The*
20 *authority of the Secretary of Defense under subsection (a)*
21 *may be exercised only by the Secretary of Defense or another*
22 *official of the Department of Defense at the level of Under*
23 *Secretary of Defense or higher.*

1 (c) *CONDITIONS OF TRANSFER.*—*An individual who is*
2 *temporarily transferred under the authority in subsection*
3 *(a) shall—*

4 (1) *while in the United States, remain in the*
5 *custody and control of the Secretary of Defense at all*
6 *times; and*

7 (2) *be returned to United States Naval Station,*
8 *Guantanamo Bay, Cuba, as soon as feasible after a*
9 *Department of Defense physician determines, in con-*
10 *sultation with the Commander, Joint Task Force-*
11 *Guantanamo Bay, Cuba, that any necessary follow-*
12 *up medical care may reasonably be provided the indi-*
13 *vidual at United States Naval Station, Guantanamo*
14 *Bay.*

15 (d) *STATUS WHILE IN UNITED STATES.*—*An indi-*
16 *vidual who is temporarily transferred under the authority*
17 *in subsection (a), while in the United States—*

18 (1) *shall be deemed at all times and in all re-*
19 *spects to be in the uninterrupted custody of the Sec-*
20 *retary of Defense, as though the individual remained*
21 *physically at United States Naval Station, Guanta-*
22 *namo Bay, Cuba;*

23 (2) *shall not at any time be subject to, and may*
24 *not apply for or obtain, or be deemed to enjoy, any*
25 *right, privilege, status, benefit, or eligibility for any*

1 *benefit under any provision of the immigration laws*
2 *(as defined in section 101(a)(17) of the Immigration*
3 *and Nationality Act (8 U.S.C. 1101(a)(17)), or any*
4 *other law or regulation;*

5 *(3) shall not be permitted to avail himself of any*
6 *right, privilege, or benefit of any law of the United*
7 *States beyond those available to individuals detained*
8 *at United States Naval Station, Guantanamo Bay;*
9 *and*

10 *(4) shall not, as a result of such transfer, have*
11 *a change in any designation that may have attached*
12 *to that detainee while detained at United States*
13 *Naval Station, Guantanamo Bay, pursuant to the*
14 *Authorization for Use of Military Force (Public Law*
15 *107–40), as determined in accordance with applicable*
16 *law and regulations.*

17 *(e) NO CAUSE OF ACTION.—Any decision to transfer*
18 *or not to transfer an individual made under the authority*
19 *in subsection (a) shall not give rise to any claim or cause*
20 *of action.*

21 *(f) LIMITATION ON JUDICIAL REVIEW.—*

22 *(1) LIMITATION.—Except as provided in para-*
23 *graph (2), no court, justice, or judge shall have juris-*
24 *isdiction to hear or consider any claim or action*
25 *against the United States or its departments, agen-*

1 *cies, officers, employees, or agents arising from or re-*
2 *lating to any aspect of the detention, transfer, treat-*
3 *ment, or conditions of confinement of an individual*
4 *transferred under this section.*

5 (2) *EXCEPTION FOR HABEAS CORPUS.*—*The*
6 *United States District Court for the District of Co-*
7 *lumbia shall have exclusive jurisdiction to consider an*
8 *application for writ of habeas corpus seeking release*
9 *from custody filed by or on behalf of an individual*
10 *who is in the United States pursuant to a temporary*
11 *transfer under the authority in subsection (a). Such*
12 *jurisdiction shall be limited to that required by the*
13 *Constitution, and relief shall be only as provided in*
14 *paragraph (3). In such a proceeding the court may*
15 *not review, halt, or stay the return of the individual*
16 *who is the object of the application to United States*
17 *Naval Station, Guantanamo Bay, Cuba, pursuant to*
18 *subsection (c).*

19 (3) *RELIEF.*—*A court order in a proceeding cov-*
20 *ered by paragraph (2)—*

21 (A) *may not order the release of the indi-*
22 *vidual within the United States; and*

23 (B) *shall be limited to an order of release*
24 *from custody which, when final, the Secretary of*
25 *Defense shall implement in accordance with sec-*

1 *tion 1034 of the National Defense Authorization*
2 *Act for Fiscal Year 2016 (10 U.S.C. 801 note).*

3 *(g) NOTIFICATION.—Whenever a temporary transfer of*
4 *an individual detained at Guantanamo is made under the*
5 *authority of subsection (a), the Secretary of Defense shall*
6 *notify the Committees on Armed Services of the Senate and*
7 *the House of Representatives of the transfer not later than*
8 *five days after the date on which the transfer is made.*

9 *(h) INDIVIDUAL DETAINED AT GUANTANAMO DE-*
10 *FINED.—In this section, the term “individual detained at*
11 *Guantanamo” means an individual located at United*
12 *States Naval Station, Guantanamo Bay, Cuba, as of Octo-*
13 *ber 1, 2009, who—*

14 *(1) is not a national of the United States (as de-*
15 *finied in section 101(a)(22) of the Immigration and*
16 *Nationality Act (8 U.S.C. 1101(a)(22)) or a member*
17 *of the Armed Forces of the United States; and*

18 *(2) is—*

19 *(A) in the custody or under the control of*
20 *the Department of Defense; or*

21 *(B) otherwise detained at United States*
22 *Naval Station, Guantanamo Bay.*

23 *(i) APPLICABILITY.—This section shall apply to an in-*
24 *dividual temporarily transferred under the authority in*
25 *subsection (a) regardless of the status of any pending or*

1 *completed proceeding or detention on the date of the enact-*
2 *ment of this Act.*

3 ***Subtitle D—Miscellaneous***
4 ***Authorities and Limitations***

5 ***SEC. 1031. STRATEGIC GUIDANCE DOCUMENTS WITHIN THE***
6 ***DEPARTMENT OF DEFENSE.***

7 *Section 113(g) of title 10, United States Code, is*
8 *amended by striking paragraphs (2) through (4) and insert-*
9 *ing the following new paragraphs (2) through (4):*

10 “(2)(A) *In implementing the requirement in para-*
11 *graph (1), the Secretary, with the advice of the Chairman*
12 *of the Joint Chiefs of Staff, shall each year provide to the*
13 *officials and officers referred in paragraph (1)(A), and sub-*
14 *mit to the congressional defense committees, written guid-*
15 *ance (to be known as ‘Defense Planning Guidance’) estab-*
16 *lishing goals, priorities, and objectives, including fiscal con-*
17 *straints, to direct the preparation and review of the pro-*
18 *gram and budget recommendations of all elements of the*
19 *Department, including—*

20 “(i) *the priority military missions of the De-*
21 *partment, including the assumed force planning sce-*
22 *narios and constructs;*

23 “(ii) *the force size and shape, force posture, de-*
24 *fense capabilities, force readiness, infrastructure, or-*
25 *ganization, personnel, technological innovation, and*

1 *other elements of the defense program necessary to*
2 *support the strategy required by paragraph (1);*

3 *“(iii) the resource levels projected to be available*
4 *for the period of time for which such recommenda-*
5 *tions and proposals are to be effective; and*

6 *“(iv) a discussion of any changes in the strategy*
7 *required by paragraph (1) and assumptions under-*
8 *pinning the strategy, as required by paragraph (1).*

9 *“(B) The guidance required by this paragraph shall*
10 *be produced in February each year in order to support the*
11 *planning and budget process. The guidance shall be sub-*
12 *mitted to the congressional defense committees together with*
13 *the budget of the President (as submitted to Congress pursu-*
14 *ant to section 1105(a) of title 31) for the fiscal year begin-*
15 *ning in the year in which such guidance is submitted.*

16 *“(3)(A) In implementing the requirement in para-*
17 *graph (1) and in conjunction with the reporting require-*
18 *ment in section 2687a of this title, the Secretary, with the*
19 *approval of the President and the advice of the Chairman*
20 *of the Joint Chiefs of Staff, shall, on the basis provided in*
21 *subparagraph (E), provide to the officials and officers re-*
22 *ferred to in paragraph (1)(A), and submit to the congress-*
23 *sional defense committees, written guidance (to be known*
24 *as ‘Contingency Planning Guidance’ or ‘Guidance for Em-*
25 *ployment of the Force’) on the preparation and review of*

1 *contingency and campaign plans, including plans for pro-*
2 *viding support to civil authorities in an incident of na-*
3 *tional significance or a catastrophic incident, for homeland*
4 *defense, and for military support to civil authorities.*

5 “(B) *The guidance required by this paragraph shall*
6 *include the following:*

7 “(i) *A description of the manner in which lim-*
8 *ited existing forces and resources shall be prioritized*
9 *and apportioned to achieve the objectives described in*
10 *the strategy required by paragraph (1).*

11 “(ii) *A description of the relative priority of con-*
12 *tingency and campaign plans, specific force levels,*
13 *and supporting resource levels projected to be avail-*
14 *able for the period of time for which such plans are*
15 *to be effective.*

16 “(C) *The guidance required by this paragraph shall*
17 *include the following:*

18 “(i) *Prioritized global, regional, and functional*
19 *policy objectives that the armed forces should plan to*
20 *achieve, including plans for deliberate and contin-*
21 *gency scenarios.*

22 “(ii) *Policy and strategic assumptions that*
23 *should guide military planning, including the role of*
24 *foreign partners.*

1 “(iii) *Guidance on global posture and global*
2 *force management.*

3 “(iv) *Security cooperation priorities.*

4 “(v) *Specific guidance on United States and De-*
5 *partment nuclear policy.*

6 “(D) *The guidance required by this paragraph shall*
7 *be the primary source document to be used by the Chairman*
8 *of the Joint Chiefs of Staff in—*

9 “(i) *executing the global military integration re-*
10 *sponsibilities described in section 153 of this title;*
11 *and*

12 “(ii) *developing implementation guidance for the*
13 *Joint Chiefs of Staff and the commanders of the com-*
14 *batant commands.*

15 “(E) *The guidance required by this paragraph shall*
16 *be produced every two years, or more frequently as needed.*

17 “(F) *The guidance required by this paragraph shall*
18 *be submitted to the congressional defense committees as re-*
19 *quired by subparagraph (A) in February of each year in*
20 *which produced, and shall be accompanied by any written*
21 *implementation documentation produced by the Chairman*
22 *of the Joint Chiefs of Staff for purposes of such guidance.*

23 “(4)(A) *In implementing the requirement in para-*
24 *graph (1), the Secretary, with the advice of the Chairman*
25 *of the Joint Chiefs of Staff, shall each year produce, and*

1 *submit to the congressional defense committee, a report (to*
2 *be known as the ‘Global Defense Posture Report’) that shall*
3 *include the following:*

4 “(i) *A description of major changes to United*
5 *States forces, capabilities, and equipment assigned*
6 *and allocated outside the United States, focused on*
7 *significant alterations, additions, or reductions to*
8 *such global defense posture that are required to exe-*
9 *cute the strategy and plans of the Department.*

10 “(ii) *A description of the supporting network of*
11 *infrastructure, facilities, pre-positioned stocks, and*
12 *war reserve materiel required for execution of major*
13 *contingency plans of the Department.*

14 “(iii) *A list of all enduring locations, including*
15 *main operating bases, forward operating sites, and*
16 *cooperative security locations.*

17 “(iv) *A description of the status of treaty, access,*
18 *cost-sharing, and status-protection agreements with*
19 *foreign nations.*

20 “(v) *A summary of the priority posture initia-*
21 *tives for each region by the commanders of the com-*
22 *batant commands.*

23 “(vi) *For each military department, a summary*
24 *of the implications for overseas posture of any force*
25 *structure changes.*

1 “(vii) *A description of the costs incurred outside*
2 *the United States during the preceding fiscal year in*
3 *connection with operating, maintaining, and sup-*
4 *porting United States forces outside the United States*
5 *for each military department, broken out by country,*
6 *and whether for operation and maintenance, infra-*
7 *structure, or transportation.*

8 “(viii) *A description of the amount of direct sup-*
9 *port for the stationing of United States forces pro-*
10 *vided by each host nation during the preceding fiscal*
11 *year.*

12 “(B) *The report required by this paragraph shall be*
13 *submitted to the congressional defense committees as re-*
14 *quired by subparagraph (A) by not later than April 30 each*
15 *year.*

16 “(C) *In this paragraph, the term ‘United States’, when*
17 *used in a geographic sense, includes the territories and pos-*
18 *sessions of the United States”.*

19 **SEC. 1032. GUIDANCE ON THE ELECTRONIC WARFARE MIS-**
20 **SION AREA AND JOINT ELECTROMAGNETIC**
21 **SPECTRUM OPERATIONS.**

22 (a) *PROCESSES AND PROCEDURES FOR INTEGRA-*
23 *TION.—The Secretary of Defense shall—*

24 (1) *establish processes and procedures to develop,*
25 *integrate, and enhance the electronic warfare mission*

1 *area and the conduct of joint electromagnetic spec-*
2 *trum operations in all domains across the Depart-*
3 *ment of Defense; and*

4 (2) *ensure that such processes and procedures*
5 *provide for integrated defense-wide strategy, plan-*
6 *ning, and budgeting with respect to the conduct of*
7 *such operations by the Department, including activi-*
8 *ties conducted to counter and deter such operations by*
9 *malign actors.*

10 (b) *DESIGNATED SENIOR OFFICIAL.—*

11 (1) *IN GENERAL.—The Secretary shall designate*
12 *a senior official of the Department of Defense (in this*
13 *section referred to as the “designated senior official”)*
14 *who shall implement and oversee the processes and*
15 *procedures established under subsection (a). The des-*
16 *ignated senior official shall be designated by the Sec-*
17 *retary from among individuals serving in the Depart-*
18 *ment at or below the level of Under Secretary of De-*
19 *fense. The designated senior official shall oversee and*
20 *chair the cross-functional team established pursuant*
21 *to subsection (c) and the Electronic Warfare Execu-*
22 *utive Committee established in March 2015.*

23 (2) *RESPONSIBILITIES.—The designated senior*
24 *official shall have, with respect to the implementation*
25 *and oversight of the processes and procedures estab-*

1 *lished under subsection (a), the following responsibil-*
2 *ities:*

3 *(A) Development of a strategic framework*
4 *for the conduct and execution of the electronic*
5 *warfare mission area and joint electromagnetic*
6 *spectrum operations by the Department, coordi-*
7 *nated across all relevant elements of the Depart-*
8 *ment, including both near-term and long-term*
9 *guidance for the conduct of such operations.*

10 *(B) Oversight of resource management for*
11 *the development and integration of electronic*
12 *warfare capabilities of the Department.*

13 *(3) ANNUAL CERTIFICATION ON BUDGETING FOR*
14 *CERTAIN CAPABILITIES.—Each budget for fiscal years*
15 *2020 through 2024 submitted by the President to Con-*
16 *gress pursuant to section 1105(a) of title 31, United*
17 *States Code, shall include a certification by the senior*
18 *designated official, as chair of the Electronic Warfare*
19 *Executive Committee, whether sufficient funds are re-*
20 *quested in such budget for anticipated activities in*
21 *such fiscal year for each of the following:*

22 *(A) The development of an Electromagnetic*
23 *Battle Management capability for joint electro-*
24 *magnetic spectrum operations.*

1 (B) *The establishment and operation of as-*
2 *sociated Joint Electromagnetic Spectrum Oper-*
3 *ations cells.*

4 (c) *CROSS-FUNCTIONAL TEAM FOR ELECTRONIC WAR-*
5 *FARE.—*

6 (1) *ESTABLISHMENT REQUIRED.—The Secretary*
7 *shall, in accordance with section 911(c) of the Na-*
8 *tional Defense Authorization Act for Fiscal Year 2017*
9 *(Public Law 114–328; 130 Stat. 2345; 10 U.S.C. 111*
10 *note), establish a cross-functional team for electronic*
11 *warfare in order to identify gaps in electronic war-*
12 *fare capabilities and capacities within the Depart-*
13 *ment across personnel, procedural, and equipment*
14 *areas.*

15 (2) *SPECIFIC DUTIES.—The cross-functional*
16 *team established pursuant to paragraph (1) shall pro-*
17 *vide recommendations to address gaps identified as*
18 *described in that paragraph to the senior designated*
19 *official.*

20 (d) *PLANS AND REQUIREMENTS FOR ELECTRONIC*
21 *WARFARE.—*

22 (1) *IN GENERAL.—The Secretary shall require*
23 *the designated senior official to task the cross-func-*
24 *tional team established pursuant to subsection (c) to*
25 *develop requirements and specific plans for address-*

1 *ing personnel and capability gaps in the electronic*
2 *warfare mission area, and plans for future warfare in*
3 *that domain (including a roadmap for the next five*
4 *years).*

5 (2) *UPDATE OF STRATEGY.*—*Not later than 180*
6 *days after the date of the enactment of this Act, the*
7 *cross-functional team shall—*

8 (A) *update the strategy of the Department*
9 *of Defense titled “The DOD Electronic Warfare*
10 *Strategy” and dated June 2017 to include the*
11 *roadmap referred to in paragraph (1); and*

12 (B) *submit the updated strategy to the des-*
13 *ignated senior official for transmittal to the con-*
14 *gressional defense committees.*

15 (3) *ELEMENTS.*—*The requirements and plans de-*
16 *veloped by the cross-functional team pursuant to*
17 *paragraph (1) shall include the following:*

18 (A) *An accounting of the efforts undertaken*
19 *in support of the strategy referred to in para-*
20 *graph (2)(A) since its issuance in June 2017.*

21 (B) *A description of any updates or changes*
22 *to the strategy since its issuance, and a descrip-*
23 *tion of any anticipated updates or changes to the*
24 *strategy as a result of the designation of the des-*
25 *ignated senior official.*

1 (C) *An assessment of vulnerabilities identi-*
2 *fied in the May 2015 Electronic Warfare assess-*
3 *ment by the Defense Science Board.*

4 (D) *An assessment of the capability of joint*
5 *forces to conduct joint electromagnetic spectrum*
6 *operations against near-peer adversaries and*
7 *any capability or capacity gaps in such capa-*
8 *bility that need to be addressed, including an as-*
9 *essment of the ability of joint forces to conduct*
10 *coordinated military operations to exploit, at-*
11 *tack, protect, and manage the electromagnetic*
12 *environment in the Signals Intelligence, Elec-*
13 *tronic Warfare, and Spectrum Management mis-*
14 *sion areas.*

15 (E) *A review of the roles of offices within*
16 *the Joint Staff, the Office of the Secretary of De-*
17 *fense, and the combatant commands with pri-*
18 *mary responsibility for joint electromagnetic*
19 *spectrum policy and operations.*

20 (F) *A description of any assumptions about*
21 *the roles and contributions of the Department, in*
22 *coordination with other departments and agen-*
23 *cies of the United States Government, with re-*
24 *spect to the strategy.*

1 (G) *A description of actions, performance*
2 *metrics, and projected timelines for achieving*
3 *key capabilities for electronic warfare and joint*
4 *electromagnetic spectrum operations to cor-*
5 *respond to the four thematic goals identified in*
6 *the strategy and as addressed by the roadmap.*

7 (H) *An analysis of any personnel,*
8 *resourcing, capability, authority, or other gaps*
9 *to be addressed in order to ensure effective imple-*
10 *mentation of the strategy across all relevant ele-*
11 *ments of the Department, including an update*
12 *on each of the following:*

13 (i) *The development of an Electro-*
14 *magnetic Battle Management capability for*
15 *joint electromagnetic spectrum operations.*

16 (ii) *The establishment and operation of*
17 *Joint Electromagnetic Spectrum Operations*
18 *cells at critical combatant command loca-*
19 *tions.*

20 (I) *An investment framework and projected*
21 *timeline for addressing any gaps described by*
22 *subparagraph (H).*

23 (J) *In consultation with the Director of the*
24 *Defense Intelligence Agency—*

1 (i) a comprehensive assessment of the
2 electronic warfare capabilities of the Rus-
3 sian Federation and People’s Republic of
4 China;

5 (ii) a review of vulnerabilities with re-
6 spect to electronic systems, such as the Glob-
7 al Positioning System, and in Department-
8 wide abilities to conduct countermeasures in
9 response to electronic warfare attacks; and

10 (iii) a holistic study of all aspects of
11 the manner in which the Russian Federa-
12 tion and the People’s Republic of China de-
13 velop electronic warfare doctrine, with order
14 of battle across multiple domains, and long-
15 term research trends of each country in con-
16 nection with such warfare.

17 (K) Such other matters as the Secretary
18 considers appropriate.

19 (4) PERIODIC STATUS REPORTS.—Not later than
20 90 days after the requirements and plans required by
21 paragraph (1) are submitted in accordance with
22 paragraph (2), and every 90 days thereafter during
23 the three-year period beginning on the date such
24 plans and requirements are first submitted in accord-
25 ance with paragraph (2), the designated senior offi-

1 *cial shall submit to the congressional defense commit-*
2 *tees a report describing the status of the efforts of the*
3 *Department in accomplishing the tasks specified in*
4 *subparagraphs (B) and (G) of paragraph (3).*

5 *(e) TRAINING AND EDUCATION.—Consistent with the*
6 *elements under subsection (d)(3) of the plans and require-*
7 *ments required by subsection (d)(1), the cross-functional*
8 *team established pursuant to subsection (c) shall provide*
9 *the senior designated official recommendations for pro-*
10 *grams to provide training and education to such members*
11 *of the Armed Forces and civilian employees of the Depart-*
12 *ment as the Secretary considers appropriate in order to en-*
13 *sure that such members and employees understand the roles*
14 *and vulnerabilities associated with electronic warfare and*
15 *dependence on the electromagnetic spectrum.*

16 **SEC. 1033. LIMITATION ON USE OF FUNDS FOR UNITED**
17 **STATES SPECIAL OPERATIONS COMMAND**
18 **GLOBAL MESSAGING AND COUNTER-MES-**
19 **SAGING PLATFORM.**

20 *None of the funds authorized to be appropriated by this*
21 *Act may be used for United States Special Operations Com-*
22 *mand's Global Messaging and Counter-Messaging platform*
23 *until the Secretary of Defense submits to the congressional*
24 *defense committees a report containing the following ele-*
25 *ments:*

1 (1) *A review of the doctrine, organization, training,*
2 *ing, materiel, leadership and education, personnel*
3 *and facilities applicable to military information sup-*
4 *port personnel, including, at a minimum—*

5 (A) *an assessment of current doctrine, orga-*
6 *nization, training, materiel, leadership and edu-*
7 *cation, personnel and facilities; and*

8 (B) *recommended changes for enhancing the*
9 *ability of military information support per-*
10 *sonnel to operate effectively in the current and*
11 *future information environment.*

12 (2) *An implementation plan for the establish-*
13 *ment of the platform, including a timeline for achiev-*
14 *ing initial and full operational capability.*

15 (3) *A description of the budget requirements for*
16 *the platform to reach full operational capability, in-*
17 *cluding an identification and cost of any infrastruc-*
18 *ture and equipment requirements.*

19 (4) *A summary of costs to operate and sustain*
20 *the platform across the future year's defense plan.*

21 (5) *An explanation of the Secretary's guidance to*
22 *the combatant commands to ensure unity of effort and*
23 *prevent the proliferation of messaging and counter-*
24 *messaging platforms.*

1 (6) *A detailed description of the processes for*
2 *deconfliction and, where possible, integration of plat-*
3 *form planning and activities with those of relevant*
4 *departments and agencies of the United States Gov-*
5 *ernment, including the Department of State's Global*
6 *Engagement Center.*

7 (7) *An identification of any additional authori-*
8 *ties that may be required for achieving full oper-*
9 *ational capability of the platform.*

10 (8) *Any other matters deemed relevant by the*
11 *Secretary.*

12 **SEC. 1034. SENSE OF CONGRESS ON THE BASING OF KC-46A**
13 **AIRCRAFT OUTSIDE THE CONTINENTAL**
14 **UNITED STATES.**

15 (a) *FINDING.*—*Congress finds that the Department of*
16 *Defense is continuing its process of permanently stationing*
17 *KC-46A aircraft at installations in the continental United*
18 *States (CONUS) and forward-basing outside the conti-*
19 *ental United States (OCONUS).*

20 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*
21 *that the Secretary of the Air Force, as part of the strategic*
22 *basing process for KC-46A aircraft, should continue to*
23 *place emphasis on and consider the benefits derived from*
24 *locations outside the continental United States that—*

1 (1) *support day-to-day air refueling operations,*
2 *operations plans of the combatant commands, and*
3 *flexibility for contingency operations, and have—*

4 (A) *a strategic location that is essential to*
5 *the defense of the United States and its interests;*

6 (B) *receivers for boom or probe-and-drogue*
7 *training opportunities with joint and inter-*
8 *national partners; and*

9 (C) *sufficient airfield and airspace avail-*
10 *ability and capacity to meet requirements; and*

11 (2) *possess facilities that—*

12 (A) *take full advantage of existing infra-*
13 *structure to provide—*

14 (i) *runway, hangars, and aircrew and*
15 *maintenance operations; and*

16 (ii) *sufficient fuels receipt, storage, and*
17 *distribution capacities for a 5-day peace-*
18 *time operating stock; and*

19 (B) *minimize overall construction and oper-*
20 *ational costs.*

21 **SEC. 1035. RELINQUISHMENT OF LEGISLATIVE JURISDIC-**
22 **TION OF CRIMINAL OFFENSES COMMITTED**
23 **BY JUVENILES ON MILITARY INSTALLATIONS.**

24 (a) *IN GENERAL.—In the case of any military instal-*
25 *lation or portion of a military installation of which exclu-*

1 *sive legislative jurisdiction of criminal offenses committed*
2 *by juveniles is retained by the United States as of the date*
3 *of the enactment of this Act, the Secretary concerned shall*
4 *seek to relinquish to the State, Commonwealth, territory,*
5 *or possession concerned legislative jurisdiction of such of-*
6 *fenses such that the United States and the State, Common-*
7 *wealth, territory, or possession, as the case may be, have*
8 *concurrent legislative jurisdiction of such offenses.*

9 **(b) MANNER OF RELINQUISHMENT.**—*Legislative juris-*
10 *diction shall be relinquished pursuant to subsection (a) in*
11 *the manner provided in section 2683(a) of title 10, United*
12 *States Code.*

13 **(c) DEADLINE.**—*The Secretaries concerned shall, to the*
14 *extent practicable, complete relinquishment of legislative ju-*
15 *risdiction pursuant to subsection (a) by not later than one*
16 *year after the date of the enactment of this Act.*

17 **(d) REPORTS.**—

18 **(1) IN GENERAL.**—*Not later than 15 months*
19 *after the date of the enactment of this Act, each Sec-*
20 *retary concerned shall submit to Congress a report on*
21 *the relinquishment of legislative jurisdiction pursuant*
22 *to subsection (a).*

23 **(2) ELEMENTS.**—*The report of a Secretary*
24 *under this subsection shall include the following:*

1 (A) *A list of the installations or portions of*
2 *installations under the jurisdiction of the Sec-*
3 *retary of which exclusive legislative jurisdiction*
4 *of criminal offenses committed by juveniles is re-*
5 *tained by the United States as of the date of the*
6 *enactment of this Act.*

7 (B) *A list of the installations or portions of*
8 *installations listed pursuant to subparagraph*
9 *(A) for which legislative jurisdiction was relin-*
10 *quished pursuant to subsection (a) as of the date*
11 *that is one year after the date of the enactment*
12 *of this Act.*

13 (C) *A list of the installations or portions of*
14 *installations listed pursuant to subparagraph*
15 *(A) for which legislative jurisdiction was not re-*
16 *linquished pursuant to subsection (a) as of the*
17 *date that is one year after the date of the enact-*
18 *ment of this Act, and, for each such installation*
19 *or portion of installation, the reasons why such*
20 *legislative jurisdiction was not so relinquished.*

21 (e) *SECRETARY CONCERNED DEFINED.—In this sec-*
22 *tion, the term “Secretary concerned” has the meaning given*
23 *that term in section 101(a)(9) of title 10, United States*
24 *Code.*

1 **SEC. 1036. POLICY ON RESPONSE TO JUVENILE-ON-JUVE-**
2 **NILE ABUSE COMMITTED ON MILITARY IN-**
3 **STALLATIONS.**

4 (a) *IN GENERAL.*—*The Secretary of Defense shall es-*
5 *tablish a policy, applicable across the military installations*
6 *of the Department of Defense (including installations out-*
7 *side the United States), on the response of the Department*
8 *to allegations of juvenile-on-juvenile abuse on military in-*
9 *stallations. The policy shall be designed to ensure a con-*
10 *sistent, standardized response to such allegations across the*
11 *Department.*

12 (b) *ELEMENTS.*—*The policy required by this section*
13 *shall provide for the following:*

14 (1) *Any report or other allegation of juvenile-on-*
15 *juvenile abuse on a military installation that is re-*
16 *ceived by the installation commander, a law enforce-*
17 *ment organization, a Family Advocacy Program, a*
18 *child development center, or a Department school oper-*
19 *ating on the installation or otherwise under Depart-*
20 *ment administration for the installation shall be re-*
21 *viewed by the Family Advocacy Program of the in-*
22 *stallation.*

23 (2) *Personnel of Family Advocacy Programs*
24 *conducting reviews shall have appropriate training*
25 *and experience in working with juveniles.*

1 (3) *Family Advocacy Programs* conducting re-
2 views shall conduct a multi-faceted, multi-discipli-
3 nary review and recommend treatment, counseling, or
4 other appropriate interventions for complainants and
5 respondents.

6 (4) *Each review shall be conducted—*

7 (A) *with full involvement of appropriate*
8 authorities and entities, including parents or
9 legal guardians of the juveniles involved (if prac-
10 ticable); and

11 (B) *to the extent practicable, in a manner*
12 that protects the sensitive nature of the incident
13 concerned, using language appropriate to the
14 treatment of juveniles in written policies and
15 communication with families.

16 (5) *The requirement for investigation of a report*
17 or other allegation shall not be deemed to terminate
18 or alter any otherwise applicable requirement to re-
19 port or forward the report or allegation to appro-
20 priate Federal, State, or local authorities as possible
21 criminal activity.

22 (6) *There shall be established and maintained a*
23 centralized database of information on each incident
24 of abuse that is reviewed by a *Family Advocacy Pro-*
25 gram under this section, with—

1 (A) the information in such database kept
2 strictly confidential; and

3 (B) because the information involves alleged
4 conduct by juveniles, additional special pre-
5 cautions taken to ensure the information is
6 available only to persons who require access to
7 the information.

8 (7) There shall be entered into the database, for
9 each substantiated or unsubstantiated incident of
10 abuse, appropriate information on the incident, in-
11 cluding—

12 (A) a description of the allegation;

13 (B) whether or not the review is completed;

14 (C) whether or not the incident was subject
15 to an investigation by a law enforcement organi-
16 zation or entity, and the status and results of
17 such investigation; and

18 (D) whether or not action was taken in re-
19 sponse to the incident, and the nature of the ac-
20 tion, if any, so taken.

1 **Subtitle E—Studies and Reports**

2 **SEC. 1041. REPORT ON HIGHEST-PRIORITY ROLES AND MIS-**
3 **SIONS OF THE DEPARTMENT OF DEFENSE**
4 **AND THE ARMED FORCES.**

5 (a) *SENSE OF SENATE.*—*It is the sense of the Senate*
6 *that—*

7 (1) *the National Defense Strategy correctly char-*
8 *acterizes the leading strategic challenges facing the*
9 *United States as the reemergence of great power com-*
10 *petition, the erosion of the United States military*
11 *technological advantage, enduring violent extremism*
12 *and instability in the broader Middle East and Afri-*
13 *ca, and continued uncertainty in the United States*
14 *about the availability of sufficient resources for na-*
15 *tional defense;*

16 (2) *the National Defense Strategy correctly*
17 *prioritizes the development of a more lethal joint force*
18 *that is ready to deter and, if necessary, defeat aggres-*
19 *sion by great power competitors with advanced mili-*
20 *tary capabilities, while conducting counterterrorism*
21 *operations in a more sustainable manner, together*
22 *with allies and partners;*

23 (3) *the National Defense Strategy, and the im-*
24 *plications of the Strategy for the size, structure,*
25 *shape, roles, missions, and employment of the joint*

1 *force, was not completed in time to inform fully the*
2 *budget of the President for national defense for fiscal*
3 *year 2019;*

4 *(4) many Department of Defense programs of*
5 *record are upgraded replacements of legacy systems*
6 *that were not premised on the assumption that future*
7 *conflict could occur in highly-contested environments*
8 *against militarily advanced near-peer rivals;*

9 *(5) considerable growth in the size of the mili-*
10 *tary will not be possible without growth in the budget,*
11 *because the current future-years defense program as-*
12 *sumes that defense spending after fiscal year 2019*
13 *will only increase at the rate of inflation, while costs*
14 *for two of the largest drivers of costs for the Depart-*
15 *ment, namely military personnel and operation and*
16 *maintenance, continue to grow faster than the rate of*
17 *inflation;*

18 *(6) the Senate strongly supports the pursuit by*
19 *the Department of budgetary savings through internal*
20 *reform and efficiencies, but notes that previous at-*
21 *tempts to generate additional resources through such*
22 *mechanisms did not generate resources as planned;*

23 *(7) increased force modernization investments*
24 *must be based on a rigorous reassessment of whether*
25 *current programs will meet present and future*

1 *warfighting requirements against near-peer rivals*
2 *that are making rapid military technological ad-*
3 *vancements;*

4 (8) *the Department must conduct further analyt-*
5 *ical work in order—*

6 (A) *to facilitate the implementation of the*
7 *National Defense Strategy, as recommended by*
8 *the Commission on the National Defense Strat-*
9 *egy; and*

10 (B) *to provide Congress with a more rig-*
11 *orous understanding of, and justification for, fu-*
12 *ture requests for resources to organize, train and*
13 *equip, and employ the Armed Forces; and*

14 (9) *the Senate encourages the Secretary of De-*
15 *fense to refine the National Defense Strategy into*
16 *more specific operational tasks and force planning*
17 *scenarios that the joint force must be ready and able*
18 *to perform in order to facilitate a better under-*
19 *standing of joint force development priorities and the*
20 *roles and missions of each Armed Force.*

21 (b) *REPORT ON ROLES AND MISSIONS.—*

22 (1) *REPORT REQUIRED.—Not later than Feb-*
23 *ruary 1, 2019, the Secretary of Defense shall submit*
24 *to the congressional defense committees a report set-*
25 *ting forth a re-evaluation of the highest priority mis-*

1 *sions of the Department of Defense, and of the roles*
2 *of the Armed Forces in the performance of such mis-*
3 *sions.*

4 (2) *GOALS.—The goals of the re-evaluation re-*
5 *quired for purposes of the report shall be as follows:*

6 (A) *To support implementation of the Na-*
7 *tional Defense Strategy.*

8 (B) *To optimize the effectiveness of the joint*
9 *force.*

10 (C) *To inform the preparation of future de-*
11 *fense program and budget requests by the Sec-*
12 *retary, and the consideration of such requests by*
13 *Congress.*

14 (c) *ELEMENTS.—The report required by subsection (b)*
15 *shall include the following:*

16 (1) *A detailed description of the pacing threats*
17 *for each Armed Force, and for special operations*
18 *forces, and an assessment of the manner in which*
19 *such pacing threats determine the primary role of*
20 *each Armed Force, and special operations forces, in-*
21 *cluding the connection between key operational tasks*
22 *required by contingency plans.*

23 (2) *A specific requirement for the size and com-*
24 *position of each Armed Force, including the following:*

1 (A) *The required total end strength and*
2 *force structure by type for the Army.*

3 (B) *The required fleet size of the Navy,*
4 *identified by class of ships and the corresponding*
5 *total end strength requirement once that fleet size*
6 *is achieved.*

7 (C) *The required number of operational Air*
8 *Force squadrons, identified by function and the*
9 *corresponding total end strength requirement*
10 *once that number of squadrons is achieved.*

11 (D) *The required total end strength and*
12 *force structure by type for the Marine Corps.*

13 (E) *The force sizing construct used to deter-*
14 *mine the end strength requirements covered by*
15 *subparagraphs (A) through (D), the year-by-year*
16 *plan for achieving such requirements, relevant*
17 *force posture assumptions, and the associated*
18 *military personnel costs of such plan.*

19 (3) *A re-evaluation of the roles of the Armed*
20 *Forces in performing low-intensity missions, such as*
21 *counterterrorism and security force assistance, includ-*
22 *ing the following:*

23 (A) *An assessment whether the joint force*
24 *would benefit from having one Armed Force*
25 *dedicated primarily to low-intensity missions,*

1 *thereby enabling the other Armed Forces to focus*
2 *more exclusively on advanced peer competitors.*

3 *(B) A detailed description of, and accom-*
4 *panying justification for, the total amount of*
5 *forces required to perform the security force as-*
6 *stance mission and the planned geographic em-*
7 *ployment of such forces.*

8 *(C) A revalidation of the Army plan to con-*
9 *struct six Security Force Assistant Brigades, and*
10 *an assessment of the impact, if any, of such plan*
11 *on the capability of the Army to perform its pri-*
12 *mary roles under the National Defense Strategy.*

13 *(D) An assessment whether the security*
14 *force assistance mission would be better per-*
15 *formed by the Marine Corps, and an assessment*
16 *of the end strength and force composition*
17 *changes, if any, required for the Marine Corps to*
18 *assume such mission.*

19 *(4) A reassessment of the roles and missions of*
20 *the total ground forces, both Army and Marine Corps,*
21 *to execute the National Defense Strategy, including*
22 *the following:*

23 *(A) A detailed description of the allocation*
24 *of roles for the Army and Marine Corps in deter-*
25 *ring and waging war against advanced peer*

1 *competitors that can complement the activities*
2 *and investments of each such Armed Force and*
3 *optimize the capabilities of each such Armed*
4 *Force.*

5 *(B) A detailed description of the appro-*
6 *priate balance and mix of Army force structure,*
7 *including light infantry, mechanized infantry,*
8 *armor, air defense, fires, engineers, aviation, sig-*
9 *nals, and logistics, that is required to perform*
10 *the roles and missions of the Army against its*
11 *pacing threats.*

12 *(C) A detailed description of the modernized*
13 *capabilities and concepts to be developed by the*
14 *Army to contribute to joint force operations*
15 *against advanced peer competitors, including the*
16 *manner in which Army aviation will evolve in*
17 *light of unmanned aerial vehicle technology.*

18 *(D) A revalidation of the requirement for*
19 *ground force modernization efforts, including the*
20 *Joint Light Tactical Vehicle, Future Vertical*
21 *Lift, and Mobile Protected Fires, that are not op-*
22 *timized for conflict between the United States*
23 *and advanced peer competitors.*

1 (E) *A detailed description of requirements*
2 *for Army forces needed to support theater oper-*
3 *ations.*

4 (5) *An assessment, based on operational plans, of*
5 *the ability of power projection platforms to survive*
6 *and effectively perform the highest priority oper-*
7 *ational missions described in the National Defense*
8 *Strategy, including the following:*

9 (A) *An assessment of the feasibility of the*
10 *current plans and investments by the Navy and*
11 *Marine Corps to operate and defend their sea*
12 *bases in contested environments.*

13 (B) *An assessment whether amphibious*
14 *forced entry operations against advanced peer*
15 *competitors should remain an enduring mission*
16 *for the joint force considering the stressing oper-*
17 *ational nature and significant resource require-*
18 *ments of such mission.*

19 (C) *An assessment whether a transition*
20 *from large-deck amphibious ships to small air-*
21 *craft carriers would result in a more lethal and*
22 *survivable Marine Corps sea base that could ac-*
23 *commodate larger numbers of more diverse strike*
24 *aircraft.*

1 (D) *An assessment of the manner in which*
2 *an acceleration of development and fielding of*
3 *longer-range, unmanned, carrier-suitable strike*
4 *aircraft could better meet operational require-*
5 *ments and alter the requirement for shorter-*
6 *range, manned tactical fighter aircraft.*

7 (E) *An assessment of the manner in which*
8 *the emerging technology to operate large numbers*
9 *of low-cost, autonomous, attributable systems in*
10 *the air, on and under the sea, on land, and in*
11 *space could change the manner in which the*
12 *joint force projects power globally.*

13 (6) *An assessment, based on operational plans, of*
14 *the ability of manned, stealthy, penetrating strike*
15 *platforms to survive and perform effectively the high-*
16 *est priority operational missions described in the Na-*
17 *tional Defense Strategy, including the following:*

18 (A) *An assessment whether anticipated ad-*
19 *vances in stealth technology and the employment*
20 *of such technology on existing or developmental*
21 *systems, such as the F-35 and B-21 aircraft,*
22 *can be expected to outpace and overmatch adver-*
23 *sary capabilities to detect and target such sys-*
24 *tems.*

1 (B) *An assessment of the ability of fourth*
2 *generation aircraft with advanced sensors and*
3 *weapons to perform certain missions equally or*
4 *more effectively than the missions assigned to, or*
5 *envisioned for, fifth-generation penetrating strike*
6 *platforms.*

7 (C) *An assessment of the manner in which*
8 *the emerging technology to operate large numbers*
9 *of low-cost, autonomous, attributable systems in*
10 *the air, on and under the sea, on land, and in*
11 *space could obviate or reduce the requirement for*
12 *penetrating strike platforms.*

13 (7) *A re-evaluation of the most effective and effi-*
14 *cient means for the joint force to perform the air su-*
15 *periority mission in both contested and uncontested*
16 *environments, including the following:*

17 (A) *An assessment of the ability to achieve*
18 *air superiority from other domains, including*
19 *with land-based systems, naval systems, undersea*
20 *systems, space-based systems, electronic warfare*
21 *systems, or cyber capabilities.*

22 (B) *A validation of the envisioned oper-*
23 *ational and cost effectiveness of the Penetrating*
24 *Counter-Air platform, and of the requirement for*

1 *developing this system as part of the Air Force*
2 *Next Generation Air Dominance program.*

3 *(C) A detailed description of the optimal*
4 *mix across the joint force of fourth-generation*
5 *and fifth-generation fighter aircraft, bomber air-*
6 *craft, and Next Generation Air Dominance sys-*
7 *tems to fulfill operational demands for air supe-*
8 *riority.*

9 *(D) A detailed description of the manner in*
10 *which the joint force will perform the mission of*
11 *light aerial attack in uncontested environments*
12 *to support counterterrorism and security force*
13 *assistance missions, and the mission of coun-*
14 *tering violent extremism operations, at the lowest*
15 *cost to the readiness of advanced, multirole com-*
16 *bat aircraft.*

17 *(E) A determination of what Armed Force,*
18 *in addition to the Air Force, should have a role*
19 *in the mission of light air attack in uncontested*
20 *environments.*

21 *(8) A reevaluation of the roles and missions of*
22 *the joint special operations enterprise, including the*
23 *following:*

24 *(A) A detailed assessment whether the joint*
25 *special operations enterprise is currently per-*

1 *forming too many missions worldwide, and*
2 *whether any such missions could be performed*
3 *adequately and more economically by conven-*
4 *tional units.*

5 *(B) A detailed assessment whether the global*
6 *allocation of special operations forces, and espe-*
7 *cially the most capable units, is aligned to the*
8 *pacing threats and priority missions of the Na-*
9 *tional Defense Strategy.*

10 *(C) A detailed description of the changes re-*
11 *quired to align the joint special operations enter-*
12 *prise more effectively with the National Defense*
13 *Strategy.*

14 *(9) An assessment of the manner in which in-*
15 *creased use of the space domain should revise or re-*
16 *allocate the requirements of the joint force, including*
17 *the following:*

18 *(A) A detailed description of the missions,*
19 *including joint moving target indication, air*
20 *battle management, and missile and aircraft*
21 *tracking and targeting, that could be performed*
22 *more effectively from space-based platforms due*
23 *to emerging technology and operational require-*
24 *ments.*

1 (B) *An assessment of the manner in which*
2 *the joint force can take advantage of the develop-*
3 *ment and deployment of disaggregated commer-*
4 *cial satellite Internet constellations to replace*
5 *legacy tactical communications networks and de-*
6 *VICES and achieve multi-domain command and*
7 *control more effectively and at lower cost.*

8 (C) *An assessment of the manner in which*
9 *to ensure that the joint force has access to tech-*
10 *nologies that deliver superior offensive space ca-*
11 *pabilities and a maneuver advantage to and*
12 *within the space domain, including reusable*
13 *launch systems and spacecraft, on-orbit refueling*
14 *and manufacturing, on-orbit power generation,*
15 *and exploitation of space minerals and propel-*
16 *lants.*

17 (D) *A detailed description of the actions to*
18 *be taken by components of the Department to*
19 *promote and protect the development of a licit*
20 *space economy, including the following:*

21 (i) *Defense of commercial activities, fa-*
22 *cilities, and claims.*

23 (ii) *Safety of navigation.*

24 (iii) *Rescue and recovery.*

1 (iv) Construction and maintenance of
2 public works in Cis-Lunar Space.

3 (v) Active debris remediation.

4 (vi) Establishment of an on-orbit na-
5 tional strategic reserve of space minerals
6 and propellants.

7 (10) A reassessment of the manner in which the
8 joint force will perform the mission of logistics in
9 contested environments, including the following:

10 (A) A revalidation of the requirement for
11 the KC-46 tanker aircraft, including an assess-
12 ment of the aerial refueling requirements in con-
13 tested environments and a greater reliance on
14 distributed systems of systems.

15 (B) A detailed assessment whether the mis-
16 sion of logistics in contested environments could
17 be better performed by larger numbers of lower-
18 cost, autonomous systems capable of dispersed
19 operations on land, at sea, and in the air.

20 (C) A detailed assessment whether greater
21 forward stationing of joint force capabilities and
22 personnel would be more operationally effective
23 in performing the contact and blunt missions of
24 the National Defense Strategy.

1 (d) *FORM.*—The report required in subsection (b) shall
2 be submitted in classified form, and shall include an unclas-
3 sified summary.

4 **SEC. 1042. ANNUAL REPORTS BY THE ARMED FORCES ON**
5 **OUT-YEAR UNCONSTRAINED TOTAL MUNI-**
6 **TIONS REQUIREMENTS AND OUT-YEAR IN-**
7 **VENTORY NUMBERS.**

8 (a) *REPORTS REQUIRED.*—Chapter 9 of title 10,
9 United States Code, is amended by inserting after section
10 222a the following new section:

11 **“§ 222b. Armed forces: Out-Year Unconstrained Total**
12 **Munitions Requirements; Out-Year inven-**
13 **tory numbers**

14 “(a) *ANNUAL REPORTS.*—At the same time each year
15 that the budget for the fiscal year beginning in such year
16 is submitted to Congress pursuant to section 1105(a) of title
17 31, the chief of staff of each armed force (other than the
18 Coast Guard) shall submit to the congressional defense com-
19 mittees a report setting forth for such armed force each of
20 the following for such fiscal year, broken out as specified
21 in subsection (b):

22 “(1) *The Out-Year Unconstrained Total Muni-*
23 *tions Requirement.*

24 “(2) *The Out-Year inventory numbers.*

1 “(b) *PRESENTATION.*—*The Out-Year Unconstrained*
2 *Total Munitions Requirement and Out-Year inventory*
3 *numbers for an armed force for a fiscal year pursuant to*
4 *subsection (a) shall include specific inventory objective re-*
5 *quirements for each variant of munitions with respect to*
6 *each of the following:*

7 “(1) *Combat Requirement, broken out by oper-*
8 *ation plan (OPLAN).*

9 “(2) *Current Operation/Forward Presence Re-*
10 *quirement.*

11 “(3) *Strategic Readiness Requirement.*

12 “(4) *Homeland Defense.*

13 “(5) *Training and Testing Requirement.*

14 “(6) *Total Out-Year Unconstrained Total Muni-*
15 *tions Requirement, calculated in accordance with the*
16 *implementation guidance described in subsection (c).*

17 “(7) *Out-year worldwide inventory.*

18 “(c) *IMPLEMENTATION GUIDANCE USED.*—*In submit-*
19 *ting information pursuant to subsection (a) for a fiscal*
20 *year, the chief of staff of each armed force shall describe*
21 *and explain the munitions requirements process implemen-*
22 *tation guidance developed by the Under Secretary of De-*
23 *fense for Acquisition and Sustainment and used by such*
24 *armed force for the munitions requirements process for such*
25 *armed force for that fiscal year.*

1 “(d) *DEFINITIONS.*—*In this section:*

2 “(1) *The term ‘chief of staff’, with respect to the*
3 *Marine Corps, means the Commandant of the Marine*
4 *Corps.*

5 “(2) *The term ‘Out-Year Unconstrained Total*
6 *Munitions Requirement’ has the meaning given that*
7 *term in and for purposes of Department of Defense*
8 *Instruction 3000.04, or any successor instruction.”.*

9 “(b) *CLERICAL AMENDMENT.*—*The table of sections at*
10 *the beginning of chapter 9 of such title is amended by in-*
11 *serting after the item relating to section 222a the following*
12 *new item:*

“222b. *Armed forces: Out-Year Unconstrained Total Munitions Requirements;*
Out-Year inventory numbers.”.

13 **SEC. 1043. COMPREHENSIVE REVIEW OF OPERATIONAL AND**
14 **ADMINISTRATIVE CHAINS-OF-COMMAND AND**
15 **FUNCTIONS OF THE DEPARTMENT OF THE**
16 **NAVY.**

17 “(a) *IN GENERAL.*—*The Secretary of the Navy shall*
18 *conduct a comprehensive review of the operational and ad-*
19 *ministrative chains-of-command and functions of the De-*
20 *partment of the Navy.*

21 “(b) *ELEMENTS.*—*In conducting the review required by*
22 *subsection (a), the Secretary shall consider options to do*
23 *each of the following:*

1 (1) *Increase visibility of unit-level readiness at*
2 *senior levels.*

3 (2) *Reduce so-called “double-hatting” and “tri-*
4 *ple-hatting” commanders.*

5 (3) *Clarify organizations responsible and ac-*
6 *countable for training and certification at the unit,*
7 *group, and fleet level.*

8 (4) *Simplify reporting requirements applicable*
9 *to commanding officers.*

10 (c) *REPORT.—*

11 (1) *IN GENERAL.—Not later than 180 days after*
12 *the date of the enactment of this Act, the Secretary*
13 *shall submit to the congressional defense committees a*
14 *report on the results of the review required by sub-*
15 *section (a). The report shall include the following:*

16 (A) *The results of the review, including any*
17 *findings of the Secretary as a result of the re-*
18 *view.*

19 (B) *Any organizational changes in oper-*
20 *ational or administrative chains-of-command or*
21 *functions of the Department undertaken or to be*
22 *undertaken by the Secretary in light of the re-*
23 *view.*

24 (C) *Any recommendations for legislative or*
25 *administration action with respect to the oper-*

1 *ational or administrative chains-of-command or*
2 *functions of the Department as the Secretary*
3 *considers appropriate in light of the review.*

4 (2) *FORM.—The report under this subsection*
5 *shall be submitted in unclassified form, but may in-*
6 *clude a classified annex.*

7 **SEC. 1044. MILITARY AVIATION READINESS REVIEW IN SUP-**
8 **PORT OF THE NATIONAL DEFENSE STRAT-**
9 **EGY.**

10 (a) *REPORT REQUIRED.—Not later than one year*
11 *after the date of the enactment of this Act, the Secretary*
12 *of Defense shall submit to the Committees on Armed Serv-*
13 *ices of the Senate and the House of Representatives a report*
14 *on military aviation readiness in support of the National*
15 *Defense Strategy (NDS).*

16 (b) *REVIEW FOR REPORT PURPOSES.—*

17 (1) *IN GENERAL.—The report under subsection*
18 *(a) shall be based on a review conducted for purposes*
19 *of the report in accordance with this section.*

20 (2) *PANEL.—The review shall be conducted by a*
21 *panel consisting of the following:*

22 (A) *The Commander of the Air Combat*
23 *Command, who shall head the panel.*

24 (B) *The Commander of the Army Aviation*
25 *Branch.*

1 (C) *The Chief of Naval Air Forces.*

2 (D) *The Deputy Commandant of the Ma-*
3 *rine Corps for Aviation.*

4 (E) *Such other personnel of the Department*
5 *of Defense as the Secretary considers appro-*
6 *priate.*

7 (c) *REVIEW ELEMENTS.—The review required by sub-*
8 *section (b) shall address the following:*

9 (1) *An analysis of the career progression of mili-*
10 *tary pilots and non-pilot aviators, including a com-*
11 *parison between military pilot and non-pilot avi-*
12 *ators, on the one hand, and other military speciali-*
13 *ties, on the other hand, with respect to each of the fol-*
14 *lowing:*

15 (A) *Tours of duty.*

16 (B) *Assignment lengths.*

17 (C) *Minimum service commitments.*

18 (D) *Professional performance evaluation*
19 *systems.*

20 (E) *Statutory and administrative pro-*
21 *motion processes.*

22 (2) *An analysis of aircrew aviation training for*
23 *various aircraft platforms, including—*

24 (A) *an historical analysis, covering the past*
25 *15 years, of first and second assignment total*

1 *flight hours and model-specific flight hours for*
2 *military pilots and non-pilot aviators; and*

3 *(B) an analysis of the flight hour program*
4 *in order to determine the appropriate level of re-*
5 *quired monthly flight hours and sorties to main-*
6 *tain currency (minimum safe level) and pro-*
7 *ficiency (minimum level to be tactically com-*
8 *petent).*

9 *(3) An analysis of the effect of recent operational*
10 *deployments on the ability of military pilots and*
11 *non-pilot aviators to build and maintain readiness*
12 *for potential threats from a near-peer adversary, in-*
13 *cluding—*

14 *(A) a comparison of rates of simulator*
15 *usage for military pilots and non-pilot aviators*
16 *within and not within the pre-deployment train-*
17 *ing window; and*

18 *(B) an assessment of the suitability of*
19 *training curriculum to address high-end combat*
20 *operations against a near-peer adversary.*

21 *(4) An analysis of aviation squadron size and*
22 *composition, including—*

23 *(A) individual unit-level aircraft allocation;*

24 *(B) aviation platform-specific force struc-*
25 *ture; and*

1 (C) quantity of squadrons within each avia-
2 tion platform.

3 (5) An analysis of aviation squadron manning
4 documents on appropriate levels and composition of
5 military pilots, non-pilot aviators, and non-aircrew
6 for each squadron in support of the most current Na-
7 tional Defense Strategy, including a consideration
8 of—

9 (A) appropriate levels and composition of
10 military pilots, non-pilot aviators, and non-air-
11 crew for each squadron in support of such Na-
12 tional Defense Strategy;

13 (B) flight-related workload compared with
14 non-flight related workload for military pilots
15 and non-pilot aviators;

16 (C) the number of different aircraft plat-
17 forms to which enlisted maintenance personnel
18 are expected to be assigned throughout a typical
19 career; and

20 (D) career training milestones for enlisted
21 maintenance personnel, and the effects of such
22 milestones on military aviation readiness.

23 (6) An analysis of logistics programs in support
24 of military aviation readiness, including—

1 (A) an evaluation of any shortfalls in logis-
2 tics programs that serve as contributing factors
3 to both military pilot retention and overall read-
4 iness of military aviation units;

5 (B) an analysis of aircraft parts cannibal-
6 ization rates;

7 (C) a determination of average mission ca-
8 pable ratings for aircraft throughout the various
9 stages of the deployment cycle;

10 (D) an analysis of rates of reassignment of
11 aircraft from non-deploying units to deploying
12 units; and

13 (E) an identification of individual aircraft
14 communities, if any, with strained supply
15 chains with single-source suppliers.

16 **SEC. 1045. REPORT ON CAPABILITIES AND CAPACITIES OF**
17 **ARMORED BRIGADE COMBAT TEAMS.**

18 (a) *IN GENERAL.*—Not later than 60 days after the
19 date of the enactment of this Act, the Secretary of the Army
20 shall submit to the congressional defense committees a re-
21 port on the capabilities and capacities of Armored Brigade
22 Combat Teams (ABCTs).

23 (b) *ELEMENTS.*—The report required under subsection
24 (a) shall include the following:

1 (1) *A description of the total number of Armored*
2 *Brigade Combat Teams required to support the Na-*
3 *tional Defense Strategy (NDS).*

4 (2) *A description of the manner in which the*
5 *Army plans to equip and field future Armored Bri-*
6 *gade Combat Teams.*

7 (3) *A description of the total number of mecha-*
8 *nized infantry companies required in support of the*
9 *Armored Brigade Combat Teams.*

10 (4) *A description of steps being taken to improve*
11 *the number and quality of live-fire gunnery exercises*
12 *executed each year, including improving execution of*
13 *battalion and brigade-level combined arms live-fire*
14 *exercises both at home station and at the Combat*
15 *Training Centers.*

16 (5) *A description of training being conducted to*
17 *train Armored Brigade Combat Teams in combined*
18 *arms for air defense and to counter unmanned aerial*
19 *vehicles with organic weapons and tactics.*

20 (6) *A plan to improve personnel preparedness by*
21 *the reduction of non-deployable soldiers and improve-*
22 *ments in combat vehicle crew stability and material*
23 *readiness of key combat systems.*

1 (7) *A description of deficiencies in repair parts*
2 *and number of qualified mechanics, and a plan to*
3 *correct such deficiencies.*

4 (8) *A plan for the modernization of the Armored*
5 *Brigade Combat Teams.*

6 **SEC. 1046. IMPROVEMENT OF ANNUAL REPORT ON CIVILIAN**
7 **CASUALTIES IN CONNECTION WITH UNITED**
8 **STATES MILITARY OPERATIONS.**

9 (a) *MODIFICATION AND EXPANSION OF ELEMENTS.—*
10 *Subsection (b) of section 1057 of the National Defense Au-*
11 *thorization Act for Fiscal Year 2018 (Public Law 115–91)*
12 *is amended—*

13 (1) *in paragraph (1), by inserting “, including*
14 *each specific mission, strike, engagement, raid, or in-*
15 *cident,” after “military operations”;*

16 (2) *in paragraph (2)(E), by inserting before the*
17 *period at the end the following: “, including a dif-*
18 *ferentiation between those killed and those injured”;*

19 (3) *in paragraph (3), by inserting before the pe-*
20 *riod at the end the following: “, and, when appro-*
21 *priate, makes ex gratia payments to the victims or*
22 *their families”;*

23 (4) *by redesignating paragraph (5) as para-*
24 *graph (6); and*

1 (5) by inserting after paragraph (4) the fol-
2 lowing new paragraph (5):

3 “(5) Any update or modification to any report
4 under this section during a previous year.”.

5 (b) *SCOPE OF UNCLASSIFIED FORM OF REPORT.*—
6 Subsection (d) of such section is amended by adding at the
7 end the following new sentence: “The unclassified form of
8 each report shall, at a minimum, be responsive to each ele-
9 ment under subsection (b) of a report under subsection (a),
10 and shall be made available to the public at the same time
11 it is submitted to Congress (unless the Secretary certifies
12 in writing that the publication of such information poses
13 a threat to the national security interests of the United
14 States).”.

15 **SEC. 1047. REPORT ON DEPARTMENT OF DEFENSE PARTICI-**
16 **PATION IN EXPORT ADMINISTRATION REGU-**
17 **LATIONS LICENSE APPLICATION REVIEW**
18 **PROCESS.**

19 (a) *IN GENERAL.*—Not later than 180 days after the
20 enactment of this Act, and every 180 days thereafter until
21 the date that is three years after such date of enactment,
22 the Under Secretary of Defense for Policy shall submit to
23 the congressional defense committees a report on the partici-
24 pation by the Department of Defense in the process for re-
25 viewing applications for export licenses under the Export

1 *Administration Regulations as a reviewing agency under*
2 *Executive Order 12981 (50 U.S.C. 4603 note; relating to*
3 *administration of export controls).*

4 (b) *ELEMENTS.—The report required by subsection (a)*
5 *shall include the following:*

6 (1) *The number of applications for export li-*
7 *licenses under the Export Administration Regulations*
8 *reviewed by the Department of Defense in the 180-day*
9 *period preceding the submission of the report.*

10 (2) *The number of instances during that 180-day*
11 *period in which the Department disagreed with a*
12 *final determination made with respect to such an ap-*
13 *plication under the review procedures set forth in Ex-*
14 *ecutive Order 12981.*

15 (3) *A summary of such instances, including—*

16 (A) *a summary of the applicants for such*
17 *licenses and the recipients of items pursuant to*
18 *such licenses in such instances;*

19 (B) *a description of sensitive technologies*
20 *involved in such instances; and*

21 (C) *a description of the rationale of the De-*
22 *partment for disagreeing with such determina-*
23 *tions.*

24 (4) *The number of such applications under re-*
25 *view by the Department or undergoing interagency*

1 *dispute resolution as of the date of the submission of*
2 *the report.*

3 (c) *FORM.—The report required by subsection (a) shall*
4 *be submitted in unclassified form but may include a classi-*
5 *fied annex.*

6 (d) *EXPORT ADMINISTRATION REGULATIONS DE-*
7 *FINED.—In this section, the term “Export Administration*
8 *Regulations” means subchapter C of chapter VII of title 15,*
9 *Code of Federal Regulations.*

10 **SEC. 1048. AUTOMATIC SUNSET FOR FUTURE STATUTORY**
11 **REPORTING REQUIREMENTS.**

12 (a) *IN GENERAL.—Chapter 23 of title 10, United*
13 *States Code, is amended by inserting after section 480 the*
14 *following new section:*

15 **“§480a. Reports to Congress: termination of indefi-**
16 **nite-duration reports after three years**

17 *“(a) IN GENERAL.—Any provision of law enacted on*
18 *or after the date of enactment of this section that includes*
19 *an indefinite-duration report requirement shall cease to be*
20 *effective, with respect to that requirement, three years after*
21 *the date of the enactment of that provision of law unless*
22 *that provision of law expressly states that this section is*
23 *inapplicable to that requirement or that provision of law.*

24 *“(b) INDEFINITE-DURATION REPORT REQUIREMENT*
25 *DEFINED.—In this section, the term “indefinite-duration re-*

1 *quirement’ means a requirement in any provision of law*
 2 *for the Secretary of Defense (or any other officer or em-*
 3 *ployee of the Department of Defense) to submit to Congress*
 4 *(or any committee of Congress) a periodic report for which*
 5 *the law does not—*

6 “(1) *state a specific period of time as the period*
 7 *during which that report is required to be submitted*
 8 *or that provision of law is in effect; or*

9 “(2) *state a specific termination date for the re-*
 10 *quirement to submit the report or for that provision*
 11 *of law.*

12 “(c) *PERIODIC REPORT DEFINED.—In this section, the*
 13 *term ‘periodic report’ means a report required to be sub-*
 14 *mitted on an annual, semiannual, or other regular periodic*
 15 *basis.”.*

16 “(b) *CLERICAL AMENDMENT.—The table of sections at*
 17 *the beginning of chapter 23 of such title is amended by in-*
 18 *serting after the item relating to section 480 the following*
 19 *new item:*

“480a. Reports to Congress: termination of indefinite-duration reports after three years.”.

20 **SEC. 1049. REPEAL OF CERTAIN DEPARTMENT OF DEFENSE**
 21 **REPORTING REQUIREMENTS THAT OTHER-**
 22 **WISE TERMINATE AS OF DECEMBER 31, 2021.**

23 “(a) *TITLE 10, UNITED STATES CODE.—Title 10,*
 24 *United States Code, is amended as follows:*

1 (1)(A) *Section 229, relating to the display of*
2 *budget information for programs for combating ter-*
3 *rorism, is repealed.*

4 (B) *The table of sections at the beginning of*
5 *chapter 9 is amended by striking the item relating to*
6 *section 229.*

7 (2)(A) *Section 231a, relating to budgeting for*
8 *life-cycle costs of aircraft for the Navy, Army, and*
9 *Air Force, is repealed.*

10 (B) *The table of sections at the beginning of*
11 *chapter 9 is amended by striking the item relating to*
12 *section 231a.*

13 (3) *Section 2276, relating to commercial space*
14 *launch cooperation, is amended—*

15 (A) *by striking subsection (e); and*

16 (B) *by redesignating subsections (f) and (g)*
17 *as subsections (e) and (f), respectively.*

18 (4) *Section 7310, relating to report on repair of*
19 *certain vessels in foreign shipyards, is amended by*
20 *striking subsection (c).*

21 (b) *NATIONAL DEFENSE AUTHORIZATION ACT FOR*
22 *FISCAL YEAR 2007.—Section 1017 of the John Warner Na-*
23 *tional Defense Authorization Act for Fiscal Year 2007 (Pub-*
24 *lic Law 109–364; 120 Stat. 2379), relating to obtaining*
25 *carriage by vessel, is amended—*

1 (1) *by striking subsection (e); and*

2 (2) *by redesignating subsection (f) as subsection*

3 *(e).*

4 (c) *NATIONAL DEFENSE AUTHORIZATION ACT FOR*

5 *FISCAL YEAR 2008.—Section 1034(d) of the National De-*

6 *fense Authorization Act for Fiscal Year 2008 (10 U.S.C.*

7 *272 note), relating to distribution of chemical and biologi-*

8 *cal agents to non-Federal entities, is amended—*

9 (1) *by striking subsection (d); and*

10 (2) *by redesignating subsection (e) as subsection*

11 *(d).*

12 (d) *NATIONAL DEFENSE AUTHORIZATION ACT FOR*

13 *FISCAL YEAR 2009.—Section 1047(d) of the Duncan Hun-*

14 *ter National Defense Authorization Act for Fiscal Year 2009*

15 *(10 U.S.C. 2366b note), relating to reports on bandwidth*

16 *requirements for major defense acquisition programs, is*

17 *amended—*

18 (1) *by striking paragraph (2);*

19 (2) *by striking “(d) FORMAL REVIEW PROCESS*

20 *FOR BANDWIDTH REQUIREMENTS .—” and all that*

21 *follows through “(1) IN GENERAL.—The Secretary”*

22 *and inserting the following:*

23 “*(d) FORMAL REVIEW PROCESS FOR BANDWIDTH RE-*

24 *QUIREMENTS.—The Secretary”;* and

1 (3) by redesignating subparagraphs (A) and (B)
2 as paragraphs (1) and (2), respectively, and indent-
3 ing appropriately.

4 (e) NATIONAL DEFENSE AUTHORIZATION ACT FOR
5 FISCAL YEAR 2011.—Section 1217 of the Ike Skelton Na-
6 tional Defense Authorization Act for Fiscal Year 2011 (22
7 U.S.C. 7513 note), relating to authority to establish a pro-
8 gram to develop and carry out infrastructure projects in
9 Afghanistan, is amended—

10 (1) by striking subsection (i); and

11 (2) by redesignating subsection (j) as subsection
12 (i).

13 (f) NATIONAL DEFENSE AUTHORIZATION ACT FOR
14 FISCAL YEAR 2015.—Section 1026 of the Carl Levin and
15 Howard P. “Buck” McKeon National Defense Authoriza-
16 tion Act for Fiscal Year 2015 (Public Law 113–291; 127
17 Stat. 3490), relating to availability of funds for retirement
18 of inactivation of Ticonderoga class cruisers or dock land-
19 ing ships, is amended—

20 (1) by striking subsection (d); and

21 (2) by redesignating subsection (e) as subsection
22 (d).

23 (g) CONFORMING AMENDMENTS.—Section 1061 of the
24 National Defense Authorization Act for Fiscal Year 2017
25 (10 U.S.C. 111 note) is amended—

1 (1) *in subsection (c), by striking paragraphs*
2 *(14), (16), (41), and (59);*

3 (2) *in subsection (d), by striking paragraph (3);*

4 (3) *in subsection (g), by striking paragraph (3);*
5 *and*

6 (4) *in subsection (i), by striking paragraphs*
7 *(15), (18), and (24).*

8 **SEC. 1050. REPORT ON POTENTIAL IMPROVEMENTS TO CER-**
9 **TAIN MILITARY EDUCATIONAL INSTITUTIONS**
10 **OF THE DEPARTMENT OF DEFENSE.**

11 (a) *REPORT REQUIRED.—*

12 (1) *IN GENERAL.—Not later than December 1,*
13 *2019, the Secretary of Defense shall submit to the*
14 *Committees on Armed Services of the Senate and the*
15 *House of Representatives a report setting forth the re-*
16 *sults of a review and assessment, obtained by the Sec-*
17 *retary for purposes of the report, of the potential ef-*
18 *fects on the military education provided by the edu-*
19 *cational institutions of the Department of Defense*
20 *specified in subsection (b) of the actions described in*
21 *subsection (c).*

22 (2) *CONDUCTING ORGANIZATION.—The review*
23 *and assessment required for purposes of the report*
24 *shall be performed by an organization selected by the*
25 *Secretary from among organizations independent of*

1 *the Department that have expertise in the analysis of*
2 *matters in connection with higher education.*

3 *(b) EDUCATIONAL INSTITUTIONS OF THE DEPART-*
4 *MENT OF DEFENSE.—The educational institutions of the*
5 *Department of Defense specified in this subsection are the*
6 *following:*

7 *(1) The senior level service schools and inter-*
8 *mediate level service schools (as such terms are de-*
9 *finied in section 2151(b) of title 10, United States*
10 *Code).*

11 *(2) The Air Force Institute of Technology.*

12 *(3) The National Defense University.*

13 *(4) The Joint Special Operations University.*

14 *(5) The Army Armament Graduate School.*

15 *(6) Any other military educational institution of*
16 *the Department specified by the Secretary for pur-*
17 *poses of this section.*

18 *(c) ACTIONS.—The actions described in this subsection*
19 *with respect to the educational institutions of the Depart-*
20 *ment of Defense specified in subsection (b) are the following:*

21 *(1) Modification of admission and graduation*
22 *requirements.*

23 *(2) Reduction or expansion of degree-granting*
24 *authority.*

1 (3) *Reduction or expansion of the acceptance of*
2 *research grants.*

3 (4) *Reduction of the number of attending stu-*
4 *dents generally.*

5 (5) *Reduction of the number of attending stu-*
6 *dents through the sponsoring of education of an in-*
7 *creased number of students at non-Department of De-*
8 *fense education institutions of higher education.*

9 (6) *Increase in the frequency of curriculum*
10 *changes to account for emerging subject matters of*
11 *importance to national defense.*

12 (7) *Modification of civilian faculty management*
13 *practices, including employment practices.*

14 (d) *ADDITIONAL ELEMENTS.—In addition to the mat-*
15 *ters described in subsection (a), the review and report under*
16 *this section shall also include the following:*

17 (1) *A comparison of admission standards and*
18 *graduation requirements of the educational institu-*
19 *tions of the Department of Defense specified in sub-*
20 *section (b) with admission standards and graduation*
21 *requirements of public and private institutions of*
22 *higher education that are comparable to the edu-*
23 *cational institutions of the Department of Defense.*

24 (2) *A comparison of the goals and missions of*
25 *the educational institutions of the Department of De-*

1 *fense specified in subsection (b) with the goals and*
2 *missions of such public and private institutions of*
3 *higher education.*

4 *(3) Any other matters the Secretary considers*
5 *appropriate for purposes of this section.*

6 **SEC. 1051. RECRUITING COSTS OF THE ARMED FORCES.**

7 *(a) BRIEFING REQUIRED.—Not later than one year*
8 *after the date of the enactment of this Act, the Secretary*
9 *of Defense shall brief the Committees on Armed Services of*
10 *the Senate and the House of Representatives on the results*
11 *of a study, conducted by the Secretary for purposes of the*
12 *briefing, on the costs of the Armed Forces in recruiting for*
13 *members of the Armed Forces.*

14 *(b) ELEMENTS.—The briefing required by subsection*
15 *(a) shall include the following:*

16 *(1) A description of the recruiting costs of each*
17 *Armed Force in each of fiscal years 2010 through*
18 *2019.*

19 *(2) An estimate of the recruiting costs of each*
20 *Armed Force in each of fiscal years 2020 through*
21 *2024.*

22 *(3) A description of the factors that contributed*
23 *significantly to the recruiting costs of the Armed*
24 *Forces during fiscal years 2010 through 2019.*

1 (4) *Any other matters in connection with the re-*
2 *cruiting costs of the Armed Forces that the Secretary*
3 *considers appropriate.*

4 ***Subtitle F—Other Matters***

5 ***SEC. 1061. AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA***

6 ***DIOXIN CLEANUP.***

7 (a) *TRANSFER AUTHORITY.*—*Notwithstanding section*
8 *2215 of title 10, United States Code, the Secretary of De-*
9 *fense may transfer to the Secretary of State, for use by the*
10 *United States Agency for International Development,*
11 *amounts to be used for the Bien Hoa dioxin cleanup in*
12 *Vietnam.*

13 (b) *LIMITATION ON AMOUNTS.*—*Not more than*
14 *\$15,000,000 may be transferred in each of fiscal years 2019*
15 *through 2027 under the authority in subsection (a).*

16 (c) *SOURCE OF FUNDS.*—*The Secretary of Defense*
17 *may transfer funds appropriated to the Department of De-*
18 *fense for “Operation and Maintenance, Defense-wide”*
19 *under the authority in subsection (a) .*

20 (d) *ADDITIONAL TRANSFER AUTHORITY.*—*The trans-*
21 *fer authority provided under subsection (a) is in addition*
22 *to any other transfer authority available to the Department*
23 *of Defense.*

1 **SEC. 1062. IMPROVEMENT OF DATABASE ON EMERGENCY**
2 **RESPONSE CAPABILITIES.**

3 (a) *IN GENERAL.*—Section 1406 of the John Warner
4 *National Defense Authorization Act for Fiscal Year 2007*
5 *(Public Law 109–364; 120 Stat. 2436; 10 U.S.C. 113 note)*
6 *is amended—*

7 (1) *by inserting before “The Secretary” the fol-*
8 *lowing: “(a) DATABASE REQUIRED.—”;*

9 (2) *in subsection (a), as designated by para-*
10 *graph (1)—*

11 (A) *in paragraph (1)—*

12 (i) *by striking “each States’s National*
13 *Guard, as reported by the States” and in-*
14 *serting “the National Guard of each State*
15 *and Territory, as reported by the States*
16 *and Territories”;* and

17 (ii) *by inserting “and Territories”*
18 *after “their home States”;* and

19 (B) *by adding at the end the following new*
20 *paragraphs:*

21 “(3) *Cyber capabilities of the National Guard*
22 *identified by the Department as critical for response*
23 *to domestic natural or manmade disasters.*

24 “(4) *Cyber capabilities of the other reserve com-*
25 *ponents of the Armed Forces identified by the Depart-*

1 *ment as critical for response to domestic natural or*
2 *manmade disasters.”; and*

3 *(3) by adding at the end the following new sub-*
4 *section:*

5 *“(b) INFORMATION REQUIRED TO KEEP DATABASE*
6 *CURRENT.—In maintaining the database required by sub-*
7 *section (a), the Secretary shall identify and revise the infor-*
8 *mation required to be included in the database at least once*
9 *every two years for purposes of keeping the database cur-*
10 *rent.”.*

11 *(b) ESTABLISHMENT OF DATABASE.—*

12 *(1) DEADLINE FOR ESTABLISHMENT.—The Sec-*
13 *retary of Defense shall establish the database required*
14 *by section 1406 of the John Warner National Defense*
15 *Authorization Act for Fiscal Year 2007, as amended*
16 *by subsection (a), by not later than one year after the*
17 *date of the enactment of this Act.*

18 *(2) USE OF EXISTING DATABASE OR SYSTEM FOR*
19 *CERTAIN CAPABILITIES.—The Secretary may meet the*
20 *requirement with respect to the capabilities described*
21 *in subsection (a)(1) of section 1406 of the John War-*
22 *ner National Defense Authorization Act for Fiscal*
23 *Year 2007, as so amended, in connection with the*
24 *database required by that section through use or*
25 *modification of a current database or tracking system*

1 of the Department of Defense if the Secretary deter-
2 mines that such action will—

3 (A) expedite compliance with the require-
4 ment; and

5 (B) achieve such compliance at a cost not
6 greater than the cost of establishing anew the
7 database otherwise covered by the requirement.

8 **SEC. 1063. ACCEPTANCE AND DISTRIBUTION BY DEPART-**
9 **MENT OF DEFENSE OF ASSISTANCE FROM**
10 **CERTAIN NONPROFIT ENTITIES IN SUPPORT**
11 **OF MISSIONS OF DEPLOYED UNITED STATES**
12 **PERSONNEL AROUND THE WORLD.**

13 (a) *FINDING.*—The Senate finds that Spirit of Amer-
14 ica, a privately-funded, nonpartisan, nonprofit organiza-
15 tion, acting in partnership with the Department of Defense,
16 has made an important contribution in supporting the mis-
17 sions of deployed United States personnel around the world.

18 (b) *SENSE OF SENATE.*—It is the sense of the Senate
19 that United States military commanders should, consistent
20 with applicable laws, regulations, and guidance developed
21 consistent with section 1088 of the National Defense Author-
22 ization Act for Fiscal Year 2018 (Public Law 115–91), col-
23 laborate with and provide transportation and other
24 logistical support to covered non-Federal entities, including

1 *Spirit of America, to advance the military missions of the*
2 *Armed Forces.*

3 (c) *DISTRIBUTION OF COVERED NON-FEDERAL ENTITY*
4 *ASSISTANCE ABROAD THROUGH DEPARTMENT OF DE-*
5 *FENSE.—*

6 (1) *ACCEPTANCE AND COORDINATION OF ASSIST-*
7 *ANCE.—The Department of Defense (including mem-*
8 *bers of the Armed Forces) may, at the discretion of*
9 *the Secretary of Defense and in accordance with guid-*
10 *ance issued by the Secretary and developed in coordi-*
11 *nation with the Secretary of State and the Adminis-*
12 *trator of the United States Agency for International*
13 *Development—*

14 (A) *accept from any covered non-Federal*
15 *entity humanitarian, economic, and other non-*
16 *lethal assistance funded by private funds in the*
17 *carrying out of the purposes of such entity; and*

18 (B) *respond to requests from covered non-*
19 *Federal entities for the identification of the needs*
20 *of local populations abroad for assistance, and*
21 *coordinate with such entitites in the provision*
22 *and distribution of such assistance, in the car-*
23 *rying out of such purposes.*

24 (2) *DISTRIBUTION OF ASSISTANCE TO LOCAL*
25 *POPULATIONS.—In accordance with guidance issued*

1 *by the Secretary of Defense, and developed in coordi-*
2 *nation with the Secretary of State and the Adminis-*
3 *trator of the United States Agency for International*
4 *Development, members of the Armed Forces abroad*
5 *may provide to local populations abroad humani-*
6 *tarian, economic, and other nonlethal assistance pro-*
7 *vided to the Department by a covered non-Federal en-*
8 *tity pursuant to this subsection.*

9 (3) *SCOPE OF GUIDANCE.—The guidance issued*
10 *pursuant to this subsection shall ensure that any as-*
11 *sistance distributed pursuant to this subsection shall*
12 *be for purposes of supporting the mission or missions*
13 *of the Department and the Armed Forces for which*
14 *such assistance is provided by a covered non-Federal*
15 *entity.*

16 (4) *DOD SUPPORT FOR ENTITY ACTIVITIES.—In*
17 *accordance with guidance issued by the Secretary of*
18 *Defense, the Department, and the Armed Forces*
19 *may—*

20 (A) *provide transportation, lodging, storage,*
21 *and other logistical support—*

22 (i) *to personnel of a covered non-Fed-*
23 *eral entity (whether in the United States or*
24 *abroad) who are carrying out the purposes*
25 *of such entity; and*

1 (ii) in connection with the acceptance
2 and distribution of assistance provided by a
3 covered non-Federal entity; and

4 (B) use assets of the Department and the
5 Armed Forces in the provision of support de-
6 scribed in subparagraph (A).

7 (d) *COVERED NON-FEDERAL ENTITY DEFINED.*—In
8 this section, the term “covered non-Federal entity” means
9 the following:

10 (1) *Spirit of America*, a privately-funded, non-
11 partisan, nonprofit organization described in section
12 501(c)(3) of the Internal Revenue Code of 1986 that
13 is exempt from taxation under section 501(a) of such
14 Code.

15 (2) Any other organization that—

16 (A) is based in the United States;

17 (B) has an independent board of directors
18 and is subject to independent financial audits;

19 (C) is substantially privately-funded;

20 (D) is described in section 501(c)(3) of the
21 Internal Revenue Code of 1986 and is exempt
22 from taxation under section 501(a) of such Code;
23 and

24 (E) provides international assistance.

1 **SEC. 1064. UNITED STATES POLICY WITH RESPECT TO**
2 **FREEDOM OF NAVIGATION AND OVERFLIGHT.**

3 (a) *DECLARATION OF POLICY.*—*It is the policy of the*
4 *United States to fly, sail, and operate throughout the*
5 *oceans, seas, and airspace of the world wherever inter-*
6 *national law allows.*

7 (b) *IMPLEMENTATION OF POLICY.*—*In furtherance of*
8 *the policy set forth in subsection (a), the Secretary of De-*
9 *fense should—*

10 (1) *plan and execute a robust series of routine*
11 *and regular air and naval presence missions through-*
12 *out the world and throughout the year, including for*
13 *critical transportation corridors and key routes for*
14 *global commerce;*

15 (2) *in addition to the missions executed pursu-*
16 *ant to paragraph (1), execute routine and regular air*
17 *and maritime freedom of navigation operations*
18 *throughout the year, in accordance with international*
19 *law, including the use of expanded military options*
20 *and maneuvers beyond innocent passage; and*

21 (3) *to the maximum extent practicable, execute*
22 *the missions pursuant to paragraphs (1) and (2) with*
23 *regional partner countries and allies of the United*
24 *States.*

1 **SEC. 1065. PROHIBITION OF FUNDS FOR CHINESE LAN-**
2 **GUAGE INSTRUCTION PROVIDED BY A CON-**
3 **FUCIUS INSTITUTE.**

4 (a) *PROHIBITION.*—None of the funds authorized to be
5 appropriated by this Act or otherwise made available for
6 fiscal year 2019 under this Act may be obligated or ex-
7 pended for Chinese language instruction provided by a Con-
8 fucius Institute.

9 (b) *LIMITATION.*—None of the funds authorized to be
10 appropriated by this Act or otherwise made available for
11 fiscal year 2019 under this Act may be obligated or ex-
12 pended to support a Chinese language program at an insti-
13 tution of higher education that hosts a Confucius Institute.

14 (c) *WAIVER.*—The Under Secretary of Defense for Per-
15 sonnel and Readiness may waive the limitation in sub-
16 section (b) with respect to a Chinese language program at
17 a specific institution of higher education if the Under Sec-
18 retary of Defense for Personnel and Readiness—

19 (1) certifies to the congressional defense commit-
20 tees that—

21 (A) Confucius Institute employees and in-
22 structors will have no affiliation with the pro-
23 gram;

24 (B) Confucius Institute employees and in-
25 structors will provide no instruction or support
26 to the program;

1 (C) *Confucius Institute employees and in-*
2 *structors will have no authority or influence*
3 *with regard to the curriculum and activities of*
4 *the program; and*

5 (D) *the institution has made publicly avail-*
6 *able all memoranda of understanding, contracts,*
7 *and other agreements between the institution and*
8 *the Confucius Institute, or between the institu-*
9 *tion and any agency of or organization affiliated*
10 *with the government of the People's Republic of*
11 *China; or*

12 (2) *certifies to the congressional defense commit-*
13 *tees that—*

14 (A) *the requirements described in subpara-*
15 *graphs (A) through (C) of paragraph (1) have*
16 *been met; and*

17 (B) *the waiver of the limitation in sub-*
18 *section (b) is necessary for national security, and*
19 *there is no reasonable alternative to issuing the*
20 *waiver.*

21 (d) *DEFINITIONS.—*

22 (1) *CHINESE LANGUAGE PROGRAM.—The term*
23 *“Chinese language program” means any Department*
24 *of Defense program designed to provide or support*
25 *Chinese language instruction, including the National*

1 *Security Education Program, the Language Flagship*
 2 *program, Project Global Officer, and the Language*
 3 *Training Centers program.*

4 (2) *CONFUCIUS INSTITUTE.*—*The term “Confu-*
 5 *cius Institute” means a Confucius Institute that is*
 6 *operated by the Office of Chinese Languages Council*
 7 *International, also known as Hanban, which is affili-*
 8 *ated with the Ministry of Education of the People’s*
 9 *Republic of China.*

10 (3) *INSTITUTION OF HIGHER EDUCATION.*—*The*
 11 *term “institution of higher education” has the mean-*
 12 *ing given the term in section 101 of the Higher Edu-*
 13 *cation Act of 1965 (20 U.S.C. 1001 et seq.).*

14 ***TITLE XI—CIVILIAN PERSONNEL***
 15 ***MATTERS***

16 ***Subtitle A—Department of Defense***
 17 ***Matters***

18 ***SEC. 1101. INAPPLICABILITY OF CERTIFICATION OF EXECU-***
 19 ***TIVE QUALIFICATIONS BY QUALIFICATION***
 20 ***REVIEW BOARDS OF OFFICE OF PERSONNEL***
 21 ***MANAGEMENT FOR INITIAL APPOINTMENTS***
 22 ***TO SENIOR EXECUTIVE SERVICE POSITIONS***
 23 ***IN DEPARTMENT OF DEFENSE.***

24 (a) *TEMPORARY INAPPLICABILITY.*—*Notwithstanding*
 25 *section 3393(c) of title 5, United States Code, or any regula-*

1 tions implementing that section, and subject to the provi-
2 sions of this section, the Secretary of Defense may appoint
3 individuals for service in the Senior Executive Service of
4 the Department of Defense without such individuals being
5 subject to the certification of executive qualifications by a
6 qualification review board of the Office of Personnel Man-
7 agement in connection with such appointment otherwise re-
8 quired by that section.

9 (b) *QUALIFICATIONS OF INDIVIDUALS APPOINTED.*—
10 The Secretary shall ensure that individuals appointed
11 under this section possess the necessary qualifications and
12 experience for the position to which appointed.

13 (c) *LIMITATION.*—The total number of appointments
14 made under this section in any year may not exceed 50
15 appointments.

16 (d) *REPORTS.*—

17 (1) *INITIAL REPORT.*—Not later than one year
18 after the date of the enactment of this Act, the Sec-
19 retary shall submit to the committees of Congress and
20 official specified in paragraph (3) a report on the
21 number and type of appointments made under this
22 section as of the date of the report, including—

23 (A) a description of the qualifications of the
24 individuals appointed; and

1 (B) data on the time required to appoint
2 the individuals.

3 (2) *FINAL REPORT.*—Not later than two years
4 after the date of the enactment of this Act, the Sec-
5 retary shall submit to the committees of Congress and
6 official specified in paragraph (3) a report on the use
7 of the authority in this section. The report shall in-
8 clude the following:

9 (A) The number and type of appointments
10 made under this section during the one-year pe-
11 riod ending on the date of the report.

12 (B) Data on and an assessment whether ap-
13 pointments under the authority in this section
14 reduced the time to hire when compared with the
15 time to hire under the current review system of
16 the Office of Personnel Management.

17 (C) An assessment of the utility of the ap-
18 pointment authority and process under this sec-
19 tion.

20 (D) An assessment whether the appoint-
21 ments made under this section resulted in higher
22 quality new executives for the Senior Executive
23 Service of the Department when compared with
24 the executives produced under the current review
25 system of the Office of Personnel Management.

1 (E) *Any recommendation for the improve-*
2 *ment of the selection and qualification process*
3 *for the Senior Executive Service of the Depart-*
4 *ment that the Secretary considers necessary in*
5 *order to attract and hire highly qualified can-*
6 *didates for service in that Senior Executive Serv-*
7 *ice.*

8 (3) *COMMITTEES OF CONGRESS AND OFFICIAL.—*
9 *The committees of Congress and official specified in*
10 *this paragraph are—*

11 (A) *the Committee on Armed Services and*
12 *the Committee on Homeland Security and Gov-*
13 *ernmental Affairs of the Senate;*

14 (B) *the Committee on Armed Services and*
15 *the Committee on Oversight and Government Re-*
16 *form of the House of Representatives; and*

17 (C) *the Director of the Office of Personnel*
18 *Management.*

19 (e) *SUNSET.—Subsection (a) shall cease to be effective*
20 *on the date that is two years after the date of the enactment*
21 *of this Act.*

1 **SEC. 1102. DIRECT HIRE AUTHORITY FOR SCIENCE AND**
2 **TECHNOLOGY REINVENTION LABORATORIES**
3 **AND MAJOR RANGE AND TEST FACILITIES**
4 **BASE FACILITIES FOR RECENT SCIENCE,**
5 **TECHNOLOGY, ENGINEERING, AND MATHE-**
6 **MATICS GRADUATES OF MINORITY-SERVING**
7 **INSTITUTIONS.**

8 (a) *AUTHORITY TO MAKE DIRECT APPOINTMENTS.*—

9 *The director of any facility specified in subsection (b) may*
10 *appoint any qualified recent graduate of a covered edu-*
11 *cational institution with a degree in science, technology, en-*
12 *gineering, or mathematics to a position at such facility de-*
13 *scribed in subsection (d) without regard to the provisions*
14 *of subchapter I of chapter 33 of title 5, United States Code.*

15 (b) *FACILITIES.*—*A facility specified in this subsection*
16 *is any facility as follows:*

17 (1) *A science and technology reinvention labora-*
18 *tory of the Department of Defense, as designated pur-*
19 *suant to section 1105(a) of the National Defense Au-*
20 *thorization Act for Fiscal Year 2010 (10 U.S.C. 2358*
21 *note).*

22 (2) *A facility of the Major Range and Test Fa-*
23 *cilities Base of the Department.*

24 (c) *RECENT GRADUATES.*—*For purposes of this sec-*
25 *tion, a person is a recent graduate of a covered educational*
26 *institution if—*

1 (1) *the person was awarded a degree by the in-*
2 *stitution not more than two years before the date of*
3 *the appointment of the person pursuant to this sec-*
4 *tion; or*

5 (2) *in the case of any person who has completed*
6 *a period of obligated service in a uniformed service of*
7 *more than four years as of the date the appointment*
8 *of the person pursuant to this section, the person was*
9 *awarded a degree by the institution not more than*
10 *four years before such date of appointment.*

11 (d) *COVERED POSITIONS.—The positions to which per-*
12 *sons may be appointed pursuant to this section at a facility*
13 *specified in subsection (b) are scientific and engineering po-*
14 *sitions at the facility.*

15 (e) *DURATION OF APPOINTMENT.—Any appointment*
16 *pursuant to this section may be made on a temporary,*
17 *term, or permanent basis, at the election of the director of*
18 *the facility making such appointment.*

19 (f) *COVERED EDUCATIONAL INSTITUTION DEFINED.—*
20 *In this section, the term “covered educational institution”*
21 *has the meaning given that term in section 2362(e) of title*
22 *10, United States Code.*

23 (g) *SUNSET.—*

24 (1) *IN GENERAL.—The authority to make ap-*
25 *pointments under this section shall expire on the date*

1 *that is five years after the date of the enactment of*
2 *this Act.*

3 (2) *CONSTRUCTION.*—*Nothing in paragraph (1)*
4 *shall be construed to terminate an appointment made*
5 *under this section before the expiration date provided*
6 *in that paragraph in accordance with the terms of*
7 *such appointment.*

8 **SEC. 1103. INCLUSION OF STRATEGIC CAPABILITIES OFFICE**
9 **AND DEFENSE INNOVATION UNIT EXPERI-**
10 **MENTAL OF THE DEPARTMENT OF DEFENSE**
11 **IN PERSONNEL MANAGEMENT AUTHORITY TO**
12 **ATTRACT EXPERTS IN SCIENCE AND ENGI-**
13 **NEERING.**

14 (a) *IN GENERAL.*—*Subsection (a) of section 1599h of*
15 *title 10, United States Code, is amended by adding at the*
16 *end the following new paragraphs:*

17 “(4) *STRATEGIC CAPABILITIES OFFICE.*—*The Di-*
18 *rector of the Strategic Capabilities Office may carry*
19 *out a program of personnel management authority*
20 *provided in subsection (b) in order to facilitate re-*
21 *ruitment of eminent experts in science or engineering*
22 *for the Office.*

23 “(5) *DIUx.*—*The Director of the Defense Innova-*
24 *tion Unit Experimental may carry out a program of*
25 *personnel management authority provided in sub-*

1 *section (b) in order to facilitate recruitment of emi-*
2 *nent experts in science or engineering for the Unit.”.*

3 *(b) SCOPE OF APPOINTMENT AUTHORITY.—Subsection*
4 *(b)(1) of such section is amended—*

5 *(1) in subparagraph (B), by striking “and” at*
6 *the end; and*

7 *(2) by adding at the end the following new sub-*
8 *paragraphs:*

9 *“(D) in the case of the Strategic Capabili-*
10 *ties Office, appoint scientists and engineers to a*
11 *total of not more than 5 scientific and engineer-*
12 *ing positions in the Office; and*

13 *“(E) in the case of the Defense Innovation*
14 *Unit Experimental, appoint scientists and engi-*
15 *neers to a total of not more than 5 scientific and*
16 *engineering positions in the Unit;”.*

17 *(c) EXTENSION OF TERMS OF APPOINTMENT.—Sub-*
18 *section (c)(2) of such section is amended by striking “or*
19 *the Office of Operational Test and Evaluation” and insert-*
20 *ing “the Office of Operational Test and Evaluation, the*
21 *Strategic Capabilities Office, or the Defense Innovation*
22 *Unit Experimental”.*

1 **SEC. 1104. ENHANCEMENT OF FLEXIBLE MANAGEMENT AU-**
2 **THORITIES FOR SCIENCE AND TECHNOLOGY**
3 **REINVENTION LABORATORIES OF THE DE-**
4 **PARTMENT OF DEFENSE.**

5 (a) *ENHANCEMENT OF NONCOMPETITIVE CONVER-*
6 *SIONS OF APPOINTMENTS OF STUDENTS ENROLLED IN SCI-*
7 *ENTIFIC AND ENGINEERING PROGRAMS.*—Section
8 *2358a(a)(4) of title 10, United States Code, is amended—*

9 (1) *in the paragraph heading, by striking “TO*
10 *PERMANENT APPOINTMENT” and inserting “OF AP-*
11 *POINTMENTS”;* and

12 (2) *by striking “to a permanent appointment”*
13 *and inserting “to another temporary appointment or*
14 *to a term or permanent appointment”.*

15 (b) *ENHANCEMENT OF PILOT PROGRAM ON DYNAMIC*
16 *SHAPING OF WORKFORCE TECHNICAL SKILLS AND EXPER-*
17 *TISE.*—Section 1109(b)(1)(A) of the National Defense Au-
18 thorization Act for Fiscal Year 2016 (Public Law 114–92;
19 129 Stat. 1028; 10 U.S.C. 2358 note) is amended by strik-
20 ing “to appoint” and all that follows and inserting “to
21 make appointments as follows:

22 (i) *Appointment of qualified scientific*
23 *and technical personnel who are not current*
24 *Department of Defense civilian employees*
25 *into any scientific or technical position in*

1 *the laboratory for a period of more than one*
2 *year but not more than six years.*

3 “(ii) *Appointment of qualified sci-*
4 *entific and technical personnel who are De-*
5 *partment civilian employees in term ap-*
6 *pointments into any scientific or technical*
7 *position in the laboratory for a period of*
8 *more than one year but not more than six*
9 *years.”.*

10 ***SEC. 1105. INCLUSION OF OFFICE OF SECRETARY OF DE-***
11 ***FENSE AMONG COMPONENTS OF THE DE-***
12 ***PARTMENT OF DEFENSE COVERED BY DIRECT***
13 ***HIRE AUTHORITY FOR FINANCIAL MANAGE-***
14 ***MENT EXPERTS.***

15 *Section 1110(f) of the National Defense Authorization*
16 *Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.) is*
17 *amended—*

18 *(1) by redesignating paragraphs (1) through (9)*
19 *as paragraphs (2) through (10), respectively; and*

20 *(2) by inserting before paragraph (2) the fol-*
21 *lowing new paragraph (1):*

22 “(1) *The Office of the Secretary of Defense.*”.

1 **SEC. 1106. AUTHORITY TO EMPLOY CIVILIAN FACULTY MEM-**
 2 **BERS AT THE JOINT SPECIAL OPERATIONS**
 3 **UNIVERSITY.**

4 *Section 1595(c) of title 10, United States Code, is*
 5 *amended by adding at the end the following new paragraph:*

6 *“(5) The Joint Special Operations University.”.*

7 **Subtitle B—Government-Wide**
 8 **Matters**

9 **SEC. 1121. ALCOHOL TESTING OF CIVIL SERVICE MARINERS**
 10 **OF THE MILITARY SEALIFT COMMAND AS-**
 11 **SIGNED TO VESSELS.**

12 *(a) ALCOHOL TESTING.—Chapter 643 of title 10,*
 13 *United States Code, is amended by inserting after section*
 14 *7479 the following new section:*

15 **“§ 7479a. Civil service mariners of Military Sealift**
 16 **Command: alcohol testing**

17 *“The Secretary of the Navy may prescribe regulations*
 18 *establishing a program to conduct on-duty reasonable sus-*
 19 *picion alcohol testing and post-accident alcohol testing of*
 20 *civil service mariners of the Military Sealift Command who*
 21 *are assigned to vessels.”.*

22 *(b) RELEASE OF ALCOHOL TEST RESULTS.—*

23 *(1) IN GENERAL.—Section 7479 of such title is*
 24 *amended—*

25 *(A) in the heading of subsection (a), by in-*
 26 *serting “OR ALCOHOL” after “DRUG”; and*

1 (B) by inserting “or alcohol” after “drug”
2 each place it appears.

3 (2) *HEADING AMENDMENT.*—*The heading of such*
4 *section is amended to read as follows:*

5 **“§ 7479. Civil service mariners of Military Sealift**
6 **Command: release of drug and alcohol**
7 **test results to Coast Guard”.**

8 (c) *TABLE OF SECTIONS AMENDMENT.*—*The table of*
9 *sections at the beginning of chapter 643 of such title is*
10 *amended by striking the item relating to section 7479 and*
11 *inserting the following new items:*

 “7479. *Civil service mariners of Military Sealift Command: release of drug and*
 alcohol test results to Coast Guard.

 “7479a. *Civil service mariners of Military Sealift Command: alcohol testing.*”

12 **SEC. 1122. EXPEDITED HIRING AUTHORITY FOR COLLEGE**
13 **GRADUATES AND POST SECONDARY STU-**
14 **DENTS.**

15 (a) *IN GENERAL.*—*Subchapter I of chapter 31 of title*
16 *5, United States Code, is amended by adding at the end*
17 *the following:*

18 **“§ 3115. Expedited hiring authority for college grad-**
19 **uates; competitive service**

20 “(a) *DEFINITIONS.*—*In this section:*

21 “(1) *DIRECTOR.*—*The term ‘Director’ means the*
22 *Director of the Office of Personnel Management.*

23 “(2) *INSTITUTION OF HIGHER EDUCATION.*—*The*
24 *term ‘institution of higher education’ has the meaning*

1 *given the term in section 101(a) of the Higher Edu-*
2 *cation Act of 1965 (20 U.S.C. 1001(a)).*

3 “(b) *APPOINTMENT.*—

4 “(1) *IN GENERAL.*—*The head of an agency may*
5 *appoint, without regard to any provision of sections*
6 *3309 through 3319 and 3330, a qualified individual*
7 *to a position in the competitive service classified in*
8 *a professional or administrative occupational cat-*
9 *egory at the GS-11 level, or an equivalent level, or*
10 *below.*

11 “(2) *RESTRICTIONS.*—*An appointment under*
12 *paragraph (1) shall be made in accordance with regu-*
13 *lations prescribed by the Director.*

14 “(c) *QUALIFICATIONS FOR APPOINTMENT.*—*The head*
15 *of an agency may make an appointment under subsection*
16 *(b) only if the individual being appointed—*

17 “(1) *has received a baccalaureate or graduate de-*
18 *gree from an institution of higher education;*

19 “(2) *applies for the position—*

20 “(A) *not later than 2 years after the date*
21 *on which the individual being appointed received*
22 *the degree described in paragraph (1); or*

23 “(B) *in the case of an individual who has*
24 *completed a period of not less than 4 years of ob-*
25 *ligated service in a uniformed service, not later*

1 *than 2 years after the date of the discharge or re-*
2 *lease of the individual from that service; and*

3 “(3) *meets each minimum qualification standard*
4 *prescribed by the Director for the position to which*
5 *the individual is being appointed.*

6 “(d) *PUBLIC NOTICE AND ADVERTISING.—*

7 “(1) *IN GENERAL.—The head of an agency mak-*
8 *ing an appointment under subsection (b) shall pub-*
9 *licly advertise positions under this section.*

10 “(2) *REQUIREMENTS.—In carrying out para-*
11 *graph (1), the head of an agency shall—*

12 “(A) *adhere to merit system principles;*

13 “(B) *advertise positions in a manner that*
14 *provides for diverse and qualified applicants;*
15 *and*

16 “(C) *ensure potential applicants have ap-*
17 *propriate information relevant to the positions*
18 *available.*

19 “(e) *LIMITATION ON APPOINTMENTS.—*

20 “(1) *IN GENERAL.—Except as provided in para-*
21 *graph (2), the total number of employees that the*
22 *head of an agency may appoint under this section*
23 *during a fiscal year may not exceed the number equal*
24 *to 15 percent of the number of individuals that the*
25 *agency head appointed during the previous fiscal year*

1 *to a position in the competitive service classified in*
2 *a professional or administrative occupational cat-*
3 *egory, at the GS–11 level, or an equivalent level, or*
4 *below, under a competitive examining procedure.*

5 “(2) *EXCEPTIONS.*—*Under a regulation pre-*
6 *scribed under subsection (f), the Director may estab-*
7 *lish a lower limit on the number of individuals that*
8 *may be appointed under paragraph (1) of this sub-*
9 *section during a fiscal year based on any factor the*
10 *Director considers appropriate.*

11 “(f) *REGULATIONS.*—*Not later than 180 days after the*
12 *date of enactment of this section, the Director shall issue*
13 *interim regulations, with an opportunity for comment, for*
14 *the administration of this section.*

15 “(g) *REPORTING.*—

16 “(1) *IN GENERAL.*—*Not later than September 30*
17 *of each of the first 3 fiscal years beginning after the*
18 *date of enactment of this section, the head of an agen-*
19 *cy that makes an appointment under this section*
20 *shall submit a report to—*

21 “(A) *Congress that assesses the impact of*
22 *the use of the authority provided under this sec-*
23 *tion during the fiscal year in which the report*
24 *is submitted; and*

1 “(B) *the Director that contains data that*
2 *the Director considers necessary for the Director*
3 *to assess the impact and effectiveness of the au-*
4 *thority described in subparagraph (A).*

5 “(2) *CONTENT.—The head of an agency shall in-*
6 *clude in each report under paragraph (1)—*

7 “(A) *the total number of individuals ap-*
8 *pointed by the agency under this section, as well*
9 *as the number of such individuals who are—*

10 “(i) *minorities or members of other*
11 *underrepresented groups; or*

12 “(ii) *veterans;*

13 “(B) *recruitment sources;*

14 “(C) *the total number of individuals ap-*
15 *pointed by the agency during the applicable fis-*
16 *cal year to a position in the competitive service*
17 *classified in a professional or administrative oc-*
18 *cupational category at the GS–11 level, or an*
19 *equivalent level, or below; and*

20 “(D) *any additional data specified by the*
21 *Director.*

22 “(h) *SPECIAL PROVISION REGARDING THE DEPART-*
23 *MENT OF DEFENSE.—*

24 “(1) *AUTHORITY.—Nothing in this section shall*
25 *preclude the Secretary of Defense from exercising any*

1 *authority to appoint a recent graduate under section*
2 *1106 of the National Defense Authorization Act for*
3 *Fiscal Year 2017 (10 U.S.C. note prec. 1580), or any*
4 *applicable successor statute.*

5 “(2) *REGULATIONS.*—*Any regulations prescribed*
6 *by the Director for the administration of this section*
7 *shall not apply to the Department of Defense during*
8 *the period ending on the date on which the appoint-*
9 *ment authority of the Secretary of Defense under sec-*
10 *tion 1106 of the National Defense Authorization Act*
11 *for Fiscal Year 2017 (10 U.S.C. note prec. 1580), or*
12 *any applicable successor statute, terminates.*

13 **“§3116. Expedited hiring authority for post-secondary**
14 ***students; competitive service***

15 “(a) *DEFINITIONS.*—*In this section:*

16 “(1) *DIRECTOR.*—*The term ‘Director’ means the*
17 *Director of the Office of Personnel Management.*

18 “(2) *INSTITUTION OF HIGHER EDUCATION.*—*The*
19 *term ‘institution of higher education’ has the meaning*
20 *given the term in section 101(a) of the Higher Edu-*
21 *cation Act of 1965 (20 U.S.C. 1001(a)).*

22 “(3) *STUDENT.*—*The term ‘student’ means an*
23 *individual enrolled or accepted for enrollment in an*
24 *institution of higher education who is pursuing a bac-*
25 *calaureate or graduate degree on at least a part-time*

1 *basis as determined by the institution of higher edu-*
2 *cation.*

3 “(b) *APPOINTMENT.*—

4 “(1) *IN GENERAL.*—*The head of an agency may*
5 *make a time-limited appointment of a student, with-*
6 *out regard to any provision of sections 3309 through*
7 *3319 and 3330, to a position in the competitive serv-*
8 *ice at the GS–11 level, or an equivalent level, or below*
9 *for which the student is qualified.*

10 “(2) *RESTRICTIONS.*—*An appointment under*
11 *paragraph (1) shall be made in accordance with regu-*
12 *lations prescribed by the Director.*

13 “(c) *PUBLIC NOTICE.*—

14 “(1) *IN GENERAL.*—*The head of an agency mak-*
15 *ing an appointment under subsection (b) shall pub-*
16 *licly advertise positions available 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 “(d) *LIMITATION ON APPOINTMENTS.*—

2 “(1) *IN GENERAL.*—*Except as provided in para-*
3 *graph (2), the total number of students that the head*
4 *of an agency may appoint under this section during*
5 *a fiscal year may not exceed the number equal to 15*
6 *percent of the number of students that the agency*
7 *head appointed during the previous fiscal year to a*
8 *position in the competitive service at the GS–11 level,*
9 *or an equivalent level, or below.*

10 “(2) *EXCEPTIONS.*—*Under a regulation pre-*
11 *scribed under subsection (g), the Director may estab-*
12 *lish a lower limit on the number of students that may*
13 *be appointed under paragraph (1) of this subsection*
14 *during a fiscal year based on any factor the Director*
15 *considers appropriate.*

16 “(e) *CONVERSION.*—*The head of an agency may, with-*
17 *out regard to any provision of chapter 33 or any other pro-*
18 *vision of law relating to the examination, certification, and*
19 *appointment of individuals in the competitive service, con-*
20 *vert a student serving in an appointment under subsection*
21 *(b) to a permanent appointment in the competitive service*
22 *within the agency without further competition if the stu-*
23 *dent—*

24 “(1) *has completed the course of study leading to*
25 *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 po-
5 sition 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 conversion
11 under subsection (e).

12 “(g) *REGULATIONS.*—Not later than 180 days after the
13 date of enactment of this section, the Director shall issue
14 interim regulations, with an opportunity for comment, for
15 the administration of this section.

16 “(h) *REPORTING.*—

17 “(1) *IN GENERAL.*—Not later than September 30
18 of each of the first 3 fiscal years beginning after the
19 date of enactment of this section, the head of an agen-
20 cy that makes an appointment under this section
21 shall submit a report to—

22 “(A) Congress that assesses the impact of
23 the use of the authority provided under this sec-
24 tion during the fiscal year in which the report
25 is submitted; and

1 “(B) the Director that contains data that
2 the Director considers necessary for the Director
3 to assess the impact and effectiveness of the au-
4 thority described in subparagraph (A).

5 “(2) CONTENT.—The head of an agency shall in-
6 clude in each report under paragraph (1)—

7 “(A) the total number of individuals ap-
8 pointed by the agency under this section, as well
9 as the number of such individuals who are—

10 “(i) minorities or members of other
11 underrepresented groups; or

12 “(ii) veterans;

13 “(B) recruitment sources;

14 “(C) the total number of individuals ap-
15 pointed by the agency during the applicable fis-
16 cal year to a position in the competitive service
17 at the GS–11 level, or an equivalent level, or
18 below; and

19 “(D) any additional data specified by the
20 Director.

21 “(i) SPECIAL PROVISION REGARDING THE DEPART-
22 MENT OF DEFENSE.—

23 “(1) AUTHORITY.—Nothing in this section shall
24 preclude the Secretary of Defense from exercising any
25 authority to appoint a post-secondary student under

1 *section 1106 of the National Defense Authorization*
 2 *Act for Fiscal Year 2017 (10 U.S.C. note prec. 1580),*
 3 *or any applicable successor statute.*

4 “(2) *REGULATIONS.*—*Any regulations prescribed*
 5 *by the Director for the administration of this section*
 6 *shall not apply to the Department of Defense during*
 7 *the period ending on the date on which the appoint-*
 8 *ment authority of the Secretary of Defense under sec-*
 9 *tion 1106 of the National Defense Authorization Act*
 10 *for Fiscal Year 2017 (10 U.S.C. note prec. 1580), or*
 11 *any applicable successor statute, terminates.”.*

12 (b) *TABLE OF SECTIONS AMENDMENT.*—*The table of*
 13 *sections for subchapter I of chapter 31 of title 5, United*
 14 *States Code, is amended by adding at the end the following:*

“3115. *Expedited hiring authority for college graduates; competitive service.*

“3116. *Expedited hiring authority for post-secondary students; competitive serv-*
ice.”.

15 **SEC. 1123. INCREASE IN MAXIMUM AMOUNT OF VOLUNTARY**
 16 **SEPARATION INCENTIVE PAY AUTHORIZED**
 17 **FOR CIVILIAN EMPLOYEES.**

18 (a) *IN GENERAL.*—*Section 3523 of title 5, United*
 19 *States Code, is amended—*

20 (1) *in subsection (b)(3)(B), by striking*
 21 *“\$25,000” and inserting “\$40,000 (as adjusted in ac-*
 22 *cordance with subsection (c))”;* and

23 (2) *by adding at the end the following new sub-*
 24 *section:*

1 “(c)(1) On March 1 each year, the dollar amount spec-
2 ified in subsection (b)(3)(B) shall be adjusted by the amount
3 determined by the Secretary of Labor to represent the per-
4 centage increase, if any, between the Consumer Price Index
5 (all items; United States city average) published for Decem-
6 ber of the preceding year and that price index published
7 for the December of the year before the preceding year.

8 “(2) A percentage increase under paragraph (1) shall
9 be adjusted to the nearest one-tenth of one percent, and an
10 amount determined under paragraph (1) shall be rounded
11 to the nearest multiple of \$1,000 (or, if midway between
12 multiples of \$1,000, to the next higher multiple of \$1,000).”.

13 (b) DEPARTMENT OF DEFENSE EMPLOYEES.—Section
14 9902(f)(5) of such title is amended—

15 (1) in subparagraph (A)(ii), by striking
16 “\$25,000” and inserting “an amount determined by
17 the Secretary, not to exceed \$40,000 (as adjusted
18 under subparagraph (D))”; and

19 (2) by adding at the end the following:

20 “(D)(i) On March 1 each year, the dollar amount spec-
21 ified in subparagraph (A)(ii) shall be adjusted by the
22 amount determined by the Secretary of Labor to represent
23 the percentage increase, if any, between the Consumer Price
24 Index (all items; United States city average) published for

1 *December of the preceding year and that price index pub-*
2 *lished for the December of the year before the preceding year.*

3 “(ii) A percentage increase under clause (i) shall be
4 adjusted to the nearest one-tenth of one percent, and an
5 amount determined under clause (i) shall be rounded to the
6 nearest multiple of \$1,000 (or, if midway between multiples
7 of \$1,000, to the next higher multiple of \$1,000).”.

8 **SEC. 1124. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
9 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
10 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
11 **FICIAL DUTY IN A COMBAT ZONE.**

12 *Paragraph (2) of section 1603(a) of the Emergency*
13 *Supplemental Appropriations Act for Defense, the Global*
14 *War on Terror, and Hurricane Recovery, 2006 (Public Law*
15 *109–234; 120 Stat. 443), as added by section 1102 of the*
16 *Duncan Hunter National Defense Authorization Act for*
17 *Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616)*
18 *and most recently amended by section 1108 of the National*
19 *Defense Authorization Act for Fiscal Year 2018 (Public*
20 *Law 115–91), is further amended by striking “2019” and*
21 *inserting “2020”.*

1 **SEC. 1125. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
2 **ANNUAL LIMITATION ON PREMIUM PAY AND**
3 **AGGREGATE LIMITATION ON PAY FOR FED-**
4 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
5 **SEAS.**

6 *Subsection (a) of section 1101 of the Duncan Hunter*
7 *National Defense Authorization Act for Fiscal Year 2009*
8 *(Public Law 110–417; 122 Stat. 4615), as most recently*
9 *amended by section 1105 of the National Defense Authoriza-*
10 *tion Act for Fiscal Year 2018 (Public Law 115–91), is fur-*
11 *ther amended by striking “through 2018” and inserting*
12 *“through 2019”.*

13 **TITLE XII—MATTERS RELATING**
14 **TO FOREIGN NATIONS**
15 **Subtitle A—Assistance and**
16 **Training**

17 **SEC. 1201. CLARIFICATION OF AUTHORITY FOR USE OF AD-**
18 **VISORS AND TRAINERS FOR TRAINING OF**
19 **PERSONNEL OF FOREIGN MINISTRIES WITH**
20 **SECURITY MISSIONS UNDER DEFENSE INSTI-**
21 **TUTION CAPACITY BUILDING AUTHORITIES.**

22 *Section 332(b) of title 10, United States Code, is*
23 *amended—*

24 *(1) in paragraph (1), by striking “assign civil-*
25 *ian employees of the Department of Defense and*
26 *members of the armed forces as advisors and train-*

1 *ers*” and inserting “provide advisors or trainers”;
2 *and*

3 (2) *in paragraph (2)(B)—*

4 (A) *by striking “assigned” each place it ap-*
5 *pears (other than the last place) and inserting*
6 *“provided”;*

7 (B) *by striking “assigned advisor or train-*
8 *er” and inserting “advisor or trainer so pro-*
9 *vided”;* and

10 (C) *by striking “each assignment” and in-*
11 *serting “each provision of such an advisor or*
12 *trainer”.*

13 **SEC. 1202. MODIFICATION TO DEPARTMENT OF DEFENSE**
14 **STATE PARTNERSHIP PROGRAM.**

15 Section 341(b)(2) of title 10, United States Code, is
16 *amended by inserting “assistance” after “any”.*

17 **SEC. 1203. EXPANSION OF REGIONAL DEFENSE COMBATING**
18 **TERRORISM FELLOWSHIP PROGRAM TO IN-**
19 **CLUDE IRREGULAR WARFARE.**

20 (a) *IN GENERAL.—*Section 345 of title 10, United
21 *States Code, is amended—*

22 (1) *by redesignating subsections (b) and (c) as*
23 *subsections (c) and (d), respectively;*

24 (2) *by striking subsection (a) and inserting the*
25 *following new subsections (a) and (b):*

1 “(a) *PROGRAM AUTHORIZED.*—

2 “(1) *IN GENERAL.*—*The Secretary of Defense*
3 *may carry out a program under which the Secretary*
4 *may pay any costs associated with the education and*
5 *training of foreign military officers, ministry of de-*
6 *fense officials, or security officials at military or ci-*
7 *vilian educational institutions, regional centers, con-*
8 *ferences, seminars, or other training programs con-*
9 *ducted for purposes of regional defense in connection*
10 *with either of the following:*

11 “(A) *Combating terrorism.*

12 “(B) *Irregular warfare.*

13 “(2) *COVERED COSTS.*—*Costs for which payment*
14 *may be made under this section include the costs of*
15 *transportation and travel and subsistence costs.*

16 “(3) *DESIGNATION.*—*The program authorized by*
17 *this section shall be known as the ‘Regional Defense*
18 *Combating Terrorism and Irregular Warfare Fellow-*
19 *ship Program’.*

20 “(b) *REGULATIONS.*—

21 “(1) *IN GENERAL.*—*The program authorized by*
22 *subsection (a) shall be carried out under regulations*
23 *prescribed by the Secretary of Defense.*

24 “(2) *ELEMENTS.*—*The regulations shall ensure*
25 *that—*

1 “(A) *the Secretary of Defense and the Sec-*
2 *retary of State—*

3 “(i) *jointly develop and plan activities*
4 *under the program that—*

5 “(I) *advance United States secu-*
6 *urity cooperation objectives; and*

7 “(II) *support theater security co-*
8 *operation planning of the combatant*
9 *commands; and*

10 “(ii) *coordinate on the implementation*
11 *of activities under the program;*

12 “(B) *each of the Secretary of Defense and*
13 *the Secretary of State designates an individual*
14 *at the lowest appropriate level of the Department*
15 *of Defense or the Department of State, as appli-*
16 *icable, who shall be responsible for program co-*
17 *ordination; and*

18 “(C) *to the extent practicable, activities*
19 *under the program are appropriately coordi-*
20 *nated with, and do not duplicate or conflict*
21 *with, activities under International Military*
22 *Education and Training (IMET) authorities.*

23 “(3) *SUBMITTAL TO CONGRESS.—Upon any up-*
24 *date of the regulations, the Secretary of Defense shall*
25 *submit to the Committees on Armed Services of the*

1 *Senate and the House of Representatives a copy of the*
2 *regulations as so updated, together with a description*
3 *of the update.”; and*

4 *(3) in paragraph (3) of subsection (d), as reded-*
5 *esignated by paragraph (1) of this subsection, by strik-*
6 *ing “in the global war on terrorism”.*

7 *(b) CONFORMING AMENDMENTS.—*

8 *(1) HEADING AMENDMENT.—The heading of such*
9 *section is amended to read as follows:*

10 **“§ 345. Regional Defense Combating Terrorism and Ir-**
11 **regular Warfare Fellowship Program”.**

12 *(2) TABLE OF SECTIONS AMENDMENT.—The table*
13 *of sections at the beginning of subchapter V of chapter*
14 *16 of such title is amended by striking the item relat-*
15 *ing to section 345 and inserting the following new*
16 *item:*

*“345. Regional Defense Combating Terrorism and Irregular Warfare Fellowship
Program.”.*

17 **SEC. 1204. EXTENSION AND MODIFICATION OF AUTHORITY**
18 **TO SUPPORT BORDER SECURITY OPER-**
19 **ATIONS OF CERTAIN FOREIGN COUNTRIES.**

20 *(a) EXPANSION OF AUTHORITY.—Paragraph (1) of*
21 *subsection (a) of section 1226 of the National Defense Au-*
22 *thorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note)*
23 *is amended to read as follows:*

1 “(1) *IN GENERAL.*—*The Secretary of Defense,*
2 *with the concurrence of the Secretary of State, is au-*
3 *thorized to provide support on a reimbursement basis*
4 *as follows:*

5 “(A) *To the Government of Jordan for pur-*
6 *poses of supporting and enhancing efforts of the*
7 *armed forces of Jordan to increase security and*
8 *sustain increased security along the border of*
9 *Jordan with Syria and Iraq.*

10 “(B) *To the Government of Lebanon for*
11 *purposes of supporting and enhancing efforts of*
12 *the armed forces of Lebanon to increase security*
13 *and sustain increased security along the border*
14 *of Lebanon with Syria.*

15 “(C) *To the Government of Egypt for pur-*
16 *poses of supporting and enhancing efforts of the*
17 *armed forces of Egypt to increase security and*
18 *sustain increased security along the border of*
19 *Egypt with Libya.*

20 “(D) *To the Government of Tunisia for pur-*
21 *poses of supporting and enhancing efforts of the*
22 *armed forces of Tunisia to increase security and*
23 *sustain increased security along the border of*
24 *Tunisia with Libya.*

1 “(E) To the Government of Oman for pur-
2 poses of supporting and enhancing efforts of the
3 armed forces of Oman to increase security and
4 sustain increased security along the border of
5 Oman with Yemen.

6 “(F) To the Government of Pakistan for
7 purposes of supporting and enhancing efforts of
8 the armed forces of Pakistan to increase security
9 and sustain increased security along the border
10 of Pakistan with Afghanistan.”.

11 (b) CERTIFICATION.—Subsection (d) of such section is
12 amended to read as follows:

13 “(d) NOTICE AND CERTIFICATION BEFORE EXER-
14 CISE.—Not later than 15 days before providing support
15 under the authority of subsection (a) to a country that has
16 not previously received such support, the Secretary of De-
17 fense, in consultation with the Secretary of State, shall sub-
18 mit to the specified congressional committees a report
19 that—

20 “(1) sets forth a full description of the support
21 to be provided, including—

22 “(A) the purpose of such support;

23 “(B) the amount of support to be provided;

24 and

1 “(C) the anticipated duration of the provi-
2 sion of such support; and

3 “(2) includes a certification that—

4 “(A) the recipient country has taken demon-
5 strable steps to increase security along the border
6 specified for such country in subsection (a); and

7 “(B) the provision of such support is in the
8 interest of United States national security.”.

9 (c) *LIMITATION ON REIMBURSEMENT OF PAKISTAN.*—
10 *Such section is further amended—*

11 (1) by redesignating subsections (e) and (f) as
12 subsections (g) and (h), respectively; and

13 (2) by inserting after subsection (d) the following
14 new subsection (e):

15 “(e) *LIMITATION ON REIMBURSEMENT OF PAKISTAN*
16 *PENDING CERTIFICATION.*—*No amount of reimbursement*
17 *support under subsection (a)(1)(F) is authorized to be dis-*
18 *bursed to the Government of Pakistan unless the Secretary*
19 *of Defense certifies to the congressional defense committees*
20 *that the following conditions are met:*

21 “(1) *The military and security operations of*
22 *Pakistan pertaining to border security and ancillary*
23 *activities for which reimbursement is sought have*
24 *been coordinated with United States military rep-*

1 *representatives in advance of the execution of such oper-*
2 *ations and activities.*

3 *“(2) The goals and desired outcomes of each such*
4 *operation or activity have been established and agreed*
5 *upon in advance by the United States and Pakistan.*

6 *“(3) A process exists to verify the achievement of*
7 *the goals and desired outcomes established in accord-*
8 *ance with paragraph (2).*

9 *“(4) The Government of Pakistan is making an*
10 *effort to actively coordinate with the Government of*
11 *Afghanistan on issues relating to border security on*
12 *the Afghanistan-Pakistan border.”.*

13 *(d) QUARTERLY REPORTS.—Such section is further*
14 *amended by inserting after subsection (e), as so designated*
15 *by subsection (c) of this section, the following new sub-*
16 *section (f):*

17 *“(f) QUARTERLY REPORTS.—Not later than 30 days*
18 *after the end of each fiscal quarter, the Secretary of Defense*
19 *shall submit to the specified congressional committees a re-*
20 *port on reimbursements pursuant to subsection (a) during*
21 *the preceding fiscal quarter that includes—*

22 *“(1) an identification of each country reim-*
23 *bursed;*

24 *“(2) the date of each reimbursement;*

1 “(3) a description of any partner nation border
2 security efforts for which reimbursement was pro-
3 vided;

4 “(4) an assessment of the value of partner nation
5 border security efforts for which reimbursement was
6 provided;

7 “(5) the total amounts of reimbursement pro-
8 vided to each partner nation in the preceding four fis-
9 cal quarters; and

10 “(6) such other matters as the Secretary con-
11 siders appropriate.”.

12 (e) *EXTENSION*.—Subsection (h) of such section, as so
13 redesignated, is amended by striking “December 31, 2019”
14 and inserting “December 31, 2021”.

15 **SEC. 1205. LEGAL AND POLICY REVIEW OF ADVISE, ASSIST,**
16 **AND ACCOMPANY MISSIONS.**

17 (a) *IN GENERAL*.—Not later than 120 days after the
18 date of the enactment of this Act, the Under Secretary of
19 Defense for Policy shall, in coordination with the General
20 Counsel of the Department of Defense and the commanders
21 of appropriate combatant commands, submit to the congres-
22 sional defense committees a report on a review, conducted
23 for purposes of the report, of the legal and policy frame-
24 works associated with advise, assist, and accompany mis-
25 sions by United States military personnel.

1 (b) *ELEMENTS.*—*The report and review required by*
2 *subsection (a) shall include the following:*

3 (1) *An analysis of the risks and benefits of*
4 *United States military personnel conducting advise,*
5 *assist, and accompany missions with foreign partner*
6 *forces, and an assessment of the relation of such risks*
7 *and benefits to United States security objectives.*

8 (2) *A review of execute orders in order to ensure*
9 *that such orders comply with United States law for*
10 *the employment of United States military personnel*
11 *and capabilities to advise, assist, and accompany for-*
12 *eign partner forces.*

13 (3) *An assessment whether the legal and policy*
14 *frameworks applicable to advise, assist, and accom-*
15 *pany missions by United States military personnel*
16 *are adequately communicated to and understood at*
17 *all levels of operational command.*

18 (4) *An assessment whether approvals related to*
19 *advise, assist, and accompany missions are taken at*
20 *the appropriate level of command.*

21 (5) *A definition, and policy guidance, for the ap-*
22 *propriate use in execute orders of each of the fol-*
23 *lowing:*

24 (A) *Advise*

25 (B) *Assist.*

1 (C) *Accompany.*

2 (D) *Collective self defense.*

3 (E) *Last point of cover and conceal.*

4 (6) *Any other matters the Under Secretary con-*
5 *siders appropriate.*

6 (c) *FORM.—The report required by subsection (a) shall*
7 *be submitted in unclassified form, but may include a classi-*
8 *fied annex.*

9 **SEC. 1206. TECHNICAL CORRECTIONS RELATING TO DE-**
10 **FENSE SECURITY COOPERATION STATUTORY**
11 **REORGANIZATION.**

12 (a) *CHAPTER REFERENCES.—The following provisions*
13 *of law are amended by striking “chapter 15” and inserting*
14 *“chapter 13”:*

15 (1) *Section 886(a)(5) of the Homeland Security*
16 *Act of 2002 (6 U.S.C. 466(a)(5)).*

17 (2) *Section 332(a)(1) of the Consolidated Farm*
18 *and Rural Development Act (7 U.S.C. 1982(a)(1)).*

19 (3) *Section 101(a)(13)(B) of title 10, United*
20 *States Code.*

21 (4) *Section 115(i)(6) of title 10, United States*
22 *Code.*

23 (5) *Section 12304(c)(1) of title 10, United States*
24 *Code.*

1 (6) *Section 484C(c)(3)(C)(v) of the Higher Edu-*
 2 *cation Act of 1965 (20 U.S.C. 1091c(c)(3)(C)(v)).*

3 **(b) SECTION REFERENCES.—**

4 (1) *Title 10, United States Code, is amended—*

5 (A) *in section 386(c)(1), by striking “Sec-*
 6 *tions 311, 321, 331, 332, 333,” and inserting*
 7 *“Sections 246, 251, 252, 253, 321,”; and*

8 (B) *in section 10541(b)(9), in the matter*
 9 *preceding subparagraph (A), by striking “sec-*
 10 *tions 331, 332, 333,” and inserting “sections*
 11 *251, 252, 253.”*

12 (2) *Section 484C(c)(3)(C)(i) of the Higher Edu-*
 13 *cation Act of 1965 (20 U.S.C. 1091c(c)(3)(C)(i)) is*
 14 *amended by striking “section 331, 332,” and insert-*
 15 *ing “section 251, 252.”*

16 **SEC. 1207. NAVAL SMALL CRAFT INSTRUCTION AND TECH-**
 17 **NICAL TRAINING SCHOOL.**

18 **(a) SCHOOL AUTHORIZED.—**

19 (1) *IN GENERAL.—Subchapter V of chapter 16 of*
 20 *title 10, United States Code, is amended by adding*
 21 *at the end the following new section:*

22 **“§351. Naval Small Craft Instruction and Technical**
 23 **Training School**

24 “(a) *IN GENERAL.—The Secretary of Defense may op-*
 25 *erate an education and training facility known as the*

1 *Naval Small Craft Instruction and Technical Training*
2 *School* (in this section referred to as the ‘School’).

3 “(b) *DESIGNATION OF EXECUTIVE AGENT.*—The Sec-
4 *retary of Defense shall designate the Secretary of a military*
5 *department as the Department of Defense executive agent*
6 *for carrying out the responsibilities of the Secretary of De-*
7 *fense under this section.*

8 “(c) *PURPOSE.*—The purpose of the School shall be to
9 *provide to the military and other security forces of one or*
10 *more friendly foreign countries education and training to*
11 *increase professionalism, readiness, and respect for human*
12 *rights through—*

13 “(1) *formal courses of instruction; and*

14 “(2) *mobile training teams for—*

15 “(A) *the operation, employment, mainte-*
16 *nance, and logistics of specialized equipment;*

17 “(B) *participation in—*

18 “(i) *joint exercises; or*

19 “(ii) *coalition or international mili-*
20 *tary operations; and*

21 “(C) *improved interoperability between—*

22 “(i) *the armed forces; and*

23 “(ii) *the military and other security*
24 *forces of the one or more friendly foreign*
25 *countries.*

1 “(d) *PERSONNEL ELIGIBLE TO RECEIVE EDUCATION*
2 *AND TRAINING.*—

3 “(1) *LIMITATION.*—*The Secretary of Defense*
4 *may not provide education or training at the School*
5 *to any personnel of a country that is prohibited from*
6 *receiving such education or training under any other*
7 *provision of law.*

8 “(2) *CONSULTATION IN SELECTION.*—*The Sec-*
9 *retary of Defense shall consult with the Secretary of*
10 *State in the selection of foreign personnel to be pro-*
11 *vided education and training at the School.*

12 “(e) *FIXED COSTS.*—*The fixed costs of operation and*
13 *maintenance of the School in a fiscal year may be paid*
14 *from amounts made available for such fiscal year for oper-*
15 *ation and maintenance of the Department of Defense.*

16 “(f) *ANNUAL REPORT.*—*Not later than March 15 each*
17 *year, the Secretary of Defense, in consultation with the Sec-*
18 *retary of State, shall submit to the appropriate congres-*
19 *sional committees a detailed report on the activities and*
20 *operating costs of the School during the preceding fiscal*
21 *year.”.*

22 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
23 *tions at the beginning of subchapter V of chapter 16*
24 *of such title is amended by adding at the end the fol-*
25 *lowing new item:*

“351. *Naval Small Craft Instruction and Technical Training School.*”.

1 **(b) REPORT REQUIRED.**—Not later than 60 days after
2 the date of the enactment of this Act, the Secretary of De-
3 fense shall submit to the congressional defense committees
4 a report that sets forth the following:

5 (1) The budget requirements for the operation
6 and sustainment of the Naval Small Craft Instruction
7 and Technical Training School authorized by section
8 351 of title 10, United States Code (as added by sub-
9 section (a)), during the period of the future-years de-
10 fense program submitted to Congress in fiscal year
11 2019, including—

12 (A) a description of the budget requirements
13 relating to the School for—

14 (i) Major Force Program–2; and

15 (ii) Major Force Program–11; and

16 (B) an identification of any other source of
17 funding for the School.

18 (2) The anticipated requirements for facilities for
19 the School.

20 (3) An identification of the Secretary of a mili-
21 tary department designated by the Secretary of De-
22 fense as executive agent for the School under sub-
23 section (b) of such section.

1 (4) *The anticipated military construction and*
2 *facilities renovation requirements for the School dur-*
3 *ing such period.*

4 (5) *Any other matter relating to the School that*
5 *the Secretary of Defense considers appropriate.*

6 (c) *LIMITATION ON USE OF FUNDS.—*

7 (1) *IN GENERAL.—Nothing in section 351 of title*
8 *10, United States Code (as so added), may be con-*
9 *strued as authorizing the use of funds appropriated*
10 *for the Department of Defense for any purpose de-*
11 *scribed in paragraph (2) unless specifically author-*
12 *ized by an Act of Congress other than that section or*
13 *this Act.*

14 (2) *PURPOSES.—The purposes described in this*
15 *paragraph are the following:*

16 (A) *The operation of a facility other than*
17 *the Naval Small Craft Instruction and Technical*
18 *Training School that is in operation as of the*
19 *date of the enactment of this Act for the provi-*
20 *sion of education and training authorized to be*
21 *provided by the School.*

22 (B) *The construction or expansion of any*
23 *facility of the School.*

1 ***Subtitle B—Matters Relating to***
2 ***Afghanistan and Pakistan***

3 **SEC. 1211. AFGHANISTAN SECURITY FORCES FUND.**

4 (a) *CONTINUATION OF PRIOR AUTHORITIES AND NO-*
5 *TICE AND REPORTING REQUIREMENTS.*—*Funds available*
6 *to the Department of Defense for the Afghanistan Security*
7 *Forces Fund for fiscal year 2019 shall be subject to the con-*
8 *ditions contained in—*

9 (1) *subsections (b) through (f) of section 1513 of*
10 *the National Defense Authorization Act for Fiscal*
11 *Year 2008 (Public Law 110–181; 122 Stat. 428), as*
12 *most recently amended by section 1521(d)(2)(A) of the*
13 *National Defense Authorization Act for Fiscal Year*
14 *2017 (Public Law 114–328; 130 Stat. 2577); and*

15 (2) *section 1521(d)(1) of the National Defense*
16 *Authorization Act for Fiscal Year 2017.*

17 (b) *USE OF FUNDS.*—*Section 1513(b)(1) of the Na-*
18 *tional Defense Authorization Act for Fiscal Year 2008 is*
19 *amended by striking “security forces of Afghanistan” and*
20 *inserting “security forces of the Ministry of Defense and*
21 *the Ministry of the Interior of the Government of the Is-*
22 *lamic Republic of Afghanistan”.*

23 (c) *EQUIPMENT DISPOSITION.*—

24 (1) *ACCEPTANCE OF CERTAIN EQUIPMENT.*—*Sub-*
25 *ject to paragraph (2), the Secretary of Defense may*

1 *accept equipment that is procured using amounts au-*
2 *thorized to be appropriated for the Afghanistan Secu-*
3 *rity Forces Fund by this Act and is intended for*
4 *transfer to the security forces of Afghanistan, but is*
5 *not accepted by such security forces.*

6 (2) *CONDITIONS ON ACCEPTANCE OF EQUIP-*
7 *MENT.—Before accepting any equipment under the*
8 *authority provided by paragraph (1), the Commander*
9 *of United States forces in Afghanistan shall make a*
10 *determination that such equipment was procured for*
11 *the purpose of meeting requirements of the security*
12 *forces of Afghanistan, as agreed to by both the Gov-*
13 *ernment of Afghanistan and the Government of the*
14 *United States, but is no longer required by such secu-*
15 *rity forces or was damaged before transfer to such se-*
16 *curity forces.*

17 (3) *ELEMENTS OF DETERMINATION.—In making*
18 *a determination under paragraph (2) regarding*
19 *equipment, the Commander of United States forces in*
20 *Afghanistan shall consider alternatives to the accept-*
21 *ance of such equipment by the Secretary. An expla-*
22 *nation of each determination, including the basis for*
23 *the determination and the alternatives considered,*
24 *shall be included in the relevant quarterly report re-*
25 *quired under paragraph (5).*

1 (4) *TREATMENT AS DEPARTMENT OF DEFENSE*
2 *STOCKS.*—*Equipment accepted under the authority*
3 *provided by paragraph (1) may be treated as stocks*
4 *of the Department of Defense upon notification to the*
5 *congressional defense committees of such treatment.*

6 (5) *QUARTERLY REPORTS ON EQUIPMENT DIS-*
7 *POSITION.*—

8 (A) *IN GENERAL.*—*Not later than 90 days*
9 *after the date of the enactment of this Act and*
10 *every 90-day period thereafter during which the*
11 *authority provided by paragraph (1) is exer-*
12 *cised, the Secretary shall submit to the congres-*
13 *sional defense committees a report describing the*
14 *equipment accepted during the period covered by*
15 *such report under the following:*

16 (i) *This subsection.*

17 (ii) *Section 1521(b) of the National*
18 *Defense Authorization Act for Fiscal Year*
19 *2017 (Public Law 114–328; 130 Stat.*
20 *2575).*

21 (iii) *Section 1531(b) of the National*
22 *Defense Authorization Act for Fiscal Year*
23 *2016 (Public Law 114–92; 129 Stat. 1088).*

24 (iv) *Section 1532(b) of the Carl Levin*
25 *and Howard P. “Buck” McKeon National*

1 *Defense Authorization Act for Fiscal Year*
2 *2015 (Public Law 113–291; 128 Stat.*
3 *3613).*

4 *(v) Section 1531(d) of the National De-*
5 *fense Authorization Act for Fiscal Year*
6 *2014 (Public Law 113–66; 127 Stat. 938;*
7 *10 U.S.C. 2302 note).*

8 *(B) ELEMENTS.—Each report under sub-*
9 *paragraph (A) shall include a list of all equip-*
10 *ment that was accepted during the period cov-*
11 *ered by such report and treated as stocks of the*
12 *Department of Defense and copies of the deter-*
13 *minations made under paragraph (2), as re-*
14 *quired by paragraph (3).*

15 *(d) SECURITY OF AFGHAN WOMEN.—*

16 *(1) IN GENERAL.—Of the funds available to the*
17 *Department of Defense for the Afghan Security Forces*
18 *Fund for fiscal year 2019, it is the goal that*
19 *\$25,000,000, but in no event less than \$10,000,000,*
20 *shall be used for—*

21 *(A) the recruitment, integration, retention,*
22 *training, and treatment of women in the Afghan*
23 *National Defense and Security Forces; and*

1 (B) the recruitment, training, and con-
2 tracting of female security personnel for future
3 elections.

4 (2) *TYPES OF PROGRAMS AND ACTIVITIES.*—Such
5 programs and activities may include—

6 (A) efforts to recruit women into the Afghan
7 National Defense and Security Forces, including
8 the special operations forces;

9 (B) programs and activities of the Afghan
10 Ministry of Defense Directorate of Human
11 Rights and Gender Integration and the Afghan
12 Ministry of Interior Office of Human Rights,
13 Gender and Child Rights;

14 (C) development and dissemination of gen-
15 der and human rights educational and training
16 materials and programs within the Afghan Min-
17 istry of Defense and the Afghan Ministry of Inte-
18 rior;

19 (D) efforts to address harassment and vio-
20 lence against women within the Afghan National
21 Defense and Security Forces;

22 (E) improvements to infrastructure that ad-
23 dress the requirements of women serving in the
24 Afghan National Defense and Security Forces,
25 including appropriate equipment for female se-

1 *curity and police forces, and transportation for*
2 *policewomen to their station;*

3 *(F) support for Afghanistan National Police*
4 *Family Response Units; and*

5 *(G) security provisions for high-profile fe-*
6 *male police and military officers.*

7 *(e) ASSESSMENT OF AFGHANISTAN PROGRESS ON SE-*
8 *CURITY OBJECTIVES.—*

9 *(1) ASSESSMENT REQUIRED.—Not later than*
10 *May 1, 2019, the Secretary of Defense shall, in con-*
11 *sultation with the Secretary of State, submit to the*
12 *Committee on Armed Services and the Committee on*
13 *Foreign Affairs of the House of Representatives and*
14 *the Committee on Armed Services and the Committee*
15 *on Foreign Relations of the Senate an assessment de-*
16 *scribing the progress of the Government of the Islamic*
17 *Republic of Afghanistan toward meeting shared secu-*
18 *rity objectives. In conducting such assessment, the*
19 *Secretary of Defense shall consider each of the fol-*
20 *lowing:*

21 *(A) The extent to which the Government of*
22 *Afghanistan has taken steps toward increased ac-*
23 *countability and reducing corruption within the*
24 *Ministries of Defense and Interior.*

1 (B) *The extent to which the capability and*
2 *capacity of the Afghan National Defense and Se-*
3 *curity Forces have improved as a result of Af-*
4 *ghanistan Security Forces Fund investment, in-*
5 *cluding through training.*

6 (C) *The extent to which the Afghan Na-*
7 *tional Defense and Security Forces have been*
8 *able to increase pressure on the Taliban, al-*
9 *Qaeda, the Haqqani network, and other terrorist*
10 *organizations, including by re-taking territory,*
11 *defending territory, and disrupting attacks.*

12 (D) *Whether or not the Government of Af-*
13 *ghanistan is ensuring that supplies, equipment,*
14 *and weaponry supplied by the United States are*
15 *appropriately distributed to security forces*
16 *charged with fighting the Taliban and other ter-*
17 *rorist organizations.*

18 (E) *The extent to which the Government of*
19 *Afghanistan has designated the appropriate staff,*
20 *prioritized the development of relevant processes,*
21 *and provided or requested the allocation of re-*
22 *sources necessary to support a peace and rec-*
23 *onciliation process in Afghanistan.*

24 (F) *Such other factors as the Secretaries*
25 *consider appropriate.*

1 (2) *WITHHOLDING OF ASSISTANCE FOR INSUFFI-*
2 *CIENT PROGRESS.*—

3 (A) *IN GENERAL.*—*If the Secretary of De-*
4 *fense determines, in coordination with the Sec-*
5 *retary of State, pursuant to the assessment under*
6 *paragraph (1) that the Government of Afghani-*
7 *stan has made insufficient progress, the Sec-*
8 *retary of Defense may withhold assistance for the*
9 *Afghan National Defense and Security Forces*
10 *until such time as the Secretary determines suffi-*
11 *cient progress has been made.*

12 (B) *NOTICE TO CONGRESS.*—*If the Sec-*
13 *retary of Defense withholds assistance under sub-*
14 *paragraph (A), the Secretary shall, in coordina-*
15 *tion with the Secretary of State, provide notice*
16 *to Congress not later than 30 days after making*
17 *the decision to withhold such assistance.*

18 **SEC. 1212. EXTENSION AND MODIFICATION OF AUTHORITY**
19 **FOR REIMBURSEMENT OF CERTAIN COALI-**
20 **TION NATIONS FOR SUPPORT PROVIDED TO**
21 **UNITED STATES MILITARY OPERATIONS.**

22 (a) *EXTENSION.*—*Subsection (a) of section 1233 of the*
23 *National Defense Authorization Act for Fiscal Year 2008*
24 *(Public Law 110–181; 122 Stat. 393), as most recently*
25 *amended by section 1212 of the National Defense Authoriza-*

1 *tion Act for Fiscal Year 2018 (Public Law 115–91), is fur-*
2 *ther amended—*

3 *(1) in the matter preceding paragraph (1), by*
4 *striking “October 1, 2017, and ending on December*
5 *31, 2018” and inserting “October 1, 2018, and ending*
6 *on December 31, 2019”; and*

7 *(2) by amending paragraph (2) to read as fol-*
8 *lows:*

9 *“(2) Pakistan for certain activities meant to en-*
10 *hance the security situation in the Afghanistan-Paki-*
11 *stan border region pursuant to section 1226 of the*
12 *National Defense Authorization Act for Fiscal Year*
13 *2016 (22 U.S.C. 2151 note), as amended by the John*
14 *S. McCain National Defense Authorization Act for*
15 *Fiscal Year 2019.”.*

16 *(b) MODIFICATION TO LIMITATIONS.—Subsection (d)*
17 *of such section is amended—*

18 *(1) in paragraph (1)—*

19 *(A) in the first sentence—*

20 *(i) by striking “October 1, 2017, and*
21 *ending on December 31, 2018” and insert-*
22 *ing “October 1, 2018, and ending on De-*
23 *cember 31, 2019”; and*

24 *(ii) by striking “\$900,000,000” and*
25 *inserting “\$350,000,000”; and*

1 (B) by striking the second sentence; and

2 (2) by striking paragraph (3).

3 (c) *REPEAL OF PROVISION RELATING TO REIMBURSE-*
4 *MENT TO PAKISTAN FOR SECURITY ENHANCEMENT ACTIVI-*
5 *TIES.*—Such section is further amended—

6 (1) by striking subsection (e); and

7 (2) by redesignating subsections (f) through (h)
8 as subsections (e) through (g), respectively.

9 (d) *NOTICE TO CONGRESS.*—Paragraph (1) of sub-
10 *section (e) of such section, as redesignated by subsection (c)*
11 *of this section, is amended by striking the second sentence.*

12 **SEC. 1213. EXTENSION OF AUTHORITY TO TRANSFER DE-**
13 ****DEFENSE ARTICLES AND PROVIDE DEFENSE****
14 ****SERVICES TO THE MILITARY AND SECURITY****
15 ****FORCES OF AFGHANISTAN.****

16 (a) *EXTENSION.*—Subsection (h) of section 1222 of the
17 *National Defense Authorization Act for Fiscal Year 2013*
18 *(Public Law 112–239; 126 Stat. 1992), as most recently*
19 *amended by section 1211 of the National Defense Authoriza-*
20 *tion Act for Fiscal Year 2017 (Public Law 115–91), is fur-*
21 *ther amended by striking “December 31, 2018” and insert-*
22 *ing “December 31, 2019”.*

23 (b) *EXCESS DEFENSE ARTICLES.*—Subsection (i)(2) of
24 *such section, as so amended, is further amended by striking*

1 “December 31, 2018” each place it appears and inserting
2 “December 31, 2019”.

3 **SEC. 1214. MODIFICATION OF REPORTING REQUIREMENTS**
4 **FOR SPECIAL IMMIGRANT VISAS FOR AFGHAN**
5 **ALLIES PROGRAM.**

6 *Section 602 of the Afghan Allies Protection Act of 2009*
7 *(8 U.S.C. 1101 note) is amended—*

8 *(1) in subsection (b)—*

9 *(A) by striking paragraph (10);*

10 *(B) by redesignating paragraphs (11)*
11 *through (16) as paragraphs (10) through (15),*
12 *respectively;*

13 *(C) in paragraph (11)(A), as so redesign-*
14 *ated, by striking “the National Defense Author-*
15 *ization Act for Fiscal Year 2014” and inserting*
16 *“the John S. McCain National Defense Author-*
17 *ization Act for Fiscal Year 2019”;*

18 *(D) in paragraph (12), as so redesignated,*
19 *by striking “paragraph (12)(B)” and inserting*
20 *“paragraph (11)(B)”;* and

21 *(E) in paragraph (13), as so redesignated,*
22 *in the matter preceding subparagraph (A), by*
23 *striking “a report to the” and all that follows*
24 *through “House of Representatives” and insert-*

1 ing “a report to the appropriate committees of
 2 Congress”;
 3 (2) by striking subsection (c); and
 4 (3) by redesignating subsection (d) as subsection
 5 (c).

6 **Subtitle C—Matters Relating to**
 7 **Syria, Iraq, and Iran**

8 **SEC. 1221. EXTENSION OF AUTHORITY TO PROVIDE ASSIST-**
 9 **ANCE TO COUNTER THE ISLAMIC STATE OF**
 10 **IRAQ AND SYRIA.**

11 (a) *EXTENSION.*—Subsection (a) of section 1236 of the
 12 *Carl Levin and Howard P. “Buck” McKeon National De-*
 13 *fense Authorization Act for Fiscal Year 2015 (Public Law*
 14 *113–291; 128 Stat. 3558), as most recently amended by sec-*
 15 *tion 1222 of the National Defense Authorization Act for Fis-*
 16 *cal Year 2018 (Public Law 115–91), is further amended*
 17 *by striking “December 31, 2019” and inserting “December*
 18 *31, 2020”.*

19 (b) *FUNDING.*—Subsection (g) of such section 1236, as
 20 *most recently so amended, is further amended—*

21 (1) *by striking “for the Department of Defense*
 22 *for Overseas Contingency Operations for fiscal year*
 23 *2018” and inserting “for the Department of Defense*
 24 *for Overseas Contingency Operations for fiscal year*
 25 *2019”; and*

1 (2) by striking “\$1,269,000,000” and inserting
2 “\$850,000,000”.

3 (c) *LIMITATION OF USE OF FISCAL YEAR 2019*
4 *FUNDS.*—Of the amounts authorized to be appropriated for
5 fiscal year 2019 by this Act for activities under the author-
6 ity in section 1236 of the Carl Levin and Howard P.
7 “Buck” McKeon National Defense Authorization Act for
8 Fiscal Year 2015, as amended by this section, not more than
9 \$450,000,000 may be obligated or expended for such activi-
10 ties until the date on which the Secretary of Defense has
11 submitted to the congressional defense committees each of
12 the following:

13 (1) *The report on the United States strategy in*
14 *Iraq required by the joint explanatory statement of*
15 *the committee of the conference accompanying Con-*
16 *ference Report 115–404.*

17 (2) *A report setting forth the following:*

18 (A) *An explanation of the purpose of a con-*
19 *tinuing United States military presence in Iraq,*
20 *including—*

21 (i) *an explanation of the national secu-*
22 *rity objectives of the United States with re-*
23 *spect to Iraq;*

24 (ii) *a detailed description of—*

1 (I) the size of a continuing United
2 States military presence in Iraq; and

3 (II) the roles and missions associ-
4 ated with a continuing United States
5 military presence in Iraq; and

6 (iii) a delineation of the responsibil-
7 ities in connection with a continuing
8 United States military presence in Iraq
9 of—

10 (I) the Combined Joint Task
11 Force Operation Inherent Resolve (or a
12 successor task force);

13 (II) the Office of Security Co-
14 operation in Iraq; and

15 (III) other United States embassy-
16 based military personnel.

17 (B) An identification of the specific units of
18 the Iraqi Security Forces to receive training and
19 equipment or other support in fiscal year 2019.

20 (C) A plan for ensuring that any vehicles
21 and equipment provided to the Iraqi Security
22 Forces pursuant to that authority are main-
23 tained in subsequent fiscal years using funds of
24 Iraq.

1 (D) *An estimate, by fiscal year, of the fund-*
2 *ing anticipated to be required for support of the*
3 *Iraqi Security Forces pursuant to that authority*
4 *during the five fiscal years beginning with fiscal*
5 *year 2020.*

6 (E) *A detailed plan for the obligation and*
7 *expenditure of the funds requested for fiscal year*
8 *2019 for the Department of Defense for Oper-*
9 *ational Sustainment of the Iraqi Security*
10 *Forces.*

11 (F) *A plan for the transition to the Govern-*
12 *ment of Iraq of responsibility for funding for*
13 *Operational Sustainment of the Iraqi Security*
14 *Forces for fiscal years after fiscal year 2019.*

15 (G) *A description of any actions carried out*
16 *under this paragraph.*

17 **SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY**
18 **TO PROVIDE ASSISTANCE TO THE VETTED**
19 **SYRIAN OPPOSITION.**

20 (a) *EXTENSION.*—*Section 1209(a) of the Carl Levin*
21 *and Howard P. “Buck” McKeon National Defense Author-*
22 *ization Act for Fiscal Year 2015 (Public Law 113–291; 128*
23 *Stat. 3559), as most recently amended by section 1221(a)*
24 *of the National Defense Authorization Act for Fiscal Year*
25 *2017 (Public Law 114–328; 130 Stat. 2485), is further*

1 amended by striking “December 31, 2018” and inserting
2 “December 31, 2019”.

3 (b) *LIMITATION ON USE OF FUNDS IN GENERAL.*—

4 (1) *LIMITATION.*—None of the funds authorized
5 to be appropriated for fiscal year 2019 for the De-
6 partment of Defense may be obligated or expended for
7 activities under the authority in section 1209 of the
8 Carl Levin and Howard P. “Buck” McKeon National
9 Defense Authorization Act for Fiscal Year 2015, as
10 amended by subsection (a), until the later of the fol-
11 lowing:

12 (A) The date on which the President sub-
13 mits the report on United States strategy in
14 Syria required by section 1221 of the National
15 Defense Authorization Act for Fiscal Year 2018
16 (Public Law 115–91).

17 (B) The date that is 30 days after the date
18 on which the Secretary of Defense submits the re-
19 port described in paragraph (2).

20 (2) *REPORT.*—Not later than 90 days after the
21 date of the enactment of this Act, the Secretary shall
22 submit to the congressional defense committees a re-
23 port setting forth the following:

24 (A) A detailed description of the internal se-
25 curity forces of the vetted Syrian opposition to

1 *be trained and equipped under such authority,*
2 *including a description of their geographic loca-*
3 *tions, demographic profiles, political affiliations,*
4 *current capabilities, and relation to the objec-*
5 *tives under the authority in section 1209 of the*
6 *Carl Levin and Howard P. “Buck” McKeon Na-*
7 *tional Defense Authorization Act for Fiscal Year*
8 *2015, as amended by subsection (a).*

9 *(B) A detailed description of planned capa-*
10 *bilities, including categories of equipment, in-*
11 *tended to be provided to the elements of the vet-*
12 *ted Syrian opposition under such authority.*

13 *(C) A description of the planned level of en-*
14 *gagement by United States forces with the ele-*
15 *ments of the vetted Syrian opposition after such*
16 *elements of the vetted Syrian opposition have*
17 *been trained and equipped under such authority,*
18 *including the oversight of equipment provided*
19 *under such authority and the activities con-*
20 *ducted by such vetted Syrian opposition forces.*

21 *(D) An explanation of the processes and*
22 *mechanisms for local commanders of the vetted*
23 *Syrian opposition to exercise command and con-*
24 *trol of the elements of the vetted Syrian opposi-*
25 *tion after such elements of the vetted Syrian op-*

1 *position have been trained and equipped under*
2 *such authority.*

3 *(E) An explanation of complementary local*
4 *governance and other stabilization activities in*
5 *areas in which elements of the local internal se-*
6 *curity forces trained and equipped under such*
7 *authority will be operating and the relation of*
8 *such local governance and other stabilization ac-*
9 *tivities to the oversight of such security forces.*

10 *(c) ADDITIONAL LIMITATIONS ON USE OF FUNDS DUR-*
11 *ING FISCAL YEAR 2019.—*

12 *(1) CERTIFICATIONS IN CONNECTION WITH USE*
13 *OF FUNDS.—Not later than 120 days after the date of*
14 *the enactment of this Act, and every 120 days there-*
15 *after, the Secretary shall submit to the congressional*
16 *defense committees a written certification on the fol-*
17 *lowing:*

18 *(A) Whether, during the 120-day period*
19 *ending on the date of the certification, demon-*
20 *strable progress was made—*

21 *(i) to retake control of territory in*
22 *Syria from the Islamic State of Iraq and*
23 *Syria (ISIS); or*

24 *(ii) to stabilize areas in Syria formerly*
25 *held by the Islamic State of Iraq and Syria.*

1 (B) Whether, during such period, the vetted
2 Syrian opposition tasked with conducting local
3 security operations that United States forces are
4 training and equipping under the authority in
5 section 1209 of the Carl Levin and Howard P.
6 “Buck” McKeon National Defense Authorization
7 Act for Fiscal Year 2015, as amended by sub-
8 section (a), were demographically representative
9 of the local communities and serve local govern-
10 ance bodies that are similarly representative of
11 the local communities.

12 (C) Whether, during such period, the De-
13 partment of Defense took actions to mitigate any
14 pause in offensive operations against the Islamic
15 State of Iraq and Syria through the training,
16 equipping, and assistance of the vetted Syrian
17 opposition.

18 (D) Whether, during such period, support
19 provided under the authority referred to in sub-
20 paragraph (B) was consistent with United
21 States standards regarding respect for human
22 rights, rule of law, and support for stable and
23 equitable governance.

24 (E) Whether, during such period, members
25 of the vetted Syrian opposition receiving support

1 under the authority referred to in subparagraph
2 (B) continued to demonstrate respect for human
3 rights and rule of law, violations of human
4 rights and rule of law by such members were ap-
5 propriately investigated, and the individuals re-
6 sponsible for such violations were appropriately
7 held accountable.

8 (2) *LIMITATION.*—If the Secretary does not make
9 a certification by the deadline for submittal required
10 for the certification under paragraph (1), or is unable
11 in the certification to certify each of the matters spec-
12 ified in that paragraph, no support may be provided
13 to the vetted Syrian opposition under the authority
14 in section 1209 of the Carl Levin and Howard P.
15 “Buck” McKeon National Defense Authorization Act
16 for Fiscal Year 2015, as amended by subsection (a),
17 during the period that—

18 (A) begins on the deadline for submittal of
19 the certification (if the certification is not made)
20 or the date of the certification (if the certifi-
21 cation does not certify each of the matters), as
22 applicable; and

23 (B) ends on the date on which a certifi-
24 cation is submitted under paragraph (1) that
25 certifies each of the matters.

1 **SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY**
2 **TO SUPPORT OPERATIONS AND ACTIVITIES**
3 **OF THE OFFICE OF SECURITY COOPERATION**
4 **IN IRAQ.**

5 (a) *EXTENSION OF AUTHORITY.*—Subsection (f)(1) of
6 section 1215 of the National Defense Authorization Act for
7 Fiscal Year 2012 (10 U.S.C. 113 note) is amended by strik-
8 ing “fiscal year 2018” and inserting “fiscal year 2019”.

9 (b) *AMOUNT AVAILABLE.*—

10 (1) *IN GENERAL.*—Such section is further
11 amended—

12 (A) in subsection (c), by striking “fiscal
13 year 2018 may not exceed \$42,000,000” and in-
14 serting “fiscal year 2019 may not exceed
15 \$45,300,000”; and

16 (B) in subsection (d), by striking “fiscal
17 year 2018” and inserting “fiscal year 2019”.

18 (2) *LIMITATION OF USE OF FISCAL YEAR 2019*
19 *FUNDS PENDING REPORTS.*—Of the amount available
20 for fiscal year 2019 for section 1215 of the National
21 Defense Authorization Act for Fiscal Year 2012, as
22 amended by this section, not more than an amount
23 equal to 25 percent of such amount may be obligated
24 or expended for the Office of Security Cooperation in
25 Iraq until 30 days after the later of—

1 (A) *the date on which the report on the*
2 *United States strategy on Iraq required by the*
3 *joint explanatory statement of the committee of*
4 *the conference accompanying Conference Report*
5 *115–404 is submitted to the congressional defense*
6 *committees; and*

7 (B) *the date on which the report required*
8 *under subsection (c) is submitted to the appro-*
9 *priate committees of Congress.*

10 (c) *REPORT.—*

11 (1) *IN GENERAL.—Not later than 180 days after*
12 *the date of the enactment of this Act, the Secretary of*
13 *Defense, in cooperation with the Secretary of State,*
14 *shall submit to the appropriate committees of Con-*
15 *gress a report on the Office of Security Cooperation*
16 *in Iraq.*

17 (2) *ELEMENTS.—The report required by para-*
18 *graph (1) shall include the following:*

19 (A) *A description of the enduring planned*
20 *size and missions of the Office of Security Co-*
21 *operation in Iraq after the cessation of major*
22 *combat operations against the Islamic State of*
23 *Iraq and Syria.*

24 (B) *A description of the relationship be-*
25 *tween the Office of Security Cooperation in Iraq*

1 *and any planned enduring presence of other*
2 *United States forces in Iraq.*

3 *(C) A detailed description of any activity to*
4 *be conducted by the Office of Security Coopera-*
5 *tion in Iraq in fiscal year 2019.*

6 *(D) A plan and timeline for the normaliza-*
7 *tion of the Office of Security Cooperation in Iraq*
8 *to conform to other offices of security coopera-*
9 *tion, including the transition of funding from*
10 *the Department of Defense to the Department of*
11 *State by the beginning of fiscal year 2020.*

12 *(E) Such other matters with respect to the*
13 *Office of Security Cooperation in Iraq as the*
14 *Secretary of Defense and the Secretary of State*
15 *consider appropriate.*

16 *(d) APPROPRIATE COMMITTEES OF CONGRESS DE-*
17 *FINED.—In this section, the term “appropriate committees*
18 *of Congress” means—*

19 *(1) the Committee on Armed Services and the*
20 *Committee on Foreign Relations of the Senate; and*

21 *(2) the Committee on Armed Services and the*
22 *Committee on Foreign Affairs of the House of Rep-*
23 *resentatives.*

1 **SEC. 1224. SYRIA STUDY GROUP.**

2 (a) *ESTABLISHMENT.*—*There is established a working*
3 *group to be known as the “Syria Study Group” (in this*
4 *section referred to as the “Group”).*

5 (b) *PURPOSE.*—*The purpose of the Group is to exam-*
6 *ine and make recommendations on the military and diplo-*
7 *matic strategy of the United States with respect to the con-*
8 *flict in Syria.*

9 (c) *COMPOSITION.*—

10 (1) *MEMBERSHIP.*—*The Group shall be composed*
11 *of 12 members, who shall be appointed as follows:*

12 (A) *One member appointed by the chair of*
13 *the Committee on Armed Services of the Senate.*

14 (B) *One member appointed by the ranking*
15 *minority member of the Committee on Armed*
16 *Services of the Senate.*

17 (C) *One member appointed by the chair of*
18 *the Committee on Foreign Relations of the Sen-*
19 *ate.*

20 (D) *One member appointed by the ranking*
21 *minority member of the Committee on Foreign*
22 *Relations of the Senate.*

23 (E) *One member appointed by the chair of*
24 *the Committee on Armed Services of the House*
25 *of Representatives.*

1 (F) *One member appointed by the ranking*
2 *minority member of the Committee on Armed*
3 *Services of the House of Representatives.*

4 (G) *One member appointed by the chair of*
5 *the Committee on Foreign Affairs of the House*
6 *of Representatives.*

7 (H) *One member appointed by the ranking*
8 *minority member of the Committee on Foreign*
9 *Affairs of the House of Representatives.*

10 (I) *One member appointed by the majority*
11 *leader of the Senate.*

12 (J) *One member appointed by the minority*
13 *leader of the Senate.*

14 (K) *One member appointed by the Speaker*
15 *of the House of Representatives.*

16 (L) *One member appointed by the minority*
17 *leader of the House of Representatives.*

18 (2) *CO-CHAIRS.—*

19 (A) *Of the members of the Group, one co-*
20 *chair shall be jointly designated by—*

21 (i) *the chairs of the Committee on*
22 *Armed Services and the Committee on For-*
23 *ign Relations of the Senate;*

1 (ii) the chairs of the Committee on
2 Armed Services and the Committee on For-
3 eign Affairs of the House of Representatives;

4 (iii) the majority leader of the Senate;
5 and

6 (iv) the Speaker of the House of Rep-
7 resentatives.

8 (B) Of the members of the Group, one co-
9 chair shall be jointly designated by—

10 (i) the ranking minority members of
11 the Committee on Armed Services and the
12 Committee on Foreign Relations of the Sen-
13 ate;

14 (ii) the ranking minority members of
15 the Committee on Armed Services and the
16 Committee on Foreign Affairs of the House
17 of Representatives;

18 (iii) the minority leader of the Senate;
19 and

20 (iv) the minority leader of the House of
21 Representatives.

22 (3) *PERIOD OF APPOINTMENT.*—A member shall
23 be appointed for the life of the Group.

1 (4) *VACANCIES.*—*Any vacancy in the Group*
2 *shall be filled in the same manner as the original ap-*
3 *pointment.*

4 (d) *DUTIES.*—

5 (1) *REVIEW.*—*The Group shall conduct a review*
6 *on the current United States military and diplomatic*
7 *strategy with respect to the conflict in Syria that in-*
8 *cludes a review of current United States objectives in*
9 *Syria and the desired end state in Syria.*

10 (2) *ASSESSMENT AND RECOMMENDATIONS.*—*The*
11 *Group shall—*

12 (A) *conduct a comprehensive assessment of*
13 *the current situation in Syria, the impact of*
14 *such situation on neighboring countries, the re-*
15 *sulting regional and geopolitical threats to the*
16 *United States, and current military, diplomatic,*
17 *and political efforts to achieve a stable Syria;*
18 *and*

19 (B) *develop recommendations on the mili-*
20 *tary and diplomatic strategy of the United*
21 *States with respect to the conflict in Syria.*

22 (e) *COOPERATION OF UNITED STATES GOVERN-*
23 *MENT.*—

24 (1) *IN GENERAL.*—*The Group shall receive the*
25 *full and timely cooperation of the Secretary of De-*

1 *fense, the Secretary of State, and the Director of Na-*
2 *tional Intelligence in providing the Group with anal-*
3 *yses, briefings, and other information necessary for*
4 *the discharge of the duties of the Group under sub-*
5 *section (d).*

6 (2) *LIAISON.*—*The Secretary of Defense, the Sec-*
7 *retary of State, and the Director of National Intel-*
8 *ligence shall each designate at least one officer or em-*
9 *ployee of the Department of Defense, the Department*
10 *of State, and the Office of the Director of National In-*
11 *telligence, respectively, to serve as a liaison to the*
12 *Group.*

13 (3) *FACILITATION.*—*The United States Institute*
14 *of Peace shall take appropriate actions to facilitate*
15 *the Group in the discharge of the duties of the Group*
16 *under this section.*

17 (f) *REPORTS.*—

18 (1) *FINAL REPORT.*—

19 (A) *IN GENERAL.*—*Not later than June 30,*
20 *2019, the Group shall submit to the President,*
21 *the Secretary of Defense, the Committee on*
22 *Armed Services and the Committee on Foreign*
23 *Relations of the Senate, the Committee on Armed*
24 *Services and the Committee on Foreign Affairs*
25 *of the House of Representatives, the majority and*

1 *minority leaders of the Senate, the Speaker of the*
2 *House of Representatives, and the minority lead-*
3 *er of the House of Representatives a report that*
4 *sets forth the findings, conclusions, and rec-*
5 *ommendations of the Group under this section.*

6 (B) *ELEMENTS.*—*The report required by*
7 *subparagraph (A) shall include each of the fol-*
8 *lowing:*

9 (i) *An assessment of the current secu-*
10 *rity, political, humanitarian, and economic*
11 *situations in Syria.*

12 (ii) *An assessment of the current par-*
13 *ticipation and objectives of the various ex-*
14 *ternal actors in Syria.*

15 (iii) *An assessment of the consequences*
16 *of continued conflict in Syria.*

17 (iv) *Recommendations for a resolution*
18 *to the conflict in Syria, including—*

19 (I) *options for a gradual political*
20 *transition to a post-Assad Syria; and*

21 (II) *actions necessary for rec-*
22 *onciliation.*

23 (v) *A roadmap for a United States and*
24 *coalition strategy to reestablish security and*
25 *governance in Syria, including rec-*

1 *ommendations for the synchronization of*
2 *stabilization, development, counterterrorism,*
3 *and reconstruction efforts.*

4 *(vi) Any other matter with respect to*
5 *the conflict in Syria that the Group con-*
6 *siders to be appropriate.*

7 *(2) INTERIM REPORT.—Not later than February*
8 *1, 2019, the Group shall submit to the Committee on*
9 *Armed Services and the Committee on Foreign Rela-*
10 *tions of the Senate, the Committee on Armed Services*
11 *and the Committee on Foreign Affairs of the House*
12 *of Representatives, the majority and minority leaders*
13 *of the Senate, the Speaker of the House of Representa-*
14 *tives, and the minority leader of the House of Rep-*
15 *resentatives a report that describes the status of the*
16 *review and assessment under subsection (d) and any*
17 *interim recommendations developed by the Group as*
18 *of the date of the briefing.*

19 *(3) FORM OF REPORT.—The report submitted to*
20 *Congress under paragraph (1) shall be submitted in*
21 *unclassified form, but may include a classified annex.*

22 *(g) TERMINATION.—The Group shall terminate on the*
23 *date that is 180 days after the date on which the Group*
24 *submits the report required by subsection (f)(1).*

1 **SEC. 1225. MODIFICATION OF ANNUAL REPORT ON MILI-**
 2 **TARY POWER OF IRAN.**

3 *Section 1245(b) of the National Defense Authorization*
 4 *Act for Fiscal Year 2010 (10 U.S.C. 113 note) is amended—*

5 (1) *in paragraph (3)(B), by inserting “the*
 6 *Houthis,” after “ Hamas, ”; and*

7 (2) *in paragraph (7)—*

8 (A) *by inserting “the Russian Federation,”*
 9 *after “Pakistan, ”; and*

10 (B) *by inserting “trafficking or” before “de-*
 11 *velopment”.*

12 ***Subtitle D—Matters Relating to***
 13 ***Europe and the Russian Federation***

14 **SEC. 1231. EXTENSION OF LIMITATION ON MILITARY CO-**
 15 **OPERATION BETWEEN THE UNITED STATES**
 16 **AND THE RUSSIAN FEDERATION.**

17 (a) *EXTENSION.—Subsection (a) of section 1232 of the*
 18 *National Defense Authorization Act for Fiscal Year 2017*
 19 *(Public Law 114–328; 130 Stat. 2488), as amended by sec-*
 20 *tion 1231 of the National Defense Authorization Act for Fis-*
 21 *cal Year 2018 (Public Law 115–91), is further amended*
 22 *in the matter preceding paragraph (1) by striking “fiscal*
 23 *year 2017 or 2018” and inserting “fiscal year 2017, 2018,*
 24 *or 2019”.*

25 (b) *RULE OF CONSTRUCTION.—Such section is further*
 26 *amended—*

1 (1) by redesignating subsection (e) as subsection
2 (f); and

3 (2) by inserting after subsection (d) the following
4 new subsection (e):

5 “(e) *RULE OF CONSTRUCTION.*—Nothing in subsection
6 (a) shall be construed to limit bilateral military-to-military
7 dialogue between the United States and the Russian Federa-
8 tion for the purpose of reducing the risk of conflict.”.

9 **SEC. 1232. LIMITATION ON AVAILABILITY OF FUNDS RELAT-**
10 **ING TO SOVEREIGNTY OF THE RUSSIAN FED-**
11 **ERATION OVER CRIMEA.**

12 (a) *LIMITATION.*—None of the funds authorized to be
13 appropriated by this Act or otherwise made available for
14 fiscal year 2019 for the Department of Defense may be obli-
15 gated or expended to implement any activity that recognizes
16 the sovereignty of the Russian Federation over Crimea.

17 (b) *WAIVER.*—The Secretary of Defense, with the con-
18 currence of the Secretary of State, may waive the limitation
19 in subsection (a) if the Secretary of Defense—

20 (1) determines that the waiver is in the national
21 security interest of the United States; and

22 (2) submits to the Committee on Armed Services
23 and the Committee on Foreign Relations of the Senate
24 and the Committee on Armed Services and the Com-

1 *mittee on Foreign Affairs of the House of Representa-*
 2 *tives a notification of the waiver.*

3 **SEC. 1233. EXTENSION OF UKRAINE SECURITY ASSISTANCE**
 4 **INITIATIVE.**

5 *Section 1250 of the National Defense Authorization*
 6 *Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*
 7 *1068), as most recently amended by section 1234 of the Na-*
 8 *tional Defense Authorization Act for Fiscal Year 2018 (Pub-*
 9 *lic Law 115–91), is further amended—*

10 *(1) in subsection (c)—*

11 *(A) in paragraph (1), by striking “for fiscal*
 12 *year 2018 pursuant to subsection (f)(3)” and in-*
 13 *serting “for fiscal year 2019 pursuant to sub-*
 14 *section (f)(4)”;* and

15 *(B) in paragraph (3), by striking “fiscal*
 16 *year 2018” and inserting “fiscal year 2019”;*

17 *(2) in subsection (f), by adding at the end the*
 18 *following new paragraph:*

19 *“(4) For fiscal year 2019, \$200,000,000.”;* and

20 *(3) in subsection (h), by striking “December 31,*
 21 *2020” and inserting “December 31, 2021”.*

22 **SEC. 1234. SENSE OF SENATE ON RELOCATION OF JOINT IN-**
 23 **TELLIGENCE ANALYSIS COMPLEX.**

24 *It is the sense of the Senate that, in consideration of*
 25 *any future plans regarding the relocation of the Joint Intel-*

1 *ligence Analysis Complex of the United States European*
2 *Command, the Secretary of Defense should maintain its ge-*
3 *ographic location within the United Kingdom and its col-*
4 *location with the North Atlantic Treaty Organization*
5 *(NATO) Intelligence Fusion Center.*

6 **SEC. 1235. SENSE OF SENATE ON ENHANCING DETERRENCE**
7 **AGAINST RUSSIAN AGGRESSION IN EUROPE.**

8 (a) *STATEMENT OF POLICY.*—*To protect the national*
9 *security of the United States, it is the policy of the United*
10 *States to pursue an integrated approach to strengthening*
11 *the defense of allies and partners in Europe as part of a*
12 *broader, long-term strategy backed by all elements of United*
13 *States national power to deter and, if necessary, defeat Rus-*
14 *sian aggression.*

15 (b) *SENSE OF THE SENATE.*—*It is the sense of the Sen-*
16 *ate that in order to strengthen the defense of allies and part-*
17 *ners in Europe, the Secretary of Defense, in coordination*
18 *with the Secretary of State and in consultation with the*
19 *commander of United States European Command,*
20 *should—*

21 (1) *prioritize the need for additional United*
22 *States Army forward presence in Europe, especially*
23 *increased forward-stationed combat enablers to en-*
24 *hance United States Army capability and capacity in*
25 *areas such as—*

- 1 (A) *long-range fires;*
- 2 (B) *air and missile defense;*
- 3 (C) *combat engineering;*
- 4 (D) *logistics and sustainment;*
- 5 (E) *warfighting headquarters elements; and*
- 6 (F) *electronic warfare;*

7 (2) *conduct a review of the balance of United*
8 *States Army presence in Europe between rotationally*
9 *deployed and forward-stationed forces, including an*
10 *examination of transitioning the rotational presence*
11 *of a United States Army armored brigade combat*
12 *team (ABCT) in Europe to a forward-stationed*
13 *ABCT, with consideration of—*

14 (A) *the opportunity to more effectively sig-*
15 *nal the enduring commitment of the United*
16 *States—*

17 (i) *to assure allies and partners in Eu-*
18 *rope; and*

19 (ii) *to deter Russian aggression;*

20 (B) *the significant recurring fiscal costs of*
21 *rotating heavy, equipment-intensive units;*

22 (C) *the family readiness impacts of lengthy*
23 *heel-to-toe rotational deployments;*

24 (D) *the potential advantages of interoper-*
25 *ability and cultural proficiency that can be*

1 *achieved by forward-stationed forces that have*
2 *knowledge of local rules, regulations, culture, cus-*
3 *toms, geography, and counterpart military units*
4 *and officials;*

5 *(E) the potential tradeoffs between—*

6 *(i) the training readiness and high*
7 *operational tempo of rotational units; and*

8 *(ii) the higher manning rates of for-*
9 *ward-stationed forces; and*

10 *(F) the benefits of National Training Center*
11 *rotations for rotationally deployed units as com-*
12 *pared to maximized use of United States Army*
13 *training areas in Europe, including the Joint*
14 *Multinational Readiness Center in Germany, by*
15 *forward-stationed units in Europe;*

16 *(3) consider options for mitigating personnel im-*
17 *pacts of heel-to-toe rotations of United States forces in*
18 *Europe, including designation of Operation Atlantic*
19 *Resolve as a named operation;*

20 *(4) examine the merit and feasibility of main-*
21 *taining a continuous and enduring presence of at*
22 *least one United States Army company in Estonia,*
23 *Latvia, and Lithuania;*

24 *(5) examine the merit and feasibility of increas-*
25 *ing the presence of United States special operations*

1 *forces in Estonia, Latvia, and Lithuania to deter ag-*
2 *gression, promote interoperability, build resilience*
3 *through training activities focused on countering un-*
4 *conventional warfare strategies, and enable the North*
5 *Atlantic Treaty Organization (NATO) to take collec-*
6 *tive action if required;*

7 (6) *examine the merit and feasibility of*
8 *prepositioning certain equipment and ammunition in*
9 *Estonia, Latvia, and Lithuania;*

10 (7) *continue rotational deployments of United*
11 *States forces to Romania and Bulgaria while taking*
12 *full advantage of the training opportunities available*
13 *at military locations such as Camp Mihail*
14 *Kogalniceanu in Romania and Novo Selo Training*
15 *Area in Bulgaria;*

16 (8) *examine the implications of Russian mili-*
17 *tary activity in the Arctic region for United States*
18 *military capability, capacity, and force posture;*

19 (9) *conduct exercises focused on demonstrating*
20 *the capability to flow United States forces from the*
21 *continental United States and surge forces from cen-*
22 *tral to eastern Europe in a nonpermissive environ-*
23 *ment—*

24 (A) *to test and improve strategic and oper-*
25 *ational logistics and transportation capabilities;*

1 (B) to identify capability gaps, capacity
2 shortfalls, or other limiting factors in the execu-
3 tion of operational plans; and

4 (C) to identify appropriate corrective ac-
5 tion;

6 (10) consider incorporating cyber protection
7 teams, to the extent practicable, with rotational forces
8 in Europe with a focus on training United States
9 and allied forces to operate against adversary cyber,
10 electronic warfare, and information operations capa-
11 bilities;

12 (11) support robust security assistance for
13 Ukraine, including defensive lethal assistance, while
14 promoting necessary defense institutional reforms;

15 (12) support robust security assistance for Geor-
16 gia, including defensive lethal assistance, to strength-
17 en the defense capabilities and readiness of Georgia,
18 and improve interoperability with NATO forces;

19 (13) promote enhanced military-to-military en-
20 gagement between the United States and the mili-
21 taries of the countries of the Western Balkans to pro-
22 mote interoperability with NATO, civilian control of
23 the military, procurement reforms, and regional secu-
24 rity cooperation;

1 (14) *develop and implement a comprehensive se-*
2 *curity cooperation strategy that rationalizes and*
3 *prioritizes support for allies and partners in Europe,*
4 *including Estonia, Latvia, Lithuania, Poland, Roma-*
5 *nia, Bulgaria, Ukraine, Moldova, and Georgia;*

6 (15) *consider the merit and feasibility of a de-*
7 *fense lending initiative to support allies and partners*
8 *in Europe, especially allies and partners that are*
9 *most vulnerable to Russian aggression, to supplement*
10 *and fill gaps in existing United States security assist-*
11 *ance and arms sales mechanisms; and*

12 (16) *in NATO or through other multilateral for-*
13 *mats—*

14 (A) *promote reforms to accelerate the speed*
15 *of decision and deployability within NATO, in-*
16 *cluding delegation to the Secretary General and*
17 *the Supreme Allied Commander Europe*
18 *(SACEUR) of the authority to deploy the Very*
19 *High Readiness Joint Task Force to any loca-*
20 *tion within the territory of NATO allies in re-*
21 *sponse to a security crisis;*

22 (B) *promote a more robust NATO defense*
23 *planning process that—*

1 (i) defines clear, stable chains-of-com-
2 mand responsible for the execution of grad-
3 uated response plans;

4 (ii) generates realistic military re-
5 quirements; and

6 (iii) provides a basis for assigning al-
7 lies specific responsibilities as force pro-
8 viders in contingency plans;

9 (C) pursue planning agreements with allies
10 and partners in Europe on rules of engagement
11 and arrangements for command and control, ac-
12 cess, transit, and support in crisis situations,
13 which occur prior to an invocation of Article 5
14 of the Washington Treaty by the North Atlantic
15 Council;

16 (D) promote operational readiness of major
17 combat units as a key element of alliance burden
18 sharing alongside spending commitments made
19 at the 2014 Wales Summit, including through—

20 (i) the establishment of 30-day readi-
21 ness targets for NATO kinetic air squad-
22 rons, major naval combatants, and mecha-
23 nized maneuver battalions;

24 (ii) emphasis on allies maintaining
25 fully manned units, improving readiness of

1 *key logistics units, increasing lift capacity,*
2 *and maintaining sufficient stocks of equip-*
3 *ment and munitions; and*

4 *(iii) the conduct of NATO exercises*
5 *with a focus on rapid mobilization and de-*
6 *ployment of allied forces;*

7 *(E) explore transitioning the Baltic air po-*
8 *licing mission of NATO to a Baltic air defense*
9 *mission that would—*

10 *(i) be fully integrated with the Inte-*
11 *grated Air and Missile Defense of NATO*
12 *and other regional short- and medium-*
13 *range air defense systems; and*

14 *(ii) include the participation of NATO*
15 *and regional partners such as Sweden and*
16 *Finland; and*

17 *(F) support multilateral efforts to improve*
18 *maritime domain awareness in the Baltic Sea,*
19 *including—*

20 *(i) integrating subsurface sensors and*
21 *anti-submarine warfare platforms of NATO*
22 *and other regional partners into a shared*
23 *maritime domain awareness framework;*

24 *(ii) coordinating the development, pro-*
25 *curement, and employment of aerial, sur-*

1 *face, and subsurface unmanned vehicles as*
2 *well as mobile air surveillance radars;*

3 *(iii) expanding the scope of Sea Sur-*
4 *veillance Cooperation Baltic Sea*
5 *(SUCBAS) information sharing to include*
6 *sensitive or classified data with the goal of*
7 *creating a common operating picture; and*

8 *(iv) encouraging civil-military collabo-*
9 *ration on maritime domain awareness;*

10 *(G) promote alignment of the Permanent*
11 *Structured Cooperation, European Defense*
12 *Fund, and Coordinated Annual Review on De-*
13 *fense of the European Union (EU) with the*
14 *NATO defense planning process;*

15 *(H) support NATO–EU cooperation to en-*
16 *sure that—*

17 *(i) EU capability development is co-*
18 *herent, complementary, and interoperable*
19 *with NATO;*

20 *(ii) EU-generated capabilities are*
21 *available to NATO; and*

22 *(iii) EU defense activities are con-*
23 *ducted with appropriate transparency and*
24 *participation of non-EU states;*

1 (I) support coordinated NATO and EU ac-
2 tions on expediting or waiving diplomatic clear-
3 ances for the movement of United States and al-
4 lied forces during contingencies;

5 (J) support cooperative investment frame-
6 works that promote increased military mobility
7 in Europe;

8 (K) explore enhancing the role of NATO
9 Force Integration Units to more centrally coordi-
10 nate exercises and training by de-conflicting
11 training engagements, identifying opportunities
12 for combined activities, and ensuring exercise de-
13 sign and delivery are responsive to the dynamic
14 security environment;

15 (L) support cooperative efforts to improve
16 the cyber resiliency of commercial systems in
17 Europe, especially port and rail infrastructure
18 essential for military mobility;

19 (M) support NATO procurement and train-
20 ing efforts to expand the use of secure and inter-
21 operable communications at the operational
22 level, especially in the militaries of Estonia, Lat-
23 via, Lithuania, Poland, Romania, and Bulgaria;

1 (N) *expand cooperation and joint planning*
2 *with allies and partners on intelligence, surveil-*
3 *lance, and reconnaissance (ISR), including—*

4 (i) *exercises related to border security*
5 *and crisis command and control; and*

6 (ii) *electronic warfare, anti-air, and*
7 *anti-surface capabilities;*

8 (O) *promote efforts to improve the capa-*
9 *bility and readiness of NATO Standing Mari-*
10 *time Groups;*

11 (P) *encourage regular review and update of*
12 *the Alliance Maritime Strategy of NATO to re-*
13 *fect the changing military balance in the Black*
14 *Sea with a particular focus on ISR, cyber, elec-*
15 *tronic warfare, and anti-submarine warfare ca-*
16 *pabilities as well as defense of ports, airfields,*
17 *military bases, and other critical infrastructure;*

18 (Q) *explore increasing the frequency, scale,*
19 *and scope of NATO and other multilateral exer-*
20 *cises in the Black Sea with the participation of*
21 *Ukraine and Georgia;*

22 (R) *promote integration of United States*
23 *Marines in Norway with the United Kingdom-*
24 *led Joint Expeditionary Force to increase multi-*
25 *lateral cooperation and interoperability between*

1 *NATO and regional partners such as Sweden*
2 *and Finland;*

3 *(S) affirm support for the Open Door policy*
4 *of NATO, including the eventual membership of*
5 *Georgia in NATO; and*

6 *(T) promote the contribution of sufficient*
7 *resources by NATO allies for the Substantial*
8 *NATO-Georgia Package, and encourage NATO*
9 *allies to make full use of the NATO–Georgian*
10 *Joint Training and Evaluation Center.*

11 **SEC. 1236. TECHNICAL AMENDMENTS RELATED TO NATO**
12 **SUPPORT AND PROCUREMENT ORGANIZA-**
13 **TION AND RELATED NATO AGREEMENTS.**

14 *(a) TITLE 10, UNITED STATES CODE.—Section 2350d*
15 *of title 10, United States Code, is amended—*

16 *(1) by striking “NATO Support Organization”*
17 *each place it appears and inserting “NATO Support*
18 *and Procurement Organization”;*

19 *(2) by striking “Support Partnership Agree-*
20 *ment” each place it appears and inserting “Support*
21 *or Procurement Partnership Agreement”; and*

22 *(3) in subsection (a)(1), by striking “Support*
23 *Partnership Agreements” and inserting “Support or*
24 *Procurement Partnership Agreements”.*

1 **(b) ARMS EXPORT CONTROL ACT.**—Section 21(e)(3) of
2 *the Arms Export Control Act (22 U.S.C. 2761(e)(3)) is*
3 *amended—*

4 **(1) in subparagraph (A)—**

5 **(A) in the matter preceding clause (i), by**
6 *striking “North Atlantic Treaty Organization*
7 *(NATO) Support Organization” and inserting*
8 *“North Atlantic Treaty Organization (NATO)*
9 *Support and Procurement Organization”;* and

10 **(B) in clause (i), by striking “support part-**
11 *nership agreement” and inserting “support or*
12 *procurement partnership agreement”;* and

13 **(2) in subparagraph (C)(i), in the matter pre-**
14 *ceding subclause (I)—*

15 **(A) by striking ““weapon system partner-**
16 *ship agreement”” and inserting ““support or*
17 *procurement partnership agreement””;* and

18 **(B) by striking “North Atlantic Treaty Or-**
19 *ganization (NATO) Support Organization” and*
20 *inserting “North Atlantic Treaty Organization*
21 *(NATO) Support and Procurement Organiza-*
22 *tion”.*

1 **SEC. 1237. REPORT ON SECURITY COOPERATION BETWEEN**
2 **THE RUSSIAN FEDERATION AND CUBA, NICA-**
3 **RAGUA, AND VENEZUELA.**

4 (a) *IN GENERAL.*—Not later than 180 days after the
5 date of the enactment of this Act, the Director of the Defense
6 Intelligence Agency shall submit to the appropriate commit-
7 tees of Congress a report on security cooperation between
8 the Russian Federation and each of the countries specified
9 in subsection (b).

10 (b) *COUNTRIES.*—The countries specified in this sub-
11 section are as follows:

12 (1) *Cuba.*

13 (2) *Nicaragua.*

14 (3) *Venezuela.*

15 (c) *MATTERS TO BE INCLUDED.*—The report required
16 by subsection (a) shall include the following:

17 (1) *An assessment of bilateral security coopera-*
18 *tion between the Russian Federation and each coun-*
19 *try specified in subsection (b) that includes each of*
20 *the following:*

21 (A) *A list of Russian weapon systems or*
22 *other military hardware or technology valued at*
23 *not less than \$1,000,000 provided to or pur-*
24 *chased by such country since January 1, 2007.*

25 (B) *A description of the participation of the*
26 *security forces of such country in training or ex-*

1 *ercises with the security forces of the Russian*
2 *Federation since January 1, 2007.*

3 *(C) A description of any security coopera-*
4 *tion agreement between the Russian Federation*
5 *and such country.*

6 *(D) A description of any military or intel-*
7 *ligence infrastructure, facilities, and assets devel-*
8 *oped by the Russian Federation in each such*
9 *country and any associated agreements or under-*
10 *standings between the Russian Federation and*
11 *such country.*

12 *(2) An assessment of security cooperation, spe-*
13 *cifically in an advisory role, among the countries*
14 *specified in subsection (b).*

15 *(d) FORM.—The report required by subsection (a) shall*
16 *be submitted in unclassified form, but may include a classi-*
17 *fied annex.*

18 *(e) APPROPRIATE COMMITTEES OF CONGRESS DE-*
19 *FINED.—In this section, the term “appropriate committees*
20 *of Congress” means—*

21 *(1) the Committee on Armed Services, the Com-*
22 *mittee on Foreign Relations, and the Committee on*
23 *Appropriations of the Senate; and*

1 (2) *the Committee on Armed Services, the Com-*
 2 *mittee on Foreign Affairs, and the Committee on Ap-*
 3 *propriations of the House of Representatives.*

4 **SEC. 1238. SENSE OF SENATE ON COUNTERING RUSSIAN**
 5 **MALIGN INFLUENCE.**

6 *It is the sense of the Senate that the Secretary of De-*
 7 *fense and the Secretary of State should—*

8 (1) *urgently prioritize the completion of a com-*
 9 *prehensive strategy to counter Russian malign influ-*
 10 *ence; and*

11 (2) *submit to Congress the report required by*
 12 *section 1239A(d) of the National Defense Authoriza-*
 13 *tion Act for Fiscal Year 2018 (Public Law 115–91).*

14 ***Subtitle E—Matters Relating to the***
 15 ***Indo-Pacific Region***

16 **SEC. 1241. REDESIGNATION, EXPANSION, AND EXTENSION**
 17 **OF SOUTHEAST ASIA MARITIME SECURITY**
 18 **INITIATIVE.**

19 (a) *REDESIGNATION AS INDO-PACIFIC MARITIME SE-*
 20 *CURITY INITIATIVE.—*

21 (1) *IN GENERAL.—*Subsection (a)(2) of section
 22 1263 of the National Defense Authorization Act for
 23 Fiscal Year 2016 (10 U.S.C. 333 note) is amended by
 24 striking “the ‘Southeast Asia Maritime Security Ini-

1 *tiative’*” and inserting “*the ‘Indo-Pacific Maritime*
2 *Security Initiative’*”.

3 (2) *CONFORMING AMENDMENT.*—*The heading of*
4 *such section is amended to read as follows:*

5 **“SEC. 1263. INDO-PACIFIC MARITIME SECURITY INITIA-**
6 **TIVE.”.**

7 (b) *EXPANSION.*—

8 (1) *EXPANSION OF REGION TO RECEIVE ASSIST-*
9 *ANCE AND TRAINING.*—*Subsection (a)(1) of such sec-*
10 *tion is amended by inserting “and the Indian Ocean”*
11 *after “South China Sea” in the matter preceding sub-*
12 *paragraph (A).*

13 (2) *RECIPIENT COUNTRIES OF ASSISTANCE AND*
14 *TRAINING GENERALLY.*—*Subsection (b) of such section*
15 *is amended—*

16 (A) *in paragraph (2), by striking the*
17 *comma at the end and inserting a period; and*

18 (B) *by adding at the end the following new*
19 *paragraphs:*

20 “(6) *Bangladesh.*

21 “(7) *Sri Lanka.*”.

22 (3) *COUNTRIES ELIGIBLE FOR PAYMENT OF CER-*
23 *TAIN INCREMENTAL EXPENSES.*—*Subsection (e)(2) of*
24 *such section is amended by adding at the end the fol-*
25 *lowing new subparagraph:*

1 “(D) India.”.

2 (c) *EXTENSION*.—Subsection (h) of such section is
3 amended by striking “September 30, 2020” and inserting
4 “December 31, 2025”.

5 **SEC. 1242. MODIFICATION OF ANNUAL REPORT ON MILI-**
6 **TARY AND SECURITY DEVELOPMENTS IN-**
7 **VOLVING THE PEOPLE’S REPUBLIC OF CHINA.**

8 Section 1202(b) of the National Defense Authorization
9 Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended—

10 (1) by redesignating paragraphs (6) through (16)
11 and (17) through (23) as paragraphs (7) through (17)
12 and (19) through (25), respectively;

13 (2) by inserting after paragraph (5) the fol-
14 lowing new paragraph (6):

15 “(6) China’s overseas military basing and logis-
16 tics infrastructure.”;

17 (3) in paragraph (8), as so redesignated, by
18 striking “including technology transfers and espio-
19 nage” in the first sentence and inserting “including
20 investment, industrial espionage, cybertheft, aca-
21 demia, and other means of technology transfer”;

22 (4) by inserting after paragraph (17), as so re-
23 designated, the following new paragraph (18):

1 “(18) *An assessment of relations between China*
2 *and the Russian Federation with respect to security*
3 *and military matters.*”; and

4 (5) *by adding at the end the following new para-*
5 *graphs:*

6 “(26) *The relationship between Chinese overseas*
7 *investment, including initiatives such as the Belt and*
8 *Road Initiative, and Chinese security and military*
9 *strategy objectives.*

10 “(27) *Efforts by China to influence the media,*
11 *cultural institutions, business, and academic and pol-*
12 *icy communities of the United States to be more fa-*
13 *vorable to its security and military strategy and ob-*
14 *jectives.*

15 “(28) *Efforts by China to monitor and influence,*
16 *in support of its security and military strategy and*
17 *objectives, the following:*

18 “(A) *Chinese citizens in the United States.*

19 “(B) *United States citizens of Chinese de-*
20 *scend.*”.

21 **SEC. 1243. SENSE OF SENATE ON TAIWAN.**

22 *It is the sense of the Senate that—*

23 (1) *the Taiwan Relations Act (22 U.S.C. 3301 et*
24 *seq.) and the “Six Assurances” are both cornerstones*
25 *of United States relations with Taiwan;*

1 (2) *the United States should strengthen defense*
2 *and security cooperation with Taiwan to support the*
3 *development of capable, ready, and modern defense*
4 *forces necessary for Taiwan to maintain a sufficient*
5 *self-defense capability;*

6 (3) *the United States should strongly support the*
7 *acquisition by Taiwan of defensive weapons through*
8 *foreign military sales, direct commercial sales, and*
9 *industrial cooperation, with a particular emphasis on*
10 *asymmetric warfare and undersea warfare capabili-*
11 *ties, consistent with the Taiwan Relations Act;*

12 (4) *the United States should improve the predict-*
13 *ability of arms sales to Taiwan by ensuring timely*
14 *review of and response to requests of Taiwan for de-*
15 *fense articles and defense services;*

16 (5) *the Secretary of Defense should promote De-*
17 *partment of Defense policies concerning exchanges*
18 *that enhance the security of Taiwan, including—*

19 (A) *United States participation in appro-*
20 *priate Taiwan exercises, such as the annual Han*
21 *Kuang exercise;*

22 (B) *Taiwan participation in appropriate*
23 *United States exercises; and*

24 (C) *exchanges between senior defense offi-*
25 *cial and general officers of the United States*

1 *and Taiwan consistent with the Taiwan Travel*
2 *Act (Public Law 115–135);*

3 *(6) the United States and Taiwan should expand*
4 *cooperation in humanitarian assistance and disaster*
5 *relief; and*

6 *(7) the Secretary of Defense should consider sup-*
7 *porting the visit of a United States hospital ship to*
8 *Taiwan as part of the annual “Pacific Partnership”*
9 *mission in order to improve disaster response plan-*
10 *ning and preparedness as well as to strengthen co-*
11 *operation between the United States and Taiwan.*

12 **SEC. 1244. REDESIGNATION AND MODIFICATION OF SENSE**
13 **OF CONGRESS AND INITIATIVE FOR THE**
14 **INDO-ASIA-PACIFIC REGION.**

15 *(a) REDESIGNATION.—*

16 *(1) IN GENERAL.—Section 1251 of the National*
17 *Defense Authorization Act for Fiscal Year 2018 (Pub-*
18 *lic Law 115–91) is amended by striking “Indo-Asia-*
19 *Pacific” each place it appears and inserting “Indo-*
20 *Pacific”.*

21 *(2) HEADING AMENDMENTS.—*

22 *(A) SECTION HEADING.—The heading of*
23 *such section is amended to read as follows:*

1 **“SEC. 1251. SENSE OF CONGRESS AND INITIATIVE FOR THE**
2 **INDO-PACIFIC REGION.”.**

3 (B) *SUBSECTION HEADINGS.*—Such section
4 is further amended in the headings of subsections
5 (b) and (f) by striking “INDO-ASIA-PACIFIC” and
6 inserting “INDO-PACIFIC”.

7 (b) *MODIFICATION OF INITIATIVE.*—Such section is
8 further amended—

9 (1) in subsection (c)—

10 (A) by striking paragraphs (1) through (4)
11 and inserting the following new paragraphs (1)
12 through (4):

13 “(1) Activities to increase the rotational and for-
14 ward presence, improve the capabilities, and enhance
15 the posture of the United States Armed Forces in the
16 Indo-Pacific region—

17 “(A) consistent with the National Defense
18 Strategy; and

19 “(B) to the extent required to minimize the
20 risk of execution of the contingency plans of the
21 Department of Defense.

22 “(2) Activities to improve military and defense
23 infrastructure, logistics, and assured access in the
24 Indo-Pacific region to enhance the responsiveness,
25 survivability, and operational resilience of the United
26 States Armed Forces in the Indo-Pacific region.

1 “(3) *Activities to enhance the storage and pre-*
2 *positioning in the Indo-Pacific region of equipment*
3 *and munitions of the United States Armed Forces.*”

4 “(4) *Bilateral and multilateral military train-*
5 *ing and exercises with allies and partner nations in*
6 *the Indo-Pacific region.*”; and

7 (B) *in paragraph (5)—*

8 (i) *in the matter preceding subpara-*
9 *graph (A), by striking “security capacity”*
10 *and all that follows through “of allies” in*
11 *subparagraph (B) and inserting “security*
12 *capacity of allies”; and*

13 (ii) *by redesignating clauses (i)*
14 *through (v) as subparagraphs (A) through*
15 *(E), respectively, and indenting appro-*
16 *priately;*

17 (2) *in subsection (d), by striking “only”; and*

18 (3) *by amending subsection (e) to read as fol-*
19 *lows:*

20 “(e) *FIVE-YEAR PLAN FOR THE INDO-PACIFIC STA-*
21 *BILITY INITIATIVE.—*

22 “(1) *PLAN REQUIRED.—*

23 “(A) *IN GENERAL.—Not later than March*
24 *1, 2019, the Secretary of Defense, in consultation*
25 *with the Commander of the United States Pa-*

1 *cific Command, shall submit to the congressional*
2 *defense committees a future years plan on activi-*
3 *ties and resources of the Initiative.*

4 “(B) *APPLICABILITY.*—*The plan shall apply*
5 *to the Initiative with respect to fiscal year 2020*
6 *and at least the four succeeding fiscal years.*

7 “(2) *ELEMENTS.*—*The plan required under*
8 *paragraph (1) shall include each of the following:*

9 “(A) *A description of the objectives of the*
10 *Initiative.*

11 “(B) *A description of the manner in which*
12 *such objectives support implementation of the*
13 *National Defense Strategy and reduce the risk of*
14 *execution of the contingency plans of the Depart-*
15 *ment of Defense by improving the operational re-*
16 *silience of United States forces in the Indo-Pa-*
17 *cific region.*

18 “(C) *An assessment of the resource require-*
19 *ments to achieve such objectives.*

20 “(D) *An assessment of any additional rota-*
21 *tional or permanently stationed United States*
22 *forces in the Indo-Pacific region required to*
23 *achieve such objectives.*

24 “(E) *An assessment of the logistics require-*
25 *ments, including force enablers, equipment, sup-*

1 plies, storage, and maintenance, to achieve such
2 objectives.

3 “(F) An identification and assessment of re-
4 quired infrastructure investments to achieve such
5 objectives, including potential infrastructure in-
6 vestments by host countries and new construction
7 or upgrades of existing sites that would be fund-
8 ed by the United States.

9 “(G) An assessment of any new agreements,
10 or changes to existing agreements, with other
11 countries for assured access required to achieve
12 such objectives.

13 “(H) An assessment of security cooperation
14 investments required to achieve such objectives.

15 “(3) FORM.—The plan required under para-
16 graph (1) shall be submitted in unclassified form, but
17 may include a classified annex.”.

18 **SEC. 1245. PROHIBITION ON PARTICIPATION OF THE PEOP-**
19 **LE’S REPUBLIC OF CHINA IN RIM OF THE PA-**
20 **CIFIC (RIMPAC) NAVAL EXERCISES.**

21 (a) SENSE OF CONGRESS.—It is the sense of Congress
22 that—

23 (1) the pace and militarization by the Govern-
24 ment of the People’s Republic of China of land rec-
25 lamation activities in the South China Sea is desta-

1 *bilizing the security of United States allies and part-*
2 *ners and threatening United States core interests;*

3 *(2) these activities of the Government of the Peo-*
4 *ple’s Republic of China adversarially threaten the*
5 *maritime security of the United States and our allies*
6 *and partners;*

7 *(3) no country that acts adversarially should be*
8 *invited to multilateral exercises; and*

9 *(4) the involvement of the Government of the*
10 *People’s Republic of China in multilateral exercises*
11 *should undergo reevaluation until such behavior*
12 *changes.*

13 *(b) CONDITIONS FOR FUTURE PARTICIPATION IN*
14 *RIMPAC.—The Secretary of Defense shall not enable or fa-*
15 *cilitate the participation of the People’s Republic of China*
16 *in any Rim of the Pacific (RIMPAC) naval exercise unless*
17 *the Secretary certifies to the congressional defense commit-*
18 *tees that China has—*

19 *(1) ceased all land reclamation activities in the*
20 *South China Sea;*

21 *(2) removed all weapons from its land reclama-*
22 *tion sites; and*

23 *(3) established a consistent four-year track*
24 *record of taking actions toward stabilizing the region.*

1 **SEC. 1246. ASSESSMENT OF AND REPORT ON GEOPOLITICAL**
2 **CONDITIONS IN THE INDO-PACIFIC REGION.**

3 (a) *ASSESSMENT.*—

4 (1) *IN GENERAL.*—*Not later than 90 days after*
5 *the date of the enactment of this Act, the Secretary of*
6 *Defense shall select and enter into an agreement with*
7 *an entity independent of the Department of Defense*
8 *to conduct an assessment of the geopolitical conditions*
9 *in the Indo-Pacific region that are necessary for the*
10 *successful implementation of the National Defense*
11 *Strategy.*

12 (2) *MATTERS TO BE INCLUDED.*—*The assessment*
13 *required by paragraph (1) shall include a determina-*
14 *tion of the geopolitical conditions in the Indo-Pacific*
15 *region, including any change in economic and polit-*
16 *ical relations, that are necessary to support United*
17 *States military requirements for forward defense, ex-*
18 *tensive forward basing, and alliance formation and*
19 *strengthening in such region.*

20 (b) *REPORT.*—*Not later than 270 days after the date*
21 *of the enactment of this Act, the independent entity selected*
22 *under subsection (a) shall submit to the appropriate com-*
23 *mittees of Congress a report on the results of the assessment*
24 *conducted under that subsection.*

25 (c) *DEPARTMENT OF DEFENSE SUPPORT.*—*The Sec-*
26 *retary shall provide the independent entity selected under*

1 subsection (a) with timely access to appropriate informa-
2 tion, data, resources, and analyses necessary for the inde-
3 pendent entity to conduct the assessment required by that
4 subsection in a thorough and independent manner.

5 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
6 *FINED.*—*In this section, the term “appropriate committees*
7 *of Congress” means—*

8 (1) *the Committee on Armed Services and the*
9 *Committee on Foreign Relations of the Senate; and*

10 (2) *the Committee on Armed Services and the*
11 *Committee on Foreign Affairs of the House of Rep-*
12 *resentatives.*

13 **SEC. 1247. SENSE OF SENATE ON UNITED STATES-INDIA DE-**
14 **FENSE RELATIONSHIP.**

15 *It is the sense the Senate that the United States should*
16 *strengthen and enhance its major defense partnership with*
17 *India and work toward mutual security objectives by—*

18 (1) *expanding engagement in multilateral frame-*
19 *works, including the Quadrilateral Dialogue between*
20 *the United States, India, Japan, and Australia, to*
21 *promote regional security and defend shared values*
22 *and common interests in the rules-based order;*

23 (2) *exploring additional steps to implement the*
24 *“major defense partner” designation to better facili-*

1 *tate military interoperability, information sharing,*
2 *and appropriate technology transfers;*

3 *(3) designating the responsible individual within*
4 *the Department of Defense to facilitate the major de-*
5 *fense partnership with India, as required by section*
6 *1292(a)(1)(B) of the National Defense Authorization*
7 *Act for Fiscal Year 2017 (Public Law 114–328; 130*
8 *Stat. 2559);*

9 *(4) pursuing strategic initiatives to help develop*
10 *India’s defense capabilities, including maritime secu-*
11 *rity capabilities;*

12 *(5) improving cooperation on and coordination*
13 *of humanitarian and disaster relief responses;*

14 *(6) conducting additional joint exercises with*
15 *India in the Persian Gulf, the Indian Ocean region,*
16 *and the Western Pacific; and*

17 *(7) furthering cooperative efforts to promote secu-*
18 *rity and stability in Afghanistan.*

19 **SEC. 1248. SENSE OF SENATE ON STRATEGIC IMPORTANCE**
20 **OF MAINTAINING COMMITMENTS UNDER**
21 **COMPACTS OF FREE ASSOCIATION.**

22 *(a) FINDINGS.—The Senate makes the following find-*
23 *ings:*

24 *(1) The Federated States of Micronesia, the Re-*
25 *public of the Marshall Islands, and the Republic of*

1 *Palau are sovereign countries in free association with*
2 *the United States under the Compacts of Free Asso-*
3 *ciation (in this section referred to as the “Com-*
4 *pacts”), which provide for the exclusive right of the*
5 *United States Armed Forces to operate in the areas*
6 *covered by the Compacts.*

7 (2) *Such exclusive right allows the United States*
8 *to curtail the potential expansion of foreign militaries*
9 *into areas covered by the Compacts.*

10 (3) *Under the Compacts, eligible citizens of the*
11 *Federated States of Micronesia, the Republic of the*
12 *Marshall Islands, and the Republic of Palau may—*

13 (A) *reside, work, and study in the United*
14 *States without a visa; and*

15 (B) *serve in the United States Armed*
16 *Forces.*

17 (4) *An estimated $\frac{1}{4}$ of the populations of the*
18 *Federated States of Micronesia, the Republic of the*
19 *Marshall Islands, and the Republic of Palau has relo-*
20 *cated to the United States.*

21 (5) *Under the Compacts, the Federal Government*
22 *is required to provide assistance to any affected juris-*
23 *isdiction in the United States to defray costs incurred*
24 *by the affected jurisdiction for health, educational, so-*
25 *cial, or public safety services, or for infrastructure re-*

1 *lating to such services, due to the residence in the af-*
2 *ected jurisdiction of citizens of the Federated States*
3 *of Micronesia, the Republic of the Marshall Islands,*
4 *and the Republic of Palau.*

5 *(b) SENSE OF SENATE.—It is the sense of the Senate*
6 *that maintaining the commitments of the United States*
7 *under the Compacts is of vital strategic importance to the*
8 *national security interests of the United States.*

9 **SEC. 1249. SENSE OF SENATE ON UNITED STATES MILITARY**
10 **FORCES ON THE KOREAN PENINSULA.**

11 *(a) FINDINGS.—The Senate makes the following find-*
12 *ings:*

13 *(1) On June 25, 1950, the Democratic People's*
14 *Republic of Korea (DPRK), under the rule of Kim Il-*
15 *sung, the grandfather of Kim Jong-un, launched a*
16 *surprise attack against forces from the Republic of*
17 *Korea (South Korea) and small contingent of United*
18 *States forces, thus beginning the Korean War.*

19 *(2) In June and July of 1950, the United Na-*
20 *tions Security Council adopted Resolutions 82, 83,*
21 *and 84 calling for the Democratic People's Republic*
22 *of Korea to cease hostilities and withdraw, to rec-*
23 *ommend that United Nations member nations provide*
24 *forces to repel the Democratic People's Republic of*
25 *Korea attack, and stating any forces provided should*

1 *be unified under the command of the United States,*
2 *respectively.*

3 *(3) Fighting as part of a 1,000,000-strong, 22-*
4 *nation United Nations force, 36,574 members of the*
5 *United States Armed Forces and 137,899 members of*
6 *the South Korean military lost their lives during the*
7 *three years of armed hostilities and brutal conflict in*
8 *the Korean War.*

9 *(4) On July 27, 1953, the Democratic People’s*
10 *Republic of Korea, Chinese People’s Volunteers, and*
11 *the United Nations signed an armistice agreement*
12 *ceasing all hostilities in Korea and establishing the*
13 *Demilitarized Zone (DMZ).*

14 *(5) Since 1953, lawfully-deployed United States*
15 *and United Nations forces have remained alongside*
16 *their South Korean counterparts, continuing to pro-*
17 *tect and defend South Korea and deter aggression*
18 *from the Democratic People’s Republic of Korea.*

19 *(6) As a lasting testament the blood and treasure*
20 *lost during the Korean War and the strong and un-*
21 *wavering alliance built from the ashes of the conflict,*
22 *the Korean War Memorial in Washington, District of*
23 *Columbia, and the War Memorial of Korea in Seoul,*
24 *South Korea, prominently display the following in-*
25 *scription: “Our Nation honors her Sons and Daugh-*

1 *ters who answered the call to defend a Country they*
2 *never knew and a people they never met.”.*

3 *(7) The United States maintains a robust, well-*
4 *trained, and ready force of approximately 28,500*
5 *members of the Armed Forces in South Korea, and*
6 *the presence of the members of the Armed Forces in*
7 *South Korea demonstrates the continued resolve and*
8 *support of the United States for the enduring United*
9 *States-South Korean Alliance.*

10 *(8) On December 22, 2017, Kim Jong-un stated,*
11 *“The rapid development of [North Korea’s] nuclear*
12 *force is now exerting big influence on the world polit-*
13 *ical structure and strategic environment.”.*

14 *(9) On January 1, 2018, Kim Jong-un stated*
15 *“The entire United States is within range of our nu-*
16 *clear weapons, and a nuclear button is always on my*
17 *desk. This is reality, not a threat. This year we*
18 *should focus on mass producing nuclear warheads*
19 *and ballistic missiles for operational deployment.”.*

20 *(10) Despite 11 standalone United Nations Secu-*
21 *rity Council resolutions against the nuclear and bal-*
22 *listic missile programs of the Democratic People’s Re-*
23 *public of Korea, 8 of which passed during the rule of*
24 *Kim Jong-un, the Democratic People’s Republic of*
25 *Korea has continued to illegally and unlawfully pur-*

1 *sue a long-range, nuclear capability meant to hold*
2 *hostage the United States and threaten the security of*
3 *the neighbors of the Democratic People’s Republic of*
4 *Korea.*

5 (11) *The 2017 National Security Strategy (NSS)*
6 *states—*

7 (A) *“Our alliance and friendship with*
8 *South Korea, forged by the trials of history, is*
9 *stronger than ever.”;*

10 (B) *“Allies and partners magnify our*
11 *power . . . [and] together with our allies, part-*
12 *ners, and aspiring partners, the United States*
13 *will pursue cooperation with reciprocity.”; and*

14 (C) *with respect to priority actions in the*
15 *Indo-Pacific region, “We will redouble our com-*
16 *mitment to established alliances and partner-*
17 *ships, while expanding and deepening relation-*
18 *ships with new partners that share respect for*
19 *sovereignty . . . and the rule of law.”.*

20 (12) *Secretary of Defense James Mattis stated,*
21 *“Winston Churchill noted that the only thing harder*
22 *than fighting with allies is fighting without them.*
23 *History proves that we are stronger when we stand*
24 *united with others. Accordingly, our military will be*

1 *designed, trained, and ready to fight alongside al-*
2 *lies.”.*

3 (13) *The 2018 National Defense Strategy (NDS)*
4 *states, “Mutually beneficial alliances and partner-*
5 *ships are crucial to our strategy, providing a durable,*
6 *asymmetric strategic advantage that no competitor or*
7 *rival can match . . . [and the United States] will*
8 *strengthen and evolve our alliances and partnerships*
9 *into an extended network capable of deterring or deci-*
10 *sively acting to meet the shared challenges of our*
11 *time.”.*

12 (14) *The unclassified summary of 2018 NDS, an*
13 *11-page document, mentions the term “allies” or “al-*
14 *liances” over 50 times.*

15 (15) *The 2018 NDS states, “China is a strategic*
16 *competitor using predatory economics to intimidate*
17 *its neighbors . . . [and] it is increasingly clear that*
18 *China. . . want[s] to shape a world consistent with*
19 *their authoritarian model—gaining veto authority*
20 *over other nations’ economic, diplomatic, and security*
21 *decisions.”.*

22 (16) *Foreign policy experts have long contended*
23 *that the first priority of the People’s Republic of*
24 *China on the Korean Peninsula is to ensure that the*
25 *Democratic People’s Republic of Korea remains a*

1 *buffer between China and the democratic South Korea*
2 *and the United States forces deployed on the Korean*
3 *Peninsula.*

4 *(17) China continues to provide the Democratic*
5 *People’s Republic of Korea with most of its food and*
6 *energy supplies and, until recently, accounted for ap-*
7 *proximately 90 percent of the total trade volume of*
8 *the Democratic People’s Republic of Korea.*

9 *(18) On June 30, 2017, President Donald*
10 *Trump stated, “Our goal is peace, stability and pros-*
11 *perity for the region. But the United States will de-*
12 *fend itself, always will defend itself, always, and we*
13 *will always defend our allies. As part of that commit-*
14 *ment, we are working together to ensure fair burden*
15 *sharing and support of the United States military*
16 *presence in Republic of Korea.”.*

17 *(19) South Korea already pays for approxi-*
18 *mately 50 percent of the total nonpersonal costs of the*
19 *28,500 United States members of the Armed Forces on*
20 *the Korean Peninsula, amounting to \$887,500,000 in*
21 *2018.*

22 *(20) President Moon Jae-in has committed to in-*
23 *creasing the defense spending of South Korea during*
24 *his term from the current level 2.4 percent of the gross*

1 *domestic product to 2.9 percent of the gross domestic*
2 *product.*

3 *(21) News reports published in early May 2018*
4 *have stated that President Trump asked the Secretary*
5 *of Defense to provide him with options for removing*
6 *United States troops from the Korean Peninsula.*

7 *(22) National Security Advisor John Bolton re-*
8 *sponded, “The President has not asked the Pentagon*
9 *to provide options for reducing American forces sta-*
10 *tioned in South Korea.”.*

11 *(23) A spokesman for the Secretary stated, “The*
12 *president has not asked the Pentagon to provide op-*
13 *tions for reducing American forces stationed in South*
14 *Korea. The Department of Defense’s mission in South*
15 *Korea remains the same, and our force posture has*
16 *not changed. The Department of Defense remains*
17 *committed to supporting the maximum pressure cam-*
18 *paign, developing and maintaining military options*
19 *for the President, and reinforcing our ironclad secu-*
20 *urity commitment with our allies. We all remain com-*
21 *mitted to complete, verifiable, and irreversible*
22 *denuclearization of the Korean Peninsula.”.*

23 *(b) SENSE OF SENATE.—It is the sense of the Senate*
24 *that—*

1 (1) *South Korea is a close friend and ally of the*
2 *United States, and the United States-South Korea al-*
3 *liance is the linchpin of peace and security in the*
4 *Indo-Pacific region;*

5 (2) *the presence of United States military forces*
6 *on the Korean Peninsula and across the Indo-Pacific*
7 *region continues to play a critical role in safe-*
8 *guarding the peaceful and stable rules-based inter-*
9 *national order that benefits all countries;*

10 (3) *South Korea has contributed heavily to its*
11 *own defense and to the defense of the United States*
12 *Armed Forces in South Korea, including by pro-*
13 *viding \$10,000,000,000 of the \$10,800,000,000 Camp*
14 *Humphreys project, which is 93 percent of the fund-*
15 *ing, to build and relocate United States military*
16 *forces to a new base in South Korea;*

17 (4) *United States military forces, pursuant to*
18 *international law, are lawfully deployed on the Ko-*
19 *rean Peninsula;*

20 (5) *the nuclear and ballistic missile programs of*
21 *the Democratic People's Republic of Korea are clear*
22 *and consistent violations of international law;*

23 (6) *the long-stated strategic objective of authori-*
24 *tarian states such as the People's Republic of China,*
25 *the Russian Federation, and the Democratic People's*

1 *Republic of Korea has been the significant removal of*
2 *United States military forces from the Korean Penin-*
3 *sula;*

4 (7) *the maximum pressure campaign of the*
5 *Trump Administration, including an increase in eco-*
6 *nomic sanctions and diplomatic measures with*
7 *United States allies and regional partners, has*
8 *worked to bring Kim Jong-un to the negotiation table;*
9 *and*

10 (8) *the significant removal of United States*
11 *military forces from the Korean Peninsula is a non-*
12 *negotiable item as it relates to the complete, verifiable,*
13 *and irreversible denuclearization of the Democratic*
14 *People's Republic of Korea.*

15 ***Subtitle F—Reports***

16 ***SEC. 1251. REPORT ON MILITARY AND COERCIVE ACTIVI-*** 17 ***TIES OF THE PEOPLE'S REPUBLIC OF CHINA*** 18 ***IN SOUTH CHINA SEA.***

19 (a) *IN GENERAL.—Except as provided in subsection*
20 *(d), immediately after the commencement of any significant*
21 *reclamation or militarization activity by the People's Re-*
22 *public of China in the South China Sea, including any sig-*
23 *nificant military deployment or operation or infrastructure*
24 *construction, the Secretary of Defense, in coordination with*
25 *the Secretary of State, shall submit to the congressional de-*

1 *fense committees, and release to the public, a report on the*
2 *military and coercive activities of China in the South*
3 *China Sea in connection with such activity.*

4 (b) *ELEMENTS OF REPORT TO PUBLIC.—Each report*
5 *on a significant reclamation or militarization activity*
6 *under subsection (a) shall include a short narrative on, and*
7 *one or more corresponding images of, such significant rec-*
8 *lamation or militarization activity.*

9 (c) *FORM.—*

10 (1) *SUBMITTAL TO CONGRESS.—Any report*
11 *under subsection (a) that is submitted to the congres-*
12 *sional defense committees shall be submitted in un-*
13 *classified form, but may include a classified annex.*

14 (2) *RELEASE TO PUBLIC.—If a report under sub-*
15 *section (a) is released to the public, such report shall*
16 *be so released in unclassified form.*

17 (d) *WAIVER.—*

18 (1) *RELEASE OF REPORT TO PUBLIC.—The Sec-*
19 *retary of Defense may waive the requirement in sub-*
20 *section (a) for the release to the public of a report on*
21 *a significant reclamation or militarization activity if*
22 *the Secretary determines that the release to the public*
23 *of a report on such activity under that subsection in*
24 *the form required by subsection (c)(2) would have an*

1 *adverse effect on the national security interests of the*
2 *United States.*

3 (2) *NOTICE TO CONGRESS.—If the Secretary*
4 *issues a waiver under paragraph (1) with respect to*
5 *a report on an activity, not later than 48 hours after*
6 *the Secretary issues such waiver, the Secretary shall*
7 *submit to the congressional defense committees written*
8 *notice of, and justification for, such waiver.*

9 **SEC. 1252. REPORT ON TERRORIST USE OF HUMAN**
10 **SHIELDS.**

11 (a) *IN GENERAL.—The Secretary of Defense, in con-*
12 *sultation with the Secretary of State, shall provide a report*
13 *on the use of human shields by terrorist groups to protect*
14 *otherwise lawful targets from attack.*

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

17 (1) *A description of the lessons learned from the*
18 *United States and its allies and partners in address-*
19 *ing the use of human shields by terrorist organiza-*
20 *tions such as Hamas, Hezbollah, the Islamic State of*
21 *Iraq and Syria, Al Qaeda, and any other organiza-*
22 *tion as determined by the Secretary of Defense.*

23 (2) *A description of a specific plan and actions*
24 *being taken by the Department of Defense to incor-*
25 *porate the lessons learned as identified in paragraph*

1 (1) *into Department of Defense operating guidance,*
2 *relevant capabilities, and tactics, techniques, and pro-*
3 *cedures to deter, counter, and address the challenge*
4 *posed by the use of human shields and hold account-*
5 *able terrorist organizations for the use of human*
6 *shields.*

7 (c) *SUBMITTAL OF THE REPORT.*—*Not later than 180*
8 *days after the date of the enactment of this Act, the Sec-*
9 *retary of Defense shall submit to the appropriate commit-*
10 *tees of Congress the report required in subsection (a).*

11 (d) *FORM.*—*The report shall be submitted in unclassi-*
12 *fied form, but may include a classified annex.*

13 (e) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
14 *FINED.*—*In this section, the term “appropriate committees*
15 *of Congress” means—*

16 (1) *the Committee on Armed Services, the Com-*
17 *mittee on Foreign Relations, and the Committee on*
18 *the Judiciary of the Senate; and*

19 (2) *the Committee on Armed Services, the Com-*
20 *mittee on Foreign Affairs, and the Committee on the*
21 *Judiciary of the House of Representatives.*

22 **SEC. 1253. REPORT ON ARCTIC STRATEGIES.**

23 (a) *IN GENERAL.*—*Not later than 180 days after the*
24 *date of the enactment of this Act, the Secretary of the Army,*
25 *the Secretary of the Navy, and the Secretary of the Air*

1 *Force shall submit to the congressional defense committees*
2 *a report on the strategy of the Army, the Navy and the*
3 *Marine Corps, and the Air Force, respectively, for the Arctic*
4 *region.*

5 (b) *ELEMENTS.*—*The report required by subsection (a)*
6 *shall include the following:*

7 (1) *A description of the specific means by which*
8 *each Armed Force, including regular components, the*
9 *National Guard, and the Reserves, will—*

10 (A) *enhance the capability of the Armed*
11 *Forces to defend the homeland and exercise sov-*
12 *ereignty;*

13 (B) *strengthen deterrence at home and*
14 *abroad;*

15 (C) *strengthen alliances and partnerships;*

16 (D) *preserve freedom of the seas in the Arc-*
17 *tic;*

18 (E) *engage public, private, and inter-*
19 *national partners to improve domain awareness*
20 *in the Arctic;*

21 (F) *develop Department of Defense Arctic*
22 *infrastructure and capabilities consistent with*
23 *changing conditions and needs;*

24 (G) *provide support to civil authorities, as*
25 *directed;*

1 (H) partner with other departments, agen-
2 cies, and countries to support human and envi-
3 ronmental security; and

4 (I) support international institutions that
5 promote regional cooperation and the rule of
6 law.

7 (2) An analysis of the role of each Armed Force
8 in the operational and contingency plans for the pro-
9 tection of United States national security interests in
10 the Arctic region, including strategic national assets,
11 United States citizens, territory, freedom of naviga-
12 tion, and economic and trade interests in the Arctic
13 region, weighed against the missions described in the
14 Arctic strategy.

15 (3) A detailed description of near-term and long-
16 term training, capability, and resource gaps that
17 must be addressed to fully execute each mission de-
18 scribed in the Arctic strategy against an increasing
19 threat environment.

20 (4) A description of the Armed Force-specific in-
21 frastructure that may be needed to continue to accom-
22 plish each mission described in the Arctic strategy
23 against an increasing threat environment, including
24 a cost estimate and potential construction timeline for
25 such infrastructure.

1 (5) *A description, by Armed Force, of the current*
2 *and projected Arctic capabilities of the Russian Fed-*
3 *eration and the People’s Republic of China, and an*
4 *analysis of current and future United States capabili-*
5 *ties that are required to comply with—*

6 (A) *each mission described in the Arctic*
7 *strategy; and*

8 (B) *the strategic objectives in the National*
9 *Defense Strategy.*

10 (6) *With respect to each Armed Force—*

11 (A) *an assessment of the level of cooperation*
12 *between each Armed Force and other depart-*
13 *ments and agencies of the United States Govern-*
14 *ment (including the Department of Homeland*
15 *Security and the National Security Agency),*
16 *State and local governments, and Tribal entities;*
17 *and*

18 (B) *a plan for increased cooperation be-*
19 *tween the Armed Forces and such departments,*
20 *agencies, and entities.*

21 (c) *FORM.—The report required by subsection (a) shall*
22 *be submitted in unclassified form, but may include a classi-*
23 *fied annex.*

1 **SEC. 1254. REPORT ON PERMANENT STATIONING OF**
2 **UNITED STATES FORCES IN THE REPUBLIC**
3 **OF POLAND.**

4 (a) *IN GENERAL.*—Not later than March 1, 2019, the
5 Secretary of Defense, in coordination with the Secretary of
6 State, shall submit to the congressional defense committees
7 a report on the feasibility and advisability of permanently
8 stationing United States forces in the Republic of Poland.

9 (b) *ELEMENTS.*—The report required by subsection (a)
10 shall include the following:

11 (1) *An assessment of the types of permanently*
12 *stationed United States forces in Poland required to*
13 *deter aggression by the Russian Federation and exe-*
14 *cute Department of Defense contingency plans, in-*
15 *cluding combat enabler units in capability areas such*
16 *as—*

17 (A) *combat engineering;*

18 (B) *logistics and sustainment;*

19 (C) *warfighting headquarters elements;*

20 (D) *long-range fires;*

21 (E) *air and missile defense;*

22 (F) *intelligence, surveillance, and recon-*
23 *naissance; and*

24 (G) *electronic warfare.*

25 (2) *An assessment of the feasibility and advis-*
26 *ability of permanently stationing a United States*

1 *Army brigade combat team in the Republic of Poland*
2 *that includes the following:*

3 *(A) An assessment whether a permanently*
4 *stationed United States Army brigade combat*
5 *team in Poland would enhance deterrence*
6 *against Russian aggression in Eastern Europe.*

7 *(B) An assessment of the actions the Rus-*
8 *sian Federation may take in response to a*
9 *United States decision to permanently station a*
10 *brigade combat team in Poland.*

11 *(C) An assessment of the international po-*
12 *litical considerations of permanently stationing*
13 *such a brigade combat team in Poland, includ-*
14 *ing within the North Atlantic Treaty Organiza-*
15 *tion (NATO).*

16 *(D) An assessment whether a such a brigade*
17 *combat team in Poland would support imple-*
18 *mentation of the National Defense Strategy.*

19 *(E) A description and assessment of the*
20 *manner in which such a brigade combat team in*
21 *Poland would affect the ability of the Joint*
22 *Force to execute Department of Defense contin-*
23 *gency plans in Europe.*

24 *(F) A description and assessment of the*
25 *manner in which such a brigade combat team in*

1 *Poland would affect the ability of the Joint*
2 *Force to respond to a crisis inside the territory*
3 *of a North Atlantic Treaty Organization ally*
4 *that occurs prior to the invocation of Article 5*
5 *of the Washington Treaty by the North Atlantic*
6 *Council.*

7 (G) *An identification and assessment of—*

8 (i) *potential locations in Poland for*
9 *stationing such a brigade combat team;*

10 (ii) *the logistics requirements, includ-*
11 *ing force enablers, equipment, supplies, stor-*
12 *age, and maintenance, that would be re-*
13 *quired to support such a brigade combat*
14 *team in Poland;*

15 (iii) *infrastructure investments by the*
16 *United States and Poland, including new*
17 *construction or upgrades of existing sites,*
18 *that would be required to support such a*
19 *brigade combat team in Poland;*

20 (iv) *any new agreements, or changes to*
21 *existing agreements, between the United*
22 *States and Poland that would be required*
23 *for a such a brigade combat team in Po-*
24 *land;*

1 (v) any changes to the posture or capa-
2 bilities of the Joint Force in Europe that
3 would be required to support such a brigade
4 combat team in Poland; and

5 (vi) the timeline required to achieve the
6 permanent stationing of such a brigade
7 combat team in Poland.

8 (H) An assessment of the willingness and
9 ability of the Government of Poland to provide
10 host nation support for such a brigade combat
11 team.

12 (I) An assessment whether future growth in
13 United States Army end strength may be used to
14 source additional forces for such a brigade com-
15 bat team in Poland.

16 (c) *FORM.*—The report required by subsection (a) shall
17 be submitted in unclassified form, but may include a classi-
18 fied annex.

19 **SEC. 1254A. INEFFECTIVENESS OF SECTION 937.**

20 Section 937, relating to a Strategic Defense Fellows
21 Program for the Department of Defense, shall have no force
22 or effect.

23 **SEC. 1254B. JOHN S. MCCAIN STRATEGIC DEFENSE FEL-**
24 **LOWS PROGRAM.**

25 (a) *FELLOWSHIP PROGRAM.*—

1 (1) *IN GENERAL.*—Not later than one year after
2 the date of the enactment of this Act, the Secretary of
3 Defense shall establish within the Department of De-
4 fense a civilian fellowship program designed to pro-
5 vide leadership development and the commencement of
6 a career track toward senior leadership in the Depart-
7 ment.

8 (2) *DESIGNATION.*—The fellowship program shall
9 be known as the “John S. McCain Strategic Defense
10 Fellows Program” (in this section referred to as the
11 “fellows program”).

12 (b) *ELIGIBILITY.*—An individual is eligible for par-
13 ticipation in the fellows program if the individual—

14 (1) is a citizen of the United States or a lawful
15 permanent resident of the United States in the year
16 in which the individual applies for participation in
17 the fellows program; and

18 (2) either—

19 (A) possesses a graduate degree from an ac-
20 credited institution of higher education in the
21 United States that was awarded not later than
22 two years before the date of the acceptance of the
23 individual into the fellows program; or

24 (B) will be awarded a graduate degree from
25 an accredited institution of higher education in

1 *the United States not later than six months after*
2 *the date of the acceptance of the individual into*
3 *the fellows program.*

4 *(c) APPLICATION.—*

5 *(1) APPLICATION REQUIRED.—Each individual*
6 *seeking to participate in the fellows program shall*
7 *submit to the Secretary an application therefor at*
8 *such time and in such manner as the Secretary shall*
9 *specify.*

10 *(2) ELEMENTS.—Each application of an indi-*
11 *vidual under this subsection shall include the fol-*
12 *lowing:*

13 *(A) Transcripts of educational achievement*
14 *at the undergraduate and graduate level.*

15 *(B) A resume.*

16 *(C) Proof of citizenship or lawful perma-*
17 *nent residence.*

18 *(D) An endorsement from the applicant's*
19 *graduate institution of higher education.*

20 *(E) An academic writing sample.*

21 *(F) Letters of recommendation addressing*
22 *the applicant's character, academic ability, and*
23 *any extracurricular activities.*

1 (G) *A personal statement by the applicant*
2 *explaining career areas of interest and motiva-*
3 *tions for service in the Department.*

4 (H) *Such other information as the Sec-*
5 *retary considers appropriate.*

6 (d) *SELECTION.—*

7 (1) *IN GENERAL.—Each year, the Secretary shall*
8 *select participants in the fellows program from among*
9 *applicants for the fellows program for such year who*
10 *qualify for participation in the fellows program based*
11 *on character, commitment to public service, academic*
12 *achievement, extracurricular activities, and such*
13 *other qualifications for participation in the fellows*
14 *program as the Secretary considers appropriate.*

15 (2) *NUMBER.—The number of individuals se-*
16 *lected to participate in the fellows program in any*
17 *year may not exceed the numbers as follows:*

18 (A) *Ten individuals from each geographic*
19 *region of the United States as follows:*

20 (i) *The Northeast.*

21 (ii) *The Southeast.*

22 (iii) *The Midwest.*

23 (iv) *The Southwest.*

24 (v) *The West.*

25 (B) *Ten additional individuals.*

1 (3) *BACKGROUND INVESTIGATION.*—An indi-
2 vidual selected to participate in the fellows program
3 may not participate in the program unless the indi-
4 vidual successfully undergoes a background investiga-
5 tion applicable to the position to which the individual
6 will be assigned under the fellows program and other-
7 wise meets such requirements applicable to assign-
8 ment to a sensitive position within the Department
9 that the Secretary considers appropriate.

10 (e) *ASSIGNMENT.*—

11 (1) *IN GENERAL.*—Each individual who partici-
12 pates in the fellows program shall be assigned to a po-
13 sition in the Office of the Secretary of Defense.

14 (2) *POSITION REQUIREMENTS.*—Each Under
15 Secretary of Defense and each Director of a Defense
16 Agency who reports directly to the Secretary shall
17 submit to the Secretary each year the qualifications
18 and skills to be demonstrated by participants in the
19 fellows program to qualify for assignment under this
20 subsection for service in a position of the office of such
21 Under Secretary or Director.

22 (3) *ASSIGNMENT TO POSITIONS.*—The Secretary
23 shall each year assign participants in the fellows pro-
24 gram to positions in the offices of the Under Secre-
25 taries and Directors described in paragraph (2). In

1 *making such assignments, the Secretary shall seek to*
2 *best match the qualifications and skills of partici-*
3 *pants in the fellows program with the requirements of*
4 *positions available for assignment. Each participant*
5 *so assigned shall serve as a special assistant to the*
6 *Under Secretary or Director to whom assigned.*

7 (4) *TERM.—The term of each assignment under*
8 *the fellows program shall be one year.*

9 (5) *PAY AND BENEFITS.—An individual assigned*
10 *to a position under the fellows program shall be com-*
11 *pensated at the rate of compensation for employees at*
12 *level GS–10 of the General Schedule, and shall be*
13 *treated as an employee of the United States during*
14 *the term of assignment, including for purposes of eli-*
15 *gibility for health care benefits and retirement bene-*
16 *fits available to employees of the United States.*

17 (6) *EDUCATION LOAN REPAYMENT.—To the ex-*
18 *tent that funds are provided in advance in appro-*
19 *priations Acts, the Secretary may repay any loan of*
20 *a participant in the fellows program if the loan is de-*
21 *scribed by subparagraph (A), (B), or (C) of section*
22 *16301(a)(1) of title 10, United States Code. Any re-*
23 *payment of loans under this paragraph shall be on a*
24 *first-come, first-served basis.*

25 (f) *CAREER DEVELOPMENT.—*

1 (1) *IN GENERAL.*—*The Secretary shall ensure*
2 *that participants in the fellows program—*

3 (A) *receive opportunities and support ap-*
4 *propriate for the commencement of a career track*
5 *within the Department leading toward a future*
6 *position of senior leadership within the Depart-*
7 *ment, including ongoing mentorship support*
8 *through appropriate personnel from entities*
9 *within the Department such as the Defense Busi-*
10 *ness Board and the Defense Innovation Board;*
11 *and*

12 (B) *are provided appropriate opportunities*
13 *for employment and advancement within the De-*
14 *partment upon successful completion of the fel-*
15 *lows program.*

16 (2) *RESERVATION OF POSITIONS.*—*In carrying*
17 *out paragraph (1)(B), the Secretary shall reserve for*
18 *participants who successfully complete the fellows pro-*
19 *gram not fewer than 30 positions in the excepted serv-*
20 *ice within the Department that are suitable for the*
21 *commencement of a career track toward senior leader-*
22 *ship within the Department. Any position so reserved*
23 *shall not be subject to or covered by any reduction in*
24 *headquarters personnel required under any other pro-*
25 *vision of law.*

1 (3) *NONCOMPETITIVE APPOINTMENT.*—Upon the
2 *successful completion of the assignment of a partici-*
3 *part in the fellows program in a position pursuant*
4 *to subsection (e), the Secretary may, without regard*
5 *to the provisions of subchapter I of chapter 33 of title*
6 *5, United States Code, appoint the participant to a*
7 *position reserved pursuant to paragraph (2) if the*
8 *Secretary determines that such appointment will con-*
9 *tribute to the development of highly qualified future*
10 *senior leaders for the Department.*

11 (4) *PUBLICATION OF SELECTION.*—The Secretary
12 shall publish on an Internet website of the Depart-
13 ment available to the public the names of the individ-
14 uals selected to participate in the fellows program.

15 (g) *OUTREACH.*—The Secretary shall undertake appro-
16 priate outreach to inform potential participants in the fel-
17 lows program of the nature and benefits of participation
18 in the fellows program.

19 (h) *REGULATIONS.*—The Secretary shall carry out this
20 section in accordance with such regulations as the Secretary
21 may prescribe for purposes of this section.

22 (i) *FUNDING.*—Of the amounts authorized to be appro-
23 priated for each fiscal year for the Department of Defense
24 for operation and maintenance, Defense-wide, \$10,000,000

1 *may be available to carry out the fellows program in such*
2 *fiscal year.*

3 **SEC. 1255. REPORTS ON NUCLEAR CAPABILITIES OF THE**
4 **DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.**

5 (a) *BASELINE REPORT.*—*Not later than 60 days after*
6 *the date of the enactment of this Act, the Secretary of De-*
7 *fense, in coordination with the Director of National Intel-*
8 *ligence, shall submit to the appropriate committees of Con-*
9 *gress a report on the status of the nuclear program of the*
10 *Democratic People's Republic of Korea to establish a base-*
11 *line of progress for negotiations with the Democratic Peo-*
12 *ple's Republic of Korea with respect to denuclearization.*

13 (b) *ELEMENTS.*—*The report required by subsection (a)*
14 *shall include the following, to the extent known or suspected:*

15 (1) *A description of the location, quantity, capa-*
16 *bility, and operational status of the nuclear weapons*
17 *of the Democratic People's Republic of Korea.*

18 (2) *A description of the location of nuclear re-*
19 *search, development, production, and testing facilities*
20 *of the Democratic People's Republic of Korea, includ-*
21 *ing covert facilities.*

22 (3) *A description of the location, quantity, capa-*
23 *bility, and operational status of the ballistic missiles*
24 *of the Democratic People's Republic of Korea.*

1 (4) *A description of the location of the ballistic*
2 *missile manufacturing and assembly facilities of the*
3 *Democratic People’s Republic of Korea.*

4 (5) *An assessment of any intelligence gaps with*
5 *respect to the information required by this subsection*
6 *and verification or inspection measures that may fill*
7 *such gaps.*

8 (c) *UPDATES.—*

9 (1) *IN GENERAL.—In the case of an agreement*
10 *between the United States and the Democratic Peo-*
11 *ple’s Republic of Korea, not later than 60 days after*
12 *the date on which the agreement is reached, and every*
13 *90 days thereafter, the report required by subsection*
14 *(a) shall be augmented by a written update.*

15 (2) *ELEMENTS.—Each written update under*
16 *paragraph (1) shall include the following for the pre-*
17 *ceding 90-day period:*

18 (A) *A description of the number of nuclear*
19 *weapons and ballistic missiles verifiably disman-*
20 *tled, destroyed, rendered permanently unusable,*
21 *or transferred out of the Democratic People’s Re-*
22 *public of Korea.*

23 (B) *An identification of the location of nu-*
24 *clear research, development, production, and test-*
25 *ing facilities in the Democratic People’s Republic*

1 of Korea identified and verifiably dismantled,
2 destroyed, or rendered permanently unusable.

3 (C) An identification of the location of bal-
4 listic missile manufacturing and assembly facili-
5 ties in the Democratic People’s Republic of
6 Korea verifiably dismantled, destroyed, or ren-
7 dered permanently unusable.

8 (D) A description of the number of nuclear
9 weapons and ballistic missiles that remain in or
10 under the control of the Democratic People’s Re-
11 public of Korea.

12 (E) An assessment of the progress made in
13 extending the breakout period required for the
14 Democratic People’s Republic of Korea to recon-
15 stitute its nuclear weapons program and build a
16 nuclear weapon, as such progress relates to the
17 information required by subparagraphs (A)
18 through (D).

19 (d) *VERIFICATION ASSESSMENT REPORT.*—Not later
20 than 180 days after the date on which the report required
21 by subsection (a) is submitted, and every 180 days there-
22 after, the written update required under paragraph (1) of
23 subsection (c) shall include, in addition to the information
24 required by subparagraphs (A) through (E) of that sub-
25 section, the following for the preceding 180-day period:

1 (1) *An assessment of the establishment of safe-*
2 *guards, other control mechanisms, and other assur-*
3 *ances secured from the Democratic People’s Republic*
4 *of Korea to ensure the activities of the Democratic*
5 *People’s Republic of Korea permitted under any*
6 *agreement will not be used to further any nuclear-re-*
7 *lated military or nuclear explosive purpose, including*
8 *research on or development of a nuclear explosive de-*
9 *vice.*

10 (2) *An assessment of the capacity of the United*
11 *States or an international organization, including the*
12 *International Atomic Energy Agency, to effectively*
13 *access and investigate suspicious sites in the Demo-*
14 *cratic People’s Republic of Korea or allegations of*
15 *covert nuclear-related activities, including storage*
16 *sites for nuclear weapons.*

17 (e) *SUNSET.*—*The section shall cease to be effective on*
18 *the date that is three years after the date of the enactment*
19 *of this Act.*

20 (f) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
21 *FINED.*—*In this section, the term “appropriate committees*
22 *of Congress” means—*

23 (1) *the Committee on Armed Services, the Select*
24 *Committee on Intelligence, the Committee on Foreign*

1 *Relations, and the Committee on Appropriations of*
2 *the Senate; and*

3 *(2) the Committee on Armed Services, the Per-*
4 *manent Select Committee on Intelligence, the Com-*
5 *mittee on Foreign Affairs, and the Committee on Ap-*
6 *propriations of the House of Representatives.*

7 **SEC. 1256. REPORT ON UNITED STATES MILITARY TRAINING**
8 **OPPORTUNITIES WITH ALLIES AND PART-**
9 **NER IN THE INDO-PACIFIC REGION.**

10 *(a) SENSE OF SENATE.—It is the sense of the Senate*
11 *that—*

12 *(1) the Secretary of Defense, as part of strategic*
13 *initiatives, should continue to place emphasis on and*
14 *consider the benefits of United States military train-*
15 *ing exercises with allies in the Indo-Pacific region;*

16 *(2) the Indo-Pacific region is—*

17 *(A) a strategically important region; and*

18 *(B) critical to the interests of the United*
19 *States;*

20 *(3) the relationship between the United States*
21 *and allies and partners in the Indo-Pacific region is*
22 *essential for ensuring peace and security in the re-*
23 *gion;*

1 (4) *interoperability between the United States*
2 *and allies in the Indo-Pacific region increases readi-*
3 *ness and regional contingency response time;*

4 (5) *the United States should focus on expanding*
5 *training with other allied nations and partners in the*
6 *Indo-Pacific region;*

7 (6) *the United States, working within our frame-*
8 *work of alliances and partnerships, should seek to*
9 *build the capacity and capability of our allies and*
10 *partners in the Indo-Pacific region and to expand*
11 *interoperability with them; and*

12 (7) *the United States and its partners in the*
13 *Indo-Pacific region should continue to work together*
14 *to build the forces, infrastructure, relationships, and*
15 *training needed to respond to search and rescue and*
16 *humanitarian assistance needed in the whole of cata-*
17 *strophic natural disasters.*

18 (b) *REPORT.—*

19 (1) *IN GENERAL.—Not later than 180 days after*
20 *the date of the enactment of this Act, the Secretary of*
21 *Defense shall submit to the congressional defense com-*
22 *mittees a report on future United States military*
23 *training opportunities with allied and partner coun-*
24 *tries in the Indo-Pacific region.*

1 (2) *ELEMENTS.*—*The report required by para-*
2 *graph (1) shall include the following:*

3 (A) *A detailed description of—*

4 (i) *current United States military ex-*
5 *ercises involving United States partners*
6 *and allies in the Indo-Pacific region;*

7 (ii) *the manner in which such exercises*
8 *are intended to improve the capability and*
9 *capacity of such partners and allies; and*

10 (iii) *the interoperability of such part-*
11 *ners and allies with the United States*
12 *Armed Forces.*

13 (B) *An analysis of the potential to expand*
14 *the size, scope, or makeup of such exercises to in-*
15 *clude—*

16 (i) *additional forces and units of cur-*
17 *rent participants;*

18 (ii) *additional capabilities or training;*
19 *and*

20 (iii) *other allies and partners in the*
21 *Indo-Pacific region and other regions.*

22 (C) *An identification of new United States*
23 *military exercises that may be initiated in the*
24 *Indo-Pacific region with—*

1 (i) *security treaty allies such as*
2 *Japan, South Korea, Australia, the Phil-*
3 *ippines, and Thailand;*

4 (ii) *growing partners such as India,*
5 *Indonesia, Malaysia, Mongolia, New Zea-*
6 *land, Singapore, Sri Lanka, and Vietnam;*

7 (iii) *existing multilateral frameworks,*
8 *such as the Association of Southeast Asian*
9 *Nations (ASEAN);*

10 (iv) *allies and partners outside the*
11 *Indo-Pacific region; and*

12 (v) *potential new allies or partners.*

13 (3) *FORM.—The report required by paragraph*
14 *(1) shall be submitted in unclassified form, but may*
15 *include a classified annex.*

16 ***Subtitle G—Other Matters***

17 ***SEC. 1261. MODIFICATION OF AUTHORITIES RELATING TO*** 18 ***ACQUISITION AND CROSS-SERVICING AGREE-*** 19 ***MENTS.***

20 (a) *PROHIBITIONS.—Section 2342 of title 10, United*
21 *States Code, is amended—*

22 (1) *by redesignating subsection (d) as subsection*
23 *(f); and*

24 (2) *by inserting after subsection (c) the following*
25 *new subsections (d) and (e):*

1 “(d) *The Secretary of may not use an agreement with*
2 *any government of an organization described in subsection*
3 *(a)(1) to facilitate the transfer of logistic support, supplies,*
4 *and services to any country or organization with which the*
5 *Secretary has not signed an agreement described in sub-*
6 *section (a)(2).*

7 “(e) *An agreement described in subsection (a)(2) may*
8 *not provide or otherwise constitute a commitment for the*
9 *introduction of the armed forces into hostilities.”.*

10 (b) *ANNUAL REPORTS.—Such section is further*
11 *amended by adding at the end the following new subsection:*

12 “(g) *Not later than January 15 each year, the Sec-*
13 *retary shall submit to the appropriate committees of Con-*
14 *gress a report on acquisition and cross-servicing activities*
15 *that sets forth, in detail, the following:*

16 “(1) *A list of agreements in effect pursuant to*
17 *subsection (a)(1) during the preceding fiscal year.*

18 “(2) *The date on which each agreement listed*
19 *under paragraph (1) was signed, and, in the case of*
20 *an agreement with a country that is not a member*
21 *of the North Atlantic Treaty Organization, the date*
22 *on which the Secretary notified Congress pursuant to*
23 *subsection (b)(2) of the designation of such country*
24 *under subsection (a).*

1 “(3) *The total dollar amount and major cat-*
2 *egories of logistic support, supplies, and services pro-*
3 *vided during the preceding fiscal year under each*
4 *such agreement.*

5 “(4) *The total dollar amount and major cat-*
6 *egories of reciprocal provisions of logistic support,*
7 *supplies, and services received under each such agree-*
8 *ment.*

9 “(5) *With respect to the calendar year during*
10 *which the report is submitted, an assessment of the*
11 *following:*

12 “(A) *The anticipated logistic support, sup-*
13 *plies, and services requirements of the United*
14 *States.*

15 “(B) *The anticipated requirements of other*
16 *countries for United States logistic support, sup-*
17 *plies, and services.”.*

18 (c) *DEFINITIONS.*—*Such section is further amended—*

19 (1) *in subsection (b)(2), by striking “the Com-*
20 *mittee on Armed Services” the first place it appears*
21 *and all that follows through “the House of Represent-*
22 *atives” and inserting “the appropriate committees of*
23 *Congress”; and*

24 (2) *by adding at the end the following new sub-*
25 *section:*

1 “(h) In this section, the term ‘appropriate committees
2 of Congress’ means—

3 “(1) the Committee on Armed Services and the
4 Committee on Foreign Relations of the Senate; and

5 “(2) the Committee on Armed Services and the
6 Committee on Foreign Affairs of the House of Rep-
7 resentatives.”.

8 **SEC. 1262. EXTENSION OF AUTHORITY FOR TRANSFER OF**
9 **AMOUNTS FOR GLOBAL ENGAGEMENT CEN-**
10 **TER.**

11 Section 1287(e)(1) of the National Defense Authoriza-
12 tion Act for Fiscal Year 2017 (Public Law 114–328; 130
13 Stat. 2546; 22 U.S.C. 2656 note) is amended—

14 (1) in subparagraph (A), by striking “and” at
15 the end;

16 (2) in subparagraph (B), 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 “(C) for fiscal year 2019 are less than
21 \$80,000,000, the Secretary of Defense is author-
22 ized to transfer, from amounts authorized to be
23 appropriated by an Act authorizing funds for the
24 Department of Defense for fiscal year 2019, to
25 the Secretary of State an amount, not to exceed

1 \$60,000,000, to be available to carry out the
2 functions of the Center for fiscal year 2019.”.

3 **SEC. 1263. SENSE OF SENATE ON PURCHASE BY TURKEY OF**
4 **S-400 AIR DEFENSE SYSTEM.**

5 *It is the sense of the Senate that if the Republic of*
6 *Turkey purchases the S-400 air defense system from the*
7 *Russian Federation—*

8 (1) *such purchase would constitute a significant*
9 *transaction within the meaning of section 231(a) of*
10 *the Countering Russian Influence in Europe and*
11 *Eurasia Act of 2017 (title II of Public Law 115-44;*
12 *22 U.S.C. 9525(a)); and*

13 (2) *the President should faithfully execute that*
14 *Act by imposing and applying sanctions under sec-*
15 *tion 235 of that Act (22 U.S.C. 9529) with respect to*
16 *any individual or entity determined to have engaged*
17 *in such significant transaction as if such person were*
18 *a sanctioned person for purposes of such section 235.*

19 **SEC. 1264. DEPARTMENT OF DEFENSE SUPPORT FOR STA-**
20 **BILIZATION ACTIVITIES IN NATIONAL SECU-**
21 **RITY INTEREST OF THE UNITED STATES.**

22 (a) *IN GENERAL.—The Secretary of Defense may, with*
23 *the concurrence of the Secretary of State and in consulta-*
24 *tion with the Administrator of the United States Agency*
25 *for International Development and the Director of the Office*

1 of Management and Budget, provide support for the sta-
2 bilization activities of other Federal agencies specified
3 under subsection (c).

4 (b) DESIGNATION OF FOREIGN AREAS.—

5 (1) IN GENERAL.—Amounts authorized to be pro-
6 vided pursuant to this section shall be available only
7 for support for stabilization activities—

8 (A) in a country specified in paragraph
9 (2); and

10 (B) that the Secretary of Defense, with the
11 concurrence of the Secretary of State, has deter-
12 mined are in the national security interest of the
13 United States.

14 (2) SPECIFIED COUNTRIES.—The countries speci-
15 fied in this paragraph are as follows:

16 (A) Iraq.

17 (B) Syria.

18 (C) Afghanistan.

19 (D) Somalia.

20 (c) SUPPORT TO OTHER AGENCIES.—

21 (1) IN GENERAL.—Support may be provided for
22 stabilization activities under subsection (a) to the De-
23 partment of State, the United States Agency for
24 International Development, or other Federal agencies,
25 on a reimbursable or nonreimbursable basis.

1 (2) *TYPE OF SUPPORT.*—Support under sub-
2 section (a) may consist of—

3 (A) *logistic support, supplies, and services;*

4 *and*

5 (B) *equipment.*

6 (d) *REQUIREMENT FOR A STABILIZATION STRAT-*
7 *EGY.*—

8 (1) *LIMITATION.*—With respect to any country
9 specified in subsection (b)(2), no amount of support
10 may be provided under subsection (a) until 15 days
11 after the date on which the Secretary of Defense, with
12 the concurrence of the Secretary of State, submits to
13 the appropriate committees of Congress a detailed re-
14 port setting forth a stabilization strategy for such
15 country.

16 (2) *ELEMENTS OF DETERMINATION.*—The sta-
17 bilization strategy required by paragraph (1) shall set
18 forth the following:

19 (A) *The United States interests in con-*
20 *ducting stabilization activities in the country*
21 *specified in subsection (b)(2).*

22 (B) *The key foreign partners and actors in*
23 *such country.*

1 (C) *The desired end states and objectives of*
2 *the United States stabilization activities in such*
3 *country.*

4 (D) *The Department of Defense support in-*
5 *tended to be provided for the stabilization activi-*
6 *ties of other Federal agencies under section (a).*

7 (E) *Any mechanism for civil-military co-*
8 *ordination regarding support for stabilization*
9 *activities.*

10 (F) *The mechanisms for monitoring and*
11 *evaluating the effectiveness of Department of De-*
12 *fense support for United States stabilization ac-*
13 *tivities in the area.*

14 (e) *REQUIREMENT FOR GUIDANCE.—No amount of*
15 *support may be provided under subsection (a) until 30 days*
16 *after the date on which the Secretary of Defense submits*
17 *to the appropriate committees of Congress written guidance*
18 *for the design, implementation, monitoring, and evaluation*
19 *of support provided under that subsection.*

20 (f) *REPORT.—The Secretary of Defense, with the con-*
21 *currence of the Secretary of State, shall submit to the appro-*
22 *priate committees of Congress on an annual basis a report*
23 *that includes the following:*

1 (1) *The identification of each foreign area within*
2 *countries specified in subparagraph (b)(2) for which*
3 *support to stabilization has occurred.*

4 (2) *The total amount spent by the Department*
5 *of Defense, broken out by recipient Federal agency*
6 *and activity.*

7 (3) *An assessment of the contribution of each ac-*
8 *tivity toward greater stability.*

9 (4) *An articulation of any plans for continued*
10 *Department of Defense support to stabilization in the*
11 *specified foreign area in order to maintain or im-*
12 *prove stability.*

13 (5) *Other matters as the Secretary considers to*
14 *be appropriate.*

15 (g) *USE OF FUNDS.—*

16 (1) *SOURCE OF FUNDS.—Amounts for activities*
17 *carried out under this section in a fiscal year shall*
18 *be derived only from amounts authorized to be appro-*
19 *priated for such fiscal year for the Department of De-*
20 *fense for Operation and Maintenance, Defense-wide.*

21 (2) *LIMITATION.—Not more than \$25,000,000 in*
22 *each fiscal year is authorized to be used to provide*
23 *support under this section.*

24 (h) *EXPIRATION.—The authority provided under this*
25 *section may not be exercised after September 30, 2020.*

1 (i) *DEFINITIONS.—In this section:*

2 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*

3 *The term “appropriate committees of Congress”*
4 *means—*

5 (A) *the Committee on Armed Services and*
6 *the Committee on Foreign Relations of the Sen-*
7 *ate; and*

8 (B) *the Committee on Armed Services and*
9 *the Committee on Foreign Affairs of the House*
10 *of Representatives.*

11 (2) *LOGISTIC SUPPORT, SUPPLIES, AND SERV-*
12 *ICES.—The term “logistic support, supplies, and serv-*
13 *ices” has the meaning given the term in section*
14 *2350(1) of title 10 United States Code.*

15 **SEC. 1265. ENHANCEMENT OF U.S.-ISRAEL DEFENSE CO-**
16 **OPERATION.**

17 (a) *EXTENSION OF WAR RESERVES STOCKPILE AU-*
18 *THORITY.—Section 12001(d) of the Department of Defense*
19 *Appropriations Act, 2005 (Public Law 108–287; 118 Stat.*
20 *1011) is amended by striking “after September 30, 2018”*
21 *and inserting “after September 30, 2023”.*

22 (b) *JOINT ASSESSMENT OF QUANTITY OF PRECISION*
23 *GUIDED MUNITIONS FOR USE BY ISRAEL.—*

24 (1) *IN GENERAL.—The President, acting through*
25 *the Secretary of State and the Secretary of Defense,*

1 *is authorized to conduct a joint assessment with the*
2 *Government of Israel with respect to the matters de-*
3 *scribed in paragraph (2).*

4 (2) *MATTERS DESCRIBED.—The matters de-*
5 *scribed in this paragraph are the following:*

6 (A) *The quantity and type of precision*
7 *guided munitions that are necessary for Israel to*
8 *combat Hezbollah in the event of a sustained*
9 *armed confrontation between Israel and*
10 *Hezbollah.*

11 (B) *The quantity and type of precision*
12 *guided munitions that are necessary for Israel in*
13 *the event of a sustained armed confrontation*
14 *with other armed groups and terrorist organiza-*
15 *tions such as Hamas.*

16 (C) *The resources the Government of Israel*
17 *plans to dedicate to acquire such precision guid-*
18 *ed munitions.*

19 (D) *United States planning to assist Israel*
20 *to prepare for sustained armed confrontations*
21 *described in this subsection as well as the ability*
22 *of the United States to resupply Israel in the*
23 *event of confrontations described in subpara-*
24 *graphs (A) and (B), if any.*

25 (3) *REPORT.—*

1 (A) *IN GENERAL.*—Not later than 15 days
2 after the date on which the joint assessment au-
3 thorized under paragraph (1) is completed, the
4 President shall submit to the appropriate con-
5 gressional committees a report that contains the
6 joint assessment.

7 (B) *FORM.*—The report required under sub-
8 paragraph (A) shall be submitted in classified
9 form, but may contain an unclassified summary.

10 (C) *APPROPRIATE CONGRESSIONAL COMMIT-*
11 *TEES DEFINED.*—In this paragraph, the term
12 “appropriate congressional committees” means—

13 (i) the Committee on Foreign Relations
14 and the Committee on Armed Services of the
15 Senate; and

16 (ii) the Committee on Foreign Affairs
17 and the Committee on Armed Services of the
18 House of Representatives.

19 (c) *MODIFICATION OF RAPID ACQUISITION AND DE-*
20 *PLOYMENT PROCEDURES.*—

21 (1) *REQUIREMENT TO ESTABLISH PROCE-*
22 *DURES.*—Section 806(a) of the Bob Stump National
23 Defense Authorization Act for Fiscal Year 2003 (10
24 U.S.C. 2302 note; Public Law 107–314) is amend-
25 ed—

1 (A) in paragraph (1)(C), by striking “;
2 and”;

3 (B) in paragraph (2), by striking the period
4 at the end and inserting “; and”; and

5 (C) by adding at the end the following new
6 paragraph:

7 “(3) urgently needed to support production of
8 precision guided munitions—

9 “(A) for the United States to meet require-
10 ments; or

11 “(B) to assist an ally of the United States
12 under direct missile threat from—

13 “(i) an organization the Secretary of
14 State has designated as a foreign terrorist
15 organization pursuant to section 219 of the
16 Immigration and Nationality Act (8 U.S.C.
17 1189); or

18 “(ii) a country the government of
19 which the Secretary of State has deter-
20 mined, for purposes of section 6(j) of the
21 Export Administration Act of 1979 (50
22 U.S.C. 4605(j)) (as in effect pursuant to the
23 International Emergency Economic Powers
24 Act), section 620A of the Foreign Assistance
25 Act of 1961 (22 U.S.C. 2371), section 40 of

1 *the Arms Export Control Act (22 U.S.C.*
2 *2780), or any other provision of law, is a*
3 *government that has repeatedly provided*
4 *support for acts of international ter-*
5 *rorism.”.*

6 (2) *PRESCRIPTION OF PROCEDURES.—Not later*
7 *than 180 days after the date of the enactment of this*
8 *Act, the Secretary of Defense shall prescribe proce-*
9 *dures for the rapid acquisition and deployment of*
10 *supplies and associated support services for purposes*
11 *described in paragraph (3) of section 806(a) of the*
12 *Bob Stump National Defense Authorization Act for*
13 *Fiscal Year 2003, as added by paragraph (1)(C).*

14 **SEC. 1266. CERTIFICATIONS REGARDING ACTIONS BY SAUDI**
15 **ARABIA IN YEMEN.**

16 (a) *RESTRICTION.—*

17 (1) *IN GENERAL.—Subject to paragraph (2), if*
18 *the Secretary of State is unable under subsection (c)*
19 *or (d) to certify that the Government of Saudi Arabia*
20 *is undertaking the effort, measures, and actions de-*
21 *scribed in paragraphs (1), (2), (3), and (4) of sub-*
22 *section (c), no Federal funds may be obligated or ex-*
23 *pended after the deadline for the applicable certifi-*
24 *cation to provide authorized in-flight refueling pursu-*
25 *ant to section 2342 of title 10, United States Code,*

1 *or other applicable statutory authority, of Saudi or*
2 *Saudi-led coalition non-United States aircraft con-*
3 *ducting missions in Yemen, other than missions re-*
4 *lated to—*

5 *(A) al Qaeda, al Qaeda in the Arabian Pe-*
6 *ninsula (AQAP), or the Islamic State in Iraq*
7 *and Syria (ISIS);*

8 *(B) countering the transport, assembly, or*
9 *employment of ballistic missiles or components*
10 *in Yemen;*

11 *(C) helping coalition aircraft return safely*
12 *to base in emergency situations;*

13 *(D) force protection of United States air-*
14 *craft, ships, or personnel; or*

15 *(E) freedom of navigation for United States*
16 *military and international commerce.*

17 *(2) WAIVER.—The Secretary may waive the re-*
18 *striction in paragraph (1) with respect to a par-*
19 *ticular certification if the Secretary—*

20 *(A) certifies to the appropriate committees*
21 *of Congress that the waiver is in the national se-*
22 *curity interests of the United States; and*

23 *(B) submits to the appropriate committees*
24 *of Congress a report, in written and unclassified*
25 *form, setting forth—*

1 (i) the effort in subsection (c)(1), meas-
2 ures in subsection (c)(2), or actions in sub-
3 sections (c)(3) or (c)(4), or combination
4 thereof, about which the Secretary is unable
5 to make the certification;

6 (ii) a detailed explanation why the
7 Secretary is unable to make the certification
8 about such effort, measures, or actions;

9 (iii) a description of the actions the
10 Secretary is taking to encourage the Gov-
11 ernment of Saudi Arabia to undertake such
12 effort, measures, or actions; and

13 (iv) a detailed justification for the
14 waiver.

15 (b) *REPORTING REQUIREMENT.*—Not later than 30
16 days after the date of the enactment of this Act, the Presi-
17 dent or the President’s designee shall provide a briefing to
18 the appropriate committees of Congress including, at a
19 minimum—

20 (1) a description of Saudi Arabia and the
21 United Arab Emirates’ military and political objec-
22 tives in Yemen and whether United States assistance
23 to the Saudi-led coalition has resulted in significant
24 progress towards meeting those objectives;

1 (2) a description of efforts by the Government of
2 Saudi Arabia to avoid disproportionate harm to ci-
3 vilians and civilian objects in Yemen, and an assess-
4 ment of whether United States assistance to the
5 Saudi-led coalition has led to a demonstrable decrease
6 in civilians killed or injured by Saudi-led airstrikes
7 and damage to civilian infrastructure;

8 (3) an assessment of the United Nations
9 Verification and Inspection Mechanism (UNVIM) in
10 Yemen and an assessment of the need for existing sec-
11 ondary inspection and clearance processes and trans-
12 shipment requirements on humanitarian and com-
13 mercial vessels that have been cleared by UNVIM;

14 (4) a description of the sources of external sup-
15 port for the Houthi forces, including financial assist-
16 ance, weapons transfers, operational planning, train-
17 ing, and advisory assistance;

18 (5) an assessment of the applicability of United
19 States and international sanctions to Houthi forces
20 that have committed grave human rights abuses, ob-
21 structed international aid, and launched ballistic
22 missiles into Saudi territory, and an assessment of
23 the applicability of United States and international
24 sanctions to individuals or entities providing the
25 Houthi forces with material support; and

1 (6) *an assessment of the effect of the Saudi-led*
2 *coalition’s military operations in Yemen on the efforts*
3 *of the United States to defeat al Qaeda in the Ara-*
4 *bian Peninsula and the Islamic State of Iraq and the*
5 *Levant.*

6 (c) *INITIAL CERTIFICATION.*—*Not later than 30 days*
7 *after the date of the enactment of this Act, the Secretary*
8 *of State shall submit to the appropriate committees of Con-*
9 *gress a certification indicating whether the Government of*
10 *Saudi Arabia is undertaking—*

11 (1) *an urgent and good faith effort to support*
12 *diplomatic efforts to end the civil war in Yemen;*

13 (2) *appropriate measures to alleviate the human-*
14 *itarian crisis in Yemen by increasing access for Yem-*
15 *enis to food, fuel, medicine, and medical evacuation,*
16 *including through the appropriate use of Yemen’s Red*
17 *Sea ports, including the port of Hudaydah, the air-*
18 *port in Sana’a, and external border crossings with*
19 *Saudi Arabia;*

20 (3) *appropriate actions to reduce any unneces-*
21 *sary delays to shipments associated with secondary*
22 *inspection and clearance processes other than the*
23 *United Nations Verification and Inspections Mecha-*
24 *nism (UNVIM); and*

1 (4) *demonstrable actions to reduce the risk of*
2 *harm to civilians and civilian infrastructure result-*
3 *ing from its military operations in Yemen, including*
4 *by—*

5 (A) *complying with applicable agreements*
6 *and laws regulating defense articles purchased or*
7 *transferred from the United States; and*

8 (B) *taking appropriate steps to avoid dis-*
9 *proportionate harm to civilians and civilian in-*
10 *frastructure.*

11 (d) *SUBSEQUENT CERTIFICATIONS.—Not later than*
12 *180 and 360 days after the date of the enactment of this*
13 *Act, the Secretary of State shall submit to the appropriate*
14 *committees of Congress a certification indicating whether*
15 *the Government of Saudi Arabia is undertaking the effort,*
16 *measures, and actions described in paragraphs (1), (2), (3),*
17 *and (4) of subsection (c).*

18 (e) *RULE OF CONSTRUCTION.—Nothing in this section*
19 *may be construed as authorizing the use of military force.*

20 (f) *FORM OF CERTIFICATIONS.—The certifications re-*
21 *quired under subsections (c) and (d) shall be written, de-*
22 *tailed, and submitted in unclassified form.*

23 (g) *STRATEGY REQUIRED.—Not later than 90 days*
24 *after the date of the enactment of this Act, the Secretary*
25 *of State, in coordination with the Secretary of Defense and*

1 *the Administrator of the United States Agency for Inter-*
2 *national Development, shall submit to the appropriate com-*
3 *mittees of Congress an unclassified report listing United*
4 *States objectives in Yemen and detailing a strategy to ac-*
5 *complish those objectives. The report shall be unclassified*
6 *but may include a classified annex.*

7 (h) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
8 *FINED.—In this section, the term “appropriate committees*
9 *of Congress” means—*

10 (1) *the Committee on Foreign Relations, the*
11 *Committee on Armed Services, and the Committee on*
12 *Appropriations of the Senate; and*

13 (2) *the Committee on Foreign Affairs, the Com-*
14 *mittee on Armed Services, and the Committee on Ap-*
15 *propriations of the House of Representatives.*

16 **SEC. 1267. SENSE OF SENATE ON SUPPORT FOR G5 SAHEL**
17 **JOINT FORCE COUNTRIES.**

18 *It is the sense of the Senate that the United States*
19 *should—*

20 (1) *work with partners and allies to disrupt vio-*
21 *lent extremist organizations in the Sahel region that*
22 *threaten United States security interests;*

23 (2) *enhance cooperation with G5 Sahel Joint*
24 *Force countries, which are—*

25 (A) *Burkina Faso;*

1 (B) Mali;

2 (C) Mauritania;

3 (D) Niger; and

4 (E) Chad;

5 (3) continue to support the efforts of each G5
6 Sahel Joint Force country—

7 (A) to improve security along the respective
8 borders of each country through the cooperation
9 and deployment of joint patrols to interdict the
10 cross-border flows of illicit trafficking and vio-
11 lent extremist groups;

12 (B) to address underlying sources of insta-
13 bility in each country through a whole-of-govern-
14 ment approach; and

15 (C) to build and sustain in each country—

16 (i) an effective, accountable govern-
17 ment;

18 (ii) a capable and professional mili-
19 tary; and

20 (iii) a healthy economy; and

21 (4) ensure that any assistance of the United
22 States to a G5 Sahel Joint Force country is under-
23 taken as a whole-of-government effort that balances all
24 instruments of United States national power.

1 **SEC. 1268. SENSE OF CONGRESS ON BROADENING AND EX-**
2 **PANDING STRATEGIC PARTNERSHIPS AND**
3 **ALLIES.**

4 *It is the sense of Congress that—*

5 *(1) the United States is an ally-rich country and*
6 *our potential competitors, such as Russia, China, and*
7 *North Korea, are ally-poor countries;*

8 *(2) United States allies and partners are critical*
9 *to defending peace and prosperity throughout the*
10 *world;*

11 *(3) the rules-based international order supported*
12 *by the United States and its allies has ensured, and*
13 *will continue to promote, an international system*
14 *that benefits all nations;*

15 *(4) throughout the world, the United States will*
16 *continue to foster relationships with countries with*
17 *like minds and beliefs;*

18 *(5) as the United States manages multiple stra-*
19 *tegic challenges, the enduring strength of the United*
20 *States remains in alliances such as the North Atlantic*
21 *Treaty Organization, the Rio Treaty, and mutual de-*
22 *fense treaties with Japan, the Republic of Korea, Aus-*
23 *tralia, the Philippines, and Thailand;*

24 *(6) the resolve of the United States remains as*
25 *strong as ever to forge new alliances and partnerships*
26 *with countries in order to jointly to work with one*

1 *another on shared challenges in Europe, the Indo-Pa-*
2 *cific and throughout the world;*

3 *(7) the United States will continue to invest in*
4 *critical capabilities, build a force posture that de-*
5 *creases the vulnerabilities of the United States and*
6 *increases resiliency, all of which will help reassure the*
7 *allies and partners of the United States;*

8 *(8) the United States will encourage allies and*
9 *partners to be full and cooperative partners in their*
10 *own defense and the defense of the free and open*
11 *international order; and*

12 *(9) the United States will continue to deepen*
13 *and expand alliances, especially in the Indo-Pacific,*
14 *and will take no ally for granted.*

15 **SEC. 1269. REMOVAL OF TURKEY FROM THE F-35 PROGRAM.**

16 *(a) FINDINGS.—Congress makes the following findings:*

17 *(1) The Government of the Republic of Turkey*
18 *continues to unlawfully and wrongfully detain An-*
19 *drew Brunson, a United States citizen, and continues*
20 *to deny Mr. Brunson due process rights consistent*
21 *with international norms.*

22 *(2) The Government of the Republic of Turkey*
23 *has wrongly charged Andrew Brunson with belonging*
24 *to a terrorist organization and engaging in terrorist*
25 *activities.*

1 (3) *The Government of the Republic of Turkey,*
2 *including the senior leadership of the government,*
3 *bears direct responsibility for the health and safety of*
4 *Andrew Brunson while he remains in the custody of*
5 *the Government of the Republic of Turkey.*

6 (4) *Congress will not tolerate any foreign govern-*
7 *ment's efforts to use United States citizens for polit-*
8 *ical leverage.*

9 (5) *President Erdogan, along with other senior*
10 *officials of the Government of the Republic of Turkey,*
11 *have publicly and repeatedly stated the intention of*
12 *the Government of the Republic of Turkey to purchase*
13 *the S-400 system from Russia, an act that is*
14 *sanctionable under current United States law.*

15 (6) *Any effort by the Government of the Republic*
16 *of Turkey to further enhance their relationship with*
17 *Russia will degrade the general security of the NATO*
18 *alliance, and NATO member countries, and degrade*
19 *interoperability of the alliance.*

20 (b) *REPORT.—The Secretary of Defense shall submit*
21 *to the appropriate congressional committees a plan to re-*
22 *move the Government of the Republic of Turkey from par-*
23 *ticipation in the F-35 program, to include industrial and*
24 *military aspects of the program. The plan shall include:*

1 (1) *steps required to unwind industrial partici-*
2 *pation of Turkish industry in the manufacturing and*
3 *assembly of the F-35 program;*

4 (2) *costs associated with replacing tooling and*
5 *other manufacturing materials held by Turkish in-*
6 *dustry;*

7 (3) *timelines associated with the removal of the*
8 *Government of the Republic of Turkey and Turkish*
9 *industry from participation in the F-35 program, so*
10 *as to cause the least impact on the remaining inter-*
11 *national program partners; and*

12 (4) *steps required to prohibit the transfer of any*
13 *F-35 aircraft currently owned and operated, by the*
14 *Government of the Republic of Turkey, from the terri-*
15 *tory of the United States.*

16 (c) *LIMITATION ON THE TRANSFER OF THE F-35 TO*
17 *TURKEY.—The Department of Defense may not transfer the*
18 *title for any F-35 aircraft to the Government of the Repub-*
19 *lic of Turkey, until such time as the report identified in*
20 *subsection (b) has been submitted.*

21 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
22 *FINED.—In this section, the term “appropriate congres-*
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. 1270. INCREASE IN MINIMUM AMOUNT OF OBLIGA-**
 5 **TIONS FROM THE SPECIAL DEFENSE ACQUI-**
 6 **TION FUND FOR PRECISION GUIDED MUNI-**
 7 **TIONS.**

8 (a) *INCREASE.*—*Section 114(c)(3) of title 10, United*
 9 *States Code, is amended by striking “20 percent” and in-*
 10 *serting “25 percent”.*

11 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
 12 *section (a) shall take effect on October 1, 2018, and shall*
 13 *apply with respect to fiscal years beginning on and after*
 14 *that date.*

15 **TITLE XIII—COOPERATIVE**
 16 **THREAT REDUCTION**

17 **SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT RE-**
 18 **DUCTION FUNDS.**

19 (a) *FISCAL YEAR 2019 COOPERATIVE THREAT REDUC-*
 20 *TION FUNDS DEFINED.*—*In this title, the term “fiscal year*
 21 *2019 Cooperative Threat Reduction funds” means the funds*
 22 *appropriated pursuant to the authorization of appropria-*
 23 *tions in section 301 and made available by the funding*
 24 *table in section 4301 for the Department of Defense Cooper-*
 25 *ative Threat Reduction Program established under section*

1 1321 of the Department of Defense Cooperative Threat Re-
2 duction Act (50 U.S.C. 3711).

3 (b) AVAILABILITY OF FUNDS.—Funds appropriated
4 pursuant to the authorization of appropriations in section
5 301 and made available by the funding table in section
6 4301 for the Department of Defense Cooperative Threat Re-
7 duction Program shall be available for obligation for fiscal
8 years 2019, 2020, and 2021.

9 **SEC. 1302. FUNDING ALLOCATIONS.**

10 Of the \$335,240,000 authorized to be appropriated to
11 the Department of Defense for fiscal year 2019 in section
12 301 and made available by the funding table in section
13 4301 for the Department of Defense Cooperative Threat Re-
14 duction Program established under section 1321 of the De-
15 partment of Defense Cooperative Threat Reduction Act (50
16 U.S.C. 3711), the following amounts may be obligated for
17 the purposes specified:

18 (1) For strategic offensive arms elimination,
19 \$2,823,000.

20 (2) For chemical weapons destruction,
21 \$5,446,000.

22 (3) For global nuclear security, \$29,001,000.

23 (4) For cooperative biological engagement,
24 \$197,585,000.

25 (5) For proliferation prevention, \$74,937,000.

1 (6) *For activities designated as Other Assess-*
2 *ments/Administrative Costs, \$25,448,000.*

3 **TITLE XIV—OTHER**
4 **AUTHORIZATIONS**
5 ***Subtitle A—Military Programs***

6 **SEC. 1401. WORKING CAPITAL FUNDS.**

7 *Funds are hereby authorized to be appropriated for fis-*
8 *cal year 2019 for the use of the Armed Forces and other*
9 *activities and agencies of the Department of Defense for*
10 *providing capital for working capital and revolving funds,*
11 *as specified in the funding table in section 4501.*

12 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
13 **TION, DEFENSE.**

14 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
15 *hereby authorized to be appropriated for the Department*
16 *of Defense for fiscal year 2019 for expenses, not otherwise*
17 *provided for, for Chemical Agents and Munitions Destruc-*
18 *tion, Defense, as specified in the funding table in section*
19 *4501.*

20 *(b) USE.—Amounts authorized to be appropriated*
21 *under subsection (a) are authorized for—*

22 *(1) the destruction of lethal chemical agents and*
23 *munitions in accordance with section 1412 of the De-*
24 *partment of Defense Authorization Act, 1986 (50*
25 *U.S.C. 1521); and*

1 (2) *the destruction of chemical warfare materiel*
2 *of the United States that is not covered by section*
3 *1412 of such Act.*

4 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**
5 **TIVITIES, DEFENSE-WIDE.**

6 *Funds are hereby authorized to be appropriated for the*
7 *Department of Defense for fiscal year 2019 for expenses, not*
8 *otherwise provided for, for Drug Interdiction and Counter-*
9 *Drug Activities, Defense-wide, as specified in the funding*
10 *table in section 4501.*

11 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

12 *Funds are hereby authorized to be appropriated for the*
13 *Department of Defense for fiscal year 2019 for expenses, not*
14 *otherwise provided for, for the Office of the Inspector Gen-*
15 *eral of the Department of Defense, as specified in the fund-*
16 *ing table in section 4501.*

17 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

18 *Funds are hereby authorized to be appropriated for fis-*
19 *cal year 2019 for the Defense Health Program, as specified*
20 *in the funding table in section 4501, for use of the Armed*
21 *Forces and other activities and agencies of the Department*
22 *of Defense in providing for the health of eligible bene-*
23 *ficiaries.*

1 ***Subtitle B—National Defense***
2 ***Stockpile***

3 **SEC. 1411. CONSOLIDATION OF REPORTING REQUIRE-**
4 **MENTS UNDER THE STRATEGIC AND CRIT-**
5 **ICAL MATERIALS STOCK PILING ACT.**

6 *Section 11 of the Strategic and Critical Materials*
7 *Stock Piling Act (50 U.S.C. 98h-2) is amended—*

8 (1) *in subsection (a), by striking “January 15*
9 *of” and inserting “February 15”; and*

10 (2) *in subsection (b)—*

11 (A) *in paragraph (1), by striking “Not*
12 *later” and all that follows through “report con-*
13 *taining” and inserting “Each report under sub-*
14 *section (a) shall also include”; and*

15 (B) *in paragraph (2)—*

16 (i) *by striking “Each such report” in*
17 *the first sentence and inserting “Each re-*
18 *port under subsection (a) with respect to*
19 *matters covered by this subsection”; and*

20 (ii) *by striking “Each such report” in*
21 *the second sentence and inserting “Each re-*
22 *port under subsection (a) with respect to*
23 *such matters”.*

1 **Subtitle C—Armed Forces**
2 **Retirement Home**

3 **SEC. 1421. AUTHORIZATION OF APPROPRIATIONS FOR**
4 **ARMED FORCES RETIREMENT HOME.**

5 *There is hereby authorized to be appropriated for fiscal*
6 *year 2019 from the Armed Forces Retirement Home Trust*
7 *Fund the sum of \$64,300,000 for the operation of the Armed*
8 *Forces Retirement Home.*

9 **SEC. 1422. EXPANSION OF ELIGIBILITY FOR RESIDENCE AT**
10 **THE ARMED FORCES RETIREMENT HOME.**

11 *Section 1512 of the Armed Forces Retirement Home*
12 *Act of 1991 (24 U.S.C. 412) is amended to read as follows:*

13 **“SEC. 1512. RESIDENTS OF RETIREMENT HOME.**

14 *“(a) PERSONS ELIGIBLE TO BE RESIDENTS.—Except*
15 *as provided in subsection (b), the following persons who*
16 *served as members of the Armed Forces, at least one-half*
17 *of whose service was not active commissioned service (other*
18 *than as a warrant officer or limited-duty officer), are eligi-*
19 *ble to become residents of the Retirement Home:*

20 *“(1) Persons who are 60 years of age or over and*
21 *were discharged or released from service in the Armed*
22 *Forces after 20 or more years of active service.*

23 *“(2) Persons who are determined under rules*
24 *prescribed by the Chief Operating Officer to be suf-*

1 *fering from a service-connected disability incurred in*
2 *the line of duty in the Armed Forces.*

3 “(3) *Persons who served in a war theater during*
4 *a time of war declared by Congress or were eligible*
5 *for hostile fire special pay under section 310 or 351*
6 *of title 37, United States Code, and who are deter-*
7 *mined under rules prescribed by the Chief Operating*
8 *Officer to be suffering from injuries, disease, or dis-*
9 *ability.*

10 “(4) *Persons who served in a women’s compo-*
11 *nent of the Armed Forces before June 12, 1948, and*
12 *are determined under rules prescribed by the Chief*
13 *Operating Officer to be eligible for admission because*
14 *of compelling personal circumstances.*

15 “(b) *PERSONS INELIGIBLE TO BE RESIDENTS.—The*
16 *following persons are ineligible to become a resident of the*
17 *Retirement Home:*

18 “(1) *A person who—*

19 “(A) *has been convicted of a felony; or*

20 “(B) *was discharged or released from service*
21 *in the Armed Forces under other than honorable*
22 *conditions.*

23 “(2) *A person with substance abuse or mental*
24 *health problems, except upon a judgment and satisfac-*

1 *tory determination by the Chief Operating Officer*
2 *that—*

3 *“(A) the person has been evaluated by a*
4 *qualified health professional selected by the Re-*
5 *tirement Home;*

6 *“(B) the Retirement Home can accommo-*
7 *date the person’s condition; and*

8 *“(C) the person agrees to such conditions of*
9 *residency as the Retirement Home may require.*

10 *“(c) ACCEPTANCE.—To apply for acceptance as a resi-*
11 *dent of a facility of the Retirement Home, a person eligible*
12 *to be a resident shall submit to the Administrator of that*
13 *facility an application in such form and containing such*
14 *information as the Chief Operating Officer may require.*

15 *“(d) PRIORITIES FOR ACCEPTANCE.—The Chief Oper-*
16 *ating Officer shall establish a system of priorities for the*
17 *acceptance of residents so that the most deserving appli-*
18 *cants will be accepted whenever the number of eligible ap-*
19 *plicants is greater than the Retirement Home can accom-*
20 *modate.*

21 *“(e) SPOUSES OF RESIDENTS.—*

22 *“(1) AUTHORITY TO ADMIT.—Except as other-*
23 *wise established pursuant to subsection (d), the spouse*
24 *of a person accepted as a resident of a facility of the*

1 *Retirement Home may be admitted to that facility if*
2 *the spouse—*

3 “(A) *is a covered beneficiary within the*
4 *meaning of section 1072(5) of title 10, United*
5 *States Code;*

6 “(B) *is not ineligible to become a resident*
7 *as provided in subsection (b); and*

8 “(C) *submits an application for admittance*
9 *in accordance with subsection (c).*

10 “(2) *TREATMENT AS RESIDENT.—A spouse ad-*
11 *mitted in accordance with paragraph (1) shall be a*
12 *resident of the Retirement Home consistent with this*
13 *Act, except as the Chief Operating Officer may other-*
14 *wise provide.”.*

15 **SEC. 1423. OVERSIGHT OF HEALTH CARE PROVIDED TO**
16 **RESIDENTS OF THE ARMED FORCES RETIRE-**
17 **MENT HOME.**

18 *Section 1513A(c) of the Armed Forces Retirement*
19 *Home Act of 1991 (24 U.S.C. 413a(c)) is amended—*

20 (1) *by striking paragraph (1) and inserting the*
21 *following new paragraph (1):*

22 “(1) *Facilitate and monitor the timely avail-*
23 *ability to residents of the Retirement Home such med-*
24 *ical, mental health, and dental care services as such*

1 *residents may require at locations other than the Re-*
2 *tirement Home.”; and*

3 *(2) in paragraph (2), by striking “Ensure” and*
4 *inserting “Monitor”.*

5 **SEC. 1424. MODIFICATION OF AUTHORITY ON ACCEPTANCE**
6 **OF GIFTS FOR THE ARMED FORCES RETIRE-**
7 **MENT HOME.**

8 *Paragraph (1) of section 1515(f) of the Armed Forces*
9 *Retirement Home Act of 1991 (24 U.S.C. 415(f)) is amend-*
10 *ed to read as follows:*

11 *“(1) The Chief Operating Officer may accept, receive,*
12 *solicit, hold, administer, and use any gift, devise, or bequest,*
13 *either absolutely or in trust, of real or personal property,*
14 *or any income therefrom or other interest therein, for the*
15 *benefit of the Retirement Home.”.*

16 **SEC. 1425. RELIEF FOR RESIDENTS OF THE ARMED FORCES**
17 **RETIREMENT HOME IMPACTED BY INCREASE**
18 **IN FEES.**

19 *(a) PROHIBITION ON REMOVAL FOR INABILITY TO PAY*
20 *FEE INCREASE.—A resident of the Armed Forces Retire-*
21 *ment Home as of September 30, 2018, may not be removed*
22 *or released from the Retirement Home after that date based*
23 *solely upon the inability of the resident to pay the amount*
24 *of any increase in fees applicable to residents of the Retire-*
25 *ment Home that takes effect on October 1, 2018.*

1 **(b) OTHER RELIEF.**—*The Chief Operating Officer of*
2 *the Armed Forces Retirement Home shall take all actions*
3 *practicable to accommodate residents of the Retirement*
4 *Home who are impacted by the fee structure applicable to*
5 *residents of the Retirement Home that takes effect on Octo-*
6 *ber 1, 2018, including through hardship relief, additional*
7 *deductions from gross income, and other appropriate ac-*
8 *tions.*

9 **SEC. 1426. LIMITATION ON APPLICABILITY OF FEE IN-**
10 **CREASE FOR RESIDENTS OF THE ARMED**
11 **FORCES RETIREMENT HOME.**

12 *In the case of an individual who was a resident of*
13 *the Armed Forces Retirement Home as of April 9, 2018,*
14 *the increase in fees pursuant to the increase in fees for resi-*
15 *dents of the Home scheduled to take effect on October 1,*
16 *2018, may not exceed an amount equal to 50 percent of*
17 *the fees payable by such individual as such a resident as*
18 *of April 9, 2018.*

Subtitle D—Other Matters

1 **SEC. 1431. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**
2 **DEPARTMENT OF DEFENSE-DEPARTMENT OF**
3 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**
4 **ONSTRATION FUND FOR CAPTAIN JAMES A.**
5 **LOVELL HEALTH CARE CENTER, ILLINOIS.**
6

7 (a) *AUTHORITY FOR TRANSFER OF FUNDS.*—Of the
8 funds authorized to be appropriated by section 1405 and
9 available for the Defense Health Program for operation and
10 maintenance, \$113,000,000 may be transferred by the Sec-
11 retary of Defense to the Joint Department of Defense-De-
12 partment of Veterans Affairs Medical Facility Demonstra-
13 tion Fund established by subsection (a)(1) of section 1704
14 of the National Defense Authorization Act for Fiscal Year
15 2010 (Public Law 111–84; 123 Stat. 2571). For purposes
16 of subsection (a)(2) of such section 1704, any funds so
17 transferred shall be treated as amounts authorized and ap-
18 propriated specifically for the purpose of such a transfer.

19 (b) *USE OF TRANSFERRED FUNDS.*—For the purposes
20 of subsection (b) of such section 1704, facility operations
21 for which funds transferred under subsection (a) may be
22 used are operations of the Captain James A. Lovell Federal
23 Health Care Center, consisting of the North Chicago Vet-
24 erans Affairs Medical Center, the Navy Ambulatory Care
25 Center, and supporting facilities designated as a combined

1 *Federal medical facility under an operational agreement*
2 *covered by section 706 of the Duncan Hunter National De-*
3 *fense Authorization Act for Fiscal Year 2009 (Public Law*
4 *110–417; 122 Stat. 4500).*

5 **SEC. 1432. ECONOMICAL AND EFFICIENT OPERATION OF**
6 **WORKING CAPITAL FUND ACTIVITIES.**

7 *Section 2208(e) of title 10, United States Code, is*
8 *amended—*

9 *(1) by inserting “(1)” after “(e)”; and*

10 *(2) by adding at the end the following new para-*
11 *graph:*

12 *“(2) The accomplishment of the most economical and*
13 *efficient organization and operation of working capital*
14 *fund activities for the purposes of paragraph (1) shall in-*
15 *clude actions toward the following:*

16 *“(A) The implementation of a workload plan*
17 *that optimizes the efficiency of the workforce oper-*
18 *ating within a working capital fund activity and re-*
19 *duces the rate structure.*

20 *“(B) Encouraging a working capital fund activ-*
21 *ity to perform reimbursable work for other entities to*
22 *sustain the efficient use of the workforce.*

23 *“(C) Determining the appropriate leadership*
24 *level for approving work from outside entities to*
25 *maximize efficiency.”.*

1 **TITLE XV—AUTHORIZATION OF**
2 **ADDITIONAL APPROPRIA-**
3 **TIONS FOR OVERSEAS CON-**
4 **TINGENCY OPERATIONS**

5 **Subtitle A—Authorizations of**
6 **Appropriations**

7 **SEC. 1501. PURPOSE.**

8 *The purpose of this subtitle is to authorize appropri-*
9 *ations for the Department of Defense for fiscal year 2019*
10 *to provide additional funds for overseas contingency oper-*
11 *ations being carried out by the Armed Forces.*

12 **SEC. 1502. OVERSEAS CONTINGENCY OPERATIONS.**

13 *Funds are hereby authorized to be appropriated for fis-*
14 *cal year 2019 for the Department of Defense for overseas*
15 *contingency operations in such amounts as may be des-*
16 *ignated as provided in section 251(b)(2)(A)(ii) of the Bal-*
17 *anced Budget and Emergency Deficit Control Act of 1985*
18 *(2 U.S.C. 901(b)(2)(A)(ii)).*

19 **SEC. 1503. PROCUREMENT.**

20 *Funds are hereby authorized to be appropriated for fis-*
21 *cal year 2019 for procurement accounts for the Army, the*
22 *Navy and the Marine Corps, the Air Force, and Defense-*
23 *wide activities, as specified in the funding table in section*
24 *4102.*

1 **SEC. 1504. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
2 **TION.**

3 *Funds are hereby authorized to be appropriated for fis-*
4 *cal year 2019 for the use of the Department of Defense for*
5 *research, development, test, and evaluation, as specified in*
6 *the funding table in section 4202.*

7 **SEC. 1505. OPERATION AND MAINTENANCE.**

8 *Funds are hereby authorized to be appropriated for fis-*
9 *cal year 2019 for the use of the Armed Forces and other*
10 *activities and agencies of the Department of Defense for ex-*
11 *penses, not otherwise provided for, for operation and main-*
12 *tenance, as specified in the funding table in section 4302.*

13 **SEC. 1506. MILITARY PERSONNEL.**

14 *Funds are hereby authorized to be appropriated for fis-*
15 *cal year 2019 for the use of the Armed Forces and other*
16 *activities and agencies of the Department of Defense for ex-*
17 *penses, not otherwise provided for, for military personnel,*
18 *as specified in the funding table in section 4402.*

19 **SEC. 1507. WORKING CAPITAL FUNDS.**

20 *Funds are hereby authorized to be appropriated for fis-*
21 *cal 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 4502.*

1 **SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG AC-**
2 **TIVITIES, DEFENSE-WIDE.**

3 *Funds are hereby authorized to be appropriated for the*
4 *Department of Defense for fiscal year 2019 for expenses, not*
5 *otherwise provided for, for Drug Interdiction and Counter-*
6 *Drug Activities, Defense-wide, as specified in the funding*
7 *table in section 4502.*

8 **SEC. 1509. DEFENSE INSPECTOR GENERAL.**

9 *Funds are hereby authorized to be appropriated for the*
10 *Department of Defense for fiscal year 2019 for expenses, not*
11 *otherwise provided for, for the Office of the Inspector Gen-*
12 *eral of the Department of Defense, as specified in the fund-*
13 *ing table in section 4502.*

14 **SEC. 1510. DEFENSE HEALTH PROGRAM.**

15 *Funds are hereby authorized to be appropriated for the*
16 *Department of Defense for fiscal year 2019 for expenses, not*
17 *otherwise provided for, for the Defense Health Program, as*
18 *specified in the funding table in section 4502.*

19 ***Subtitle B—Financial Matters***

20 **SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

21 *The amounts authorized to be appropriated by this*
22 *title are in addition to amounts otherwise authorized to be*
23 *appropriated by this Act.*

24 **SEC. 1522. 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 \$3,500,000,000.

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 authority
19 provided by this section is in addition to the transfer au-
20 thority provided under section 1001.

21 **Subtitle C—Other Matters**

22 **SEC. 1531. JOINT IMPROVISED-THREAT DEFEAT ORGANIZA-** 23 **TION.**

24 (a) *USE AND TRANSFER OF FUNDS.*—

1 (1) *IN GENERAL.*—Subsections (b) and (c) of sec-
2 tion 1514 of the John Warner National Defense Au-
3 thorization Act for Fiscal Year 2007 (Public Law
4 109–364; 120 Stat. 2439), as in effect before the
5 amendments made by section 1503 of the Duncan
6 Hunter National Defense Authorization Act for Fiscal
7 Year 2009 (Public Law 110–417; 122 Stat. 4649),
8 shall apply to amounts made available for fiscal year
9 2019 for the Department of Defense for the Joint Im-
10 provise~~d~~-Threat Defeat Organization.

11 (2) *REFERENCES TO JOINT IMPROVISED EXPLO-*
12 *SIVE DEVICE DEFEAT FUND.*—In the application of
13 paragraph (1) to the use of funds described in that
14 paragraph in fiscal year 2019, any reference in the
15 subsections referred to in that paragraph to the Joint
16 Improvised Explosive Device Defeat Fund shall be
17 deemed to be a reference to the Joint Improvised-
18 Threat Defeat Organization.

19 (b) *INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE*
20 *PRECURSOR CHEMICALS.*—

21 (1) *AVAILABILITY OF FUNDS.*—Of the amounts
22 authorized to be appropriated for fiscal year 2019 for
23 the Department of Defense by this Act for the Joint
24 Improvised-Threat Defeat Organization, \$15,000,000
25 may be made available to the Secretary of Defense,

1 *with the concurrence of the Secretary of State, to pro-*
2 *vide training, equipment, supplies, and services to*
3 *ministries and other entities of foreign governments*
4 *that the Secretary of Defense has identified as critical*
5 *for countering the flow of improvised explosive device*
6 *precursor chemicals.*

7 (2) *PROVISION THROUGH OTHER UNITED STATES*
8 *AGENCIES.—If jointly agreed upon by the Secretary of*
9 *Defense and the head of another department or agency*
10 *of the United States Government, the Secretary of De-*
11 *fense may transfer amounts made available under*
12 *paragraph (1) to such department or agency for the*
13 *provision by such department or agency of training,*
14 *equipment, supplies, and services to ministries and*
15 *other entities of foreign governments as described in*
16 *that paragraph.*

17 (3) *NOTICE TO CONGRESS.—None of the funds*
18 *made available under paragraph (1) may be obligated*
19 *or expended to supply training, equipment, supplies,*
20 *or services to a foreign country before the date that*
21 *is 15 days after the date on which the Secretary of*
22 *Defense, in coordination with the Secretary of State,*
23 *has submitted to the congressional defense committees,*
24 *the Committee on Foreign Relations of the Senate,*
25 *and the Committee on Foreign Affairs of the House*

1 of Representatives a notice that includes each of the
2 following:

3 (A) The name of the foreign country for
4 which training, equipment, supplies, or services
5 are proposed to be supplied.

6 (B) A description of the training, equip-
7 ment, supplies, and services to be provided to
8 such foreign country using such funds.

9 (C) A detailed description of the amounts
10 proposed to be obligated or expended to supply
11 such training, equipment, supplies, or services,
12 including—

13 (i) any amounts proposed to be obli-
14 gated or expended to support the participa-
15 tion of a department or agency of the
16 United States Government other than the
17 Department of Defense; and

18 (ii) a description of the training,
19 equipment, supplies, or services proposed to
20 be supplied.

21 (D) An evaluation of the effectiveness of the
22 efforts of such foreign country to counter the flow
23 of improvised explosive device precursor chemi-
24 cals.

1 (E) *An overall plan for countering the flow*
 2 *of precursor chemicals in such foreign country.*

3 (4) *EXPIRATION.—The authority provided by*
 4 *this subsection expires on December 31, 2019.*

5 **TITLE XVI—STRATEGIC PRO-**
 6 **GRAMS, CYBER, AND INTEL-**
 7 **LIGENCE MATTERS**

8 **Subtitle A—Space Activities**

9 **SEC. 1601. MODIFICATIONS TO SPACE RAPID CAPABILITIES**

10 **OFFICE.**

11 *Section 2273a of title 10, United States Code, is*
 12 *amended—*

13 (1) *in subsection (a), by striking “joint”;*

14 (2) *in subsection (b), in the first sentence, by*
 15 *striking “Department of Defense Executive Agent for*
 16 *Space” and inserting “Secretary of the Air Force”;*

17 (3) *in subsection (c)—*

18 (A) *in paragraph (1), by striking “; and”*
 19 *and inserting a semicolon;*

20 (B) *in paragraph (2), by striking the period*
 21 *at the end and inserting “; and”;* and

22 (C) *by adding at the end the following new*
 23 *paragraph:*

24 “(3) *to rapidly develop and field new classified*
 25 *space capabilities.”; and*

1 (4) by striking subsections (d) through (g) and
2 inserting the following new subsections (d) through
3 (f):

4 “(d) *ACQUISITION AUTHORITY.*—The acquisition ac-
5 tivities of the Office shall be subject to the following:

6 “(1) *The Secretary of the Air Force shall des-*
7 *ignate the acquisition executive of the Office, who*
8 *shall provide streamlined acquisition authority for*
9 *any project of the Office.*

10 “(2) *The Joint Capabilities Integration and De-*
11 *velopment System process shall not apply to any ac-*
12 *quisition by the Office.*

13 “(3) *The Joint Force Space Component of the*
14 *United States Strategic Command shall establish,*
15 *validate, and prioritize program requirements.*

16 “(e) *REQUIRED PROGRAM ELEMENT.*—

17 “(1) *The Secretary of the Air Force shall ensure,*
18 *within budget program elements for space programs,*
19 *that—*

20 “(A) *there are separate, dedicated program*
21 *elements for unclassified and classified activities*
22 *relating to space rapid capabilities; and*

23 “(B) *the Office executes the responsibilities*
24 *of the Office through those program elements.*

1 “(2) *The Office shall manage the program ele-*
2 *ments required by paragraph (1).*”

3 “(f) *BOARD OF DIRECTORS.—The Secretary of the Air*
4 *Force shall establish for the Office a Board of Directors (to*
5 *be known as the ‘Space Rapid Capabilities Board of Direc-*
6 *tors’) to provide coordination, oversight, and approval of*
7 *projects for the Office.’”.*

8 **SEC. 1602. SPACE WARFIGHTING POLICY AND REVIEW OF**
9 **SPACE CAPABILITIES.**

10 (a) *SPACE WARFIGHTING POLICY.—Not later than*
11 *March 29, 2019, the Secretary of Defense shall develop a*
12 *space warfighting policy.*

13 (b) *REVIEW OF SPACE CAPABILITIES.—*

14 (1) *IN GENERAL.—The Secretary shall conduct a*
15 *review relating to the national security space enter-*
16 *prise that evaluates the following:*

17 (A) *The resiliency of the national security*
18 *space enterprise with respect to a conflict.*

19 (B) *The ability of the national security*
20 *space enterprise to attribute an attack on a*
21 *space system in a timely manner.*

22 (C) *The ability of the United States—*

23 (i) *to resolve a conflict in space; and*

24 (ii) *to determine the material means*
25 *by which such conflict may be resolved.*

1 (D) *The ability of the national security*
2 *space enterprise—*

3 (i) *to defend against aggressive behav-*
4 *ior in space at all levels of conflict;*

5 (ii) *to defeat any adversary that dem-*
6 *onstrates aggressive behavior in space at all*
7 *levels of conflict;*

8 (iii) *to deter aggressive behavior in*
9 *space at all levels of conflict; and*

10 (iv) *to develop a declassification strat-*
11 *egy, if required to demonstrate deterrence.*

12 (E) *The effectiveness and efficiency of the*
13 *national security space enterprise to rapidly re-*
14 *search, develop, acquire, and deploy space capa-*
15 *bilities and capacities—*

16 (i) *to deter and defend United States*
17 *national security space assets; and*

18 (ii) *to respond to any new threat to*
19 *such space assets.*

20 (F) *The current organizational structure of*
21 *the national security space enterprise with re-*
22 *spect to roles, responsibilities, and authorities.*

23 (G) *Any emerging space threat the Sec-*
24 *retary expects the United States to confront dur-*

1 *ing the 10-year period beginning on the date of*
2 *the enactment of this Act.*

3 *(H) Such other matters as the Secretary*
4 *considers appropriate.*

5 (2) *REPORT.—*

6 *(A) IN GENERAL.—Not later than March*
7 *29, 2019, the Secretary shall submit to the con-*
8 *gressional defense committees a report on the*
9 *findings of the review under paragraph (1).*

10 *(B) FORM.—The report under subpara-*
11 *graph (A) shall be submitted in unclassified*
12 *form, but may include a classified annex.*

13 **SEC. 1603. REPORT ON ENHANCEMENTS TO THE GLOBAL**
14 **POSITIONING SYSTEM OPERATIONAL CON-**
15 **TROL SEGMENT.**

16 *(a) IN GENERAL.—Not later than one year after the*
17 *date of the enactment of this Act, the Secretary of Defense*
18 *shall submit to the congressional defense committees a re-*
19 *port that identifies whether the current Global Positioning*
20 *System Operational Control Segment (OCS) can be incre-*
21 *mentally improved to achieve capabilities similar to the*
22 *Next Generation Operational Control Segment (OCX) used*
23 *to operate the Global Positioning System III.*

24 *(b) ELEMENTS.—The report required under subsection*
25 *(a) shall include the following elements:*

1 (1) *A cybersecurity review of both OCS and OCX*
2 *to determine the specific cybersecurity improvements*
3 *needed to operate the system through 2030, includ-*
4 *ing—*

5 (A) *the cybersecurity improvements to OCS*
6 *needed to match the cybersecurity capabilities*
7 *that OCX is intended to provide;*

8 (B) *any additional OCS cybersecurity pro-*
9 *tections needed beyond those OCX is intended to*
10 *provide; and*

11 (C) *any additional OCX cybersecurity pro-*
12 *tections needed beyond those for which OCX is*
13 *currently contracted.*

14 (2) *An incremental development plan for OCS,*
15 *including—*

16 (A) *the number of additional incremental*
17 *upgrades needed to achieve capabilities similar*
18 *to OCX, including a discussion of—*

19 (i) *any additional capabilities needed;*

20 (ii) *the specific capabilities in each up-*
21 *grade;*

22 (iii) *the duration of each upgrade; and*

23 (iv) *a full schedule to complete all up-*
24 *grades;*

1 (B) the estimated cost for each incremental
2 OCS upgrade; and

3 (C) the total estimated cost across fiscal
4 years for all OCS upgrades to achieve capabili-
5 ties similar to OCX and any additional capa-
6 bilities.

7 (3) The date by which the Department of Defense
8 would have to begin contracting for each incremental
9 OCS upgrade to ensure availability of OCS for the
10 Global Positioning System III.

11 (4) A comparison of current improvements to
12 OCS that are underway, and additional OCS incre-
13 mental improvements described under paragraph 2, to
14 the program of record OCX capabilities, including—

15 (A) the acquisition and sustainment cost by
16 fiscal year through fiscal year 2030 for OCS and
17 OCX;

18 (B) a comparison schedule between OCS
19 (including incremental improvements described
20 under paragraph 2) and OCX that identifies the
21 delivery dates and capability delivered; and

22 (C) the cost and schedule required to pro-
23 vide OCX with any additional needed capabili-
24 ties that are now required and not currently in
25 the program of record.

1 **SEC. 1604. STREAMLINE OF COMMERCIAL SPACE LAUNCH**
2 **OPERATIONS.**

3 *Section 1617 of the National Defense Authorization*
4 *Act for Fiscal Year 2017 (Public Law 114–92; 129 Stat.*
5 *1106; 51 U.S.C. 50918 note) is amended—*

6 *(1) in subsection (c)—*

7 *(A) by redesignating paragraphs (2) and*
8 *(3) as paragraphs (3) and (4), respectively; and*

9 *(B) by inserting after paragraph (1) the fol-*
10 *lowing new paragraph (2):*

11 *“(2) STREAMLINING.—*

12 *“(A) IN GENERAL.—With respect to any li-*
13 *censed activity under chapter 509 of title 51,*
14 *United States Code, the Secretary of Defense*
15 *may not impose any requirement on a licensee*
16 *or transferee that is duplicative of, or overlaps in*
17 *intent with, any requirement imposed by the*
18 *Secretary of Transportation under that chapter.*

19 *“(B) WAIVER.—The Secretary of Defense*
20 *may waive the limitation under subparagraph*
21 *(A) if the Secretary determines that imposing a*
22 *requirement described in that subparagraph is*
23 *necessary to avoid negative consequences for the*
24 *national security space program.”; and*

25 *(2) by adding at the end the following new sub-*
26 *section:*

1 “(d) *EFFECT OF LAW.*—Nothing in this section limits
2 the ability of the Secretary of Defense to consult with the
3 Secretary of Transportation with respect to requirements
4 and approvals under chapter 509 of title 51, United States
5 Code.”.

6 **SEC. 1605. REUSABLE LAUNCH VEHICLES.**

7 (a) *REUSABILITY.*—The Evolved Expendable Launch
8 Vehicle Program shall be designated as the “National Secu-
9 rity Space Launch Program”.

10 (b) *REFERENCE TO EVOLVED EXPENDABLE LAUNCH*
11 *VEHICLE PROGRAM.*—Any reference in any law, regulation,
12 guidance, instruction, map, document, record, or other
13 paper of the United States to the Evolved Expendable
14 Launch Vehicle Program shall be deemed to be a reference
15 to the National Security Space Launch Program.

16 (c) *POLICY.*—In carrying out the policy set forth in
17 section 2273 of title 10, United States Code, the Secretary
18 of Defense shall pursue a strategy that includes fully or par-
19 tially reusable launch systems.

20 (d) *CERTIFICATION STRATEGY.*—The Secretary shall
21 continue to develop a process to evaluate and certify launch
22 vehicles using previously flown components or systems for
23 national security space launch.

24 (e) *REPORTING REQUIREMENT.*—Not less than 60 days
25 before the date on which a solicitation for procurement of

1 *space launch services is issued, the Secretary shall submit*
2 *to the congressional defense committees a report that sets*
3 *forth—*

4 (1) *a determination with respect to whether*
5 *launch vehicles using previously flown components, or*
6 *systems or with components or systems that are in-*
7 *tended to be reused, that could otherwise meet mission*
8 *requirements are eligible for award; and*

9 (2) *in the case of a determination that such*
10 *launch vehicles shall not be eligible for award, a jus-*
11 *tification with respect to the reason for ineligibility.*

12 **SEC. 1606. REVIEW OF AND REPORT ON ACTIVITIES OF**
13 **INTERNATIONAL SPACE STATION.**

14 (a) *IN GENERAL.—Not later than March 1, 2019, the*
15 *Secretary of Defense shall—*

16 (1) *in coordination with the Administrator of*
17 *the National Aeronautics and Space Administration,*
18 *complete a review of each program, activity, and fu-*
19 *ture technology research project of the Department of*
20 *Defense being carried out on the International Space*
21 *Station as of that date; and*

22 (2) *submit to the appropriate committees of Con-*
23 *gress a report that describes the results of the review*
24 *under paragraph (1).*

1 **(b) APPROPRIATE COMMITTEES OF CONGRESS DE-**
 2 *FINED.—In this section, the term “appropriate committees*
 3 *of Congress” means—*

4 *(1) the Committee on Armed Services and the*
 5 *Committee on Commerce, Science, and Transpor-*
 6 *tation of the Senate; and*

7 *(2) the Committee on Armed Services, the Com-*
 8 *mittee on Energy and Commerce, and the Committee*
 9 *on Science, Space, and Technology of the House of*
 10 *Representatives.*

11 ***Subtitle B—Defense Intelligence***
 12 ***and Intelligence-related Activities***

13 ***SEC. 1611. FRAMEWORK ON GOVERNANCE, MISSION MAN-***
 14 ***AGEMENT, RESOURCING, AND EFFECTIVE***
 15 ***OVERSIGHT OF DEPARTMENT OF DEFENSE***
 16 ***COMBAT SUPPORT AGENCIES THAT ARE ALSO***
 17 ***ELEMENTS OF THE INTELLIGENCE COMMU-***
 18 ***NITY.***

19 ***(a) FRAMEWORK REQUIRED.—***

20 ***(1) IN GENERAL.—In accordance with section***
 21 ***105 of the National Security Act of 1947 (50 U.S.C.***
 22 ***3038), section 193 of title 10, United States Code, and***
 23 ***section 1018 of the Intelligence Reform and Terrorism***
 24 ***Prevention Act of 2004 (Public Law 108–458; 50***
 25 ***U.S.C. 3023 note), the Secretary of Defense shall de-***

1 *velop and codify in policy a framework and sup-*
2 *porting processes within the Department of Defense to*
3 *help ensure that the missions, roles, and functions of*
4 *the Combat Support Agencies (CSA) of the Depart-*
5 *ment of Defense that are also elements of the intel-*
6 *ligence community (IC), and other intelligence com-*
7 *ponents of the Department, are appropriately bal-*
8 *anced and resourced.*

9 (2) *SCOPE.*—*The framework shall include a con-*
10 *sistent, repeatable process for regular reevaluation of*
11 *the responsibilities and resource profiles of the ele-*
12 *ments described in paragraph (1) for purposes of pre-*
13 *venting imbalances in priorities, insufficient or mis-*
14 *aligned resources, and mission creep.*

15 (b) *ELEMENTS.*—*The framework required by sub-*
16 *section (a) shall include the following:*

17 (1) *A lexicon of relevant terms used by the De-*
18 *partment of Defense to ensure consistent definitions*
19 *are used in determinations about the balance de-*
20 *scribed in subsection (a)(1), which lexicon shall rec-*
21 *oncile and codify jointly-used definitions.*

22 (2) *A reevaluation of the intelligence components*
23 *of the Department, including the Joint Intelligence*
24 *Centers and Joint Intelligence Operations Centers*
25 *within the combatant commands, in order to deter-*

1 *mine which components should be formally designated*
2 *as part of the intelligence community and any com-*
3 *ponents not so designated conform to relevant*
4 *tradecraft standards.*

5 *(3) A repeatable Department process for evalu-*
6 *ating the addition, transfer, or elimination of defense*
7 *intelligence missions, roles, and functions, currently*
8 *or to be performed by elements described in subsection*
9 *(a)(1), which process shall include the following:*

10 *(A) A justification for any proposed addi-*
11 *tion, transfer, or elimination of a mission, role,*
12 *or function.*

13 *(B) The identification of the elements in the*
14 *Federal Government, if any, that currently per-*
15 *form the mission, role, or function concerned.*

16 *(C) For any proposed addition of a mis-*
17 *sion, role, or function, an assessment of the most*
18 *appropriate element of the Department to as-*
19 *sume it, taking into account current resource*
20 *profiles, scope of existing responsibilities, pri-*
21 *mary customers, and infrastructure necessary to*
22 *support the addition.*

23 *(D) For any proposed addition of transfer*
24 *of a mission, role, or function—*

1 (i) a determination of the appropriate
2 resource profile for such mission, role, or
3 function; and

4 (ii) the identification, in writing, for
5 the Department elements concerned of the
6 resources anticipated to be needed and
7 source of such resources within the future-
8 years defense program in effect at the time
9 of the proposed addition or transfer.

10 (c) *BRIEFING*.—Not later than 180 days after the date
11 of the enactment of this Act, the Secretary shall provide to
12 the appropriate committees of Congress a briefing on the
13 framework required by subsection (a).

14 (d) *POLICY*.—Not later than 270 days after the date
15 of the enactment of this Act, the Secretary shall submit to
16 the appropriate committees of Congress a report setting
17 forth the policy that codifies the framework required by sub-
18 section (a).

19 (e) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
20 *FINED*.—In this section, the term “appropriate committees
21 of Congress” means—

22 (1) the Committee on Armed Services, the Com-
23 mittee on Appropriations, and the Select Committee
24 on Intelligence of the Senate; and

1 (2) *the Committee on Armed Services, the Com-*
2 *mittee on Appropriations, and the Permanent Select*
3 *Committee on Intelligence of the House of Representa-*
4 *tives.*

5 ***Subtitle C—Cyberspace-related***
6 ***Matters***

7 ***PART I—CYBERSPACE GENERALLY***

8 ***SEC. 1621. POLICY OF THE UNITED STATES ON CYBER-***
9 ***SPACE, CYBERSECURITY, CYBER WARFARE,***
10 ***AND CYBER DETERRENCE.***

11 (a) *IN GENERAL.—It shall be the policy of the United*
12 *States, with respect to matters pertaining to cyberspace, cy-*
13 *bersecurity, and cyber warfare, that the United States*
14 *should employ all instruments of national power, including*
15 *the use of offensive cyber capabilities, to deter if possible,*
16 *and respond when necessary, to any and all cyber attacks*
17 *or other malicious cyber activities that target United States*
18 *interests with the intent to—*

19 (1) *cause casualties among United States persons*
20 *or persons of our allies;*

21 (2) *significantly disrupt the normal functioning*
22 *of United States democratic society or government*
23 *(including attacks against critical infrastructure that*
24 *could damage systems used to provide key services to*
25 *the public or government);*

1 (3) *threaten the command and control of the*
2 *United States Armed Forces, the freedom of maneuver*
3 *of the United States Armed Forces, or the industrial*
4 *base or other infrastructure on which the United*
5 *States Armed Forces rely to defend United States in-*
6 *terests and commitments; or*

7 (4) *achieve an effect, whether individually or in*
8 *aggregate, comparable to an armed attack or imperil*
9 *a vital interest of the United States.*

10 (b) *RESPONSE OPTIONS.—In carrying out the policy*
11 *set forth in subsection (a), the United States shall plan, de-*
12 *velop, and demonstrate response options to address the full*
13 *range of potential cyber attacks on United States interests*
14 *that could be conducted by potential adversaries of the*
15 *United States.*

16 (c) *DENIAL OPTIONS.—In carrying out the policy set*
17 *forth in subsection (a) through response options developed*
18 *pursuant to subsection (b), the United States shall, to the*
19 *greatest extent practicable, prioritize the defensibility and*
20 *resiliency against cyber attacks and malicious cyber activi-*
21 *ties described in subsection (a) of infrastructure critical to*
22 *the political integrity, economic security, and national se-*
23 *curity of the United States.*

24 (d) *COST-IMPOSITION OPTIONS.—In carrying out the*
25 *policy set forth in subsection (a) through response options*

1 *developed pursuant to subsection (b), the United States shall*
2 *develop and demonstrate, or otherwise make known to ad-*
3 *versaries of the existence of, cyber capabilities to impose*
4 *costs on any foreign power targeting the United States or*
5 *United States persons with a cyber attack or malicious*
6 *cyber activity described in subsection (a).*

7 *(e) MULTI-PRONG RESPONSE.—In carrying out the*
8 *policy set forth in subsection (a) through response options*
9 *developed pursuant to subsection (b), the United States*
10 *shall—*

11 *(1) devote immediate and sustained attention to*
12 *boosting the cyber resilience of critical United States*
13 *strike systems (including cyber, nuclear, and non-nu-*
14 *clear systems) in order to ensure the United States*
15 *can credibly threaten to impose unacceptable costs in*
16 *response to even the most sophisticated large-scale*
17 *cyber attack;*

18 *(2) develop offensive cyber capabilities and spe-*
19 *cific plans and strategies to put at risk targets most*
20 *valued by adversaries of the United States and their*
21 *key decision makers;*

22 *(3) enhance attribution capabilities to reduce the*
23 *time required to positively attribute an attack with*
24 *high confidence; and*

1 (4) *develop intelligence and offensive cyber capa-*
2 *bilities to detect, disrupt, and potentially expose mali-*
3 *cious cyber activities.*

4 (f) *POLICIES RELATING TO OFFENSIVE CYBER CAPA-*
5 *BILITIES AND SOVEREIGNTY.—It is the policy of the United*
6 *States that, when a cyber attack or malicious cyber activity*
7 *transits or otherwise relies upon the networks or infrastruc-*
8 *ture of a third country—*

9 (1) *the United States shall, to the greatest extent*
10 *practicable, notify and encourage the government of*
11 *that country to take action to eliminate the threat;*
12 *and*

13 (2) *if the government is unable or unwilling to*
14 *take action, the United States reserves the right to act*
15 *unilaterally (with the consent of that government if*
16 *possible, but without such consent if necessary).*

17 (g) *AUTHORITY OF SECRETARY OF DEFENSE.—*

18 (1) *IN GENERAL.—The Secretary of Defense has*
19 *the authority to develop, prepare, coordinate, and,*
20 *when appropriately authorized to do so, conduct mili-*
21 *tary cyber operations in response to cyber attacks and*
22 *malicious cyber activities described in subsection (a)*
23 *that are carried out against the United States or*
24 *United States persons by a foreign power.*

1 (2) *DELEGATION OF ADDITIONAL AUTHORI-*
2 *TIES.*—*The Secretary may delegate to the Commander*
3 *of the United States Cyber Command such authorities*
4 *of the Secretaries of the military departments, includ-*
5 *ing authorities relating to manning, training, and*
6 *equipping, that the Secretary considers appropriate.*

7 (3) *USE OF DELEGATED AUTHORITIES.*—*The use*
8 *by the Commander of the United States Cyber Com-*
9 *mand of any authority delegated to the Commander*
10 *pursuant to this subsection shall be subject to the au-*
11 *thority, direction, and control of the Secretary.*

12 (4) *RULE OF CONSTRUCTION.*—*Nothing in this*
13 *subsection shall be construed to limit the authority of*
14 *the President or Congress to authorize the use of mili-*
15 *tary force.*

16 (h) *FOREIGN POWER DEFINED.*—*In this section, the*
17 *term “foreign power” has the meaning given that term in*
18 *section 101 of the Foreign Intelligence Surveillance Act of*
19 *1978 (50 U.S.C. 1801).*

20 **SEC. 1622. AFFIRMING THE AUTHORITY OF THE SECRETARY**
21 **OF DEFENSE TO CONDUCT MILITARY ACTIVI-**
22 **TIES AND OPERATIONS IN CYBERSPACE.**

23 *Section 130g of title 10, United States Code, is amend-*
24 *ed—*

1 (1) by striking “The Secretary” and inserting
2 the following:

3 “(a) *IN GENERAL.—The Secretary*”;

4 (2) by adding at the end the following new sub-
5 sections:

6 “(b) *AFFIRMATION OF AUTHORITY.—(1) Congress af-*
7 *firms that the Secretary of Defense may conduct military*
8 *activities or operations in cyberspace, including clandestine*
9 *military activities or operations in cyberspace, to defend*
10 *the United States and allies and interests of the United*
11 *States, including in response to malicious cyber activity*
12 *carried out against the United States or a United States*
13 *person by a foreign power.*

14 “(2) Congress affirms that the authority referred to in
15 paragraph (1) includes the conduct of military activities
16 or operations in cyberspace short of war and in areas out-
17 side of named areas of conflict for the purpose of prepara-
18 tion of the environment, influence, force protection, and de-
19 terrence of hostilities, or counterterrorism operations in-
20 volving the armed forces of the United States.

21 “(c) *CLANDESTINE ACTIVITIES OR OPERATIONS.—A*
22 *clandestine military activity or operation in cyberspace*
23 *shall be considered a traditional military activity for the*
24 *purposes of section 503(e)(2) of the National Security Act*
25 *of 1947 (50 U.S.C. 3093(e)(2)).*

1 “(d) *CONGRESSIONAL OVERSIGHT.*—*The Secretary*
2 *shall brief the congressional defense committees about any*
3 *military activities or operations in cyberspace, including*
4 *clandestine military activities or operations in cyberspace,*
5 *occurring during the previous quarter during the quarterly*
6 *briefing required by section 484 of this title.*

7 “(e) *RULE OF CONSTRUCTION.*—*Nothing in this sec-*
8 *tion shall be construed to limit the authority of the Sec-*
9 *retary to conduct military activities or operations in cyber-*
10 *space, including clandestine activities or operations in*
11 *cyberspace, or to alter or otherwise affect the War Powers*
12 *Resolution (50 U.S.C. 1541–1548), the Authorization for*
13 *Use of Military Force (Public Law 107–40; 50 U.S.C. 1541*
14 *note), or reporting of sensitive military cyber activities or*
15 *operations required by section 130j of this title.*

16 “(f) *DEFINITIONS.*—*In this section:*

17 “(1) *The term ‘clandestine military activity or*
18 *operation in cyberspace’ means a military activity or*
19 *operation carried out in cyberspace, or associated pre-*
20 *paratory actions, authorized by the President or the*
21 *Secretary that—*

22 “(A) *is marked by, held in, or conducted*
23 *with secrecy, where the intent is that the activity*
24 *or operation will not be apparent or acknowl-*
25 *edged publicly; and*

1 “(B) is to be carried out—

2 “(i) as part of a military operation
3 plan approved by the President or the Sec-
4 retary in anticipation of hostilities or as di-
5 rected by the President or the Secretary
6 against—

7 “(I) adversaries (as defined by the
8 National Security Strategy); or

9 “(II) other emergent national se-
10 curity threats;

11 “(ii) to deter, safeguard, or defend
12 against attacks or malicious cyber activities
13 against the United States or Department of
14 Defense information, networks, systems, in-
15 stallations, facilities, or other assets; or

16 “(iii) in support of other information
17 related capabilities such as military decep-
18 tion and psychological operations.

19 “(2) The term ‘foreign power’ has the meaning
20 given such term in section 101 of the Foreign Intel-
21 ligence Surveillance Act of 1978 (50 U.S.C. 1801).

22 “(3) The term ‘United States person’ has the
23 meaning given such term in such section.”; and

1 (3) *in subsection (a), as designated by para-*
2 *graph (1), by striking “(as” and all that follows*
3 *through “)”*”.

4 **SEC. 1623. ACTIVE DEFENSE AND SURVEILLANCE AGAINST**
5 **RUSSIAN FEDERATION ATTACKS IN CYBER-**
6 **SPACE.**

7 (a) *AUTHORITY TO DISRUPT, DEFEAT, AND DETER*
8 *CYBER ATTACKS.—*

9 (1) *IN GENERAL.—In the event that the National*
10 *Command Authority determines that the Russian*
11 *Federation is conducting an active, systematic, and*
12 *ongoing campaign of attacks against the government*
13 *or people of the United States in cyberspace, the Na-*
14 *tional Command Authority may authorize the Com-*
15 *mander of the United States Cyber Command, acting*
16 *through the Cyber Mission Forces assigned to the*
17 *United States Cyber Command, to take appropriate*
18 *and proportional action in cyberspace to disrupt, de-*
19 *feat, and deter such attacks under the authority and*
20 *policy of the Secretary of Defense to conduct cyber op-*
21 *erations and information operations as traditional*
22 *military activities.*

23 (2) *NOTIFICATION AND REPORTING.—*

24 (A) *NOTIFICATION OF OPERATIONS.—IN ex-*
25 *ercising the authority provided in paragraph*

1 (1), the Secretary shall provide notices to the
2 congressional defense committees in accordance
3 with section 130(f) of title 10, United States
4 Code.

5 (B) QUARTERLY REPORTS BY COMMANDER
6 OF THE UNITED STATES CYBER COMMAND.—

7 (i) IN GENERAL.—In any fiscal year
8 in which the Commander of the United
9 States Cyber Command carries out an ac-
10 tion under paragraph (1), the Secretary of
11 Defense shall, not less frequently than quar-
12 terly, submit to the congressional defense
13 committees a report on the actions of the
14 Commander under such paragraph in such
15 fiscal year.

16 (ii) MANNER OF REPORTING.—Reports
17 submitted under clause (i) shall be sub-
18 mitted in a manner that is consistent with
19 the recurring quarterly report required by
20 section 484 of title 10, United States Code.

21 (b) SURVEILLANCE.—

22 (1) IN GENERAL.—The Secretary of Defense, act-
23 ing through the Commander of the United States
24 Cyber Command and the cyber mission forces of such
25 command, may conduct surveillance in networks out-

1 *side the United States of personnel and organizations*
2 *engaged at the behest or in support of the Russian*
3 *Federation in—*

4 *(A) stealing and releasing confidential in-*
5 *formation from United States persons or sup-*
6 *porting organizations who are campaigning for*
7 *public office;*

8 *(B) generating and planting information*
9 *and narratives, including the purchase of adver-*
10 *tisements, in social and other media intended to*
11 *mislead, sharpen social and political conflicts, or*
12 *otherwise manipulate perceptions and opinions*
13 *of the people of the United States;*

14 *(C) creating networks of subverted com-*
15 *puters and associated false accounts on social*
16 *media platforms for the purpose of spreading*
17 *and amplifying the impact of information and*
18 *narratives intended to mislead, sharpen social*
19 *and political conflicts, or otherwise manipulate*
20 *perceptions and opinions of the people of the*
21 *United States; and*

22 *(D) developing or using cyber capabilities—*

23 *(i) to disable, disrupt, or destroy crit-*
24 *ical infrastructure of the United States; or*

25 *(ii) to cause—*

1 (I) *casualties among United*
2 *States persons or persons of allies of*
3 *the United States;*

4 (II) *significant damage to private*
5 *or public property;*

6 (III) *significant economic disrup-*
7 *tion;*

8 (IV) *an effect, whether individ-*
9 *ually or in aggregate, comparable to*
10 *that of an armed attack or one that*
11 *imperils a vital national security in-*
12 *terest of the United States; or*

13 (V) *significant disruption of the*
14 *normal functioning of United States*
15 *democratic society or government, in-*
16 *cluding attacks against or incidents*
17 *involving critical infrastructure that*
18 *could damage systems used to provide*
19 *key services to the public or govern-*
20 *ment.*

21 (2) *PRIVATE SECTOR COOPERATION.—*

22 (A) *IN GENERAL.—The Secretary shall*
23 *make arrangements, directly or through other*
24 *government organizations, with private sector*
25 *media representatives and organizations, includ-*

1 *ing social media companies, on a voluntary*
2 *basis, using the results of the surveillance under*
3 *paragraph (1) to assist in the identification of*
4 *such malicious individuals and organizations*
5 *and associated false or counterfeit accounts cre-*
6 *ated on social media platforms.*

7 (B) *SECURITY CLEARANCES.—In carrying*
8 *out subparagraph (A), the Secretary may grant*
9 *such security clearances to individuals of media*
10 *organizations as the Secretary considers nec-*
11 *essary and appropriate to share evidence that*
12 *supports the Secretary’s conclusions regarding*
13 *the individuals and organizations engaged in the*
14 *activities described in paragraph (1).*

15 (c) *ANNUAL REPORT.—Not less frequently than once*
16 *each year, the Secretary shall submit to the congressional*
17 *defense committees and the congressional intelligence com-*
18 *mittees (as defined in section 3 of the National Security*
19 *Act of 1947 (50 U.S.C. 3003)) a report on—*

20 (1) *the scope and intensity of the Russian Fed-*
21 *eration’s information operations and attacks through*
22 *cyberspace against the government or people of the*
23 *United States observed by the cyber mission forces of*
24 *the United States Cyber Command and the National*
25 *Security Agency;*

1 (2) *adjustments of the Department of Defense in*
2 *the response directed or recommended by the Sec-*
3 *retary with respect to such operations and attacks;*
4 *and*

5 (3) *whether the authorities under subsections (a)*
6 *and (b) should be expanded to include other foreign*
7 *powers, such as the Islamic Republic of Iran and the*
8 *People’s Republic of China.*

9 **SEC. 1624. REORGANIZATION AND CONSOLIDATION OF CER-**
10 **TAIN CYBER PROVISIONS.**

11 (a) *IN GENERAL.*—*Part I of subtitle A of title 10,*
12 *United States Code, is amended—*

13 (1) *by transferring sections 130g, 130j, and 130k*
14 *to chapter 19; and*

15 (2) *in chapter 19, by redesignating sections*
16 *130g, 130j, and 130k, as transferred by subparagraph*
17 *(A), as sections 394, 395, and 396, respectively.*

18 (b) *CONFORMING AMENDMENT.*—*Section 108(m) of the*
19 *Cybersecurity Information Sharing Act of 2015 (6 U.S.C.*
20 *1507(m)) is amended by striking “under section 130g” and*
21 *inserting “under section 394”.*

22 (c) *CLERICAL AMENDMENTS.*—(1) *The table of sections*
23 *at the beginning of chapter 3 of title 10, United States Code,*
24 *is amended by striking the items relating to sections 130g,*
25 *130j, and 130k.*

1 (2) *The table of sections at the beginning of chapter*
2 *19 of such title is amended by adding at the end the fol-*
3 *lowing new items:*

“394. Authorities concerning military cyber operations.

“395. Notification requirements for sensitive military cyber operations.

“396. Notification requirements for cyber weapons.”.

4 **SEC. 1625. DESIGNATION OF OFFICIAL FOR MATTERS RE-**
5 **LATING TO INTEGRATING CYBERSECURITY**
6 **AND INDUSTRIAL CONTROL SYSTEMS WITHIN**
7 **THE DEPARTMENT OF DEFENSE.**

8 (a) *DESIGNATION OF INTEGRATING OFFICIAL.—Not*
9 *later than 180 days after the date of the enactment of this*
10 *Act, the Secretary of Defense shall designate one official to*
11 *be responsible for matters relating to integrating cybersecu-*
12 *rity and industrial control systems within the Department*
13 *of Defense.*

14 (b) *RESPONSIBILITIES.—The official designated pur-*
15 *suant to subsection (a) shall be responsible for matters de-*
16 *scribed in such subsection at all levels of command, from*
17 *the Department to the facility using industrial control sys-*
18 *tems, including developing Department-wide certification*
19 *standards for integration of industrial control systems and*
20 *taking into consideration frameworks set forth by the Na-*
21 *tional Institute of Standards and Technology for the cyber-*
22 *security of such systems.*

1 **SEC. 1626. ASSISTANCE FOR SMALL MANUFACTURERS IN**
2 **THE DEFENSE INDUSTRIAL SUPPLY CHAIN**
3 **ON MATTERS RELATING TO CYBERSECURITY.**

4 (a) *DISSEMINATION OF CYBERSECURITY RE-*
5 *SOURCES.*—

6 (1) *IN GENERAL.*—*The Under Secretary of De-*
7 *fense for Research and Engineering, in consultation*
8 *with the Director of the National Institute of Stand-*
9 *ards and Technology, shall take such actions as may*
10 *be necessary to enhance awareness of cybersecurity*
11 *threats among small manufacturers in the defense in-*
12 *dustrial supply chain.*

13 (2) *PRIORITY.*—*The Under Secretary of Defense*
14 *for Research and Engineering shall prioritize efforts*
15 *to increase awareness to help reduce cybersecurity*
16 *risks faced by small manufacturers described in para-*
17 *graph (1).*

18 (3) *SECTOR FOCUS.*—*The Under Secretary of*
19 *Defense for Research and Engineering shall carry out*
20 *this subsection with a focus on such industry sectors*
21 *as the Under Secretary considers critical.*

22 (4) *OUTREACH EVENTS.*—*Under paragraph (1),*
23 *the Under Secretary of Defense for Research and En-*
24 *gineering shall conduct outreach to support activities*
25 *consistent with this section. Such outreach may in-*

1 *clude live events with a physical presence and out-*
2 *reach conducted through Internet websites.*

3 (b) *VOLUNTARY CYBERSECURITY SELF-ASSESS-*
4 *MENTS.—The Under Secretary of Defense for Research and*
5 *Engineering shall develop mechanisms to provide assistance*
6 *to help small manufacturers conduct voluntary self-assess-*
7 *ments in order to understand operating environments, cy-*
8 *bersecurity requirements, and existing vulnerabilities, in-*
9 *cluding through the Mentor Protégé Program, small busi-*
10 *ness programs, and engagements with defense laboratories*
11 *and test ranges.*

12 (c) *TRANSFER OF RESEARCH FINDINGS AND EXPER-*
13 *TISE.—*

14 (1) *IN GENERAL.—The Under Secretary of De-*
15 *fense for Research and Engineering shall promote the*
16 *transfer of appropriate technology and techniques de-*
17 *veloped in the Department of Defense to small manu-*
18 *facturers throughout the United States to implement*
19 *security measures that are adequate to protect covered*
20 *defense information, including controlled unclassified*
21 *information.*

22 (2) *COORDINATION WITH OTHER FEDERAL EX-*
23 *PERTISE AND CAPABILITIES.—The Under Secretary of*
24 *Defense for Research and Engineering shall coordi-*
25 *nate efforts, when appropriate, with the expertise and*

1 *capabilities that exist in Federal agencies and feder-*
2 *ally sponsored laboratories.*

3 (3) *AGREEMENTS.*—*In carrying out this sub-*
4 *section, the Under Secretary of Defense for Research*
5 *and Engineering may enter into agreements with pri-*
6 *rate industry, institutes of higher education, or a*
7 *State, United States territory, local, or tribal govern-*
8 *ment to ensure breadth and depth of coverage to the*
9 *United States defense industrial base and to leverage*
10 *resources.*

11 (d) *DEFENSE ACQUISITION WORKFORCE CYBER*
12 *TRAINING PROGRAM.*—*The Secretary of Defense shall estab-*
13 *lish a cyber counseling certification program, or approve*
14 *a similar existing program, to certify small business profes-*
15 *sionals and other relevant acquisition staff within the De-*
16 *partment of Defense to provide cyber planning assistance*
17 *to small manufacturers in the defense industrial supply*
18 *chain.*

19 (e) *AUTHORITIES.*—*In executing this program, the*
20 *Secretary may use the following authorities:*

21 (1) *The Manufacturing Technology Program es-*
22 *tablished under section 2521 of title 10, United States*
23 *Code.*

1 (2) *The Centers for Science, Technology, and En-*
2 *gineering Partnership program under section 2368 of*
3 *title 10, United States Code.*

4 (3) *The Manufacturing Engineering Education*
5 *Program established under section 2196 of title 10,*
6 *United States Code.*

7 (4) *The Small Business Innovation Research*
8 *program.*

9 (5) *The mentor-protégé program.*

10 (6) *Other legal authorities as the Secretary*
11 *deems necessary for the effective and efficient execu-*
12 *tion of the program.*

13 (f) *DEFINITIONS.—In this section:*

14 (1) *RESOURCES.—The term “resources” means*
15 *guidelines, tools, best practices, standards, methodolo-*
16 *gies, and other ways of providing information.*

17 (2) *SMALL BUSINESS CONCERN.—The term*
18 *“small business concern” means a small business con-*
19 *cern as that term is used in section 3 of the Small*
20 *Business Act (15 U.S.C. 632).*

21 (3) *SMALL MANUFACTURER.—The term “small*
22 *manufacturer” means a small business concern that is*
23 *a manufacturer.*

24 (4) *STATE.—The term “State” means each of the*
25 *several States, Territories, and possessions of the*

1 *United States, the District of Columbia, and the Com-*
2 *monwealth of Puerto Rico.*

3 **SEC. 1627. MODIFICATION OF ACQUISITION AUTHORITY OF**
4 **THE COMMANDER OF THE UNITED STATES**
5 **CYBER COMMAND.**

6 *(a) MODIFICATION OF LIMITATION ON USE OF CYBER*
7 *OPERATIONS PROCUREMENT FUND.—Subsection (e) of sec-*
8 *tion 807 of the National Defense Authorization Act for Fis-*
9 *cal Year 2016 (Public Law 114–92; 10 U.S.C. 2224 note)*
10 *is amended—*

11 *(1) by striking “\$75,000,000” and inserting*
12 *“\$250,000,000”; and*

13 *(2) by striking “2021” and inserting “2025”.*

14 *(b) EXTENSION ON SUNSET.—Subsection (i)(1) of such*
15 *section is amended by striking “September 30, 2021” and*
16 *inserting “September 30, 2025”.*

17 **SEC. 1628. EMAIL AND INTERNET WEBSITE SECURITY AND**
18 **AUTHENTICATION.**

19 *(a) IMPLEMENTATION OF PLAN REQUIRED.—Except*
20 *as provided by subsection (b), the Secretary of Defense shall*
21 *develop and implement the plan outlined in Binding Oper-*
22 *ational Directive 18–01, issued by the Secretary of Home-*
23 *land Security on October 16, 2017, relating to email secu-*
24 *rity and authentication and Internet website security, ac-*
25 *cording to the schedule established by the Binding Oper-*

1 *ational Directive for the rest of the Executive Branch begin-*
2 *ning with the date of enactment of this Act.*

3 (b) *ELEMENTS.*—*The actions required of the Secretary*
4 *of Defense under subsection (a) include the following:*

5 (1) *The adoption of the START Transport Layer*
6 *Security (STARTTLS) protocol for encryption.*

7 (2) *Enforcement of Sender Policy Framework*
8 *(SPF), Domain Keys Identified Mail (DKIM), and*
9 *Domain-based Message Authentication, Reporting,*
10 *and Conformance (DMARC) for email authentication.*

11 (3) *Implementation of Hypertext Transfer Pro-*
12 *tol Strict Transport Security (HSTS).*

13 (c) *WAIVER.*—*The Secretary may waive the require-*
14 *ments of subsection (a) if the Secretary submits to the con-*
15 *gressional defense committees a certification that existing*
16 *or planned security measures for the Department of Defense*
17 *either meet or exceed the information security requirements*
18 *of Binding Operational Directive 18–01.*

19 (d) *FUTURE BINDING OPERATIONAL DIRECTIVES.*—
20 *The Chief Information Officer of the Department of Defense*
21 *shall notify the congressional defense committees within 180*
22 *days of the issuance by the Secretary of Homeland Security*
23 *after the date of the enactment of this Act of any Binding*
24 *Operational Directive for cybersecurity whether the Depart-*
25 *ment of Defense will comply with the Directive or how the*

1 *Department of Defense plans to meet or exceed the security*
2 *objectives of the Directive.*

3 **SEC. 1629. MATTERS PERTAINING TO THE SHARKSEER CY-**
4 **BERSECURITY PROGRAM.**

5 (a) *TRANSFER OF PROGRAM.*—*Not later than March*
6 *1, 2019, the Secretary of Defense shall transfer the*
7 *Sharkseer cybersecurity program from the National Secu-*
8 *rity Agency to the Defense Information Systems Agency, in-*
9 *cluding all associated funding and, as the Secretary con-*
10 *siders necessary, personnel.*

11 (b) *LIMITATION ON FUNDING FOR THE INFORMATION*
12 *SYSTEMS SECURITY PROGRAM.*—*Of the funds authorized to*
13 *be appropriated by this Act or otherwise made available*
14 *for fiscal year 2019 or any subsequent fiscal year for re-*
15 *search, development, test, and evaluation for the Informa-*
16 *tion Systems Security Program for the National Security*
17 *Agency, not more than 90 percent may be obligated or ex-*
18 *pended unless the Principal Cyber Advisor certifies to the*
19 *congressional defense committees that the operations and*
20 *maintenance funding for the Sharkseer program for fiscal*
21 *year 2019 and the subsequent fiscal years of the current*
22 *Future Years Defense Program are available or pro-*
23 *grammed.*

24 (c) *SHARKSEER BREAK AND INSPECT CAPABILITY.*—

1 (1) *IN GENERAL.*—*The Secretary of Defense shall*
2 *ensure that the decryption capability described in sec-*
3 *tion 1636 of the Carl Levin and Howard P. “Buck”*
4 *McKeon National Defense Authorization Act for Fis-*
5 *cal Year 2015 (Public Law 113–291) is provided by*
6 *the break and inspect subsystem of the Sharkseer cy-*
7 *bersecurity program, unless the Principal Cyber Advi-*
8 *sor notifies the congressional defense committees on or*
9 *before the date that is 90 days after the date of the*
10 *enactment of this Act that a superior enterprise solu-*
11 *tion will be operational before October 1, 2019.*

12 (2) *INTEGRATION OF CAPABILITY.*—*The Sec-*
13 *retary shall take such actions as are necessary to inte-*
14 *grate the break and inspect subsystem of the*
15 *Sharkseer cybersecurity program with the Department*
16 *of Defense public key infrastructure.*

17 (d) *VISIBILITY TO ENDPOINTS.*—*The Secretary shall*
18 *take such actions as are necessary to enable, by October 1,*
19 *2020, the Sharkseer cybersecurity program and computer*
20 *network defense service providers to instantly and auto-*
21 *matically determine the specific identity and location of*
22 *computer hosts and other endpoints that received or sent*
23 *malware detected by the Sharkseer cybersecurity program*
24 *or other network perimeter defenses.*

1 (e) *SANDBOX AS A SERVICE.*—*The Secretary shall use*
2 *the Sharkseer cybersecurity program sandbox-as-a-service*
3 *capability as an enterprise solution and terminate all other*
4 *such projects, unless the Principal Cyber Advisor notifies*
5 *the congressional defense committees on or before the date*
6 *that is 90 days after the date of the enactment of this Act*
7 *that a superior enterprise solution will be operational before*
8 *October 1, 2019.*

9 (f) *AUTHORIZATION OF APPROPRIATIONS FOR BAND-*
10 *WIDTH EXPANSION.*—*There is authorized to be appro-*
11 *priated \$20,000,000 for procurement, defense-wide, for the*
12 *Defense Information Systems Agency to increase the band-*
13 *width of the Sharkseer cybersecurity program to match the*
14 *bandwidth of communications entering the Internet access*
15 *points of the Department of Defense.*

16 **SEC. 1630. PILOT PROGRAM ON MODELING AND SIMULA-**
17 **TION IN SUPPORT OF MILITARY HOMELAND**
18 **DEFENSE OPERATIONS IN CONNECTION WITH**
19 **CYBER ATTACKS ON CRITICAL INFRASTRUC-**
20 **TURE.**

21 (a) *PILOT PROGRAM REQUIRED.*—

22 (1) *IN GENERAL.*—*The Assistant Secretary of*
23 *Defense for Homeland Defense and Global Security*
24 *shall carry out a pilot program that uses the results*
25 *of research exercises of local government, industry,*

1 *and military responses to combined natural disasters*
2 *and cyber attacks on critical infrastructure in order*
3 *to identify and develop means of improving such re-*
4 *sponses to such combined disasters and attacks.*

5 (2) *DISCHARGE.*—*The Assistant Secretary shall*
6 *carry out the pilot program through the United States*
7 *Northern Command and the United States Cyber*
8 *Command.*

9 (3) *RESEARCH EXERCISES.*—*The pilot program*
10 *shall be based on lessons learned from the so-called*
11 *“Jack Voltaic” research exercises conducted by the*
12 *Army Cyber Institute, industry partners of the Insti-*
13 *tute, and New York, New York, and Houston, Texas.*

14 (b) *PURPOSE.*—*The purpose of the pilot program shall*
15 *be to accomplish the following:*

16 (1) *The development and demonstration of risk*
17 *analysis methodologies, and the application of com-*
18 *mercial simulation and modeling capabilities, based*
19 *on artificial intelligence and hyperscale cloud com-*
20 *puting technologies, for use by the Federal Govern-*
21 *ments, States, and localities, as applicable—*

22 (A) *to assess defense critical infrastructure*
23 *vulnerabilities and interdependencies to improve*
24 *military resiliency;*

1 (B) to determine the likely effectiveness of
2 attacks described in subsection (a)(1), and coun-
3 termeasures, tactics, and tools supporting respon-
4 sive military homeland defense operations;

5 (C) to train personnel in incident response;

6 (D) to conduct exercises and test scenarios;

7 and

8 (E) to foster collaboration and learning be-
9 tween and among departments and agencies of
10 the Federal Government, State and local govern-
11 ments, and private entities responsible for crit-
12 ical infrastructure.

13 (2) The development and demonstration of the
14 foundations for establishing and maintaining a pro-
15 gram of record for a shared high-fidelity, interactive,
16 affordable, cloud-based modeling and simulation of
17 critical infrastructure systems and incident response
18 capabilities that can simulate complex cyber and
19 physical attacks and disruptions on individual and
20 multiple sectors on national, regional, State, and
21 local scales.

22 (c) REPORT.—

23 (1) IN GENERAL.—At the same time the budget
24 of the President for fiscal year 2020 is submitted to
25 Congress pursuant to section 1105(a) of title 31,

1 *United States Code, the Assistant Secretary shall, in*
2 *consultation with the Secretary of Homeland Secu-*
3 *rity, submit to the congressional defense committees a*
4 *report on the pilot program.*

5 (2) *CONTENTS.—The report required by para-*
6 *graph (1) shall include the following:*

7 (A) *A description of the results of the exer-*
8 *cises described in subsection (a)(3) and any other*
9 *exercises conducted as part of the pilot program*
10 *as of the date of the report.*

11 (B) *A list of the cybersecurity units of the*
12 *National Guard and Reserves, and a description*
13 *and assessment of the progress of the Assistant*
14 *Secretary and the National Governors' Associa-*
15 *tion in promoting multi-State mutual assistance*
16 *compacts to share resources with respect to com-*
17 *bined natural disaster and cyber attacks de-*
18 *scribed in subsection (a)(1) as well as an assess-*
19 *ment of how the National Guard's ability to op-*
20 *erate under dual jurisdictions and their existing*
21 *relationships at the State and local level could be*
22 *used in these types of events.*

23 (C) *A description of the risk analysis meth-*
24 *odologies and modeling and simulation capabili-*
25 *ties developed and demonstrated pursuant to the*

1 *pilot program, and an assessment of the poten-*
2 *tial for future growth of commercial technology*
3 *in support of the homeland defense mission of the*
4 *Department of Defense.*

5 *(D) Such recommendations as the Secretary*
6 *considers appropriate regarding the establish-*
7 *ment of a program of record for the Department*
8 *on further development and sustainment of risk*
9 *analysis methodologies and advanced, large-scale*
10 *modeling and simulation on critical infrastruc-*
11 *ture and cyber warfare.*

12 *(E) Lessons learned from the use of novel*
13 *risk analysis methodologies and large-scale mod-*
14 *eling and simulation carried out under the pilot*
15 *program regarding vulnerabilities, required ca-*
16 *pabilities, and reconfigured force structure, co-*
17 *ordination practices, and policy.*

18 *(F) Planned steps for implementing the les-*
19 *sons described in subparagraph (E).*

20 *(d) FUNDING.—Of the amounts authorized to be ap-*
21 *propriated for fiscal year 2019 by section 201 for research,*
22 *development, test, and evaluation for the Army and avail-*
23 *able for Advanced Concepts and Simulation (Program Ele-*
24 *ment (62308A)), \$10,000,000 may be available for the pilot*
25 *program.*

1 **SEC. 1631. SECURITY PRODUCT INTEGRATION FRAMEWORK.**

2 (a) *FINDINGS.*—Congress makes the following findings:

3 (1) *The Department of Defense requires a stand-*
4 *ard, enterprise-wide, security product integration*
5 *framework (SPIF) that provides a machine-to-ma-*
6 *chine data exchange architecture and protocol to*
7 *achieve interoperability and automated orchestration*
8 *and coordinated action between and among cybersecu-*
9 *rity services, devices, appliances, agents, applications,*
10 *tools, and command and control centers.*

11 (2) *Information security products and services*
12 *need to be engineered to consume and act on informa-*
13 *tion, direction, and cues from other security elements*
14 *on a network through this framework.*

15 (3) *A security product integration framework*
16 *should ideally be non-proprietary or designed as a*
17 *modular open system.*

18 (4) *A security integration framework is essential*
19 *to achieve the speed, scale, and agility of response re-*
20 *quired for cyber warfare, and to reduce the cost and*
21 *time needed to integrate new products and services*
22 *into the existing security environment.*

23 (b) *DEMONSTRATION PROGRAM.*—*The Principal Cyber*
24 *Adviser, the Chief Information Officer, and the Commander*
25 *of the United States Cyber Command shall select a network*
26 *or network segment and associated computer network de-*

1 *fense service provider to conduct a demonstration and eval-*
2 *uation of one or more existing security product integration*
3 *frameworks, including modifying network security systems*
4 *to enable such systems to ingest, publish, subscribe, tip and*
5 *cue, and request information or services from each other.*

6 **SEC. 1632. REPORT ON ENHANCEMENT OF SOFTWARE SECU-**
7 **RITY FOR CRITICAL SYSTEMS.**

8 (a) *REPORT REQUIRED.*—Not later than March 1,
9 2019, the Principal Cyber Adviser to the Secretary of De-
10 fense and the Chief Information Officer of the Department
11 of Defense shall jointly submit to the congressional defense
12 committees a report on a study, based on the authorities
13 specified in subsection (b), on the costs, benefits, technical
14 merits, and other merits of applying the technology de-
15 scribed in subsection (c) to the vulnerability assessment and
16 remediation of the following:

17 (1) *Nuclear systems and nuclear command and*
18 *control.*

19 (2) *A critical subset of conventional power pro-*
20 *jection capabilities.*

21 (3) *Cyber command and control.*

22 (4) *Other defense critical infrastructure*

23 (b) *BASIS FOR CONDUCT OF STUDY.*—The study re-
24 quired for purposes of subsection (a) shall be conducted pur-
25 suant to the following:

1 (1) *Section 1640 of the National Defense Author-*
2 *ization Act for Fiscal Year 2018 (Public Law 115–*
3 *91).*

4 (2) *Section 1650 of the National Defense Author-*
5 *ization Act for Fiscal Year 2017 (10 U.S.C. 2224*
6 *note).*

7 (3) *Section 1647 of the National Defense Author-*
8 *ization Act for Fiscal Year 2016 (Public Law 114–*
9 *92; 129 Stat. 1118).*

10 (c) *TECHNOLOGIES.—The technologies described in*
11 *this subsection are the following:*

12 (1) *Technology developed and used by Combat*
13 *Support Agencies of the Department of Defense to dis-*
14 *cover flaws and weaknesses in software code by*
15 *inputting immense quantities of pseudo-random data*
16 *(commonly referred to as “fuzz”) to identify inputs*
17 *that cause the software to fail.*

18 (2) *Cloud-based software fuzzing-as-a-service to*
19 *continuously test the security of Department of De-*
20 *fense software repositories at large scale.*

21 (3) *Formal programming and protocol language*
22 *for software code development and other methods and*
23 *tools developed under the High Assurance Cyber Mili-*
24 *tary Systems program of the Defense Advanced Re-*
25 *search Projects Agency.*

1 (4) *The binary analysis and symbolic execution*
2 *software security tools developed under the Cyber*
3 *Grand Challenge of the Defense Advanced Research*
4 *Projects Agency.*

5 **SEC. 1633. COMPLY TO CONNECT AND CYBERSECURITY**
6 **SCORECARD.**

7 (a) *LIMITATION.*—*After October 1, 2019, no funds may*
8 *be obligated or expended to prepare the cybersecurity score-*
9 *card for the Secretary of Defense unless the Department of*
10 *Defense is implementing a funded capability to meet the*
11 *requirements—*

12 (1) *established by the Chief Information Officer*
13 *and the Commander of United States Cyber Com-*
14 *mand pursuant to section 1653 of the National De-*
15 *fense Authorization for Fiscal Year 2017 (Public Law*
16 *114–328; 10 U.S.C. 2224 note); and*

17 (2) *set forth in the Information Security Contin-*
18 *uous Monitoring Strategy, the Comply-to-Connect*
19 *Strategy, the Enterprise Patch Management Service*
20 *Strategy and Concept of Operations, and the User Ac-*
21 *tivity Monitoring Strategy.*

22 (b) *REPORT.*—*Not later than January 10, 2019, the*
23 *Director of Cost Assessment and Program Evaluation shall*
24 *submit to the congressional defense committees a report*

1 *comparing the current capabilities of the Department of De-*
2 *fense to—*

3 (1) *the requirements described in subsection (a);*
4 *and*

5 (2) *the capabilities deployed by the Department*
6 *of Homeland Security and the General Services Ad-*
7 *ministration under the Continuous Diagnostics and*
8 *Mitigation program across the non-Department of De-*
9 *fense departments and agencies of the Federal Govern-*
10 *ment.*

11 (c) *RISK THRESHOLDS.—The Chief Information Offi-*
12 *cer of the Department of Defense, in coordination with the*
13 *Principal Cyber Advisor, the Director of Operations of the*
14 *Joint Staff, and the Commander of United States Cyber*
15 *Command, shall establish risk thresholds for systems and*
16 *network operations that, when exceeded, would trigger*
17 *heightened security measures, such as enhanced monitoring*
18 *and access policy changes.*

19 (d) *ENTERPRISE GOVERNANCE, RISK, AND COMPLI-*
20 *ANCE PLAN.—Not later than 180 days after the date of the*
21 *enactment of this Act, the Chief Information Officer and*
22 *the Principal Cyber Advisor shall develop a plan to imple-*
23 *ment an enterprise governance, risk, and compliance plat-*
24 *form and process to maintain current status of all informa-*

1 *tion and operational technology assets, vulnerabilities,*
2 *threats, and mitigations.*

3 **SEC. 1634. CYBERSPACE SOLARIUM COMMISSION.**

4 (a) *ESTABLISHMENT.*—

5 (1) *IN GENERAL.*—*There is established a com-*
6 *mission to develop a consensus on a strategic ap-*
7 *proach to protecting the crucial advantages of the*
8 *United States in cyberspace against the attempts of*
9 *adversaries to erode such advantages.*

10 (2) *DESIGNATION.*—*The commission established*
11 *under paragraph (1) shall be known as the “Cyber-*
12 *space Solarium Commission” (in this section the*
13 *“Commission”).*

14 (b) *MEMBERSHIP.*—

15 (1) *COMPOSITION.*—(A) *Subject to subparagraph*
16 *(B), the Commission shall be composed of 13 mem-*
17 *bers, as follows:*

18 (i) *The Principal Deputy Director of Na-*
19 *tional Intelligence.*

20 (ii) *The Deputy Secretary of Homeland Se-*
21 *curity.*

22 (iii) *The Deputy Secretary of Defense.*

23 (iv) *Three members appointed by the major-*
24 *ity leader of the Senate, in consultation with the*
25 *Chairman of the Committee on Armed Services*

1 *of the Senate, one of whom shall be a member of*
2 *the Senate and two of whom shall not be.*

3 *(v) Two members appointed by the minority*
4 *leader of the Senate, in consultation with the*
5 *Ranking Member of the Committee on Armed*
6 *Services of the Senate, one of whom shall be a*
7 *member of the Senate and one of whom shall not*
8 *be.*

9 *(vi) Three members appointed by the Speak-*
10 *er of the House of Representatives, in consulta-*
11 *tion with the Chairman of the Committee on*
12 *Armed Services of the House of Representatives,*
13 *one of whom shall be a member of the House of*
14 *Representatives and two of whom shall not be.*

15 *(vii) Two members appointed by the minor-*
16 *ity leader of the House of Representatives, in*
17 *consultation with the Ranking Member of the*
18 *Committee on Armed Services of the House of*
19 *Representatives, one of whom shall be a member*
20 *of the House of Representatives and one of whom*
21 *shall not be.*

22 *(B)(i) The members of the Commission who are*
23 *not members of Congress and who are appointed*
24 *under clauses (iv) through (vii) of subparagraph (A)*

1 shall be individuals who are nationally recognized for
2 expertise, knowledge, or experience in—

3 (I) cyber strategy or national-level strategies
4 to combat long-term adversaries;

5 (II) cyber technology and innovation;

6 (III) use of intelligence information by na-
7 tional policymakers and military leaders; or

8 (IV) the implementation, funding, or over-
9 sight of the national security policies of the
10 United States.

11 (ii) An official who appoints members of the
12 Commission may not appoint an individual as a
13 member of the Commission if, in the judgment of the
14 official, such individual possesses any personal or fi-
15 nancial interest in the discharge of any of the duties
16 of the Commission.

17 (iii) All members of the Commission described in
18 clause (i) shall possess an appropriate security clear-
19 ance in accordance with applicable provisions of law
20 concerning the handling of classified information.

21 (2) CO-CHAIRS.—(A) The Commission shall have
22 two co-chairs, selected from among the members of the
23 Commission.

1 (B) *One co-chair of the Commission shall be a*
2 *member of the Democratic Party, and one co-chair*
3 *shall be a member of the Republican Party.*

4 (C) *The individuals who serve as the co-chairs of*
5 *the Commission shall be jointly agreed upon by the*
6 *President, the majority leader of the Senate, the mi-*
7 *nority leader of the Senate, the Speaker of the House*
8 *of Representatives, and the minority leader of the*
9 *House of Representatives.*

10 (c) *APPOINTMENT; INITIAL MEETING.—*

11 (1) *APPOINTMENT.—Members of the Commission*
12 *shall be appointed not later than 45 days after the*
13 *date of the enactment of this Act.*

14 (2) *INITIAL MEETING.—The Commission shall*
15 *hold its initial meeting on or before the date that is*
16 *60 days after the date of the enactment of this Act.*

17 (d) *MEETINGS; QUORUM; VACANCIES.—*

18 (1) *IN GENERAL.—After its initial meeting, the*
19 *Commission shall meet upon the call of the co-chairs*
20 *of the Commission.*

21 (2) *QUORUM.—Seven members of the Commis-*
22 *sion shall constitute a quorum for purposes of con-*
23 *ducting business, except that two members of the*
24 *Commission shall constitute a quorum for purposes of*
25 *receiving testimony.*

1 (3) *VACANCIES.*—*Any vacancy in the Commis-*
2 *sion shall not affect its powers, but shall be filled in*
3 *the same manner in which the original appointment*
4 *was made.*

5 (4) *QUORUM WITH VACANCIES.*—*If vacancies in*
6 *the Commission occur on any day after 45 days after*
7 *the date of the enactment of this Act, a quorum shall*
8 *consist of a majority of the members of the Commis-*
9 *sion as of such day.*

10 (e) *ACTIONS OF COMMISSION.*—

11 (1) *IN GENERAL.*—*The Commission shall act by*
12 *resolution agreed to by a majority of the members of*
13 *the Commission voting and present.*

14 (2) *PANELS.*—*The Commission may establish*
15 *panels composed of less than the full membership of*
16 *the Commission for purposes of carrying out the du-*
17 *ties of the Commission under this title. The actions of*
18 *any such panel shall be subject to the review and con-*
19 *trol of the Commission. Any findings and determina-*
20 *tions made by such a panel shall not be considered*
21 *the findings and determinations of the Commission*
22 *unless approved by the Commission.*

23 (3) *DELEGATION.*—*Any member, agent, or staff*
24 *of the Commission may, if authorized by the co-chairs*

1 of the Commission, take any action which the Com-
2 mission is authorized to take pursuant to this title.

3 (f) *DUTIES.*—The duties of the Commission are as fol-
4 lows:

5 (1) *To weigh the costs and benefits of various*
6 *strategic options to reach the goal of protecting the*
7 *advantages described in subsection (a)(1), including*
8 *the political system of the United States, the national*
9 *security industrial sector of the United States, and*
10 *the innovation base of the United States. The options*
11 *to be assessed should include deterrence, norms-based*
12 *regimes, and cyber persistence.*

13 (2) *To review adversarial strategies and inten-*
14 *tions, current programs for the protection of advan-*
15 *tages described in subsection (a)(1), and the capabili-*
16 *ties of the Federal Government to understand if and*
17 *how adversaries are currently being deterred or*
18 *thwarted in their aims and ambitions.*

19 (3) *To evaluate the current allocation of re-*
20 *sources for understanding adversarial strategies and*
21 *intentions and protecting the advantages described in*
22 *subsection (a)(1).*

23 (4) *In weighing the options for protecting advan-*
24 *tages as described in subsection (a)(1), to consider*
25 *possible structures and authorities that need to be es-*

1 *tablished, revised, or augmented within the Federal*
2 *Government.*

3 *(g) POWERS OF COMMISSION.—*

4 *(1) IN GENERAL.—(A) The Commission or, on*
5 *the authorization of the Commission, any sub-*
6 *committee or member thereof, may, for the purpose of*
7 *carrying out the provisions of this section—*

8 *(i) hold such hearings and sit and act at*
9 *such times and places, take such testimony, re-*
10 *ceive such evidence, and administer such oaths;*
11 *and*

12 *(ii) require, by subpoena or otherwise, the*
13 *attendance and testimony of such witnesses and*
14 *the production of such books, records, correspond-*
15 *ence, memoranda, papers, and documents, as the*
16 *Commission or such designated subcommittee or*
17 *designated member considers necessary.*

18 *(B) Subpoenas may be issued under subpara-*
19 *graph (A)(ii) under the signature of the co-chairs of*
20 *the Commission, and may be served by any person*
21 *designated by such co-chairs.*

22 *(C) The provisions of sections 102 through 104*
23 *of the Revised Statutes of the United States (2 U.S.C.*
24 *192–194) shall apply in the case of any failure of a*

1 *witness to comply with any subpoena or to testify*
2 *when summoned under authority of this section.*

3 (2) *CONTRACTING.—The Commission may, to*
4 *such extent and in such amounts as are provided in*
5 *advance in appropriation Acts, enter into contracts to*
6 *enable the Commission to discharge its duties under*
7 *this title.*

8 (3) *INFORMATION FROM FEDERAL AGENCIES.—*
9 (A) *The Commission may secure directly from any*
10 *executive department, agency, bureau, board, commis-*
11 *sion, office, independent establishment, or instrumen-*
12 *tality of the Government information, suggestions, es-*
13 *timates, and statistics for the purposes of this title.*

14 (B) *Each such department, agency, bureau,*
15 *board, commission, office, establishment, or instru-*
16 *mentality shall, to the extent authorized by law, fur-*
17 *nish such information, suggestions, estimates, and*
18 *statistics directly to the Commission, upon request of*
19 *the co-chairs of the Commission.*

20 (C) *The Commission shall handle and protect all*
21 *classified information provided to it under this sec-*
22 *tion in accordance with applicable statutes and regu-*
23 *lations.*

24 (4) *ASSISTANCE FROM FEDERAL AGENCIES.—(A)*
25 *The Secretary of Defense shall provide to the Commis-*

1 *sion, on a nonreimbursable basis, such administrative*
2 *services, funds, staff, facilities, and other support*
3 *services as are necessary for the performance of the*
4 *Commission's duties under this title.*

5 *(B) The Director of National Intelligence may*
6 *provide the Commission, on a nonreimbursable basis,*
7 *with such administrative services, staff, and other*
8 *support services as the Commission may request.*

9 *(C) In addition to the assistance set forth in*
10 *paragraphs (1) and (2), other departments and agen-*
11 *cies of the United States may provide the Commission*
12 *such services, funds, facilities, staff, and other support*
13 *as such departments and agencies consider advisable*
14 *and as may be authorized by law.*

15 *(D) The Commission shall receive the full and*
16 *timely cooperation of any official, department, or*
17 *agency of the United States Government whose assist-*
18 *ance is necessary for the fulfillment of the duties of*
19 *the Commission under this title, including the provi-*
20 *sion of full and current briefings and analyses.*

21 (5) *PROHIBITION ON WITHHOLDING INFORMA-*
22 *TION.—No department or agency of the Government*
23 *may withhold information from the Commission on*
24 *the grounds that providing the information to the*
25 *Commission would constitute the unauthorized disclo-*

1 *sure of classified information or information relating*
2 *to intelligence sources or methods.*

3 (6) *POSTAL SERVICES.—The Commission may*
4 *use the United States postal services in the same*
5 *manner and under the same conditions as the depart-*
6 *ments and agencies of the United States.*

7 (7) *GIFTS.—The Commission may accept, use,*
8 *and dispose of gifts or donations of services or prop-*
9 *erty in carrying out its duties under this title.*

10 (h) *STAFF OF COMMISSION.—*

11 (1) *IN GENERAL.—(A) The co-chairs of the Com-*
12 *mission, in accordance with rules agreed upon by the*
13 *Commission, shall appoint and fix the compensation*
14 *of a staff director and such other personnel as may*
15 *be necessary to enable the Commission to carry out its*
16 *duties, without regard to the provisions of title 5,*
17 *United States Code, governing appointments in the*
18 *competitive service, and without regard to the provi-*
19 *sions of chapter 51 and subchapter III of chapter 53*
20 *of such title relating to classification and General*
21 *Schedule pay rates, except that no rate of pay fixed*
22 *under this subsection may exceed the equivalent of*
23 *that payable to a person occupying a position at level*
24 *V of the Executive Schedule under section 5316 of*
25 *such title.*

1 (B) *Any Federal Government employee may be*
2 *detailed to the Commission without reimbursement*
3 *from the Commission, and such detailee shall retain*
4 *the rights, status, and privileges of his or her regular*
5 *employment without interruption.*

6 (C) *All staff of the Commission shall possess a*
7 *security clearance in accordance with applicable laws*
8 *and regulations concerning the handling of classified*
9 *information.*

10 (2) *CONSULTANT SERVICES.—(A) The Commis-*
11 *sion may procure the services of experts and consult-*
12 *ants in accordance with section 3109 of title 5,*
13 *United States Code, but at rates not to exceed the*
14 *daily rate paid a person occupying a position at level*
15 *IV of the Executive Schedule under section 5315 of*
16 *such title.*

17 (B) *All experts and consultants employed by the*
18 *Commission shall possess a security clearance in ac-*
19 *cordance with applicable laws and regulations con-*
20 *cerning the handling of classified information.*

21 (i) *COMPENSATION AND TRAVEL EXPENSES.—*

22 (1) *COMPENSATION.—(A) Except as provided in*
23 *paragraph (2), each member of the Commission may*
24 *be compensated at not to exceed the daily equivalent*
25 *of the annual rate of basic pay in effect for a position*

1 *at level IV of the Executive Schedule under section*
2 *5315 of title 5, United States Code, for each day dur-*
3 *ing which that member is engaged in the actual per-*
4 *formance of the duties of the Commission under this*
5 *title.*

6 *(B) Members of the Commission who are officers*
7 *or employees of the United States or Members of Con-*
8 *gress shall receive no additional pay by reason of*
9 *their service on the Commission.*

10 *(2) TRAVEL EXPENSES.—While away from their*
11 *homes or regular places of business in the perform-*
12 *ance of services for the Commission, members of the*
13 *Commission may be allowed travel expenses, includ-*
14 *ing per diem in lieu of subsistence, in the same man-*
15 *ner as persons employed intermittently in the Govern-*
16 *ment service are allowed expenses under section 5703*
17 *of title 5, United States Code.*

18 *(j) TREATMENT OF INFORMATION RELATING TO NA-*
19 *TIONAL SECURITY.—*

20 *(1) IN GENERAL.—(A) The Director of National*
21 *Intelligence shall assume responsibility for the han-*
22 *dling and disposition of any information related to*
23 *the national security of the United States that is re-*
24 *ceived, considered, or used by the Commission under*
25 *this title.*

1 (B) *Any information related to the national se-*
2 *curity of the United States that is provided to the*
3 *Commission by a congressional intelligence commit-*
4 *tees or the congressional armed services committees*
5 *may not be further provided or released without the*
6 *approval of the chairman of such committees.*

7 (2) *ACCESS AFTER TERMINATION OF COMMIS-*
8 *SION.—Notwithstanding any other provision of law,*
9 *after the termination of the Commission under sub-*
10 *section (k)(2), only the members and designated staff*
11 *of the congressional intelligence committees, the Direc-*
12 *tor of National Intelligence (and the designees of the*
13 *Director), and such other officials of the executive*
14 *branch as the President may designate shall have ac-*
15 *cess to information related to the national security of*
16 *the United States that is received, considered, or used*
17 *by the Commission.*

18 (k) *FINAL REPORT; TERMINATION.—*

19 (1) *FINAL REPORT.—Not later than September 1,*
20 *2019, the Commission shall submit to the congres-*
21 *sional defense committees, the congressional intel-*
22 *ligence committees, the Director of National Intel-*
23 *ligence, and the Secretary of Defense, and the Sec-*
24 *retary of Homeland Security a final report on the*
25 *findings of the Commission.*

1 (2) *TERMINATION.*—(A) *The Commission, and*
2 *all the authorities of this section, shall terminate at*
3 *the end of the 120-day period beginning on the date*
4 *on which the final report under paragraph (1) is sub-*
5 *mitted to the congressional defense and intelligence*
6 *committees.*

7 (B) *The Commission may use the 120-day period*
8 *referred to in paragraph (1) for the purposes of con-*
9 *cluding its activities, including providing testimony*
10 *to Congress concerning the final report referred to in*
11 *that paragraph and disseminating the report.*

12 (l) *ASSESSMENTS OF FINAL REPORT.*—*Not later than*
13 *60 days after receipt of the final report under subsection*
14 *(k)(1), the Director of National Intelligence and the Sec-*
15 *retary of Defense shall each submit to the congressional in-*
16 *telligence committees and the congressional defense commit-*
17 *tees an assessment by the Director or the Secretary, as the*
18 *case may be, of the final report. Each assessment shall in-*
19 *clude such comments on the findings and recommendations*
20 *contained in the final report as the Director or Secretary,*
21 *as the case may be, considers appropriate.*

22 (m) *INAPPLICABILITY OF CERTAIN ADMINISTRATIVE*
23 *PROVISIONS.*—

24 (1) *FEDERAL ADVISORY COMMITTEE ACT.*—*The*
25 *provisions of the Federal Advisory Committee Act (5*

1 *U.S.C. App.) shall not apply to the activities of the*
2 *Commission under this section.*

3 (2) *FREEDOM OF INFORMATION ACT.*—*The provi-*
4 *sions of section 552 of title 5, United States Code*
5 *(commonly referred to as the Freedom of Information*
6 *Act), shall not apply to the activities, records, and*
7 *proceedings of the Commission under this section.*

8 (n) *FUNDING.*—

9 (1) *AUTHORIZATION OF APPROPRIATIONS.*—
10 *There is authorized to be appropriated \$4,000,000 to*
11 *carry out this section.*

12 (2) *AVAILABILITY IN GENERAL.*—*Subject to*
13 *paragraph (1), the Secretary of Defense shall make*
14 *available to the Commission such amounts as the*
15 *Commission may require for purposes of the activities*
16 *of the Commission under this section.*

17 (3) *DURATION OF AVAILABILITY.*—*Amounts*
18 *made available to the Commission under paragraph*
19 *(2) shall remain available until expended.*

20 (o) *CONGRESSIONAL INTELLIGENCE COMMITTEES DE-*
21 *FINED.*—*In this section, the term “congressional intelligence*
22 *committees” means—*

23 (1) *the Select Committee on Intelligence of the*
24 *Senate; and*

1 (2) *the Permanent Select Committee on Intel-*
2 *ligence of the House of Representatives.*

3 **SEC. 1635. PROGRAM TO ESTABLISH CYBER INSTITUTES AT**
4 **INSTITUTIONS OF HIGHER LEARNING.**

5 (a) *PROGRAM AUTHORIZED.*—*The Secretary of De-*
6 *fense may carry out a program to establish a Cyber Insti-*
7 *tute at institutions of higher learning selected under sub-*
8 *section (b) for purposes of accelerating and focusing the de-*
9 *velopment of foundational expertise in critical cyber oper-*
10 *ational skills for future military and civilian leaders of the*
11 *Armed Forces and the Department of Defense, including*
12 *such leaders of the reserve components.*

13 (b) *SELECTED INSTITUTIONS OF HIGHER LEARN-*
14 *ING.*—

15 (1) *IN GENERAL.*—*The Secretary of Defense shall*
16 *select institutions of higher learning for purposes of*
17 *the program established under subsection (a) from*
18 *among institutions of higher learning that have a Re-*
19 *serve Officers' Training Corps program.*

20 (2) *CONSIDERATION OF SENIOR MILITARY COL-*
21 *LEGES.*—*In selecting institutions of higher learning*
22 *under paragraph (1), the Secretary shall consider the*
23 *senior military colleges with Reserve Officers' Train-*
24 *ing Corps programs.*

1 (c) *ELEMENTS.*—*Each institute established under the*
2 *program authorized by subsection (a) shall include the fol-*
3 *lowing:*

4 (1) *Programs to provide future military and ci-*
5 *vilian leaders of the Armed Forces or the Department*
6 *of Defense who possess cyber operational expertise*
7 *from beginning through advanced skill levels. Such*
8 *programs shall include instruction and practical ex-*
9 *periences that lead to recognized certifications and de-*
10 *grees in the cyber field.*

11 (2) *Programs of targeted strategic foreign lan-*
12 *guage proficiency training for such future leaders*
13 *that—*

14 (A) *are designed to significantly enhance*
15 *critical cyber operational capabilities; and*

16 (B) *are tailored to current and anticipated*
17 *readiness requirements.*

18 (3) *Programs related to mathematical founda-*
19 *tions of cryptography and courses in cryptographic*
20 *theory and practice designed to complement and rein-*
21 *force cyber education along with the strategic lan-*
22 *guage programs critical to cyber operations.*

23 (4) *Programs related to data science and courses*
24 *in data science theory and practice designed to com-*
25 *plement and reinforce cyber education along with the*

1 *strategic language programs critical to cyber oper-*
2 *ations.*

3 (5) *Programs designed to develop early interest*
4 *and cyber talent through summer programs, dual en-*
5 *rollment opportunities for cyber, strategic language,*
6 *data science, and cryptography related courses.*

7 (6) *Training and education programs to expand*
8 *the pool of qualified cyber instructors necessary to*
9 *support cyber education in regional school systems.*

10 (d) *PARTNERSHIPS WITH DEPARTMENT OF DEFENSE*
11 *AND THE ARMED FORCES.—Any institute established under*
12 *the program authorized by subsection (a) may enter into*
13 *a partnership with one or more components of the Armed*
14 *Forces, active or reserve, or any agency of the Department*
15 *of Defense to facilitate the development of critical cyber*
16 *skills for students who may pursue a military career.*

17 (e) *PARTNERSHIPS.—Any institute established under*
18 *the program authorized by subsection (a) may enter into*
19 *a partnership with one or more local educational agencies*
20 *to facilitate the development of critical cyber skills.*

21 (f) *SENIOR MILITARY COLLEGES DEFINED.—The term*
22 *“senior military colleges” has the meaning given such term*
23 *in section 2111a(f) of title 10, United States Code.*

1 **SEC. 1636. ESTABLISHMENT OF CYBERSECURITY FOR DE-**
2 **FENSE INDUSTRIAL BASE MANUFACTURING**
3 **ACTIVITY.**

4 (a) *ESTABLISHMENT.*—

5 (1) *AUTHORITY.*—*The Secretary of Defense may,*
6 *in consultation with the Director of the National In-*
7 *stitute of Standards and Technology, establish an ac-*
8 *tivity to assess and strengthen the cybersecurity resil-*
9 *iency of the defense industrial base of the United*
10 *States.*

11 (2) *DESIGNATION.*—*The activity that may be es-*
12 *tablished under paragraph (1) shall be known as the*
13 *“Cybersecurity for Defense Industrial Base Manufac-*
14 *turing Activity”.*

15 (b) *ACTIVITIES.*—*If the Secretary of Defense exercises*
16 *the authority under subsection (a), the Secretary shall uti-*
17 *lize the activity to explore ways to increase the cybersecu-*
18 *rity resilience of the defense industrial supply chain. Such*
19 *exploration may include the following:*

20 (1) *Developing cybersecurity test capabilities to*
21 *support identifying and reducing security*
22 *vulnerabilities (as defined in section 102 of the Cyber-*
23 *security Information Sharing Act of 2015 (6 U.S.C.*
24 *1501)) in defense industrial base manufacturing proc-*
25 *esses.*

1 (2) *Developing in-person and online training to*
2 *help small defense industrial base manufacturers im-*
3 *prove their cybersecurity.*

4 (3) *Ensuring that cybersecurity for defense in-*
5 *dustrial base manufacturing is included in Depart-*
6 *ment of Defense research and development roadmaps*
7 *and threat assessments.*

8 (4) *Aggregating, developing, and disseminating*
9 *capabilities to address cybersecurity threats that can*
10 *be provided to and adopted by defense industrial base*
11 *manufacturers of all sizes.*

12 **PART II—MITIGATION OF RISKS POSED BY PRO-**
13 **VIDERS OF INFORMATION TECHNOLOGY**
14 **WITH OBLIGATIONS TO FOREIGN GOVERN-**
15 **MENTS**

16 **SEC. 1637. DEFINITIONS.**

17 *In this part:*

18 (1) **APPROPRIATE COMMITTEES OF CONGRESS**
19 **DEFINED.**—*The term “appropriate committees of*
20 *Congress” means—*

21 (A) *the Committee on Armed Services, the*
22 *Select Committee on Intelligence, and the Com-*
23 *mittee on Homeland Security and Governmental*
24 *Affairs of the Senate; and*

1 (B) *the Committee on Armed Services, the*
2 *Permanent Select Committee on Intelligence, and*
3 *the Committee on Homeland Security of the*
4 *House of Representatives.*

5 (2) *INFORMATION TECHNOLOGY.—The term “in-*
6 *formation technology” has the meaning given such*
7 *term in section 11101 of title 40, United States Code.*

8 (3) *NATIONAL SECURITY SYSTEM.—The term*
9 *“national security system” has the meaning given*
10 *such term in section 3552(b) of title 44, United States*
11 *Code.*

12 **SEC. 1638. IDENTIFICATION OF COUNTRIES OF CONCERN**
13 **REGARDING CYBERSECURITY.**

14 (a) *IDENTIFICATION OF COUNTRIES OF CONCERN.—*
15 *Not later than 180 days after the date of the enactment of*
16 *this Act, the Secretary of Defense shall create a prioritized*
17 *list of countries of concern regarding cybersecurity based*
18 *on information relating to the following:*

19 (1) *A foreign government’s engagement in acts of*
20 *violence against personnel of the United States or coa-*
21 *lition forces.*

22 (2) *A foreign government’s willingness and*
23 *record of providing financing, logistics, training or*
24 *intelligence to other persons, countries or entities pos-*
25 *ing a force protection or cybersecurity risk to the per-*

1 *sonnel, financial systems, critical infrastructure, or*
2 *information systems of the United States or coalition*
3 *forces.*

4 (3) *A foreign government's engagement in for-*
5 *oreign intelligence activities against the United States.*

6 (4) *A foreign government's direct or indirect*
7 *participation in transnational organized crime or*
8 *criminal activity.*

9 (5) *A foreign government's ability and intent to*
10 *conduct operations to affect the supply chain of the*
11 *United States Government.*

12 (b) *REPORT TO CONGRESS.*—*Not later than one year*
13 *after the date of the enactment of this Act, the Secretary*
14 *shall submit to the appropriate committees of Congress the*
15 *list created pursuant to subsection (a) and any accom-*
16 *panying analysis that contributed to the creation of the list.*

17 **SEC. 1639. MITIGATION OF RISKS TO NATIONAL SECURITY**
18 **POSED BY PROVIDERS OF INFORMATION**
19 **TECHNOLOGY PRODUCTS AND SERVICES**
20 **WHO HAVE OBLIGATIONS TO FOREIGN GOV-**
21 **ERNMENTS.**

22 (a) *DISCLOSURE REQUIRED.*—*The Department of De-*
23 *fense may not use a product, service, or system relating to*
24 *information or operational technology, cybersecurity, an in-*
25 *dustrial control system, a weapons system, or computer*

1 *antivirus provided by a person unless that person discloses*
2 *to the Secretary of Defense the following:*

3 (1) *Whether the person has allowed a foreign*
4 *government to review or access the code of a product,*
5 *system, or service custom-developed for the Depart-*
6 *ment, or is under any obligation to allow a foreign*
7 *person or government to review or access the code of*
8 *a product, system, or service custom-developed for the*
9 *Department as a condition of entering into an agree-*
10 *ment for sale or other transaction with a foreign gov-*
11 *ernment or with a foreign person on behalf of such a*
12 *government.*

13 (2) *Whether the person has allowed a foreign*
14 *government listed in section 1638(a) to review or ac-*
15 *cess the source code of a product, system, or service*
16 *that the Department is using or intends to use, or is*
17 *under any obligation to allow a foreign person or gov-*
18 *ernment to review or access the source code of a prod-*
19 *uct, system, or service that the Department is using*
20 *or intends to use as a condition of entering into an*
21 *agreement for sale or other transaction with a foreign*
22 *government or with a foreign person on behalf of such*
23 *a government.*

24 (3) *In a case in which the person is a United*
25 *States person or an affiliate of a United States per-*

1 son, whether or not the person holds or has sought a
2 license pursuant to the *Export Administration Regu-*
3 *lations under subchapter C of chapter VII of title 15,*
4 *Code of Federal Regulations, the International Traffic*
5 *in Arms Regulations under subchapter M of chapter*
6 *I of title 22, Code of Federal Regulations, or successor*
7 *regulations, for information technology products, com-*
8 *ponents, software, or services that contain code cus-*
9 *tom-developed for the product, system, or service the*
10 *Department is using or intends to use.*

11 **(b) POST PROCUREMENT.**—*Procurement contracts for*
12 *covered products or systems shall include a clause requiring*
13 *the information contained in subsection (a) be disclosed*
14 *during the period of the contract if an entity becomes aware*
15 *of information requiring disclosure as per that section, in-*
16 *cluding any mitigation measures taken or anticipated.*

17 **(c) MITIGATION OF RISKS.**—

18 **(1) IN GENERAL.**—*If, after reviewing a disclo-*
19 *sure made by a person under subsection (a), the Sec-*
20 *retary determines that the disclosure relating to a*
21 *product, system, or service entails a risk to the na-*
22 *tional security infrastructure or data of the United*
23 *States, or any national security system under the*
24 *control of the Department, the Secretary shall take*
25 *such measures as the Secretary considers appropriate*

1 *to mitigate such risks, including, as the Secretary*
2 *considers appropriate, by conditioning any agreement*
3 *for the use, procurement, or acquisition of the prod-*
4 *uct, system, or service on the inclusion of enforceable*
5 *conditions or requirements that would mitigate such*
6 *risks.*

7 (2) *THIRD-PARTY TESTING STANDARD.—Not*
8 *later than two years after the date of the enactment*
9 *of this Act the Secretary shall develop such third-*
10 *party testing standard as the Secretary considers ac-*
11 *ceptable for commercial off the shelf (COTS) products,*
12 *systems, or services to use when dealing with foreign*
13 *governments.*

14 (d) *EXEMPTION OF DISCLOSURES FROM FREEDOM OF*
15 *INFORMATION ACT.—A disclosure under subsection (a) shall*
16 *not be subject to section 552 of title 5, United States Code*
17 *(commonly referred to as the “Freedom of Information*
18 *Act”), or any other similar provision of Federal or State*
19 *law requiring the disclosure of information to the public.*

20 **SEC. 1640. ESTABLISHMENT OF REGISTRY OF DISCLO-**
21 **SURES.**

22 (a) *ESTABLISHMENT OF REGISTRY.—Not later than*
23 *one year after the date of the enactment of this Act, the*
24 *Secretary of Defense shall—*

1 (1) *establish within the operational capabilities*
2 *of the Committee for National Security Systems*
3 *(CNSS) or within such other agency as the Secretary*
4 *considers appropriate a registry containing the infor-*
5 *mation disclosed under section 1639; and*

6 (2) *upon request, make such information avail-*
7 *able to any agency conducting a procurement pursu-*
8 *ant to the Federal Acquisition Regulations or the De-*
9 *fense Federal Acquisition Regulations.*

10 (b) *EXEMPTION OF REGISTRY FROM FREEDOM OF IN-*
11 *FORMATION ACT.—The contents of the registry established*
12 *under subsection (a)(1) shall not be subject to section 552*
13 *of title 5, United States Code (commonly referred to as the*
14 *“Freedom of Information Act”), or any other similar provi-*
15 *sion of Federal or State law requiring the disclosure of in-*
16 *formation to the public.*

17 (c) *ANNUAL REPORTS.—Not later than one year after*
18 *the date of the enactment of this Act and not less frequently*
19 *than once each year thereafter, the Secretary of Defense*
20 *shall submit to the appropriate committees of Congress a*
21 *report detailing the number, scope, product classifications,*
22 *and mitigation agreements related to each product, system,*
23 *and service for which a disclosure is made under section*
24 *1639(a).*

1 ***Subtitle D—Nuclear Forces***

2 ***SEC. 1641. OVERSIGHT AND MANAGEMENT OF THE COM-***
3 ***MAND, CONTROL, AND COMMUNICATIONS***
4 ***SYSTEM FOR THE NATIONAL LEADERSHIP OF***
5 ***THE UNITED STATES.***

6 *(a) DESIGNATION OF RESPONSIBLE INDIVIDUAL.—*

7 *(1) IN GENERAL.—The Secretary of Defense shall*
8 *designate a single individual to be responsible for*
9 *oversight and strategic portfolio management of the*
10 *command, control, and communications system for*
11 *the national leadership of the United States (as de-*
12 *finied in section 171a of title 10, United States Code),*
13 *including—*

14 *(A) nuclear command, control, and commu-*
15 *nications;*

16 *(B) senior leadership communications sys-*
17 *tems;*

18 *(C) integrated tactical warning and attack*
19 *assessment systems, processes, and enablers; and*

20 *(D) continuity of government functions for*
21 *which the Department of Defense is responsible.*

22 *(2) AUTHORITIES.—Subject to the authority and*
23 *direction of the Secretary, the individual designated*
24 *under paragraph (1) shall have the authority to di-*
25 *rect the Secretaries of the military departments and*

1 *officials in the Office of the Secretary of Defense with*
2 *respect to matters described in paragraph (1), includ-*
3 *ing—*

4 *(A) playing a significant and directive role*
5 *in the decision processes for all annual and*
6 *multi-year planning, programming, budgeting,*
7 *and execution decisions, including the authority*
8 *to realign the elements of the budgets and budget*
9 *requests of the military departments that relate*
10 *to the matters described in paragraph (1);*

11 *(B) ensuring that the military departments*
12 *comply with the standards of the Federal Gov-*
13 *ernment and the Department of Defense with re-*
14 *spect to matters described in paragraph (1); and*

15 *(C) any other authorities that the Secretary*
16 *of Defense considers necessary.*

17 *(3) CHAIRPERSON OF COUNCIL ON OVERSIGHT*
18 *OF THE NATIONAL LEADERSHIP COMMAND, CONTROL,*
19 *AND COMMUNICATIONS SYSTEM.—The individual des-*
20 *ignated under paragraph (1) shall serve as the Chair-*
21 *person of the Council on Oversight of the National*
22 *Leadership Command, Control, and Communications*
23 *System established under section 171a of title 10,*
24 *United States Code.*

1 (4) *STAFF*.—*The individual designated under*
2 *paragraph (1) shall have sufficient dedicated full-time*
3 *personnel to carry out the responsibilities of that in-*
4 *dividual under this subsection and as Chairperson of*
5 *the Council on Oversight of the National Leadership*
6 *Command, Control, and Communications System.*

7 (b) *MODIFICATIONS TO COUNCIL ON OVERSIGHT OF*
8 *THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND*
9 *COMMUNICATIONS SYSTEM*.—

10 (1) *MEMBERSHIP*.—*Subsection (b) of section*
11 *171a of title 10, United States Code, is amended—*

12 (A) *in paragraph (2), by striking “, Tech-*
13 *nology, and Logistics” and inserting “and*
14 *Sustainment”;*

15 (B) *by redesignating paragraphs (3)*
16 *through (7) as paragraphs (4) through (8), re-*
17 *spectively; and*

18 (C) *by inserting after paragraph (2) the fol-*
19 *lowing new paragraph (3):*

20 “(3) *The Under Secretary of Defense for Re-*
21 *search and Engineering.*”.

22 (2) *CHAIRPERSON*.—*Subsection (c) of such sec-*
23 *tion is amended to read as follows:*

24 “(c) *CHAIRPERSON*.—*The Chairperson of the Council*
25 *(in this section referred to as the ‘Chairperson’) shall be*

1 *the individual designated by the Secretary of Defense under*
2 *section 1641(a) of the John S. McCain National Defense*
3 *Authorization Act for Fiscal Year 2019 as responsible for*
4 *oversight and strategic portfolio management of the com-*
5 *mand, control, and communications system for the national*
6 *leadership of the United States.”.*

7 (3) *RESPONSIBILITIES.—Subsection (d) of such*
8 *section is amended—*

9 (A) *in paragraph (1), by striking “over-*
10 *sight” and inserting “coordination”; and*

11 (B) *in paragraph (2)—*

12 (i) *in the matter preceding subpara-*
13 *graph (A), by striking “oversight” and in-*
14 *serting “coordination”;*

15 (ii) *in subparagraph (B), by striking*
16 *“mitigation” and inserting “recommenda-*
17 *tions for mitigation actions”;*

18 (iii) *by striking subparagraphs (C)*
19 *and (D) and inserting the following new*
20 *subparagraph (C):*

21 “(C) *Making recommendations to the Chair-*
22 *person with respect to resource prioritization.”;*
23 *and*

24 (iv) *by redesignating subparagraph*
25 *(E) as subparagraph (D).*

1 (4) *ANNUAL REPORTS.*—Subsection (e) of such
2 section is amended, in the matter preceding para-
3 graph (1), by striking “the Council shall” and insert-
4 ing “the Chairperson shall”.

5 (5) *COLLECTION OF ASSESSMENTS ON CERTAIN*
6 *THREATS.*—Subsection (f) of such section is amended
7 by striking “The Council shall” and inserting “The
8 Chairperson shall, in consultation with the Council,”.

9 (6) *BUDGET AND FUNDING MATTERS.*—Sub-
10 section (g) of such section is amended—

11 (A) in paragraph (1), in the matter pre-
12 ceding subparagraph (A), by striking “the Chair-
13 man of the Joint Chiefs of Staff” and inserting
14 “the Chairperson”;

15 (B) in paragraph (2)—

16 (i) in the matter preceding subpara-
17 graph (A), by striking “the Chairman of the
18 Joint Chiefs of Staff” and inserting “the
19 Chairperson”; and

20 (ii) by striking “the Chairman” each
21 place it appears and inserting “the Chair-
22 person”; and

23 (C) in paragraph (3), by striking “the
24 Council shall” and inserting “the Chairperson
25 shall”.

1 (7) *REPORTS ON SPACE ARCHITECTURE DEVELOP-*
2 *MENT.*—Subsection (i)(1) of such section is amend-
3 ed by striking “the Under Secretary of Defense for Ac-
4 quisitions, Technology, and Logistics” and inserting
5 “the Chairperson”.

6 (8) *NOTIFICATION OF REDUCTION OF CERTAIN*
7 *WARNING TIME.*—Subsection (j)(2) of such section is
8 amended—

9 (A) in the matter preceding subparagraph

10 (A)—

11 (i) in the first sentence, by striking
12 “the Council” and inserting “the Chair-
13 person, in consultation with the Council,”;
14 and

15 (ii) in the second sentence, by striking
16 “the Council” and inserting “the Chair-
17 person”; and

18 (B) in subparagraph (C), by striking “the
19 Council” and inserting “the Chairperson”.

20 (9) *STATUS OF ACQUISITION PROGRAMS.*—Sub-
21 section (k) of such section is amended—

22 (A) in paragraph (1), in the matter pre-
23 ceding subparagraph (A), by striking “the co-
24 chairs of the Council, acting through the senior

1 *steering group of the Council,” and inserting*
2 *“the Chairperson”; and*

3 *(B) in paragraph (2), in the matter pre-*
4 *ceding subparagraph (A), by striking “the co-*
5 *chairs of the Council” and inserting “the Chair-*
6 *person”.*

7 **SEC. 1642. MODIFICATION TO REQUIREMENT FOR CONVEN-**
8 **TIONAL LONG-RANGE STANDOFF WEAPON.**

9 *(a) IN GENERAL.—Section 217(a) of the National De-*
10 *fense Authorization Act for Fiscal Year 2014 (Public Law*
11 *113–66; 127 Stat. 706) is amended—*

12 *(1) in paragraph (1)—*

13 *(A) by striking subparagraph (A); and*

14 *(B) by redesignating subparagraphs (B)*
15 *and (C) as subparagraphs (A) and (B), respec-*
16 *tively; and*

17 *(2) in paragraph (2)—*

18 *(A) by striking “the Secretary may” and*
19 *inserting the following: “the Secretary—*

20 *“(A) may”;*

21 *(B) by striking the period at the end and*
22 *inserting “; and”; and*

23 *(C) by adding at the end the following:*

24 *“(B) shall begin procurement and fielding*
25 *of a follow-on air-launched cruise missile to the*

1 *AGM-86 for conventional missions not more*
2 *than five years after the successful completion of*
3 *initial operational test and evaluation for such*
4 *a missile for nuclear missions.”.*

5 *(b) STATEMENT OF POLICY.—It is the policy of the*
6 *United States to design and procure the long-range standoff*
7 *weapon to provide a nuclear cruise missile capability to*
8 *replace the AGM-86 as part of the modernization of the*
9 *nuclear triad.*

10 **SEC. 1643. EXCHANGE PROGRAM FOR NUCLEAR WEAPONS**

11 **PROGRAM EMPLOYEES.**

12 *(a) PROGRAM AUTHORIZED.—The Chairman of the*
13 *Nuclear Weapons Council established under section 179 of*
14 *title 10, United States Code, and the Administrator for Nu-*
15 *clear Security, shall jointly establish an exchange program*
16 *under which—*

17 *(1) the Chairman shall arrange for the tem-*
18 *porary assignment of civilian and military personnel*
19 *working on nuclear weapons policy, production, and*
20 *force structure issues in the Office of the Secretary of*
21 *Defense, the Joint Staff, the Navy, or the Air Force*
22 *to the Office of the Deputy Administrator for Defense*
23 *Programs in the National Nuclear Security Adminis-*
24 *tration; and*

1 (2) *the Administrator shall arrange for the tem-*
2 *porary assignment of civilian personnel working on*
3 *programs related to nuclear weapons in the Office of*
4 *the Deputy Administrator for Defense Programs to*
5 *the elements of the Department of Defense specified in*
6 *paragraph (1).*

7 (b) *PURPOSES.—The purposes of the exchange pro-*
8 *gram established under subsection (a) are—*

9 (1) *to familiarize personnel from the Department*
10 *of Defense and the National Nuclear Security Admin-*
11 *istration with the equities, priorities, processes, cul-*
12 *ture, and employees of the other agency;*

13 (2) *for participants in the exchange program to*
14 *return the expertise gained through their exchanges to*
15 *their original agencies at the conclusion of their ex-*
16 *changes; and*

17 (3) *to improve communication between and inte-*
18 *gration of the agencies that support the formation*
19 *and oversight of nuclear weapons policy through last-*
20 *ing relationships across the chain of command.*

21 (c) *PARTICIPANTS.—*

22 (1) *NUMBER OF PARTICIPANTS.—The Chairman*
23 *and the Administrator shall each select not fewer than*
24 *5 and not more than 10 participants per year for*
25 *participation in the exchange program established*

1 *under subsection (a). The Chairman and the Admin-*
2 *istrator may determine how many participants to se-*
3 *lect under this paragraph without regard to the num-*
4 *ber of participants selected from the other agency.*

5 (2) *CRITERIA FOR SELECTION.—*

6 (A) *IN GENERAL.—The Chairman and the*
7 *Administrator shall select participants for the*
8 *exchange program established under subsection*
9 *(a) from among mid-career employees and based*
10 *on—*

11 (i) *the qualifications and desire to par-*
12 *ticipate in the program of the employee;*
13 *and*

14 (ii) *the technical needs and capacities*
15 *of the Department of Defense and the Na-*
16 *tional Nuclear Security Administration, as*
17 *applicable.*

18 (B) *DEPARTMENT OF DEFENSE.—In select-*
19 *ing participants from the Department of Defense*
20 *for the exchange program established under sub-*
21 *section (a), the Chairman shall ensure that there*
22 *is a mix of military personnel and civilian em-*
23 *ployees of the Department.*

24 (d) *TERMS.—Exchanges pursuant to the exchange pro-*
25 *gram established under subsection (a) shall be for terms of*

1 *one to two years, as determined and negotiated by the*
2 *Chairman and the Administrator. Such terms may begin*
3 *and end on a rolling basis.*

4 *(e) GUIDANCE AND IMPLEMENTATION.—*

5 *(1) GUIDANCE.—Not later than 90 days after the*
6 *date of the enactment of this Act, the Chairman and*
7 *the Administrator shall jointly develop and submit to*
8 *the congressional defense committees interim guidance*
9 *on the form and contours of the exchange program es-*
10 *tablished under subsection (a).*

11 *(2) IMPLEMENTATION.—Not later than 180 days*
12 *after the date of the enactment of this Act, the Chair-*
13 *man and the Administrator shall implement the guid-*
14 *ance developed under paragraph (1).*

15 **SEC. 1644. PROCUREMENT AUTHORITY FOR CERTAIN PARTS**
16 **OF INTERCONTINENTAL BALLISTIC MISSILE**
17 **FUZES.**

18 *(a) AVAILABILITY OF FUNDS.—Notwithstanding sec-*
19 *tion 1502(a) of title 31, United States Code, of the amount*
20 *authorized to be appropriated for fiscal year 2019 by sec-*
21 *tion 101 and available for Missile Procurement, Air Force,*
22 *as specified in the funding table in division D, \$9,841,000*
23 *shall be available for the procurement of covered parts pur-*
24 *suant to contracts entered into under section 1645(a) of the*
25 *Carl Levin and Howard P. “Buck” McKeon National De-*

1 *fense Authorization Act for Fiscal Year 2015 (Public Law*
2 *113–291; 128 Stat. 3651).*

3 (b) *COVERED PARTS DEFINED.*—*In this section, the*
4 *term “covered parts” means commercially available off-the-*
5 *shelf items as defined in section 104 of title 41, United*
6 *States Code.*

7 **SEC. 1645. PLAN TO TRAIN OFFICERS IN NUCLEAR COM-**
8 **MAND, CONTROL, AND COMMUNICATIONS.**

9 (a) *IN GENERAL.*—*The Secretary of Defense shall, in*
10 *consultation with the Secretary of the Air Force, the Sec-*
11 *retary of the Navy, and the Chairman of the Joint Chiefs*
12 *of Staff, develop a plan to train, educate, manage, and*
13 *track officers of the Armed Forces in nuclear command, con-*
14 *trol, and communications.*

15 (b) *ELEMENTS.*—*The plan required by subsection (a)*
16 *shall address—*

17 (1) *manpower requirements at various grades;*

18 (2) *desired career paths and promotion timing;*

19 *and*

20 (3) *any other matters the Secretary of Defense*
21 *considers relevant to develop a mature cadre of offi-*
22 *cers with nuclear command, control, and communica-*
23 *tions expertise.*

24 (c) *SUBMISSION OF PLAN.*—*Not later than 180 days*
25 *after the date of the enactment of this Act, the Secretary*

1 of Defense shall submit the plan required by subsection (a)
2 to the Committee on Armed Services of the Senate and the
3 Committee on Armed Services of the House of Representa-
4 tives.

5 (d) *IMPLEMENTATION.*—The plan required by sub-
6 section (a) shall be implemented not later than 18 months
7 after the date of the enactment of this Act.

8 **SEC. 1646. PLAN FOR ALIGNMENT OF ACQUISITION OF WAR-**
9 **HEAD LIFE EXTENSION PROGRAMS AND DE-**
10 **LIVERY VEHICLES FOR SUCH WARHEADS.**

11 *Not later than February 15, 2019, the Chairman of*
12 *the Nuclear Weapons Council established under section 179*
13 *of title 10, United States Code, shall submit to the congres-*
14 *sional defense committees a plan containing a proposal for*
15 *better aligning the acquisition of warhead life extension*
16 *programs by the National Nuclear Security Administration*
17 *with the acquisition of the planned delivery vehicles for such*
18 *warheads by the Department of Defense.*

19 **SEC. 1647. EXTENSION OF ANNUAL REPORT ON PLAN FOR**
20 **THE NUCLEAR WEAPONS STOCKPILE, NU-**
21 **CLEAR WEAPONS COMPLEX, NUCLEAR WEAP-**
22 **ONS DELIVERY SYSTEMS, AND NUCLEAR**
23 **WEAPONS COMMAND AND CONTROL SYSTEM.**

24 *Section 1043 of the National Defense Authorization*
25 *Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.*

1 1576), as most recently amended by section 1665 of the Na-
2 tional Defense Authorization Act for Fiscal Year 2018 (Pub-
3 lic Law 115–91), is further amended in subsection (a)(1)
4 by striking “2019” and inserting “2024”.

5 **SEC. 1648. PROHIBITION ON USE OF FUNDS FOR ACTIVITIES**
6 **TO MODIFY UNITED STATES AIRCRAFT TO IM-**
7 **PLEMENT OPEN SKIES TREATY.**

8 (a) *IN GENERAL.*—None of the funds authorized to be
9 appropriated by this Act or otherwise made available for
10 fiscal year 2019 for research, development, test, and engi-
11 neering or aircraft procurement, Air Force, for the digital
12 visual imaging system may be obligated or expended to
13 carry out any activities to modify any United States air-
14 craft for purposes of implementing the Open Skies Treaty
15 until—

16 (1) the Secretary of Defense submits to the ap-
17 propriate congressional committees the certification
18 described in paragraph (2) of section 1235(b) of the
19 National Defense Authorization Act for Fiscal Year
20 2018 (Public Law 115–91); and

21 (2) the President submits to the appropriate con-
22 gressional committees the certification described in
23 paragraph (3) of such section.

24 (b) *DEFINITIONS.*—In this section:

1 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
2 *TEES.*—*The term “appropriate congressional commit-*
3 *tees” means—*

4 (A) *the congressional defense committees;*
5 *and*

6 (B) *the Committee on Foreign Relations of*
7 *the Senate and the Committee on Foreign Affairs*
8 *of the House of Representatives.*

9 (2) *OPEN SKIES TREATY.*—*The term “Open*
10 *Skies Treaty” means the Treaty on Open Skies, done*
11 *at Helsinki March 24, 1992, and entered into force*
12 *January 1, 2002.*

13 **SEC. 1649. SENSE OF SENATE ON NUCLEAR POSTURE RE-**
14 **VIEW.**

15 (a) *FINDINGS.*—*Congress makes the following findings:*

16 (1) *Secretary of Defense James Mattis said in*
17 *his opening statement before the Committee on Armed*
18 *Services of the House of Representatives on February*
19 *6, 2018, “Maintaining an effective nuclear deterrent*
20 *is much less expensive than fighting a war that we*
21 *were unable to deter.”.*

22 (2) *In the same statement, Secretary Mattis said,*
23 *“Recapitalizing the nuclear weapons complex of lab-*
24 *oratories and plants is also long past due . . . Due*
25 *to consistent underfunding, significant and sustained*

1 *investments will be required over the coming decade*
2 *to ensure that the National Nuclear Security Admin-*
3 *istration will be able to deliver at the rate needed to*
4 *support nuclear deterrence into the 2030s and be-*
5 *yond.”.*

6 (3) *Former Secretary of Defense Ash Carter re-*
7 *cently wrote that “it is essential to recapitalize the*
8 *nuclear Triad, because it is the bedrock of deterrence.*
9 *During the past 25 years, the United States has made*
10 *no major new investments in its nuclear forces, yet*
11 *other countries have conducted vigorous buildups.*
12 *This history does not support the contention that U.S.*
13 *investments fuel the nuclear programs of others. My*
14 *views are reflected in the latest Nuclear Posture Re-*
15 *view.”.*

16 (4) *Former Under Secretary of Defense for Pol-*
17 *icy Jim Miller recently wrote, “Secretary of Defense*
18 *Jim Mattis’s 2018 Nuclear Posture Review offers con-*
19 *tinuity with past U.S. policy and plans, including*
20 *those in the 2010 NPR. It deserves broad bipartisan*
21 *support.”.*

22 (5) *The Foreign Minister of Japan, Taro Kono,*
23 *said in a statement on February 3, 2018, “Japan*
24 *highly appreciates the latest NPR which clearly ar-*
25 *ticulates the U.S. resolve to ensure the effectiveness of*

1 *its deterrence and its commitment to providing ex-*
2 *tended deterrence to its allies including Japan, in*
3 *light of the international security environment which*
4 *has been rapidly worsened since the release of the pre-*
5 *vious 2010 NPR, in particular, by continued develop-*
6 *ment of North Korea’s nuclear and missile pro-*
7 *grams.”.*

8 (6) *In testimony before the Committee on Armed*
9 *Services of the Senate on April 30, 2018, Secretary*
10 *of Defense Jim Mattis said, “Modernizing the na-*
11 *tion’s nuclear deterrent delivery systems and our nu-*
12 *clear command and control is the [Department of De-*
13 *fense’s] top priority.”.*

14 (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*
15 *ate that—*

16 (1) *the 2018 Nuclear Posture Review is a meas-*
17 *ured and appropriate response to the current security*
18 *environment, taking into account the developments in*
19 *other nuclear weapons states such as the People’s Re-*
20 *public of China and the Russian Federation and the*
21 *return to great power competition as identified by*
22 *two successive Secretaries of Defense and outlined in*
23 *the 2018 National Defense Strategy;*

24 (2) *Congress should fully fund the complete nu-*
25 *clear modernization program of the Department of*

1 *Defense, including the Columbia-class submarine, the*
2 *Ground-Based Strategic Deterrent, the B-21 long-*
3 *range bomber, the Long-Range Stand-Off weapon, the*
4 *re-engining of the B-52H bomber, and dual-capable*
5 *aircraft;*

6 *(3) the Department of Defense should organize*
7 *itself appropriately to engineer, acquire, and operate*
8 *nuclear command, control, and communications sys-*
9 *tems that are secure, reliable, and modernized;*

10 *(4) Congress should fully fund the National Nu-*
11 *clear Security Administration component of the nu-*
12 *clear modernization program, including—*

13 *(A) the existing warhead life extension pro-*
14 *grams and major alterations, including the*
15 *W76-2 warhead modification program and the*
16 *W80-4 life extension program; and*

17 *(B) the recapitalization of infrastructure for*
18 *production and processing of plutonium pits,*
19 *uranium, tritium, lithium, and trusted strategic*
20 *radiation-hardened microelectronics;*

21 *(5) in order to execute the programs described in*
22 *this subsection in the timely fashion required by the*
23 *Nuclear Posture Review, the National Nuclear Secu-*
24 *rity Administration must balance workload, improve*
25 *management of large programs, and better integrate*

1 *its acquisition programs with those of the Department*
2 *of Defense;*

3 *(6) the United States maintains a steadfast com-*
4 *mitment to the policy of extended deterrence in Eu-*
5 *rope and East Asia, and the nuclear modernization*
6 *program will ensure that commitment remains cred-*
7 *ible;*

8 *(7) the United States should continue to honor*
9 *long-held arms control, nonproliferation, and nuclear*
10 *security commitments, and should seek to increase*
11 *transparency and predictability through strategic*
12 *dialogue, risk-reduction communication channels, and*
13 *the sharing of best practices;*

14 *(8) when complied with by all parties, effective*
15 *nuclear nonproliferation and arms control measures*
16 *and agreements can support the security of the*
17 *United States and countries that are allies or part-*
18 *ners of the United States by—*

19 *(A) controlling the spread of nuclear mate-*
20 *rials, technology, and expertise;*

21 *(B) decreasing the risk of misperception*
22 *and miscalculation; and*

23 *(C) avoiding destabilizing nuclear arms*
24 *competition; and*

1 (9) *the United States should continue to affirm*
2 *its commitments to arms control efforts that advance*
3 *the security of the United States and countries that*
4 *are allies or partners of the United States, and are*
5 *verifiable and enforceable, including the Treaty be-*
6 *tween the United States of America and the Russian*
7 *Federation on Measures for the Further Reduction*
8 *and Limitation of Strategic Offensive Arms, signed*
9 *on April 8, 2010, and entered into force on February*
10 *5, 2011 (commonly known as the “New START Trea-*
11 *ty”), which is in effect through February 2021, and*
12 *with mutual agreement may be extended for up to five*
13 *years.*

14 ***Subtitle E—Missile Defense***
15 ***Programs***

16 ***SEC. 1651. EXTENSION OF PROHIBITION RELATING TO MIS-***
17 ***SILE DEFENSE INFORMATION AND SYSTEMS.***

18 *Section 130h(e) of title 10, United States Code, is*
19 *amended by striking “January 1, 2019” and inserting*
20 *“January 1, 2021”.*

21 ***SEC. 1652. MULTIYEAR PROCUREMENT AUTHORITY FOR***
22 ***STANDARD MISSILE-3 IB GUIDED MISSILES.***

23 ***(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—***
24 *Subject to section 2306b of title 10, United States Code, the*
25 *Secretary of Defense may enter into one or more multiyear*

1 *contracts, beginning with the fiscal year 2019 program*
2 *year, for the procurement of Standard Missile-3 Block IB*
3 *guided missiles.*

4 **(b) AUTHORITY FOR ADVANCE PROCUREMENT.**—*The*
5 *Secretary may enter into one or more contracts for advance*
6 *procurement associated with the missiles for which author-*
7 *ization to enter into a multiyear procurement contract is*
8 *provided under subsection (a).*

9 **(c) COST ANALYSIS REQUIREMENT.**—*The Secretary*
10 *may not exercise the authority provided under subsection*
11 *(a) or (b) until the Secretary submits to the congressional*
12 *defense committees the report and confirmation required*
13 *under subparagraphs (A) and (B), respectively, of section*
14 *2306b(i)(2) of title 10, United States Code.*

15 **(d) CONDITION FOR OUT-YEAR CONTRACT PAY-**
16 **MENTS.**—*A contract entered into under subsection (a) shall*
17 *provide that any obligation of the United States to make*
18 *a payment under the contract for a fiscal year after fiscal*
19 *year 2019 is subject to the availability of appropriations*
20 *for that purpose for such later fiscal year.*

1 **SEC. 1653. EXTENSION OF REQUIREMENT FOR REPORTS ON**
2 **UNFUNDED PRIORITIES OF MISSILE DEFENSE**
3 **AGENCY.**

4 *Section 1696 of the National Defense Authorization*
5 *Act for Fiscal Year 2017 (130 Stat. 2638; Public Law 114–*
6 *328) is amended—*

7 *(1) in subsection (a)—*

8 *(A) by striking “Not later than” and insert-*
9 *ing “Each year, not later than”*

10 *(B) by striking “for each of fiscal years*
11 *2018 and 2019”; and*

12 *(2) in subsection (c), by striking “the budget if”*
13 *and all that follows through the period at the end and*
14 *inserting “the budget if additional resources had been*
15 *available for the budget to fund the program, activity,*
16 *or mission requirement.”.*

17 **SEC. 1654. IRON DOME SHORT-RANGE ROCKET DEFENSE**
18 **SYSTEM AND ISRAELI COOPERATIVE MISSILE**
19 **DEFENSE PROGRAM CO-DEVELOPMENT AND**
20 **CO-PRODUCTION.**

21 *(a) IRON DOME SHORT-RANGE ROCKET DEFENSE*
22 *SYSTEM.—*

23 *(1) AVAILABILITY OF FUNDS.—Of the funds au-*
24 *thorized to be appropriated by this Act or otherwise*
25 *made available for fiscal year 2019 for procurement,*
26 *Defense-wide, and available for the Missile Defense*

1 *Agency, not more than \$70,000,000 may be provided*
2 *to the Government of Israel to procure components for*
3 *the Iron Dome short-range rocket defense system*
4 *through co-production of such components in the*
5 *United States by industry of the United States.*

6 (2) *CONDITIONS.—*

7 (A) *AGREEMENT.—Funds described in*
8 *paragraph (1) for the Iron Dome short-range*
9 *rocket defense program shall be available subject*
10 *to the terms and conditions in the Agreement Be-*
11 *tween the Department of Defense of the United*
12 *States of America and the Ministry of Defense of*
13 *the State of Israel Concerning Iron Dome De-*
14 *fense System Procurement, signed on March 5,*
15 *2014, as amended to include co-production for*
16 *Tamir interceptors.*

17 (B) *CERTIFICATION.—Not later than 30*
18 *days prior to the initial obligation of funds de-*
19 *scribed in paragraph (1), the Director of the*
20 *Missile Defense Agency and the Under Secretary*
21 *of Defense for Acquisition and Sustainment shall*
22 *jointly submit to the appropriate congressional*
23 *committees—*

24 (i) *a certification that the amended bi-*
25 *lateral international agreement specified in*

1 *subparagraph (A) is being implemented as*
2 *provided in such agreement; and*

3 *(ii) an assessment detailing any risks*
4 *relating to the implementation of such*
5 *agreement.*

6 *(b) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-*
7 *GRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUC-*
8 *TION.—*

9 *(1) IN GENERAL.—Subject to paragraph (2), of*
10 *the funds authorized to be appropriated for fiscal year*
11 *2019 for procurement, Defense-wide, and available for*
12 *the Missile Defense Agency not more than \$50,000,000*
13 *may be provided to the Government of Israel to pro-*
14 *quire the David's Sling Weapon System, including for*
15 *co-production of parts and components in the United*
16 *States by United States industry.*

17 *(2) CERTIFICATION.—The Under Secretary of*
18 *Defense for Acquisition and Sustainment shall submit*
19 *to the appropriate congressional committees a certifi-*
20 *cation that—*

21 *(A) the Government of Israel has dem-*
22 *onstrated the successful completion of the knowl-*
23 *edge points, technical milestones, and production*
24 *readiness reviews required by the research, devel-*
25 *opment, and technology agreement and the bilat-*

1 *eral co-production agreement for the David's*
2 *Sling Weapon System;*

3 *(B) funds specified in paragraph (1) will be*
4 *provided on the basis of a one-for-one cash match*
5 *made by Israel or in another matching amount*
6 *that otherwise meets best efforts (as mutually*
7 *agreed to by the United States and Israel); and*

8 *(C) the level of co-production of parts, com-*
9 *ponents, and all-up rounds (if appropriate) in*
10 *the United States by United States industry for*
11 *the David's Sling Weapon System is not less*
12 *than 50 percent.*

13 *(c) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-*
14 *GRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM CO-*
15 *PRODUCTION.—*

16 *(1) IN GENERAL.—Subject to paragraph (2), of*
17 *the funds authorized to be appropriated for fiscal year*
18 *2019 for procurement, Defense-wide, and available for*
19 *the Missile Defense Agency not more than \$80,000,000*
20 *may be provided to the Government of Israel for the*
21 *Arrow 3 Upper Tier Interceptor Program, including*
22 *for co-production of parts and components in the*
23 *United States by United States industry.*

24 *(2) CERTIFICATION.—Except as provided by*
25 *paragraph (3), the Under Secretary of Defense for Ac-*

1 *quisition and Sustainment shall submit to the appro-*
2 *priate congressional committees a certification that—*

3 *(A) the Government of Israel has dem-*
4 *onstrated the successful completion of the knowl-*
5 *edge points, technical milestones, and production*
6 *readiness reviews required by the research, devel-*
7 *opment, and technology agreements for the*
8 *Arrow 3 Upper Tier Interceptor Program;*

9 *(B) funds specified in paragraph (1) will be*
10 *provided on the basis of a one-for-one cash match*
11 *made by Israel or in another matching amount*
12 *that otherwise meets best efforts (as mutually*
13 *agreed to by the United States and Israel);*

14 *(C) the United States has entered into a bi-*
15 *lateral international agreement with Israel that*
16 *establishes, with respect to the use of such*
17 *funds—*

18 *(i) in accordance with subparagraph*
19 *(D), the terms of co-production of parts and*
20 *components on the basis of the greatest*
21 *practicable co-production of parts, compo-*
22 *nents, and all-up rounds (if appropriate)*
23 *by United States industry and minimizes*
24 *nonrecurring engineering and facilitization*

1 *expenses to the costs needed for co-produc-*
2 *tion;*

3 *(ii) complete transparency on the re-*
4 *quirement of Israel for the number of inter-*
5 *ceptors and batteries that will be procured,*
6 *including with respect to the procurement*
7 *plans, acquisition strategy, and funding*
8 *profiles of Israel;*

9 *(iii) technical milestones for co-produc-*
10 *tion of parts and components and procure-*
11 *ment;*

12 *(iv) a joint affordability working*
13 *group to consider cost reduction initiatives;*
14 *and*

15 *(v) joint approval processes for third-*
16 *party sales; and*

17 *(D) the level of co-production described in*
18 *subparagraph (C)(i) for the Arrow 3 Upper Tier*
19 *Interceptor Program is not less than 50 percent.*

20 *(3) WAIVER.—The Under Secretary may waive*
21 *the certification required by paragraph (2) if the*
22 *Under Secretary certifies to the appropriate congres-*
23 *sional committees that the Under Secretary has re-*
24 *ceived sufficient data from the Government of Israel*
25 *to demonstrate—*

1 (A) *the funds specified in paragraph (1) are*
2 *provided to Israel solely for funding the procure-*
3 *ment of long-lead components and critical hard-*
4 *ware in accordance with a production plan, in-*
5 *cluding a funding profile detailing Israeli con-*
6 *tributions for production, including long-lead*
7 *production, of the Arrow 3 Upper Tier Inter-*
8 *ceptor Program;*

9 (B) *such long-lead components have success-*
10 *fully completed knowledge points, technical mile-*
11 *stones, and production readiness reviews; and*

12 (C) *the long-lead procurement will be con-*
13 *ducted in a manner that maximizes co-produc-*
14 *tion in the United States without incurring non-*
15 *recurring engineering activity or cost other than*
16 *such activity or cost required for suppliers of the*
17 *United States to start or restart production in*
18 *the United States.*

19 (d) *NUMBER.—In carrying out paragraph (2) of sub-*
20 *section (b) and paragraph (2) of subsection (c), the Under*
21 *Secretary may submit—*

22 (1) *one certification covering both the David's*
23 *Sling Weapon System and the Arrow 3 Upper Tier*
24 *Interceptor Program; or*

1 (2) *separate certifications for each respective sys-*
2 *tem.*

3 (e) *TIMING.*—*The Under Secretary shall submit to the*
4 *congressional defense committees the certifications under*
5 *paragraph (2) of subsection (b) and paragraph (2) of sub-*
6 *section (c) by not later than 60 days before the funds speci-*
7 *fied in paragraph (1) of subsections (b) and (c) for the re-*
8 *spective system covered by the certification are provided to*
9 *the Government of Israel.*

10 (f) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
11 *FINED.*—*In this section, the term “appropriate congres-*
12 *sional committees” means the following:*

13 (1) *The congressional defense committees.*

14 (2) *The Committee on Foreign Relations of the*
15 *Senate and the Committee on Foreign Affairs of the*
16 *House of Representatives.*

17 **SEC. 1655. METRICS FOR EVALUATING EFFECTIVENESS OF**
18 **INTEGRATED BALLISTIC MISSILE DEFENSE**
19 **SYSTEM AGAINST OPERATIONALLY REAL-**
20 **ISTIC BALLISTIC MISSILE ATTACKS.**

21 (a) *DEVELOPMENT OF METRICS REQUIRED.*—*The Di-*
22 *rector of the Missile Defense Agency shall, in coordination*
23 *with the Director of Operational Test and Evaluation, the*
24 *Director of the Ballistic Missile Defense System Operational*
25 *Test Agency, the Commander of the Joint Forces Combatant*

1 *Command-Integrated Missile Defense, the service acquisi-*
2 *tion executives (as defined in section 101 of title 10, United*
3 *States Code), and the commanders of the combatant com-*
4 *mands, develop operationally relevant metrics for evalu-*
5 *ating the effectiveness of the integrated Ballistic Missile De-*
6 *fense System (BMDS) and its components and elements*
7 *against operationally realistic ballistic missile attacks into*
8 *areas defended by United States combatant commands.*

9 **(b) INCORPORATION OF METRICS INTO ANNUAL RE-**
10 *PORTS.—Beginning in February 2019, the Director of the*
11 *Missile Defense Agency shall incorporate the metrics devel-*
12 *oped under subsection (a) into the annual reports of the*
13 *Director to the congressional defense committees, including*
14 *an assessment of progress against such metrics on the acqui-*
15 *sition baseline of the Missile Defense Agency.*

16 **(c) LIMITATION.—Of the funds authorized to be appro-**
17 *priated for fiscal year 2019 by this Act and available for*
18 *the Command and Control, Battle Management and Com-*
19 *munications (C2BMC) program, not more than 50 percent*
20 *may be obligated or expended until the Director develops*
21 *the metrics required by subsection (a).*

1 **SEC. 1656. MODIFICATION OF REQUIREMENT RELATING TO**
2 **TRANSITION OF BALLISTIC MISSILE DEFENSE**
3 **PROGRAMS TO MILITARY DEPARTMENTS.**

4 *Section 1676(b)(2) of the National Defense Authoriza-*
5 *tion Act for Fiscal Year 2018 (Public Law 115–91) is*
6 *amended by inserting “or equivalent approval” before the*
7 *period at the end.*

8 **SEC. 1657. SENSE OF THE SENATE ON ACCELERATION OF**
9 **MISSILE DEFENSE CAPABILITIES.**

10 *(a) SENSE OF THE SENATE.—It is the sense of the Sen-*
11 *ate that the Missile Defense Agency should—*

12 *(1) accelerate the fielding, if technically feasible,*
13 *of the planned additional 20 ground-based intercept-*
14 *tors with Redesigned Kill Vehicles (RKV) at Missile*
15 *Field 4 at Fort Greely, Alaska, and to mate the Rede-*
16 *signed Kill Vehicles with the newest booster tech-*
17 *nology;*

18 *(2) weigh the rapid growth in missile and nu-*
19 *clear threats against the cost and risk of accelerating*
20 *the Redesigned Kill Vehicle and the Multi-Object Kill*
21 *Vehicle development and deployment;*

22 *(3) ensure, prior to its operational deployment,*
23 *that the Redesigned Kill Vehicle has demonstrated the*
24 *ability to accomplish its intended mission through a*
25 *successful, operationally realistic flight test;*

1 (4) *rapidly develop and deploy a persistent,*
2 *space-based sensor architecture to ensure our missile*
3 *defenses are more effective against ballistic missile*
4 *threats and more responsive to new and emergent*
5 *threats from hypersonic and cruise missiles;*

6 (5) *pursue innovative concepts for existing tech-*
7 *nologies, such as a missile defense role for the F-35*
8 *aircraft; and*

9 (6) *invest in advanced technologies, such as*
10 *boost-phase warning, tracking, and intercept.*

11 *(b) REPORT.—*

12 (1) *IN GENERAL.—Not later than 180 days after*
13 *the date of the enactment of this Act, the Director of*
14 *the Missile Defense Agency shall submit to the con-*
15 *gressional defense committees a report on ways the*
16 *Missile Defense Agency can accelerate the construction*
17 *of Missile Field 4 at Fort Greely, Alaska, as well as*
18 *the deployment of 20 ground-based interceptors with*
19 *Redesigned Kill Vehicles (RKV) at such missile field,*
20 *by at least one year.*

21 (2) *CONTENTS.—The report required by para-*
22 *graph (1) shall include the following:*

23 (A) *A threat-based description of the bene-*
24 *fits and risks of accelerating the construction*
25 *and deployment referred to in paragraph (1).*

1 (B) *A description of the technical and ac-*
2 *quisition risks and potential effects on the reli-*
3 *ability of the Redesigned Kill Vehicle if deploy-*
4 *ment is accelerated as described in paragraph*
5 *(1).*

6 (C) *A description of the cost implications of*
7 *accelerating the construction and deployment re-*
8 *ferred to in paragraph (1).*

9 (D) *A description of the effect such accelera-*
10 *tion would have on the Redesigned Kill Vehicle*
11 *flight test schedule and the overall Integrated*
12 *Master Test Plan.*

13 (E) *A description of the effect that the accel-*
14 *eration described in paragraph (1) would have*
15 *on re-tipping currently deployed exoatmospheric*
16 *kill vehicles with the Redesigned Kill Vehicle.*

17 (F) *A description of how such acceleration*
18 *would align with the deployment of the long*
19 *range discrimination radar and the homeland*
20 *defense radar-Hawaii.*

21 (G) *A cost-benefit analysis and a feasibility*
22 *assessment for construction of a fifth missile field*
23 *at Fort Greely, Alaska.*

1 (3) *FORM.*—The report required by paragraph
2 (1) shall be submitted in unclassified form, but may
3 include a classified annex.

4 **SEC. 1658. INTEGRATED AIR AND MISSILE DEFENSE FOR**
5 **EVOLVING THEATER MISSILE THREATS.**

6 (a) *SENSE OF THE SENATE.*—It is the Sense of the
7 Senate that—

8 (1) *the United States should utilize regional mis-*
9 *sile defense assets to counter and deter against cruise,*
10 *short-to-medium-range ballistic, and hypersonic mis-*
11 *sile threats;*

12 (2) *the United States should continue to rapidly*
13 *work toward the interoperability of all United States*
14 *missile defense systems for a more effective layered de-*
15 *fense; and*

16 (3) *the United States Army should increase its*
17 *attention, focus, and resources developing an inte-*
18 *grated air-and-missile defense architecture to protect*
19 *both land and air forces from cruise, short-to-me-*
20 *dium-range ballistic, and hypersonic missile threats.*

21 (b) *REPORT.*—

22 (1) *IN GENERAL.*—Not later than 90 days after
23 *the date of the enactment of this Act, if consistent*
24 *with the direction or recommendations of the Missile*
25 *Defense Review that commenced in 2017, the Sec-*

1 *retary of Defense shall submit to the congressional de-*
2 *fense committees a report on the Department's plan*
3 *for the creation of a fully interoperable and inte-*
4 *grated air and missile defense architecture.*

5 (2) *ELEMENTS.—Elements of the report required*
6 *by paragraph (1) are as follows:*

7 (A) *An intelligence assessment of cruise,*
8 *short-to-medium-range ballistic, and hypersonic*
9 *missile threats to the United States and its de-*
10 *ployed forces.*

11 (B) *An examination of current United*
12 *States capabilities to defeat the threats included*
13 *in the report required by subparagraph (A) and*
14 *an analysis of the existing capability and re-*
15 *source gaps.*

16 (C) *An analysis of the level of integration*
17 *and interoperability of United States missile de-*
18 *fense systems and the future requirements needed*
19 *to become fully integrated and interoperable to*
20 *defeat the threats included in the report required*
21 *by subparagraph (A).*

22 (D) *A description of the current state of*
23 *survivability of United States missile defense*
24 *systems against the full spectrum of air and mis-*

1 *sile threats from near-peer threats and any*
2 *planned efforts to increase survivability.*

3 (3) *FORM.*—*The report required by paragraph*
4 *(1) shall be submitted in unclassified form, but may*
5 *include a classified annex.*

6 **SEC. 1659. ACCELERATION OF HYPERSONIC MISSILE DE-**
7 **FENSE PROGRAM.**

8 (a) *ACCELERATION OF PROGRAM.*—*The Director of the*
9 *Missile Defense Agency shall accelerate the hypersonic mis-*
10 *sile defense program of the Missile Defense Agency.*

11 (b) *DEPLOYMENT.*—*The Director shall deploy such*
12 *program in conjunction with a persistent space-based mis-*
13 *sile defense sensor program.*

14 (c) *REPORT.*—

15 (1) *IN GENERAL.*—*Not later than 90 days after*
16 *the date of the enactment of this Act, the Director*
17 *shall submit to the congressional defense committees a*
18 *report on how hypersonic missile defense can be accel-*
19 *erated to meet emerging hypersonic threats.*

20 (2) *CONTENTS.*—*The report submitted under*
21 *paragraph (1) shall include the following:*

22 (A) *An estimate of the cost of such accelera-*
23 *tion.*

1 (B) *The technical requirements and acquisi-*
2 *tion plan needed for the Director to develop and*
3 *deploy a hypersonic missile defense program.*

4 (C) *A testing campaign plan that acceler-*
5 *ates the delivery of hypersonic defense systems to*
6 *the warfighter.*

7 (3) *FORM.—The report required by paragraph*
8 *(1) shall be submitted in unclassified form, but may*
9 *include a classified annex.*

10 **SEC. 1660. SENSE OF THE SENATE ON ALLIED PARTNER-**
11 **SHIPS FOR MISSILE DEFENSE.**

12 *It is the sense of the Senate that—*

13 (1) *the United States should seek additional op-*
14 *portunities, at the tactical, operational, and strategic*
15 *levels, to provide missile defense capabilities, doctrine,*
16 *interoperability, and planning to allies and trusted*
17 *partners of the United States;*

18 (2) *an expedited foreign military sales arrange-*
19 *ment would be beneficial in delivering such missile*
20 *defenses to allies and trusted partners; and*

21 (3) *it is important to continue to work with al-*
22 *lies and trusted partners, such as Israel, to learn from*
23 *their experience deploying successful missile defense*
24 *technologies.*

1 **SEC. 1660A. SENSE OF THE SENATE ON RESULTS OF TESTS**
2 **CARRIED OUT BY MISSILE DEFENSE AGENCY.**

3 *It is the sense of the Senate that—*

4 *(1) tests carried out by the Missile Defense Agen-*
5 *cy, which do not achieve an intercept or the main ob-*
6 *jective, should not be considered failures;*

7 *(2) the Missile Defense Agency—in an effort to*
8 *deliver capabilities at the speed of relevance—should*
9 *recognize the learning value of individual advance-*
10 *ments made by all test events, rather than viewing*
11 *any total outcome as an indication of the reliability*
12 *of entire missile defense systems;*

13 *(3) the Missile Defense Agency should, as part of*
14 *its test program, continue to build an independently*
15 *accredited modeling and simulation element to better*
16 *inform missile defense performance assessments and*
17 *test criteria; and*

18 *(4) the Missile Defense Agency should continue to*
19 *pursue an increasingly rigorous testing regime, in co-*
20 *ordination with the Office of the Director, Oper-*
21 *ational Test and Evaluation, to more rapidly deliver*
22 *capabilities to the warfighter as the threat evolves.*

23 **SEC. 1660B. SENSE OF THE SENATE ON DISCRIMINATION**
24 **FOR MISSILE DEFENSE.**

25 *(a) SENSE OF THE SENATE.—It is the sense of the Sen-*
26 *ate that prioritizing discrimination capabilities to improve*

1 *missile defense effectiveness against current and future*
2 *threats is critically important.*

3 (b) *REPORT.*—

4 (1) *IN GENERAL.*—Not later than 90 days after
5 the date of the enactment of this Act, the Director of
6 the Missile Defense Agency shall submit to the con-
7 gressional defense committees a report on the fol-
8 lowing:

9 (A) *Needed discrimination improvements*
10 *within the missile defense architecture.*

11 (B) *The Missile Defense Agency's plan to*
12 *rapidly field advanced discrimination capabili-*
13 *ties.*

14 (C) *An analysis of efforts to address dis-*
15 *crimination challenges against emerging adver-*
16 *sary threats, including hypersonic and cruise*
17 *missiles.*

18 (2) *FORM.*—The report required by paragraph
19 (1) shall be submitted in unclassified form, but may
20 include a classified annex.

21 **SEC. 1660C. DEVELOPMENT AND DEPLOYMENT OF PER-**
22 **SISTENT SPACE-BASED SENSOR ARCHITEC-**
23 **TURE.**

24 (a) *DISSOCIATION WITH BALLISTIC MISSILE DE-*
25 *FENSE REVIEW.*—Subsection (a) of section 1683 of the Na-

1 *tional Defense Authorization Act for Fiscal Year 2018 (Pub-*
2 *lic Law 115–91) is amended by striking “If consistent” and*
3 *all that follows through “develop” and inserting “Not later*
4 *than December 31, 2018, the Director of the Missile Defense*
5 *Agency shall, in coordination with the Secretary of the Air*
6 *Force and the Director of the Defense Advanced Research*
7 *Projects Agency, commence developing”.*

8 *(b) DEPLOYMENT DEADLINE.—Such subsection is fur-*
9 *ther amended—*

10 *(1) by striking “(A) IN GENERAL.—” and insert-*
11 *ing the following:*

12 *“(a) DEVELOPMENT AND DEPLOYMENT.—*

13 *“(1) DEVELOPMENT.—”; and*

14 *(2) by adding at the end the following new para-*
15 *graph:*

16 *“(2) DEPLOYMENT.—The Director of the Missile*
17 *Defense Agency shall ensure that the sensor architec-*
18 *ture developed under paragraph (1) is deployed on or*
19 *before December 31, 2022.”.*

20 *(c) COMPATIBILITY WITH EFFORTS OF DEFENSE AD-*
21 *VANCED RESEARCH PROJECTS AGENCY.—Such section is*
22 *amended—*

23 *(1) by redesignating subsections (e) and (f) as*
24 *subsection (f) and (g), respectively; and*

1 (2) *by inserting after subsection (d) the following*
2 *new subsection (e):*

3 “(e) *COMPATIBILITY WITH EFFORTS OF DEFENSE AD-*
4 *VANCED RESEARCH PROJECTS AGENCY.—The Director*
5 *shall ensure that the sensor architecture developed under*
6 *subsection (a) is compatible with efforts of the Defense Ad-*
7 *vanced Research Projects Agency relating to space-based*
8 *sensors for missile defense.”.*

9 (d) *REPORT ON PROGRESS.—*

10 (1) *IN GENERAL.—Not later than 90 days after*
11 *the date of the enactment of this Act, Secretary of De-*
12 *fense shall submit to the congressional defense com-*
13 *mittees a report on the progress of all efforts being*
14 *made by the Missile Defense Agency, the Defense Ad-*
15 *vanced Research Projects Agency, and the Air Force*
16 *relating to space-based sensing and tracking capabili-*
17 *ties for missile defense and how each of such organi-*
18 *zations will work together to avoid duplication of ef-*
19 *forts.*

20 (2) *FORM.—The report required by paragraph*
21 *(1) shall be submitted in unclassified form, but may*
22 *include a classified annex.*

1 **SEC. 1660D. MODIFICATION OF REQUIREMENT TO DEVELOP**
2 **A SPACE-BASED BALLISTIC MISSILE INTER-**
3 **CEPT LAYER.**

4 (a) *DISSOCIATION WITH BALLISTIC MISSILE DE-*
5 *FENSE REVIEW.*—Subsection (a) of section 1688 of the Na-
6 *tional Defense Authorization Act for Fiscal Year 2018 (Pub-*
7 *lic Law 115–91) is amended, in the matter before para-*
8 *graph (1), by striking “If consistent” and all that follows*
9 *through “the Director” and inserting “The Director”.*

10 (b) *CONFORMING AMENDMENT.*—Subsection (b) of such
11 *section is amended, in the matter before paragraph (1), by*
12 *striking “If the Director carries out subsection (a), not*
13 *later” and inserting “Not later”.*

14 **Subtitle F—Other Matters**

15 **SEC. 1661. ASSESSMENT OF ELECTRONIC WARFARE CAPA-**
16 **BILITIES OF RUSSIA AND CHINA.**

17 (a) *IN GENERAL.*—Not later than 270 days after the
18 *date of the enactment of this Act, the Director of the Defense*
19 *Intelligence Agency shall submit to the congressional defense*
20 *committees and the congressional intelligence committees*
21 *(as defined in section 3 of the National Security Act of 1947*
22 *(50 U.S.C. 3003)) country-wide assessments of the electronic*
23 *warfare capabilities of the Russian Federation and the Peo-*
24 *ple’s Republic of China.*

1 (b) *CONTENTS.*—*The assessments submitted under sub-*
2 *section (a) shall include, for the countries concerned, the*
3 *following:*

4 (1) *The electronic warfare doctrine.*

5 (2) *The order of battle on land, sea, air, space,*
6 *and cyberspace.*

7 (3) *The current status of expected direction of*
8 *technology and research over the next 10 years.*

9 **SEC. 1662. BUDGET EXHIBIT ON SUPPORT PROVIDED TO EN-**
10 **TITIES OUTSIDE DEPARTMENT OF DEFENSE.**

11 (a) *IN GENERAL.*—*The Under Secretary of Defense*
12 *(Comptroller) shall include in the budget justification mate-*
13 *rials submitted to Congress in support of the Department*
14 *of Defense budget for each fiscal year (as submitted with*
15 *the budget of the President under section 1105(a) of title*
16 *31, United States Code) a single budget exhibit containing*
17 *relevant details pertaining to support provided by the De-*
18 *partment of Defense to the Executive Office of the President*
19 *related to senior leader communications and continuity of*
20 *government programs.*

21 (b) *INCLUSIONS.*—*The budget exhibit required by sub-*
22 *section (a) shall include—*

23 (1) *support provided by the White House Mili-*
24 *tary Office, the White House Communications Agen-*
25 *cy, special mission area activities of the Defense In-*

1 *formation Systems Agency, and other relevant pro-*
2 *grams; and*

3 *(2) specific appropriation and line numbers*
4 *where appropriate.*

5 *(c) FORM.—The budget exhibit required by subsection*
6 *(a) shall be submitted in unclassified form, but may include*
7 *a classified annex.*

8 **SEC. 1663. DEVELOPMENT OF ELECTROMAGNETIC BATTLE**
9 **MANAGEMENT CAPABILITY FOR JOINT ELEC-**
10 **TROMAGNETIC OPERATIONS.**

11 *(a) DESIGNATION OF EXECUTIVE AGENT.—Not later*
12 *than 180 days after the date of the enactment of this Act,*
13 *the Electronic Warfare Executive Committee shall designate*
14 *a military service with the responsibility for acting as exec-*
15 *utive agent for the development of an Electromagnetic Bat-*
16 *tle Management capability for joint electromagnetic oper-*
17 *ations.*

18 *(b) CERTIFICATION REQUIREMENT.—Along with the*
19 *budget for each fiscal year submitted by the President pur-*
20 *suant to section 1105(a) of title 31, United States Code,*
21 *the Secretary of Defense shall include a certification from*
22 *the Electronic Warfare Executive Committee whether suffi-*
23 *cient funds have been budgeted for the development of an*
24 *Electromagnetic Battle Management capability for joint*
25 *electromagnetic operations.*

1 **TITLE XVII—COMMITTEE ON**
2 **FOREIGN INVESTMENT IN**
3 **THE UNITED STATES**

4 **SEC. 1701. SHORT TITLE.**

5 *This title may be cited as the “Foreign Investment*
6 *Risk Review Modernization Act of 2018”.*

7 **SEC. 1702. SENSE OF CONGRESS.**

8 (a) *IN GENERAL.—It is the sense of Congress that—*

9 (1) *foreign investment provides substantial eco-*
10 *nomical benefits to the United States, including the*
11 *promotion of economic growth, productivity, competi-*
12 *tiveness, and job creation, and the majority of foreign*
13 *investment transactions pose little or no risk to the*
14 *national security of the United States, especially*
15 *when those investments are truly passive in nature;*

16 (2) *maintaining the commitment of the United*
17 *States to open and fair investment policy also encour-*
18 *ages other countries to reciprocate and helps open new*
19 *foreign markets for United States businesses and their*
20 *products;*

21 (3) *it should continue to be the policy of the*
22 *United States to enthusiastically welcome and sup-*
23 *port foreign investment, consistent with the protection*
24 *of national security;*

1 (4) *at the same time, the national security land-*
2 *scape has shifted in recent years, and so has the na-*
3 *ture of the investments that pose the greatest potential*
4 *risk to national security, which warrants a mod-*
5 *ernization of the processes and authorities of the Com-*
6 *mittee on Foreign Investment in the United States*
7 *and of the United States export control system;*

8 (5) *the Committee on Foreign Investment in the*
9 *United States plays a critical role in protecting the*
10 *national security of the United States, and, therefore,*
11 *it is essential that the member agencies of the Com-*
12 *mittee are adequately resourced and able to hire ap-*
13 *propriately qualified individuals in a timely manner,*
14 *and that those individuals' security clearances are*
15 *processed as a high priority;*

16 (6) *the President should conduct a more robust*
17 *international outreach effort to urge and help allies*
18 *and partners of the United States to establish proc-*
19 *esses that parallel the Committee on Foreign Invest-*
20 *ment in the United States to screen foreign invest-*
21 *ments for national security risks and to facilitate co-*
22 *ordination;*

23 (7) *the President should lead a collaborative ef-*
24 *fort with allies and partners of the United States to*
25 *strengthen the multilateral export control regime to*

1 *more effectively address the unprecedented industrial*
2 *policies of certain countries of special concern, includ-*
3 *ing aggressive efforts to acquire United States tech-*
4 *nology, and the blending of civil and military pro-*
5 *grams;*

6 *(8) any penalties imposed by the United States*
7 *Government with respect to an individual or entity*
8 *pursuant to a determination that the individual or*
9 *entity has violated sanctions imposed by the United*
10 *States or the export control laws of the United States*
11 *should not be reversed for reasons unrelated to the na-*
12 *tional security of the United States; and*

13 *(9) the Committee on Foreign Investment in the*
14 *United States should continue to review transactions*
15 *for the purpose of protecting national security and*
16 *should not consider issues of national interest absent*
17 *a national security nexus.*

18 **(b) SENSE OF CONGRESS ON CONSIDERATION OF COV-**
19 **ERED TRANSACTIONS.**—*It is the sense of Congress that,*
20 *when considering national security risks, the Committee on*
21 *Foreign Investment in the United States may consider—*

22 *(1) whether a transaction involves a country of*
23 *special concern that has a demonstrated or declared*
24 *strategic goal of acquiring a type of critical tech-*
25 *nology or critical infrastructure that would affect*

1 *United States technological and industrial leadership*
2 *in areas related to national security;*

3 *(2) the potential national security-related effects*
4 *of the cumulative market share of or a pattern of re-*
5 *cent transactions in any one type of infrastructure,*
6 *energy asset, critical material, or critical technology*
7 *by foreign persons;*

8 *(3) whether any foreign person that would ac-*
9 *quire an interest in a United States business or its*
10 *assets as a result of a transaction has a history of*
11 *complying with United States laws and regulations;*

12 *(4) the extent to which a transaction is likely to*
13 *expose, either directly or indirectly, personally identi-*
14 *fiable information, genetic information, or other sen-*
15 *sitive data of United States citizens to access by a*
16 *foreign government or foreign person that may exploit*
17 *that information in a manner that threatens national*
18 *security; and*

19 *(5) whether a transaction is likely to have the ef-*
20 *fect of exacerbating or creating new cybersecurity*
21 *vulnerabilities in the United States or is likely to re-*
22 *sult in a foreign government gaining a significant*
23 *new capability to engage in malicious cyber-enabled*
24 *activities against the United States, including such*

1 *activities designed to affect the outcome of any elec-*
2 *tion for Federal office.*

3 **SEC. 1703. DEFINITIONS.**

4 *Section 721(a) of the Defense Production Act of 1950*
5 *(50 U.S.C. 4565(a)) is amended to read as follows:*

6 “(a) *DEFINITIONS.—In this section:*

7 “(1) *ACCESS.—The term ‘access’ means the abil-*
8 *ity and opportunity to obtain information, subject to*
9 *regulations prescribed by the Committee.*

10 “(2) *COMMITTEE; CHAIRPERSON.—The terms*
11 *‘Committee’ and ‘chairperson’ mean the Committee on*
12 *Foreign Investment in the United States and the*
13 *chairperson thereof, respectively.*

14 “(3) *CONTROL.—The term ‘control’ means the*
15 *power to determine, direct, or decide important mat-*
16 *ters affecting an entity, subject to regulations pre-*
17 *scribed by the Committee.*

18 “(4) *COUNTRY OF SPECIAL CONCERN.—*

19 “(A) *IN GENERAL.—The term ‘country of*
20 *special concern’ means a country that poses a*
21 *significant threat to the national security inter-*
22 *ests of the United States.*

23 “(B) *RULE OF CONSTRUCTION.—This para-*
24 *graph shall not be construed to require the Com-*

1 *mittee to maintain a list of countries of special*
2 *concern.*

3 “(5) *COVERED TRANSACTION.*—

4 “(A) *IN GENERAL.*—*Except as otherwise*
5 *provided, the term ‘covered transaction’ means—*

6 “(i) *any transaction described in sub-*
7 *paragraph (B)(i); and*

8 “(ii) *any transaction described in*
9 *clauses (ii) through (v) of subparagraph (B)*
10 *that is proposed, pending, or completed on*
11 *or after the effective date specified in section*
12 *1732(b)(1)(A) of the Foreign Investment*
13 *Risk Review Modernization Act of 2018.*

14 “(B) *TRANSACTIONS DESCRIBED.*—*A trans-*
15 *action described in this subparagraph is any of*
16 *the following:*

17 “(i) *Any merger, acquisition, or take-*
18 *over that is proposed or pending after Au-*
19 *gust 23, 1988, by or with any foreign per-*
20 *son that could result in foreign control of*
21 *any United States business.*

22 “(ii) *Subject to subparagraph (C), the*
23 *purchase or lease by a foreign person of, or*
24 *a concession offered to a foreign person with*

1 *respect to, private or public real estate*
2 *that—*

3 *“(I) is located in the United*
4 *States;*

5 *“(II)(aa) is, is located at, or will*
6 *function as part of, a land, air, or*
7 *maritime port; or*

8 *“(bb)(AA) is in close proximity to*
9 *a United States military installation*
10 *or another facility or property of the*
11 *United States Government that is sen-*
12 *sitive for reasons relating to national*
13 *security;*

14 *“(BB) could reasonably provide*
15 *the foreign person the ability to collect*
16 *information on activities being con-*
17 *ducted at such an installation, facility,*
18 *or property; or*

19 *“(CC) could otherwise expose na-*
20 *tional security activities at such an in-*
21 *stallation, facility, or property to the*
22 *risk of foreign surveillance; and*

23 *“(III) meets such other criteria as*
24 *the Committee prescribes by regulation,*
25 *as long as such criteria do not expand*

1 *the categories of real estate to which*
2 *this clause applies beyond the cat-*
3 *egories described in subclause (II).*

4 “(iii) *Any other investment (other than*
5 *a passive investment) by a foreign person in*
6 *any United States critical technology com-*
7 *pany or United States critical infrastruc-*
8 *ture company that is unaffiliated with the*
9 *foreign person, subject to regulations pre-*
10 *scribed under subparagraph (C).*

11 “(iv) *Any change in the rights that a*
12 *foreign person has with respect to a United*
13 *States business in which the foreign person*
14 *has an investment, if that change could re-*
15 *sult in—*

16 “(I) *foreign control of the United*
17 *States business; or*

18 “(II) *an investment described in*
19 *clause (iii).*

20 “(v) *Any other transaction, transfer,*
21 *agreement, or arrangement the structure of*
22 *which is designed or intended to evade or*
23 *circumvent the application of this section,*
24 *subject to regulations prescribed by the*
25 *Committee.*

1 “(C) *FURTHER DEFINITION THROUGH REG-*
2 *ULATIONS.—*

3 “(i) *EXCEPTION FOR CERTAIN REAL*
4 *ESTATE TRANSACTIONS.—A real estate pur-*
5 *chase or lease described in subparagraph*
6 *(B)(ii) does not include a lease or purchase*
7 *of—*

8 “(I) *a single ‘housing unit’, as de-*
9 *finied by the Census Bureau; or*

10 “(II) *real estate in ‘urbanized*
11 *areas’, as defined by the Census Bu-*
12 *reau in the most recent census, except*
13 *as otherwise prescribed by the Com-*
14 *mittee in regulations in consultation*
15 *with the Secretary of Defense.*

16 “(ii) *CERTAIN OTHER INVESTMENT.—*
17 *The Committee shall prescribe regulations*
18 *further defining covered transactions de-*
19 *scribed in subparagraph (B)(iii) by ref-*
20 *erence to the technology, sector, subsector,*
21 *transaction type, or other characteristics of*
22 *such transactions.*

23 “(iii) *EXEMPTION FOR TRANSACTIONS*
24 *FROM IDENTIFIED COUNTRIES.—*

1 “(I) *IN GENERAL.*—*The Com-*
2 *mittee shall, by regulation, define cir-*
3 *cumstances and procedures under*
4 *which a transaction otherwise de-*
5 *scribed in clause (ii) or (iii) of sub-*
6 *paragraph (B) is excluded from the*
7 *definition of ‘covered transaction’ if*
8 *each foreign person that is a party to*
9 *the transaction, and each foreign per-*
10 *son with ownership or control over a*
11 *party to the transaction, is from (as*
12 *determined by the Committee pursuant*
13 *to regulations prescribed by the Com-*
14 *mittee), a country or part of a country*
15 *identified by the Committee for pur-*
16 *poses of this clause based on factors es-*
17 *tablished by the Committee, such as—*

18 “(aa) *whether, in the sole*
19 *judgment of the Committee, the*
20 *process of the country for review-*
21 *ing the national security effects of*
22 *foreign investment and associated*
23 *international cooperation effec-*
24 *tively safeguards national security*

1 *interests the country shares with*
2 *the United States;*

3 *“(bb) whether the country is*
4 *a member country of the North*
5 *Atlantic Treaty Organization or*
6 *is designated as a major non-*
7 *NATO ally pursuant to section*
8 *517 of the Foreign Assistance Act*
9 *of 1961 (22 U.S.C. 2321k);*

10 *“(cc) whether the country ad-*
11 *heres to nonproliferation control*
12 *regimes, including treaties and*
13 *multilateral supply guidelines,*
14 *which shall be informed by sources*
15 *such as the annual report on ‘Ad-*
16 *herence to and Compliance with*
17 *Arms Control, Nonproliferation*
18 *and Disarmament Agreements*
19 *and Commitments’ required by*
20 *section 403 of the Arms Control*
21 *and Disarmament Act (22 U.S.C.*
22 *2593a);*

23 *“(dd) whether excluding*
24 *transactions by foreign persons*
25 *from the country advances the na-*

1 *tional security objectives of the*
2 *United States; and*

3 *“(ee) any other factors that*
4 *the Committee determines to be*
5 *appropriate.*

6 *“(II) RECURRING ASSESSMENT OF*
7 *IDENTIFIED COUNTRIES.—The Com-*
8 *mittee shall reconsider on a regular*
9 *basis the identification of countries*
10 *and parts of countries under subclause*
11 *(I).*

12 *“(iv) EXCEPTION FOR AIR CAR-*
13 *RIERS.—For purposes of subparagraph*
14 *(B)(iii), the term ‘other investment’ does not*
15 *include an investment involving an air car-*
16 *rier, as defined in section 40102(a)(2) of*
17 *title 49, United States Code, that holds a*
18 *certificate issued under section 41102 of*
19 *that title.*

20 *“(v) TRANSFERS OF CERTAIN ASSETS*
21 *PURSUANT TO BANKRUPTCY PROCEEDINGS*
22 *OR OTHER DEFAULTS.—The Committee*
23 *shall prescribe regulations to clarify that*
24 *the term ‘covered transaction’ includes any*
25 *transaction described in subparagraph (B)*

1 *that arises pursuant to a bankruptcy pro-*
2 *ceeding or other form of default on debt.*

3 “(D) *PASSIVE INVESTMENT DEFINED.*—

4 “(i) *IN GENERAL.*—*For purposes of*
5 *subparagraph (B)(iii), the term ‘passive in-*
6 *vestment’ means an investment, direct or*
7 *indirect, by a foreign person in a United*
8 *States critical infrastructure company or*
9 *United States critical technology company*
10 *that meets the following criteria:*

11 “(I) *The investment is not de-*
12 *scribed in subparagraph (B)(i).*

13 “(II) *The investment does not af-*
14 *ford the foreign person—*

15 “(aa) *access to any material*
16 *nonpublic technical information*
17 *in the possession of the United*
18 *States critical infrastructure com-*
19 *pany or United States critical*
20 *technology company;*

21 “(bb) *membership or observer*
22 *rights on the board of directors or*
23 *equivalent governing body of the*
24 *United States critical infrastruc-*
25 *ture company or United States*

1 *critical technology company or the*
2 *right to nominate an individual*
3 *to a position on the board of di-*
4 *rectors or equivalent governing*
5 *body; or*

6 *“(cc) any involvement, other*
7 *than through voting of shares, in*
8 *substantive decisionmaking relat-*
9 *ing to the management, govern-*
10 *ance, or operation of the United*
11 *States critical infrastructure com-*
12 *pany or United States critical*
13 *technology company.*

14 *“(III) The foreign person does not*
15 *have a material parallel strategic part-*
16 *nership or other material financial re-*
17 *lationship, as described in regulations*
18 *prescribed by the Committee, with the*
19 *United States critical infrastructure*
20 *company or United States critical*
21 *technology company.*

22 *“(IV) Such other criteria as the*
23 *Committee may prescribe by regula-*
24 *tion, which shall be consistent with the*

1 *criteria specified in subclauses (I),*
2 *(II), and (III).*

3 “(ii) *MATERIAL NONPUBLIC TECH-*
4 *NICAL INFORMATION DEFINED.—For pur-*
5 *poses of clause (i)(II)(aa), the term ‘mate-*
6 *rial nonpublic technical information’ has*
7 *the meaning given that term in regulations*
8 *prescribed by the Committee, except that the*
9 *term does not include financial information*
10 *regarding the performance of a United*
11 *States critical infrastructure company or*
12 *United States critical technology company.*

13 “(iii) *EFFECT OF LEVEL OF OWNER-*
14 *SHIP INTEREST.—*

15 “(I) *IN GENERAL.—A determina-*
16 *tion of whether an investment is a pas-*
17 *sive investment under clause (i) shall*
18 *be made without regard to how low the*
19 *level of ownership interest a foreign*
20 *person would hold or acquire in a*
21 *United States critical infrastructure*
22 *company or United States critical*
23 *technology company would be as a re-*
24 *sult of the investment.*

25 “(II) *REGULATIONS.—*

1 “(aa) *IN GENERAL.*—The
2 *Committee may prescribe regula-*
3 *tions specifying that any invest-*
4 *ment (other than an investment*
5 *described in item (bb)) greater*
6 *than a certain level or amount*
7 *shall not be considered a passive*
8 *investment under clause (i).*

9 “(bb) *INVESTMENT DE-*
10 *SCRIBED.*—*An investment de-*
11 *scribed in this item is an invest-*
12 *ment—*

13 “(AA) *by a foreign per-*
14 *son in a United States crit-*
15 *ical infrastructure company*
16 *or United States critical*
17 *technology company through*
18 *an investment fund;*

19 “(BB) *that does not re-*
20 *sult in the foreign person’s*
21 *control of the United States*
22 *critical technology or United*
23 *States critical infrastructure*
24 *company; and*

1 “(CC) that otherwise
2 meets the requirements of
3 clauses (i) and (iv), as appli-
4 cable.

5 “(iv) *SPECIFIC CLARIFICATION FOR IN-*
6 *VESTMENT FUNDS.—*

7 “(I) *TREATMENT OF CERTAIN IN-*
8 *VESTMENTS AS PASSIVE INVEST-*
9 *MENTS.—Notwithstanding clause*
10 *(i)(II)(bb) and subject to regulations*
11 *prescribed by the Committee, an indi-*
12 *rect investment by a foreign person in*
13 *a United States critical infrastructure*
14 *company or United States critical*
15 *technology company through an invest-*
16 *ment fund that affords the foreign per-*
17 *son (or a designee of the foreign per-*
18 *son) membership as a limited partner*
19 *on an advisory board or a committee*
20 *of the fund shall be considered a pas-*
21 *sive investment if—*

22 “(aa) the fund is managed
23 exclusively by a general partner, a
24 managing member, or an equiva-
25 lent;

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“(bb) the general partner, managing member, or equivalent is not a foreign person;

“(cc) the advisory board or committee does not have the ability to approve, disapprove, or otherwise control—

“(AA) investment decisions of the fund; or

“(BB) decisions made by the general partner, managing member, or equivalent related to entities in which the fund is invested;

“(dd) the foreign person does not otherwise have the ability to control the fund, including the authority—

“(AA) to approve, disapprove, or otherwise control investment decisions of the fund;

“(BB) to approve, disapprove, or otherwise control decisions made by the general

1 *partner, managing member,*
2 *or equivalent related to enti-*
3 *ties in which the fund is in-*
4 *vested; or*

5 *“(CC) to unilaterally*
6 *dismiss, prevent the dis-*
7 *missal of, select, or determine*
8 *the compensation of the gen-*
9 *eral partner, managing*
10 *member, or equivalent; and*

11 *“(ee) the investment other-*
12 *wise meets the requirements of*
13 *this subparagraph.*

14 *“(II) TREATMENT OF CERTAIN*
15 *WAIVERS.—*

16 *“(aa) IN GENERAL.—For the*
17 *purposes of items (cc) and (dd) of*
18 *subclause (I) and except as pro-*
19 *vided in item (bb), a waiver of a*
20 *potential conflict of interest, a*
21 *waiver of an allocation limita-*
22 *tion, or a similar activity, appli-*
23 *cable to a transaction pursuant to*
24 *the terms of an agreement gov-*
25 *erning an investment fund shall*

1 *not be considered to constitute*
2 *control of investment decisions of*
3 *the fund or decisions relating to*
4 *entities in which the fund is in-*
5 *vested.*

6 “(bb) *EXCEPTION.—The*
7 *Committee may prescribe regula-*
8 *tions providing for exceptions to*
9 *item (aa) for extraordinary cir-*
10 *cumstances.*

11 “(v) *REGULATIONS.—The Committee*
12 *shall prescribe regulations providing guid-*
13 *ance on the types of transactions that the*
14 *Committee considers to be passive invest-*
15 *ment.*

16 “(E) *UNITED STATES CRITICAL INFRA-*
17 *STRUCTURE COMPANY DEFINED.—For purposes*
18 *of this paragraph, the term ‘United States crit-*
19 *ical infrastructure company’ means a United*
20 *States business that is, owns, operates, or pri-*
21 *marily provides services to, an entity or entities*
22 *that operate within a critical infrastructure sec-*
23 *tor or subsector, as defined by regulations pre-*
24 *scribed by the Committee.*

1 “(F) *UNITED STATES CRITICAL TECH-*
2 *NOLOGY COMPANY DEFINED.*—*For purposes of*
3 *this paragraph, the term ‘United States critical*
4 *technology company’ means a United States*
5 *business that produces, designs, tests, manufac-*
6 *tures, or develops one or more critical tech-*
7 *nologies, or a subset of such technologies, as de-*
8 *finied by regulations prescribed by the Com-*
9 *mittee.*

10 “(6) *CRITICAL INFRASTRUCTURE.*—*The term*
11 *‘critical infrastructure’ means, subject to regulations*
12 *prescribed by the Committee, systems and assets,*
13 *whether physical or virtual, so vital to the United*
14 *States that the incapacity or destruction of such sys-*
15 *tems or assets would have a debilitating impact on*
16 *national security.*

17 “(7) *CRITICAL MATERIALS.*—*The term ‘critical*
18 *materials’ means physical materials essential to na-*
19 *tional security, subject to regulations prescribed by*
20 *the Committee.*

21 “(8) *CRITICAL TECHNOLOGIES.*—

22 “(A) *IN GENERAL.*—*The term ‘critical tech-*
23 *nologies’ means technology, components, or tech-*
24 *nology items that are essential or could be essen-*
25 *tial to national security, identified for purposes*

1 *of this section pursuant to regulations prescribed*
2 *by the Committee.*

3 “(B) *INCLUSION OF CERTAIN ITEMS.—The*
4 *term ‘critical technologies’ includes the following:*

5 “(i) *Defense articles or defense services*
6 *included on the United States Munitions*
7 *List set forth in the International Traffic in*
8 *Arms Regulations under subchapter M of*
9 *chapter I of title 22, Code of Federal Regu-*
10 *lations.*

11 “(ii) *Items included on the Commerce*
12 *Control List set forth in Supplement No. 1*
13 *to part 774 of the Export Administration*
14 *Regulations under subchapter C of chapter*
15 *VII of title 15, Code of Federal Regulations,*
16 *and controlled—*

17 “(I) *pursuant to multilateral re-*
18 *gimes, including for reasons relating to*
19 *national security, chemical and bio-*
20 *logical weapons proliferation, nuclear*
21 *nonproliferation, or missile technology;*
22 *or*

23 “(II) *for reasons relating to re-*
24 *gional stability or surreptitious listen-*
25 *ing.*

1 “(iii) *Specially designed and prepared*
2 *nuclear equipment, parts and components,*
3 *materials, software, and technology covered*
4 *by part 810 of title 10, Code of Federal Reg-*
5 *ulations (relating to assistance to foreign*
6 *atomic energy activities).*

7 “(iv) *Nuclear facilities, equipment, and*
8 *material covered by part 110 of title 10,*
9 *Code of Federal Regulations (relating to ex-*
10 *port and import of nuclear equipment and*
11 *material).*

12 “(v) *Select agents and toxins covered*
13 *by part 331 of title 7, Code of Federal Reg-*
14 *ulations, part 121 of title 9 of such Code, or*
15 *part 73 of title 42 of such Code.*

16 “(vi) *Emerging and foundational tech-*
17 *nologies identified pursuant to section*
18 *1725(a) of the Foreign Investment Risk Re-*
19 *view Modernization Act of 2018.*

20 “(9) *FOREIGN GOVERNMENT-CONTROLLED*
21 *TRANSACTION.—The term ‘foreign government-con-*
22 *trolled transaction’ means any covered transaction*
23 *that could result in the control of any United States*
24 *business by a foreign government or an entity con-*
25 *trolled by or acting on behalf of a foreign government.*

1 “(10) *FOREIGN PERSON*.—

2 “(A) *IN GENERAL*.—*The term ‘foreign per-*
3 *son’ means—*

4 “(i) *any foreign national, foreign gov-*
5 *ernment, or foreign entity; or*

6 “(ii) *any entity over which control is*
7 *exercised or exercisable by a foreign na-*
8 *tional, foreign government, or foreign enti-*
9 *ty.*

10 “(B) *FOREIGN ENTITY DEFINED*.—

11 “(i) *IN GENERAL*.—*For purposes of*
12 *subparagraph (A) and except as provided in*
13 *clause (ii), the term ‘foreign entity’ means*
14 *any branch, partnership, group or sub-*
15 *group, association, estate, trust, corporation*
16 *or division of a corporation, or organiza-*
17 *tion organized under the laws of a foreign*
18 *country if—*

19 “(I) *the principal place of busi-*
20 *ness of the entity is outside the United*
21 *States; or*

22 “(II) *the equity securities of the*
23 *entity are primarily traded on one or*
24 *more foreign exchanges.*

1 “(i) *EXCEPTION.*—For purposes of
2 subparagraph (A), the term ‘foreign entity’
3 does not include an entity that demonstrates
4 to the Committee that a majority of the eq-
5 uity interest in the entity is ultimately
6 owned by United States nationals.

7 “(11) *INTELLIGENCE COMMUNITY.*—The term
8 ‘intelligence community’ has the meaning given that
9 term in section 3(4) of the National Security Act of
10 1947 (50 U.S.C. 3003(4)).

11 “(12) *INVESTMENT.*—The term ‘investment’
12 means the acquisition of equity interest, including
13 contingent equity interest, as further defined in regu-
14 lations prescribed by the Committee.

15 “(13) *LEAD AGENCY.*—The term ‘lead agency’
16 means the agency or agencies designated as the lead
17 agency or agencies pursuant to subsection (k)(5).

18 “(14) *NATIONAL SECURITY.*—The term ‘national
19 security’ shall be construed so as to include those
20 issues relating to ‘homeland security’, including its
21 application to critical infrastructure.

22 “(15) *PARTY.*—The term ‘party’ has the meaning
23 given that term in regulations prescribed by the Com-
24 mittee.

1 “(16) *UNITED STATES.*—*The term ‘United*
2 *States’ means the several States, the District of Co-*
3 *lumbia, and any territory or possession of the United*
4 *States.*”

5 “(17) *UNITED STATES BUSINESS.*—*The term*
6 *‘United States business’ means a person engaged in*
7 *interstate commerce in the United States.”.*”

8 **SEC. 1704. ACCEPTANCE OF WRITTEN NOTICES.**

9 *Section 721(b)(1)(C)(i) of the Defense Production Act*
10 *of 1950 (50 U.S.C. 4565(b)(1)(C)(i)) is amended—*

11 (1) *by striking “Any party” and inserting the*
12 *following:*

13 “(I) *IN GENERAL.*—*Any party”;*

14 *and*

15 (2) *by adding at the end the following:*

16 “(II) *COMMENTS AND ACCEPT-*
17 *ANCE.*—

18 “(aa) *IN GENERAL.*—*Subject*
19 *to item (cc), the Committee shall*
20 *provide comments on a draft or*
21 *final written notice or accept a*
22 *final written notice submitted*
23 *under subclause (I) with respect*
24 *to a covered transaction not later*
25 *than the date that is 10 business*

1 *days after the date of submission*
2 *of the draft or final notice.*

3 “(bb) COMPLETENESS.—*If*
4 *the Committee determines that a*
5 *draft or final written notice de-*
6 *scribed in item (aa) is not com-*
7 *plete, the Committee shall notify*
8 *the party or parties to the trans-*
9 *action in writing that the notice*
10 *is not complete and provide an*
11 *explanation of all material re-*
12 *spects in which the notice is in-*
13 *complete.*”

14 “(cc) STIPULATIONS RE-
15 REQUIRED.—*The timing requirement*
16 *under item (aa) shall apply only*
17 *in a case in which the parties*
18 *stipulate under clause (vi) that*
19 *the transaction is a covered trans-*
20 *action.”.*

21 **SEC. 1705. INCLUSION OF PARTNERSHIP AND SIDE AGREE-**
22 **MENTS IN NOTICE.**

23 *Section 721(b)(1)(C) of the Defense Production Act of*
24 *1950 (50 U.S.C. 4565(b)(1)(C)) is amended by adding at*
25 *the end the following:*

1 “(iv) *INCLUSION OF PARTNERSHIP AND*
2 *SIDE AGREEMENTS.*—*A written notice sub-*
3 *mitted under clause (i) by a party to a cov-*
4 *ered transaction shall include a copy of any*
5 *partnership agreements, integration agree-*
6 *ments, or other side agreements relating to*
7 *the transaction, including any such agree-*
8 *ments relating to the transfer of intellectual*
9 *property, as specified in regulations pre-*
10 *scribed by the Committee.”.*

11 **SEC. 1706. DECLARATIONS FOR CERTAIN COVERED TRANS-**
12 **ACTIONS.**

13 *Section 721(b)(1)(C) of the Defense Production Act of*
14 *1950 (50 U.S.C. 4565(b)(1)(C)), as amended by section*
15 *1705, is further amended by adding at the end the fol-*
16 *lowing:*

17 “(v) *DECLARATIONS FOR CERTAIN COV-*
18 *ERED TRANSACTIONS.*—

19 “(I) *IN GENERAL.*—*A party to*
20 *any covered transaction may submit to*
21 *the Committee a declaration with basic*
22 *information regarding the transaction*
23 *instead of a written notice under*
24 *clause (i).*

1 “(II) *REGULATIONS.*—*The Com-*
2 *mittee shall prescribe regulations estab-*
3 *lishing requirements for declarations*
4 *submitted under this clause. In pre-*
5 *scribing such regulations, the Com-*
6 *mittee shall ensure that such declara-*
7 *tions are submitted as abbreviated no-*
8 *tifications that would not generally ex-*
9 *ceed 5 pages in length.*

10 “(III) *COMMITTEE RESPONSE TO*
11 *DECLARATION.*—

12 “(aa) *IN GENERAL.*—*Upon*
13 *receiving a declaration under this*
14 *clause with respect to a covered*
15 *transaction, the Committee may,*
16 *at the discretion of the Com-*
17 *mittee—*

18 “(AA) *request that the*
19 *parties to the transaction file*
20 *a written notice under clause*
21 *(i);*

22 “(BB) *inform the par-*
23 *ties to the transaction that*
24 *the Committee is not able to*
25 *complete action under this*

1 *section with respect to the*
2 *transaction on the basis of*
3 *the declaration and that the*
4 *parties may file a written*
5 *notice under clause (i) to*
6 *seek written notification from*
7 *the Committee that the Com-*
8 *mittee has completed all ac-*
9 *tion under this section with*
10 *respect to the transaction;*

11 *“(CC) initiate a unilat-*
12 *eral review of the transaction*
13 *under subparagraph (D); or*

14 *“(DD) notify the parties*
15 *in writing that the Com-*
16 *mittee has completed all ac-*
17 *tion under this section with*
18 *respect to the transaction.*

19 *“(bb) TIMING.—The Com-*
20 *mittee shall take action under*
21 *item (aa) not later than 30 days*
22 *after receiving a declaration*
23 *under this clause.*

24 *“(cc) RULE OF CONSTRUC-*
25 *TION.—Nothing in this subclause*

1 *(other than item (aa)(CC)) shall*
2 *be construed to affect the author-*
3 *ity of the President or the Com-*
4 *mittee to take any action author-*
5 *ized by this section with respect to*
6 *a covered transaction.*

7 “(IV) MANDATORY DECLARA-
8 TIONS.—

9 “(aa) REGULATIONS.—*The*
10 *Committee shall prescribe regula-*
11 *tions specifying the types of cov-*
12 *ered transactions for which the*
13 *Committee requires a declaration*
14 *under this subclause.*

15 “(bb) CERTAIN COVERED
16 TRANSACTIONS WITH FOREIGN
17 GOVERNMENT INTERESTS.—

18 “(AA) IN GENERAL.—
19 *Except as provided in*
20 *subitem (BB), the parties to*
21 *a covered transaction shall*
22 *submit a declaration de-*
23 *scribed in subclause (I) with*
24 *respect to the transaction if*
25 *the transaction involves an*

1 *investment that results in the*
2 *acquisition, directly or indi-*
3 *rectly, of a substantial inter-*
4 *est in a United States crit-*
5 *ical infrastructure company*
6 *or United States critical*
7 *technology company by a for-*
8 *ign person in which a for-*
9 *ign government has, directly*
10 *or indirectly, a substantial*
11 *interest.*

12 “(BB) *EXCEPTION.—*
13 *The submission of a declara-*
14 *tion described in subclause*
15 *(I) shall not be required with*
16 *respect to a transaction de-*
17 *scribed in subitem (AA) if*
18 *each foreign person that is a*
19 *party to the transaction, and*
20 *each foreign person with*
21 *ownership or control over a*
22 *party to the transaction, is*
23 *from a country or part of a*
24 *country identified by the*

1 *Committee under subsection*
2 *(a)(5)(C)(iii).*

3 “(CC) *SUBSTANTIAL IN-*
4 *TEREST DEFINED.—In this*
5 *item, the term ‘substantial*
6 *interest’ has the meaning*
7 *given that term in regula-*
8 *tions which the Committee*
9 *shall prescribe. In developing*
10 *those regulations, the Com-*
11 *mittee shall consider the*
12 *means by which a foreign*
13 *government could influence*
14 *the actions of a foreign per-*
15 *son, including through board*
16 *membership, ownership in-*
17 *terest, or shareholder rights.*
18 *An interest that is a passive*
19 *investment (as defined in*
20 *subsection (a)(5)(D)) or that*
21 *is less than a 10 percent vot-*
22 *ing interest shall not be con-*
23 *sidered a substantial interest.*

24 “(cc) *OTHER DECLARATIONS*
25 *REQUIRED BY COMMITTEE.—The*

1 *Committee shall require the sub-*
2 *mission of a declaration described*
3 *in subclause (I) with respect to*
4 *any covered transaction identified*
5 *under regulations prescribed by*
6 *the Committee for purposes of this*
7 *item, at the discretion of the Com-*
8 *mittee and based on appropriate*
9 *factors, such as—*

10 *“(AA) the technology,*
11 *industry, economic sector, or*
12 *economic subsector in which*
13 *the United States business*
14 *that is a party to the trans-*
15 *action trades or of which it*
16 *is a part;*

17 *“(BB) the difficulty of*
18 *remedying the harm to na-*
19 *tional security that may re-*
20 *sult from completion of the*
21 *transaction;*

22 *“(CC) the difficulty of*
23 *obtaining information on the*
24 *type of covered transaction*
25 *through other means; and*

1 “(DD) the difficulty of
2 obtaining information on the
3 ultimate ownership of the
4 foreign person that is a
5 party to the transaction.

6 “(dd) EXCEPTION.—The sub-
7 mission of a declaration described
8 in subclause (I) shall not be re-
9 quired pursuant to this subclause
10 with respect to an investment by
11 an investment fund if—

12 “(AA) the fund is man-
13 aged exclusively by a general
14 partner, a managing mem-
15 ber, or an equivalent;

16 “(BB) the general part-
17 ner, managing member, or
18 equivalent is not a foreign
19 person; and

20 “(CC) the investment
21 fund satisfies, with respect to
22 any foreign person with
23 membership as a limited
24 partner on an advisory
25 board or a committee of the

1 *fund, the criteria specified in*
2 *items (cc) and (dd) of sub-*
3 *section (a)(5)(D)(iv).*

4 “(ee) *SUBMISSION OF WRIT-*
5 *TEN NOTICE AS AN ALTER-*
6 *NATIVE.—Parties to a covered*
7 *transaction for which a declara-*
8 *tion is required under this sub-*
9 *clause may instead elect to submit*
10 *a written notice under clause (i).*

11 “(ff) *TIMING OF SUBMIS-*
12 *SION.—*

13 “(AA) *IN GENERAL.—A*
14 *declaration required to be*
15 *submitted with respect to a*
16 *covered transaction by this*
17 *subclause shall be submitted*
18 *not later than 45 days before*
19 *the completion of the trans-*
20 *action.*

21 “(BB) *WRITTEN NO-*
22 *TICE.—If, pursuant to item*
23 *(ee), the parties to a covered*
24 *transaction elect to submit a*
25 *written notice under clause*

1 *(i) instead of a declaration*
2 *under this subclause, the*
3 *written notice shall be filed*
4 *not later than 90 days before*
5 *the completion of the trans-*
6 *action.*

7 “(gg) *PENALTIES.—The*
8 *Committee may impose a penalty*
9 *pursuant to subsection (h)(3) with*
10 *respect to a party that fails to*
11 *comply with this subclause.”.*

12 **SEC. 1707. STIPULATIONS REGARDING TRANSACTIONS.**

13 *Section 721(b)(1)(C) of the Defense Production Act of*
14 *1950 (50 U.S.C. 4565(b)(1)(C)), as amended by section*
15 *1706, is further amended by adding at the end the fol-*
16 *lowing:*

17 “(vi) *STIPULATIONS REGARDING*
18 *TRANSACTIONS.—*

19 “(I) *IN GENERAL.—In a written*
20 *notice submitted under clause (i) or a*
21 *declaration submitted under clause (v)*
22 *with respect to a transaction, a party*
23 *to the transaction may—*

1 “(aa) stipulate that the
2 transaction is a covered trans-
3 action; and

4 “(bb) if the party stipulates
5 that the transaction is a covered
6 transaction under item (aa), stip-
7 ulate that the transaction is a for-
8 eign government-controlled trans-
9 action.

10 “(II) BASIS FOR STIPULATION.—
11 A written notice submitted under
12 clause (i) or a declaration submitted
13 under clause (v) that includes a stipu-
14 lation under subclause (I) shall include
15 a description of the basis for the stipu-
16 lation.”.

17 **SEC. 1708. AUTHORITY FOR UNILATERAL INITIATION OF RE-**
18 **VIEWS.**

19 Section 721(b)(1) of the Defense Production Act of
20 1950 (50 U.S.C. 4565(b)(1)) is amended—

21 (1) by redesignating subparagraphs (E) and (F)
22 as subparagraphs (F) and (G), respectively;

23 (2) in subparagraph (D)—

1 (A) in the matter preceding clause (i), by
2 striking “subparagraph (F)” and inserting “sub-
3 paragraph (G)”;

4 (B) in clause (i), by inserting “(other than
5 a covered transaction described in subparagraph
6 (E))” after “any covered transaction”;

7 (C) by striking clause (ii) and inserting the
8 following:

9 “(ii) any covered transaction described
10 in subparagraph (E), if any party to the
11 transaction submitted false or misleading
12 material information to the Committee in
13 connection with the Committee’s consider-
14 ation of the transaction or omitted material
15 information, including material documents,
16 from information submitted to the Com-
17 mittee; or”; and

18 (D) in clause (iii)—

19 (i) in the matter preceding subclause
20 (I), by striking “any covered transaction
21 that has previously been reviewed or inves-
22 tigated under this section,” and inserting
23 “any covered transaction described in sub-
24 paragraph (E),”;

1 (ii) in subclause (I), by striking “in-
2 tentiously”;

3 (iii) in subclause (II), by striking “an
4 intentional” and inserting “a”; and

5 (iv) in subclause (III), by inserting
6 “adequate and appropriate” before “rem-
7 edies or enforcement tools”; and

8 (3) by inserting after subparagraph (D) the fol-
9 lowing:

10 “(E) COVERED TRANSACTIONS DE-
11 SCRIBED.—A covered transaction is described in
12 this subparagraph if—

13 “(i) the Committee has informed the
14 parties to the transaction in writing that
15 the Committee has completed all action
16 under this section with respect to the trans-
17 action; or

18 “(ii) the President has announced a
19 decision not to exercise the President’s au-
20 thority under subsection (d) with respect to
21 the transaction.”.

22 **SEC. 1709. TIMING FOR REVIEWS AND INVESTIGATIONS.**

23 Section 721(b) of the Defense Production Act of 1950
24 (50 U.S.C. 4565(b)), as amended by section 1708, is further
25 amended—

1 (1) in paragraph (1)(F), by striking “30” and
2 inserting “45”;

3 (2) in paragraph (2), by striking subparagraph
4 (C) and inserting the following:

5 “(C) *TIMING.*—

6 “(i) *IN GENERAL.*—*Except as provided*
7 *in clause (ii), any investigation under sub-*
8 *paragraph (A) shall be completed before the*
9 *end of the 45-day period beginning on the*
10 *date on which the investigation commenced.*

11 “(ii) *EXTENSION FOR EXTRAORDINARY*
12 *CIRCUMSTANCES.*—

13 “(I) *IN GENERAL.*—*In extraor-*
14 *dinary circumstances (as defined by*
15 *the Committee in regulations), the*
16 *chairperson may, at the request of the*
17 *head of the lead agency, extend an in-*
18 *vestigation under subparagraph (A) for*
19 *one 30-day period.*

20 “(II) *NONDELEGATION.*—*The au-*
21 *thority of the chairperson and the head*
22 *of the lead agency referred to in sub-*
23 *clause (I) may not be delegated to any*
24 *person other than the Deputy Secretary*
25 *of the Treasury or the deputy head (or*

1 equivalent thereof) of the lead agency,
2 as the case may be.

3 “(III) NOTIFICATION TO PAR-
4 TIES.—If the Committee extends the
5 deadline under subclause (I) with re-
6 spect to a covered transaction, the
7 Committee shall notify the parties to
8 the transaction of the extension.”; and

9 (3) by adding at the end the following:

10 “(8) TOLLING OF DEADLINES DURING LAPSE IN
11 APPROPRIATIONS.—Any deadline or time limitation
12 under this subsection shall be tolled during a lapse in
13 appropriations.”.

14 **SEC. 1710. MONITORING OF NON-NOTIFIED AND NON-DE-**
15 **CLARED TRANSACTIONS.**

16 Section 721(b)(1) of the Defense Production Act of
17 1950 (50 U.S.C. 4565(b)(1)), as amended by sections 1708
18 and 1709, is further amended by adding at the end the fol-
19 lowing:

20 “(H) MONITORING OF NON-NOTIFIED AND
21 NON-DECLARED TRANSACTIONS.—The Committee
22 shall establish a mechanism to identify covered
23 transactions for which—

24 “(i) a notice under clause (i) of sub-
25 paragraph (C) or a declaration under

1 *clause (v) of that subparagraph is not sub-*
2 *mitted to the Committee; and*

3 *“(ii) information is reasonably avail-*
4 *able.”.*

5 **SEC. 1711. SUBMISSION OF CERTIFICATIONS TO CONGRESS.**

6 *Section 721(b)(3)(C) of the Defense Production Act of*
7 *1950 (50 U.S.C. 4565(b)(3)(C)) is amended—*

8 (1) *in clause (iii)—*

9 (A) *in subclause (II), by inserting “and the*
10 *Select Committee on Intelligence” after “Urban*
11 *Affairs”;* and

12 (B) *in subclause (IV), by inserting “and the*
13 *Permanent Select Committee on Intelligence”*
14 *after “Financial Services”;*

15 (2) *in clause (iv), by striking subclause (II) and*
16 *inserting the following:*

17 “(II) *DELEGATION OF CERTIFI-*
18 *CATIONS.—*

19 “(aa) *IN GENERAL.—Subject*
20 *to item (bb), the chairperson, in*
21 *consultation with the Committee,*
22 *may determine the level of official*
23 *to whom the signature require-*
24 *ment under subclause (I) for the*
25 *chairperson and the head of the*

1 *lead agency may be delegated. The*
2 *level of official to whom the signa-*
3 *ture requirement may be delegated*
4 *may differ based on any factor re-*
5 *lating to a transaction that the*
6 *chairperson, in consultation with*
7 *the Committee, deems appro-*
8 *priate, including the type or value*
9 *of the transaction.*

10 “(bb) *LIMITATION ON DELE-*
11 *GATION WITH RESPECT TO CER-*
12 *TAIN TRANSACTIONS.—The signa-*
13 *ture requirement under subclause*
14 *(I) may be delegated not below the*
15 *level of the Assistant Secretary of*
16 *the Treasury or an equivalent of-*
17 *ficial of the lead agency in the*
18 *case of a covered transaction—*

19 “(AA) *assessed by the*
20 *Director of National Intel-*
21 *ligence under paragraph (4)*
22 *as more likely than not to*
23 *threaten the national secu-*
24 *rity of the United States;*

1 “(BB) with respect to
2 which the Committee con-
3 ducts an investigation under
4 paragraph (2); or

5 “(CC) with respect to
6 which a request is made by
7 an official at the Deputy As-
8 sistant Secretary or Assistant
9 Secretary level of an agency
10 or department represented on
11 the Committee, or an equiva-
12 lent thereof, that the trans-
13 action be reviewed by the As-
14 sistant Secretary of the
15 Treasury and an equivalent
16 official of the lead agency.

17 “(cc) *LIMITATION ON DELE-*
18 *GATION WITH RESPECT TO OTHER*
19 *TRANSACTIONS.—In the case of*
20 *any covered transaction not de-*
21 *scribed in item (bb), the signature*
22 *requirement under subclause (I)*
23 *may be delegated not below the*
24 *level of a Deputy Assistant Sec-*
25 *retary of the Treasury or an*

1 *equivalent official of the lead*
2 *agency.”; and*

3 *(3) by adding at the end the following:*

4 “(v) *AUTHORITY TO CONSOLIDATE*
5 *DOCUMENTS.—Instead of transmitting a*
6 *separate certified notice or certified report*
7 *under subparagraph (A) or (B) with respect*
8 *to each covered transaction, the Committee*
9 *may, on a monthly basis, transmit such no-*
10 *tices and reports in a consolidated docu-*
11 *ment to the Members of Congress specified*
12 *in clause (iii).”.*

13 **SEC. 1712. ANALYSIS BY DIRECTOR OF NATIONAL INTEL-**
14 **LIGENCE.**

15 *Section 721(b)(4) of the Defense Production Act of*
16 *1950 (50 U.S.C. 4565(b)(4)) is amended—*

17 *(1) by striking subparagraph (A) and inserting*
18 *the following:*

19 “(A) *ANALYSIS REQUIRED.—*

20 “(i) *IN GENERAL.—Except as provided*
21 *in subparagraph (B), the Director of Na-*
22 *tional Intelligence shall expeditiously carry*
23 *out a thorough analysis of any threat to the*
24 *national security of the United States posed*
25 *by any covered transaction, which shall in-*

1 *clude the identification of any recognized*
2 *gaps in the collection of intelligence relevant*
3 *to the analysis.*

4 “(ii) *VIEWS OF INTELLIGENCE COMMU-*
5 *NITY.—The Director shall seek and incor-*
6 *porate into the analysis required by clause*
7 *(i) the views of all affected or appropriate*
8 *agencies of the intelligence community with*
9 *respect to the transaction.*

10 “(iii) *UPDATES.—At the request of the*
11 *lead agency, the Director shall update the*
12 *analysis conducted under clause (i) with re-*
13 *spect to a covered transaction with respect*
14 *to which an agreement was entered into*
15 *under subsection (l)(3)(A).*

16 “(iv) *INDEPENDENCE AND OBJEC-*
17 *TIVITY.—The Committee shall ensure that*
18 *its processes under this section preserve the*
19 *ability of the Director to conduct analysis*
20 *under clause (i) that is independent, objec-*
21 *tive, and consistent with all applicable di-*
22 *rectives, policies, and analytic tradecraft*
23 *standards of the intelligence community.”;*

1 (2) by redesignating subparagraphs (B), (C),
2 and (D) as subparagraphs (C), (D), and (E), respec-
3 tively;

4 (3) by inserting after subparagraph (A) the fol-
5 lowing:

6 “(B) *BASIC THREAT INFORMATION.*—

7 “(i) *IN GENERAL.*—*The Director of Na-*
8 *tional Intelligence may provide the Com-*
9 *mittee with basic information regarding*
10 *any threat to the national security of the*
11 *United States posed by a covered trans-*
12 *action described in clause (ii) instead of*
13 *conducting the analysis required by sub-*
14 *paragraph (A).*

15 “(ii) *COVERED TRANSACTION DE-*
16 *SCRIBED.*—*A covered transaction is de-*
17 *scribed in this clause if—*

18 “(I) *the transaction is described*
19 *in subsection (a)(5)(B)(ii);*

20 “(II) *the Director of National In-*
21 *telligence has completed an analysis*
22 *pursuant to subparagraph (A) involv-*
23 *ing each foreign person that is a party*
24 *to the transaction during the 12*
25 *months preceding the review or inves-*

1 *tigation of the transaction under this*
2 *section; or*

3 *“(III) the transaction otherwise*
4 *meets criteria agreed upon by the Com-*
5 *mittee and the Director for purposes of*
6 *this subparagraph.”;*

7 *(4) in subparagraph (C), as redesignated by*
8 *paragraph (2), by striking “20” and inserting “30”;*
9 *and*

10 *(5) by adding at the end the following:*

11 *“(F) ASSESSMENT OF OPERATIONAL IM-*
12 *PACT.—The Director may provide to the Com-*
13 *mittee an assessment, separate from the analyses*
14 *under subparagraphs (A) and (B), of any oper-*
15 *ational impact of a covered transaction on the*
16 *intelligence community and a description of any*
17 *actions that have been or will be taken to miti-*
18 *gate any such impact.*

19 *“(G) SUBMISSION TO CONGRESS.—The*
20 *Committee shall submit the analysis required by*
21 *subparagraph (A) with respect to a covered*
22 *transaction to the Select Committee on Intel-*
23 *ligence of the Senate and the Permanent Select*
24 *Committee on Intelligence of the House of Rep-*
25 *resentatives upon the conclusion of action under*

1 *this section (other than compliance plans under*
2 *subsection (l)(6)) with respect to the trans-*
3 *action.”.*

4 **SEC. 1713. INFORMATION SHARING.**

5 *Section 721(c) of the Defense Production Act of 1950*
6 *(50 U.S.C. 4565(c)) is amended—*

7 (1) *by striking “Any information” and inserting*
8 *the following:*

9 “(1) *IN GENERAL.—Except as provided in para-*
10 *graph (2), any information”;*

11 (2) *by striking “, except as may be relevant” and*
12 *all that follows and inserting a period; and*

13 (3) *by adding at the end the following:*

14 “(2) *EXCEPTIONS.—Paragraph (1) shall not pro-*
15 *hibit the disclosure of the following:*

16 “(A) *Information relevant to any adminis-*
17 *trative or judicial action or proceeding.*

18 “(B) *Information to Congress or any duly*
19 *authorized committee or subcommittee of Con-*
20 *gress.*

21 “(C) *Information to any domestic or foreign*
22 *governmental entity, under the direction of the*
23 *chairperson, to the extent necessary for national*
24 *security purposes and pursuant to appropriate*
25 *confidentiality and classification arrangements.*

1 “(D) Information that the parties have con-
2 sented to be disclosed to third parties.

3 “(3) COOPERATION WITH ALLIES AND PART-
4 NERS.—

5 “(A) IN GENERAL.—The chairperson, in
6 consultation with other members of the Com-
7 mittee, should establish a formal process for the
8 exchange of information under paragraph (2)(C)
9 with governments of countries that are allies or
10 partners of the United States, in the discretion
11 of the chairperson, to protect the national secu-
12 rity of the United States and those countries.

13 “(B) REQUIREMENTS.—The process estab-
14 lished under subparagraph (A) should, in the
15 discretion of the chairperson—

16 “(i) be designed to facilitate the har-
17 monization of action with respect to trends
18 in investment and technology that could
19 pose risks to the national security of the
20 United States and countries that are allies
21 or partners of the United States;

22 “(ii) provide for the sharing of infor-
23 mation with respect to specific technologies
24 and entities acquiring such technologies as

1 *appropriate to ensure national security;*
2 *and*
3 *“(iii) include consultations and meet-*
4 *ings with representatives of the governments*
5 *of such countries on a recurring basis.”.*

6 **SEC. 1714. ACTION BY THE PRESIDENT.**

7 *(a) IN GENERAL.—Section 721(d) of the Defense Pro-*
8 *duction Act of 1950 (50 U.S.C. 4565(d)) is amended—*

9 *(1) by striking paragraph (1) and inserting the*
10 *following:*

11 *“(1) IN GENERAL.—Subject to paragraph (4), the*
12 *President may, with respect to a covered transaction*
13 *that threatens to impair the national security of the*
14 *United States, take such action for such time as the*
15 *President considers appropriate to suspend or pro-*
16 *hibit the transaction or to require divestment.”; and*

17 *(2) in paragraph (2), by striking “not later than*
18 *15 days” and all that follows and inserting the fol-*
19 *lowing: “with respect to a covered transaction not*
20 *later than 15 days after the earlier of—*

21 *“(A) the date on which the investigation of*
22 *the transaction under subsection (b) is com-*
23 *pleted; or*

1 “(B) the date on which the Committee oth-
2 erwise refers the transaction to the President
3 under subsection (l)(2).”.

4 (b) *CIVIL PENALTIES*.—Section 721(h)(3)(A) of the
5 *Defense Production Act of 1950 (50 U.S.C. 4565(h)(3)(A))*
6 is amended by striking “including any mitigation” and all
7 that follows through “subsection (l)” and inserting “includ-
8 ing any mitigation agreement entered into, conditions im-
9 posed, or order issued pursuant to this section”.

10 **SEC. 1715. JUDICIAL REVIEW.**

11 Section 721(e) of the *Defense Production Act of 1950*
12 (50 U.S.C. 4565(e)) is amended—

13 (1) by striking “The actions” and inserting the
14 following:

15 “(1) *IN GENERAL*.—The actions”; and

16 (2) by adding at the end the following:

17 “(2) *CIVIL ACTIONS*.—A civil action challenging
18 an action or finding of the Committee under this sec-
19 tion may be brought only in the United States Court
20 of Appeals for the District of Columbia Circuit.

21 “(3) *PROCEDURES FOR REVIEW OF PRIVILEGED*
22 *INFORMATION*.—If a civil action challenging an ac-
23 tion or finding of the Committee under this section is
24 brought, and the court determines that protected in-
25 formation in the administrative record, including

1 *classified, sensitive law enforcement, sensitive secu-*
2 *urity, or other information subject to privilege or pro-*
3 *tections under any provision of law, is necessary to*
4 *resolve the challenge, that information shall be sub-*
5 *mitted ex parte and in camera to the court and the*
6 *court shall maintain that information under seal.*

7 “(4) *APPLICABILITY OF USE OF INFORMATION*
8 *PROVISIONS.—The use of information provisions of*
9 *sections 106, 305, 405, and 706 of the Foreign Intel-*
10 *ligence Surveillance Act of 1978 (50 U.S.C. 1806,*
11 *1825, 1845, and 1881e) shall not apply in a civil ac-*
12 *tion brought under this subsection.”.*

13 **SEC. 1716. MEMBERSHIP AND STAFF OF COMMITTEE.**

14 (a) *HIRING AUTHORITY.—Section 721(k) of the De-*
15 *fense Production Act of 1950 (50 U.S.C. 4565(k)) is amend-*
16 *ed by striking paragraph (4) and inserting the following:*

17 “(4) *HIRING AUTHORITY.—*

18 “(A) *SENIOR OFFICIALS.—*

19 “(i) *IN GENERAL.—Each member of*
20 *the Committee shall designate an Assistant*
21 *Secretary, or an equivalent official, who is*
22 *appointed by the President, by and with the*
23 *advice and consent of the Senate, to carry*
24 *out such duties related to the Committee as*
25 *the member of the Committee may delegate.*

1 “(i) *DEPARTMENT OF THE TREAS-*
2 *URY.—In addition to officials of the De-*
3 *partment of the Treasury authorized under*
4 *section 301 of title 31, United States Code,*
5 *or any other provision of law, there are au-*
6 *thorized at the Department of the Treasury,*
7 *to carry out such duties related to the Com-*
8 *mittee as the Secretary of the Treasury may*
9 *delegate, consistent with this section and re-*
10 *fecting the expanded authorities of the*
11 *Committee and the role of the Department*
12 *of the Treasury in implementing those au-*
13 *thorities under the amendments made by*
14 *the Foreign Investment Risk Review Mod-*
15 *ernization Act of 2018, the following:*

16 “(I) *One official, who is ap-*
17 *pointed by the President, by and with*
18 *the advice and consent of the Senate,*
19 *who shall be compensated at a rate not*
20 *to exceed the rate of basic pay payable*
21 *for level III of the Executive Schedule*
22 *under section 5314 of title 5, United*
23 *States Code.*

24 “(II) *One official, who is ap-*
25 *pointed by the President, by and with*

1 *the advice and consent of the Senate,*
2 *who shall be compensated at a rate not*
3 *to exceed the rate of basic pay payable*
4 *for level IV of the Executive Schedule*
5 *under section 5315 of title 5, United*
6 *States Code.*

7 “(B) *SPECIAL HIRING AUTHORITY.*—*The*
8 *heads of the departments and agencies rep-*
9 *resented on the Committee may appoint, without*
10 *regard to the provisions of sections 3309 through*
11 *3318 of title 5, United States Code, candidates*
12 *directly to positions in the competitive service*
13 *(as defined in section 2102 of that title) in their*
14 *respective departments and agencies to admin-*
15 *ister this section.”.*

16 (b) *PROCEDURES FOR RECUSAL OF MEMBERS OF*
17 *COMMITTEE FOR CONFLICTS OF INTEREST.*—*Not later than*
18 *90 days after the date of the enactment of this Act, the Com-*
19 *mittee on Foreign Investment in the United States shall—*

20 (1) *establish procedures for the recusal of any*
21 *member of the Committee that has a conflict of inter-*
22 *est with respect to a covered transaction (as defined*
23 *in section 721 of the Defense Production Act of 1950,*
24 *as amended by section 1703);*

1 (2) *submit to the Committee on Banking, Hous-*
 2 *ing, and Urban Affairs of the Senate and the Com-*
 3 *mittee on Financial Services of the House of Rep-*
 4 *resentatives a report describing those procedures; and*

5 (3) *brief the committees specified in paragraph*
 6 *(1) on the report required by paragraph (2).*

7 **SEC. 1717. ACTIONS BY THE COMMITTEE TO ADDRESS NA-**
 8 **TIONAL SECURITY RISKS.**

9 *Section 721(l) of the Defense Production Act of 1950*
 10 *(50 U.S.C. 4565(l)) is amended—*

11 (1) *in the subsection heading, by striking “MITI-*
 12 *GATION, TRACKING, AND POSTCONSUMMATION MONI-*
 13 *TORING AND ENFORCEMENT” and inserting “ACTIONS*
 14 *BY THE COMMITTEE TO ADDRESS NATIONAL SECU-*
 15 *RITY RISKS”;*

16 (2) *by redesignating paragraphs (1), (2), and (3)*
 17 *as paragraphs (3), (5), and (6), respectively;*

18 (3) *by inserting before paragraph (3), as redesi-*
 19 *gnated by paragraph (2), the following:*

20 “(1) *SUSPENSION OF TRANSACTIONS.—The Com-*
 21 *mittee, acting through the chairperson, may suspend*
 22 *a proposed or pending covered transaction that may*
 23 *pose a risk to the national security of the United*
 24 *States for such time as the covered transaction is*
 25 *under review or investigation under subsection (b).*

1 “(2) *REFERRAL TO PRESIDENT.*—*The Committee*
2 *may, at any time during the review or investigation*
3 *of a covered transaction under subsection (b), com-*
4 *plete the action of the Committee with respect to the*
5 *transaction and refer the transaction to the President*
6 *for action pursuant to subsection (d).”;*

7 (4) *in paragraph (3), as redesignated by para-*
8 *graph (2)—*

9 (A) *in subparagraph (A)—*

10 (i) *in the subparagraph heading, by*
11 *striking “IN GENERAL” and inserting*
12 *“AGREEMENTS AND CONDITIONS”;*

13 (ii) *by striking “The Committee” and*
14 *inserting the following:*

15 “(i) *IN GENERAL.*—*The Committee”;*

16 (iii) *by striking “threat” and inserting*
17 *“risk”; and*

18 (iv) *by adding at the end the following:*

19 “(ii) *ABANDONMENT OF TRANS-*
20 *ACTIONS.*—*If a party to a covered trans-*
21 *action has voluntarily chosen to abandon*
22 *the transaction, the Committee or lead*
23 *agency, as the case may be, may negotiate,*
24 *enter into or impose, and enforce any agree-*
25 *ment or condition with any party to the*

1 *covered transaction for purposes of effec-*
2 *tuating such abandonment and mitigating*
3 *any risk to the national security of the*
4 *United States that arises as a result of the*
5 *covered transaction.*

6 “(iii) *AGREEMENTS AND CONDITIONS*
7 *RELATING TO COMPLETED TRANSACTIONS.—*

8 *The Committee or lead agency, as the case*
9 *may be, may negotiate, enter into or im-*
10 *pose, and enforce any agreement or condi-*
11 *tion with any party to a completed covered*
12 *transaction in order to mitigate any in-*
13 *terim risk to the national security of the*
14 *United States that may arise as a result of*
15 *the covered transaction until such time that*
16 *the Committee has completed action pursu-*
17 *ant to subsection (b) or the President has*
18 *taken action pursuant to subsection (d)*
19 *with respect to the transaction.”; and*

20 *(B) by striking subparagraph (B) and in-*
21 *serting the following:*

22 “(B) *LIMITATIONS.—An agreement may not*
23 *be entered into or condition imposed under sub-*
24 *paragraph (A) with respect to a covered trans-*
25 *action unless the Committee determines that the*

1 *agreement or condition resolves the national se-*
2 *curity concerns posed by the transaction, taking*
3 *into consideration whether the agreement or con-*
4 *dition is reasonably calculated to—*

5 “(i) *be effective;*

6 “(ii) *allow for compliance with the*
7 *terms of the agreement or condition in an*
8 *appropriately verifiable way; and*

9 “(iii) *enable effective monitoring of*
10 *compliance with and enforcement of the*
11 *terms of the agreement or condition.*

12 “(C) *JURISDICTION.—The provisions of sec-*
13 *tion 706(b) shall apply to any mitigation agree-*
14 *ment entered into or condition imposed under*
15 *subparagraph (A).”;*

16 (5) *by inserting after paragraph (3), as redesign-*
17 *ated by paragraph (2), the following:*

18 “(4) *RISK-BASED ANALYSIS REQUIRED.—*

19 “(A) *IN GENERAL.—Any determination of*
20 *the Committee to suspend a covered transaction*
21 *under paragraph (1), to refer a covered trans-*
22 *action to the President under paragraph (2), or*
23 *to negotiate, enter into or impose, or enforce any*
24 *agreement or condition under paragraph (3)(A)*
25 *with respect to a covered transaction, shall be*

1 *based on a risk-based analysis, conducted by the*
2 *Committee, of the effects on the national security*
3 *of the United States of the covered transaction,*
4 *which shall include an assessment of the threat,*
5 *vulnerabilities, and consequences to national se-*
6 *curity related to the transaction.*

7 “(B) *ACTIONS OF MEMBERS OF THE COM-*
8 *MITTEE.—*

9 “(i) *IN GENERAL.—Any member of the*
10 *Committee who concludes that a covered*
11 *transaction poses an unresolved national se-*
12 *curity concern shall recommend to the Com-*
13 *mittee that the Committee suspend the*
14 *transaction under paragraph (1), refer the*
15 *transaction to the President under para-*
16 *graph (2), or negotiate, enter into or im-*
17 *pose, or enforce any agreement or condition*
18 *under paragraph (3)(A) with respect to the*
19 *transaction. In making that recommenda-*
20 *tion, the member shall propose or contribute*
21 *to the risk-based analysis required by sub-*
22 *paragraph (A).*

23 “(ii) *FAILURE TO REACH CON-*
24 *SENSUS.—If the Committee fails to reach*
25 *consensus with respect to a recommendation*

1 under clause (i) regarding a covered trans-
2 action, the members of the Committee who
3 support an alternative recommendation
4 shall produce—

5 “(I) a written statement justi-
6 fying the alternative recommendation;
7 and

8 “(II) as appropriate, a risk-based
9 analysis that supports the alternative
10 recommendation.

11 “(C) *DEFINITIONS.*—For purposes of sub-
12 paragraph (A), the terms ‘threat’,
13 ‘vulnerabilities’, and ‘consequences to national
14 security’ shall have the meanings given those
15 terms by the Committee by regulation.”;

16 (6) in paragraph (5)(B), as redesignated by
17 paragraph (2), by striking “(as defined in the Na-
18 tional Security Act of 1947)”; and

19 (7) in paragraph (6), as redesignated by para-
20 graph (2)—

21 (A) in subparagraph (A)—

22 (i) by striking “paragraph (1)” and
23 inserting “paragraph (3)”; and

24 (ii) by striking the second sentence and
25 inserting the following: “The lead agency

1 *may, at its discretion, seek and receive the*
2 *assistance of other departments or agencies*
3 *in carrying out the purposes of this para-*
4 *graph.”;*

5 *(B) in subparagraph (B)—*

6 *(i) by striking “DESIGNATED AGENCY”*
7 *and all that follows through “The lead agen-*
8 *cy in connection” and inserting “DES-*
9 *IGNATED AGENCY.—The lead agency in con-*
10 *nection”;*

11 *(ii) by striking clause (ii); and*

12 *(iii) by redesignating subclauses (I)*
13 *and (II) as clauses (i) and (ii), respectively,*
14 *and by moving such clauses, as so redesign-*
15 *ated, 2 ems to the left; and*

16 *(C) by adding at the end the following:*

17 *“(C) COMPLIANCE PLANS.—*

18 *“(i) IN GENERAL.—In the case of a*
19 *covered transaction with respect to which*
20 *an agreement is entered into under para-*
21 *graph (3)(A), the Committee or lead agency,*
22 *as the case may be, shall formulate, adhere*
23 *to, and keep updated a plan for monitoring*
24 *compliance with the agreement.*

1 “(i) *ELEMENTS.*—*Each plan required*
2 *by clause (i) with respect to an agreement*
3 *entered into under paragraph (3)(A) shall*
4 *include an explanation of—*

5 “(I) *which member of the Com-*
6 *mittee will have primary responsibility*
7 *for monitoring compliance with the*
8 *agreement;*

9 “(II) *how compliance with the*
10 *agreement will be monitored;*

11 “(III) *how frequently compliance*
12 *reviews will be conducted;*

13 “(IV) *whether an independent en-*
14 *tity will be utilized under subpara-*
15 *graph (E) to conduct compliance re-*
16 *views; and*

17 “(V) *what actions will be taken if*
18 *the parties fail to cooperate regarding*
19 *monitoring compliance with the agree-*
20 *ment.*

21 “(D) *EFFECT OF LACK OF COMPLIANCE.*—
22 *If, at any time after a mitigation agreement or*
23 *condition is entered into or imposed under para-*
24 *graph (3)(A), the Committee or lead agency, as*
25 *the case may be, determines that a party or par-*

1 *ties to the agreement or condition are not in*
2 *compliance with the terms of the agreement or*
3 *condition, the Committee or lead agency may, in*
4 *addition to the authority of the Committee to*
5 *impose penalties pursuant to subsection (h)(3)*
6 *and to unilaterally initiate a review of any cov-*
7 *ered transaction under subsection*
8 *(b)(1)(D)(iii)—*

9 *“(i) negotiate a plan of action for the*
10 *party or parties to remediate the lack of*
11 *compliance, with failure to abide by the*
12 *plan or otherwise remediate the lack of com-*
13 *pliance serving as the basis for the Com-*
14 *mittee to find a material breach of the*
15 *agreement or condition;*

16 *“(ii) require that the party or parties*
17 *submit a written notice under clause (i) of*
18 *subsection (b)(1)(C) or a declaration under*
19 *clause (v) of that subsection with respect to*
20 *a covered transaction initiated after the*
21 *date of the determination of noncompliance*
22 *and before the date that is 5 years after the*
23 *date of the determination to the Committee*
24 *to initiate a review of the transaction under*
25 *subsection (b); or*

1 “(iii) seek injunctive relief.

2 “(E) *USE OF INDEPENDENT ENTITIES TO*
3 *MONITOR COMPLIANCE.—If the parties to an*
4 *agreement entered into under paragraph (3)(A)*
5 *enter into a contract with an independent entity*
6 *from outside the United States Government for*
7 *the purpose of monitoring compliance with the*
8 *agreement, the Committee shall take such action*
9 *as is necessary to prevent a conflict of interest*
10 *from arising by ensuring that the independent*
11 *entity owes no fiduciary duty to the parties.*

12 “(F) *SUCCESSORS AND ASSIGNS.—Any*
13 *agreement or condition entered into or imposed*
14 *under paragraph (3)(A) shall be considered bind-*
15 *ing on all successors and assigns unless and*
16 *until the agreement or condition terminates on*
17 *its own terms or is otherwise terminated by the*
18 *Committee in its sole discretion.*

19 “(G) *ADDITIONAL COMPLIANCE MEAS-*
20 *URES.—Subject to subparagraphs (A) through*
21 *(F), the Committee shall develop and agree upon*
22 *methods for evaluating compliance with any*
23 *agreement entered into or condition imposed*
24 *with respect to a covered transaction that will*
25 *allow the Committee to adequately ensure com-*

1 *pliance without unnecessarily diverting Com-*
2 *mittee resources from assessing any new covered*
3 *transaction for which a written notice under*
4 *clause (i) of subsection (b)(1)(C) or declaration*
5 *under clause (v) of that subsection has been filed,*
6 *and if necessary, reaching a mitigation agree-*
7 *ment with or imposing a condition on a party*
8 *to such covered transaction or any covered trans-*
9 *action for which a review has been reopened for*
10 *any reason.”.*

11 **SEC. 1718. MODIFICATION OF ANNUAL REPORT AND OTHER**
12 **REPORTING REQUIREMENTS.**

13 (a) *MODIFICATION OF ANNUAL REPORT.*—Section
14 *721(m) of the Defense Production Act of 1950 (50 U.S.C.*
15 *4565(m)) is amended—*

16 (1) *in paragraph (2)—*

17 (A) *by amending subparagraph (A) to read*
18 *as follows:*

19 “(A) *A list of all notices filed and all re-*
20 *views or investigations of covered transactions*
21 *completed during the period, with—*

22 “(i) *a description of the outcome of*
23 *each review or investigation, including*
24 *whether an agreement was entered into or*
25 *condition was imposed under subsection*

1 *(l)(3)(A) with respect to the transaction*
2 *being reviewed or investigated, and whether*
3 *the President took any action under this*
4 *section with respect to that transaction;*

5 *“(ii) basic information on each party*
6 *to each such transaction;*

7 *“(iii) the nature of the business activi-*
8 *ties or products of the United States busi-*
9 *ness with which the transaction was entered*
10 *into or intended to be entered into; and*

11 *“(iv) information about any with-*
12 *drawal from the process.”; and*

13 *(B) by adding at the end the following:*

14 *“(G) Statistics on compliance plans con-*
15 *ducted and actions taken by the Committee*
16 *under subsection (l)(6), including subparagraph*
17 *(D) of that subsection, during that period, a gen-*
18 *eral assessment of the compliance of parties with*
19 *agreements entered into and conditions imposed*
20 *under subsection (l)(3)(A) that are in effect dur-*
21 *ing that period, including a description of any*
22 *actions taken by the Committee to impose pen-*
23 *alties or initiate a unilateral review pursuant to*
24 *subsection (b)(1)(D)(iii), and any recommenda-*

1 *tions for improving the enforcement of such*
2 *agreements and conditions.*

3 *“(H) Cumulative and, as appropriate,*
4 *trend information on the number of declarations*
5 *filed under subsection (b)(1)(C)(v), the actions*
6 *taken by the Committee in response to those dec-*
7 *larations, the business sectors involved in those*
8 *declarations, and the countries involved in those*
9 *declarations.*

10 *“(I) A description of—*

11 *“(i) the methods used by the Committee*
12 *to monitor non-notified and non-declared*
13 *transactions under subsection (b)(1)(H);*

14 *“(ii) potential methods to improve such*
15 *monitoring and the resources required to do*
16 *so; and*

17 *“(iii) the number of transactions iden-*
18 *tified through the mechanism established*
19 *under that subsection during the reporting*
20 *period and the number of such transactions*
21 *flagged for further review.”;*

22 *(2) in paragraph (3)—*

23 *(A) by striking “CRITICAL TECHNOLOGIES”*
24 *and all that follows through “In order to assist”*

1 and inserting “*CRITICAL TECHNOLOGIES.—In*
2 *order to assist*”;

3 *(B) by striking subparagraph (B); and*

4 *(C) by redesignating clauses (i) and (ii) as*
5 *subparagraphs (A) and (B), respectively, and by*
6 *moving such subparagraphs, as so redesignated,*
7 *2 ems to the left; and*

8 *(3) by adding at the end the following:*

9 “*(4) FORM OF REPORT.—*

10 “*(A) IN GENERAL.—All appropriate por-*
11 *tions of the annual report under paragraph (1)*
12 *may be classified. An unclassified version of the*
13 *report, as appropriate, consistent with safe-*
14 *guarding national security and privacy, shall be*
15 *made available to the public.*

16 “*(B) INCLUSIONS IN UNCLASSIFIED*
17 *VERSION.—The unclassified version of the report*
18 *required under paragraph (1) shall include, with*
19 *respect to covered transactions for the reporting*
20 *period—*

21 “*(i) the number of notices submitted*
22 *under subsection (b)(1)(C)(i);*

23 “*(ii) the number of declarations sub-*
24 *mitted under subsection (b)(1)(C)(v) and*
25 *the number of such declarations that were*

1 *required under subclause (IV) of that sub-*
2 *section;*

3 *“(iii) the number of declarations sub-*
4 *mitted under subsection (b)(1)(C)(v) for*
5 *which the Committee required resubmission*
6 *as notices under subsection (b)(1)(C)(i);*

7 *“(iv) the average number of days that*
8 *elapsed between submission of a declaration*
9 *under subsection (b)(1)(C)(v) and the ac-*
10 *ceptance of the declaration by the Com-*
11 *mittee;*

12 *“(v) information on the time it took*
13 *the Committee to provide comments on, or*
14 *to accept, notices submitted under sub-*
15 *section (b)(1)(C)(i), including—*

16 *“(I) the average number of busi-*
17 *ness days that elapsed between the date*
18 *of submission of a draft notice and the*
19 *date on which the Committee provided*
20 *written comments on the draft notice;*

21 *“(II) the average number of busi-*
22 *ness days that elapsed between the date*
23 *of submission of a final notice and the*
24 *date on which the Committee accepted*

1 or provided written comments on the
2 final notice; and

3 “(III) if the average number of
4 business days for a response by the
5 Committee reported under subclause (I)
6 or (II) exceeded 10 business days—

7 “(aa) an explanation of the
8 causes of such delays, including
9 whether such delays are caused by
10 resource shortages, unusual fluctu-
11 uations in the volume of notices,
12 transaction characteristics, or
13 other factors; and

14 “(bb) an explanation of the
15 steps that the Committee antici-
16 pates taking to mitigate the
17 causes of such delays and other-
18 wise to improve the ability of the
19 Committee to provide comments
20 on, or to accept, notices within 10
21 business days;

22 “(vi) the number of reviews or inves-
23 tigations conducted under subsection (b);

1 “(vii) the number of investigations that
2 were subject to an extension under sub-
3 section (b)(2)(C)(ii);

4 “(viii) information on the duration of
5 those reviews and investigations, including
6 the average number of days required to
7 complete those reviews and investigations;

8 “(ix) the number of notices submitted
9 under subsection (b)(1)(C)(i) and declara-
10 tions submitted under subsection
11 (b)(1)(C)(v) that were rejected by the Com-
12 mittee;

13 “(x) the number of such notices and
14 declarations that were withdrawn by a
15 party to the covered transaction;

16 “(xi) the number of such withdrawals
17 that were followed by the submission of a
18 subsequent such notice or declaration relat-
19 ing to a substantially similar covered trans-
20 action; and

21 “(xii) such other specific, cumulative,
22 or trend information that the Committee de-
23 termines is advisable to provide for an as-
24 sessment of the time required for reviews

1 *and investigations of covered transactions*
2 *under this section.”.*

3 **(b) REPORT ON CHINESE INVESTMENT.—**

4 **(1) IN GENERAL.—***Not later than 2 years after*
5 *the date of the enactment of this Act, and every 2*
6 *years thereafter through 2026, the Secretary of Com-*
7 *merce shall submit to Congress and the Committee on*
8 *Foreign Investment in the United States a report on*
9 *foreign direct investment transactions made by enti-*
10 *ties of the People’s Republic of China in the United*
11 *States.*

12 **(2) ELEMENTS.—***Each report required by para-*
13 *graph (1) shall include the following:*

14 **(A)** *Total foreign direct investment from the*
15 *People’s Republic of China in the United States,*
16 *including total foreign direct investment*
17 *disaggregated by ultimate beneficial owner.*

18 **(B)** *A breakdown of investments from the*
19 *People’s Republic of China in the United States*
20 *by value using the following categories:*

21 **(i)** *Less than \$50,000,000.*

22 **(ii)** *Greater than or equal to*
23 *\$50,000,000 and less than \$100,000,000.*

24 **(iii)** *Greater than or equal to*
25 *\$100,000,000 and less than \$1,000,000,000.*

1 (iv) Greater than or equal to
2 \$1,000,000,000 and less than
3 \$2,000,000,000.

4 (v) Greater than or equal to
5 \$2,000,000,000 and less than
6 \$5,000,000,000.

7 (vi) Greater than or equal to
8 \$5,000,000,000.

9 (C) A breakdown of investments from the
10 People's Republic of China in the United States
11 by 2-digit North American Industry Classifica-
12 tion System code.

13 (D) A breakdown of investments from the
14 People's Republic of China in the United States
15 by investment type, using the following cat-
16 egories:

17 (i) Businesses established.

18 (ii) Businesses acquired.

19 (E) A breakdown of investments from the
20 People's Republic of China in the United States
21 by government and non-government investments,
22 including volume, sector, and type of investment
23 within each category.

1 (F) *A list of companies incorporated in the*
2 *United States purchased through government in-*
3 *vestment by the People’s Republic of China.*

4 (G) *The number of United States affiliates*
5 *of entities under the jurisdiction of the People’s*
6 *Republic of China, the total employees at those*
7 *affiliates, and the valuation for any publicly*
8 *traded United States affiliate of such an entity.*

9 (H) *An analysis of patterns in the invest-*
10 *ments described in subparagraphs (A) through*
11 *(F), including in volume, type, and sector, and*
12 *the extent to which those patterns of investments*
13 *align with the objectives outlined by the Govern-*
14 *ment of the People’s Republic of China in its*
15 *Made in China 2025 plan, including a compara-*
16 *tive analysis of investments from the People’s*
17 *Republic of China in the United States and all*
18 *foreign direct investment in the United States.*

19 (I) *An identification of any limitations on*
20 *the ability of the Secretary of Commerce to col-*
21 *lect comprehensive information that is reason-*
22 *ably and lawfully available about foreign invest-*
23 *ment in the United States from the People’s Re-*
24 *public of China on a timeline necessary to com-*

1 *plete reports every 2 years as required by para-*
2 *graph (1), including—*

3 *(i) an identification of any discrep-*
4 *ancies between government and private sec-*
5 *tor estimates of investments from the Peo-*
6 *ple’s Republic of China in the United*
7 *States;*

8 *(ii) a description of the different meth-*
9 *odologies or data collection methods, includ-*
10 *ing by private sector entities, used to meas-*
11 *ure foreign investment that may result in*
12 *different estimates; and*

13 *(iii) recommendations for enhancing*
14 *the ability of the Secretary of Commerce to*
15 *improve data collection of information*
16 *about foreign investment in the United*
17 *States from the People’s Republic of China.*

18 *(3) EXTENSION OF DEADLINE.—If, as a result of*
19 *a limitation identified under paragraph (2)(I), the*
20 *Secretary of Commerce determines that the Secretary*
21 *will be unable to submit a report at the time required*
22 *by paragraph (1), the Secretary may request addi-*
23 *tional time to complete the report.*

24 *(c) REPORT ON CERTAIN INVESTMENTS BY STATE-*
25 *OWNED OR STATE-CONTROLLED ENTITIES.—*

1 (1) *IN GENERAL.*—Not later than one year after
2 the date of the enactment of this Act, an appropriate
3 member or members of the Committee on Foreign In-
4 vestment in the United States shall, in coordination
5 with the chairperson of the Committee, submit to
6 Congress a report assessing—

7 (A) *national security threats related to in-*
8 *vestments in the United States by state-owned or*
9 *state-controlled entities in the manufacture or*
10 *assembly of rolling stock or other assets for use*
11 *in freight rail, public transportation, or inter-*
12 *city passenger rail systems, including the con-*
13 *struction of new facilities;*

14 (B) *how the number and types of such in-*
15 *vestments could affect any such threats; and*

16 (C) *the authority and ability of the Com-*
17 *mittee to respond to such threats.*

18 (2) *CONSULTATION.*—The member or members of
19 the Committee on Foreign Investment in the United
20 States preparing the report required by paragraph
21 (1) shall consult with the Secretary of Transportation
22 and the head of any agency that is not represented on
23 the Committee that has significant technical expertise
24 related to the assessments required by paragraph (1).

1 **SEC. 1719. CERTIFICATION OF NOTICES AND INFORMATION.**

2 *Section 721(n) of the Defense Production Act of 1950*
3 *(50 U.S.C. 4565(n)) is amended—*

4 *(1) by redesignating paragraphs (1) and (2) as*
5 *subparagraphs (A) and (B), respectively, and by mov-*
6 *ing such subparagraphs, as so redesignated, 2 ems to*
7 *the right;*

8 *(2) by striking “Each notice” and inserting the*
9 *following:*

10 *“(1) IN GENERAL.—Each notice”;*

11 *(3) by striking “paragraph (3)(B)” and insert-*
12 *ing “paragraph (6)(B)”;*

13 *(4) by striking “paragraph (1)(A)” and insert-*
14 *ing “paragraph (3)(A)”;*

15 *(5) by adding at the end the following:*

16 *“(2) EFFECT OF FAILURE TO SUBMIT.—The*
17 *Committee may not complete a review under this sec-*
18 *tion of a covered transaction and may recommend to*
19 *the President that the President suspend or prohibit*
20 *the transaction or require divestment under sub-*
21 *section (d) if the Committee determines that a party*
22 *to the transaction has—*

23 *“(A) failed to submit a statement required*
24 *by paragraph (1); or*

25 *“(B) included false or misleading informa-*
26 *tion in a notice or information described in*

1 *paragraph (1) or omitted material information*
2 *from such notice or information.*

3 “(3) *APPLICABILITY OF LAW ON FRAUD AND*
4 *FALSE STATEMENTS.—The Committee shall prescribe*
5 *regulations expressly providing for the application of*
6 *section 1001 of title 18, United States Code, to all in-*
7 *formation provided to the Committee under this sec-*
8 *tion by any party to a covered transaction.”.*

9 **SEC. 1720. IMPLEMENTATION PLANS.**

10 (a) *IN GENERAL.—Not later than 180 days after the*
11 *date of the enactment of this Act, the chairperson of the*
12 *Committee on Foreign Investment in the United States and*
13 *the Secretary of Commerce shall, in consultation with the*
14 *appropriate members of the Committee—*

15 (1) *develop plans to implement this title; and*

16 (2) *submit to the appropriate congressional com-*
17 *mittees a report on the plans developed under para-*
18 *graph (1), which shall include a description of—*

19 (A) *the timeline and process to implement*
20 *the provisions of, and amendments made by, this*
21 *title;*

22 (B) *any additional staff necessary to imple-*
23 *ment the plans; and*

24 (C) *the resources required to effectively im-*
25 *plement the plans.*

1 **(b) APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
2 *FINED.*—*In this section, the term “appropriate congres-*
3 *sional committees” means—*

4 (1) *the Committee on Banking, Housing, and*
5 *Urban Affairs and the Committee on Appropriations*
6 *of the Senate; and*

7 (2) *the Committee on Financial Services and the*
8 *Committee on Appropriations of the House of Rep-*
9 *resentatives.*

10 **SEC. 1721. ASSESSMENT OF NEED FOR ADDITIONAL RE-**
11 **SOURCES FOR COMMITTEE.**

12 *The President shall—*

13 (1) *determine whether and to what extent the ex-*
14 *pansion of the responsibilities of the Committee on*
15 *Foreign Investment in the United States pursuant to*
16 *the amendments made by this title necessitates addi-*
17 *tional resources for the Committee and the depart-*
18 *ments and agencies represented on the Committee to*
19 *perform their functions under section 721 of the De-*
20 *fense Production Act of 1950, as amended by this*
21 *title; and*

22 (2) *if the President determines that additional*
23 *resources are necessary, include in the budget of the*
24 *President for fiscal year 2019 and each fiscal year*
25 *thereafter submitted to Congress under section*

1 1105(a) of title 31, United States Code, a request for
2 such additional resources.

3 **SEC. 1722. FUNDING.**

4 Section 721 of the Defense Production Act of 1950 (50
5 U.S.C. 4565) is amended by adding at the end the following:

6 “(o) *FUNDING.*—

7 “(1) *ESTABLISHMENT OF FUND.*—There is estab-
8 lished in the Treasury of the United States a fund,
9 to be known as the ‘Committee on Foreign Investment
10 in the United States Fund’ (in this subsection re-
11 ferred to as the ‘Fund’), to be administered by the
12 chairperson.

13 “(2) *APPROPRIATION OF FUNDS FOR THE COM-*
14 *MITTEE.*—There are authorized to be appropriated to
15 the Fund such sums as may be necessary to perform
16 the functions of the Committee.

17 “(3) *FILING FEES.*—

18 “(A) *IN GENERAL.*—The Committee may as-
19 sess and collect a fee in an amount determined
20 by the Committee in regulations, to the extent
21 provided in advance in appropriations Acts,
22 without regard to section 9701 of title 31, United
23 States Code, and subject to subparagraph (B),
24 with respect to each covered transaction for
25 which a written notice is submitted to the Com-

1 *mittee under subsection (b)(1)(C)(i). The total*
2 *amount of fees collected under this paragraph*
3 *may not exceed the costs of administering this*
4 *section.*

5 *“(B) DETERMINATION OF AMOUNT OF*
6 *FEE.—*

7 *“(i) IN GENERAL.—In determining the*
8 *amount of the fee to be assessed under sub-*
9 *paragraph (A) with respect to a covered*
10 *transaction, the Committee shall base the*
11 *amount of the fee on the value of the trans-*
12 *action, taking into consideration—*

13 *“(I) the effect of the fee on small*
14 *business concerns (as defined in section*
15 *3 of the Small Business Act (15 U.S.C.*
16 *632));*

17 *“(II) the expenses of the Com-*
18 *mittee associated with conducting ac-*
19 *tivities under this section;*

20 *“(III) the effect of the fee on for-*
21 *eign investment; and*

22 *“(IV) such other matters as the*
23 *Committee considers appropriate.*

24 *“(ii) PRIORITIZATION FEE.—The Com-*
25 *mittee may establish a fee or fee scale to*

1 *prioritize the timing of the response of the*
2 *Committee to a draft or final written notice*
3 *during the period before the Committee ac-*
4 *cepts the final written notice under sub-*
5 *section (b)(1)(C)(i), in the event that the*
6 *Committee is unable to respond during the*
7 *time required by subclause (II) of that sub-*
8 *section because of an unusually large influx*
9 *of notices, or for other reasons.*

10 “(iii) *UPDATES.*—*The Committee shall*
11 *periodically reconsider and adjust the*
12 *amount of the fee to be assessed under sub-*
13 *paragraph (A) with respect to a covered*
14 *transaction to ensure that the amount of the*
15 *fee does not exceed the costs of admin-*
16 *istering this section and otherwise remains*
17 *appropriate.*

18 “(C) *DEPOSIT AND AVAILABILITY OF*
19 *FEES.*—*Notwithstanding section 3302 of title 31,*
20 *United States Code, fees collected under subpara-*
21 *graph (A) shall—*

22 *“(i) be deposited into the Fund solely*
23 *for use in carrying out activities under this*
24 *section;*

1 “(ii) to the extent and in the amounts
2 provided in advance in appropriations
3 Acts, be available to the chairperson;

4 “(iii) remain available until expended;
5 and

6 “(iv) be in addition to any appropria-
7 tions made available to the members of the
8 Committee.

9 “(4) *TRANSFER OF FUNDS.*—To the extent pro-
10 vided in advance in appropriations Acts, the chair-
11 person may transfer any amounts in the Fund to any
12 other department or agency represented on the Com-
13 mittee for the purpose of addressing emerging needs
14 in carrying out activities under this section. Amounts
15 so transferred shall be in addition to any other
16 amounts available to that department or agency for
17 that purpose.”.

18 **SEC. 1723. CENTRALIZATION OF CERTAIN COMMITTEE**
19 **FUNCTIONS.**

20 Section 721 of the Defense Production Act of 1950 (50
21 U.S.C. 4565), as amended by section 1722, is further
22 amended by adding at the end the following:

23 “(p) *CENTRALIZATION OF CERTAIN COMMITTEE FUNC-*
24 *TIONS.*—

1 “(1) *IN GENERAL.*—*The chairperson, in con-*
2 *sultation with the Committee, may centralize certain*
3 *functions of the Committee within the Department of*
4 *the Treasury for the purpose of enhancing interagency*
5 *coordination and collaboration in carrying out the*
6 *functions of the Committee under this section.*

7 “(2) *FUNCTIONS.*—*Functions that may be cen-*
8 *tralized under paragraph (1) include monitoring non-*
9 *notified and non-declared transactions pursuant to*
10 *subsection (b)(1)(H), and other functions as deter-*
11 *mined by the chairperson and the Committee.*

12 “(3) *RULE OF CONSTRUCTION.*—*Nothing in this*
13 *section shall be construed as limiting the authority of*
14 *any department or agency represented on the Com-*
15 *mittee to represent its own interests before the Com-*
16 *mittee.”.*

17 **SEC. 1724. CONFORMING AMENDMENTS.**

18 *Section 721 of the Defense Production Act of 1950 (50*
19 *U.S.C. 4565), as amended by this title, is further amend-*
20 *ed—*

21 (1) *in subsection (b)—*

22 (A) *in paragraph (1)(D)(iii)(I), by striking*

23 “*subsection (l)(1)(A)*” *and inserting “subsection*

24 *(l)(3)(A)*”; *and*

1 (B) in paragraph (2)(B)(i)(I), by striking
2 “that threat” and inserting “the risk”;

3 (2) in subsection (d)(4)(A), by striking “the for-
4 eign interest exercising control” and inserting “a for-
5 eign person that would acquire an interest in a
6 United States business or its assets as a result of the
7 covered transaction”; and

8 (3) in subsection (j), by striking “merger, acqui-
9 sition, or takeover” and inserting “transaction”.

10 **SEC. 1725. REQUIREMENTS TO IDENTIFY AND CONTROL**
11 **THE EXPORT OF EMERGING AND**
12 **FOUNDATIONAL TECHNOLOGIES.**

13 (a) *IDENTIFICATION OF TECHNOLOGIES.*—

14 (1) *IN GENERAL.*—*The President shall establish*
15 *and, in coordination with the Secretary of Commerce,*
16 *the Secretary of Defense, the Secretary of Energy, the*
17 *Secretary of State, and the heads of other Federal*
18 *agencies as appropriate, lead, a regular, ongoing*
19 *interagency process to identify emerging and*
20 *foundational technologies that—*

21 (A) *are essential to the national security of*
22 *the United States; and*

23 (B) *are not critical technologies described in*
24 *clauses (i) through (v) of section 721(a)(8)(B) of*

1 *the Defense Production Act of 1950, as amended*
2 *by section 1703.*

3 (2) *PROCESS.—The interagency process estab-*
4 *lished under subsection (a) shall—*

5 (A) *be informed by multiple sources of in-*
6 *formation, including—*

7 (i) *publicly available information;*

8 (ii) *classified information, including*
9 *relevant information provided by the Direc-*
10 *tor of National Intelligence;*

11 (iii) *information relating to reviews*
12 *and investigations of transactions by the*
13 *Committee on Foreign Investment in the*
14 *United States under section 721 of the De-*
15 *fense Production Act of 1950 (50 U.S.C.*
16 *4565); and*

17 (iv) *information provided by the advi-*
18 *sory committees established by the Secretary*
19 *of Commerce to advise the Under Secretary*
20 *of Commerce for Industry and Security on*
21 *controls under the Export Administration*
22 *Regulations, including the Emerging Tech-*
23 *nology and Research Advisory Committee;*

24 (B) *take into account—*

1 (i) *the development of emerging and*
2 *foundational technologies in foreign coun-*
3 *tries;*

4 (ii) *the effect export controls imposed*
5 *pursuant to this section may have on the*
6 *development of such technologies in the*
7 *United States; and*

8 (iii) *the effectiveness of export controls*
9 *imposed pursuant to this section on lim-*
10 *iting the proliferation of emerging and*
11 *foundational technologies to foreign coun-*
12 *tries; and*

13 (C) *include a notice and comment period.*

14 (b) *COMMERCE CONTROLS.—*

15 (1) *IN GENERAL.—The Secretary of Commerce*
16 *shall establish appropriate controls under the Export*
17 *Administration Regulations on the export, reexport,*
18 *or in-country transfer of technology identified pursu-*
19 *ant to subsection (a), including by prescribing addi-*
20 *tional regulations.*

21 (2) *LEVELS OF CONTROL.—*

22 (A) *IN GENERAL.—The Secretary of Com-*
23 *merce may, in coordination with the Secretary*
24 *of Defense, the Secretary of State, and the heads*
25 *of other Federal agencies, as appropriate, specify*

1 *the level of control to apply under paragraph (1)*
2 *with respect to the export of technology described*
3 *in that paragraph, including a requirement for*
4 *a license or other authorization for the export,*
5 *reexport, or in-country transfer of that tech-*
6 *nology.*

7 (B) *CONSIDERATIONS.—In determining*
8 *under subparagraph (A) the level of control ap-*
9 *propriate for technology described in paragraph*
10 *(1), the Secretary of Commerce shall take into*
11 *account—*

12 (i) *lists of countries to which exports*
13 *from the United States are restricted; and*

14 (ii) *the potential end uses and end*
15 *users of the technology.*

16 (C) *MINIMUM REQUIREMENTS.—At a min-*
17 *imum, except as provided by paragraph (4), the*
18 *Secretary of Commerce shall require a license for*
19 *the export, reexport, or in-country transfer of*
20 *technology described in paragraph (1) to or in a*
21 *country subject to an embargo, including an*
22 *arms embargo, imposed by the United States.*

23 (3) *REVIEW OF LICENSE APPLICATIONS.—*

24 (A) *PROCEDURES.—The procedures set forth*
25 *in Executive Order 12981 (50 U.S.C. 4603 note;*

1 *relating to administration of export controls) or*
2 *a successor order shall apply to the review of an*
3 *application for a license or other authorization*
4 *for the export, reexport, or in-country transfer of*
5 *technology described in paragraph (1).*

6 *(B) CONSIDERATION OF INFORMATION RE-*
7 *LATING TO NATIONAL SECURITY.—In reviewing*
8 *an application for a license or other authoriza-*
9 *tion for the export, reexport, or in-country trans-*
10 *fer of technology described in paragraph (1), the*
11 *Secretary of Commerce shall take into account*
12 *information provided by the Director of National*
13 *Intelligence regarding any threat to the national*
14 *security of the United States posed by the pro-*
15 *posed export, reexport, or transfer. The Director*
16 *of National Intelligence shall provide such infor-*
17 *mation on the request of the Secretary of Com-*
18 *merce.*

19 *(C) DISCLOSURES RELATING TO COLLABO-*
20 *RATIVE ARRANGEMENTS.—In the case of an ap-*
21 *plication for a license or other authorization for*
22 *the export, reexport, or in-country transfer of*
23 *technology described in paragraph (1) submitted*
24 *by or on behalf of a joint venture, joint develop-*
25 *ment agreement, or similar collaborative ar-*

1 *arrangement, the Secretary of Commerce may re-*
2 *quire the applicant to identify, in addition to*
3 *any foreign person participating in the arrange-*
4 *ment, any foreign person with significant owner-*
5 *ship interest in a foreign person participating in*
6 *the arrangement.*

7 (4) *EXCEPTIONS.—*

8 (A) *MANDATORY EXCEPTIONS.—The Sec-*
9 *retary of Commerce may not control under this*
10 *subsection the export of any technology—*

11 (i) *described in section 203(b) of the*
12 *International Emergency Economic Powers*
13 *Act (50 U.S.C. 1702(b)); or*

14 (ii) *if the regulation of the export of*
15 *that technology is prohibited under any*
16 *other provision of law.*

17 (B) *REGULATORY EXCEPTIONS.—In pre-*
18 *scribing regulations under paragraph (1), the*
19 *Secretary of Commerce may include regulatory*
20 *exceptions to the requirements of that paragraph.*

21 (C) *ADDITIONAL EXCEPTIONS.—The Sec-*
22 *retary of Commerce shall not be required to im-*
23 *pose under paragraph (1) a requirement for a li-*
24 *cence or other authorization with respect to the*
25 *export, reexport, or in-country transfer of tech-*

1 *nology described in paragraph (1) pursuant to*
2 *any of the following transactions:*

3 *(i) The sale or license of a finished*
4 *item and the provision of associated tech-*
5 *nology if the United States person that is a*
6 *party to the transaction generally makes the*
7 *finished item and associated technology*
8 *available to its customers, distributors, or*
9 *resellers.*

10 *(ii) The sale or license to a customer of*
11 *a product and the provision of integration*
12 *services or similar services if the United*
13 *States person that is a party to the trans-*
14 *action generally makes such services avail-*
15 *able to its customers.*

16 *(iii) The transfer of equipment and the*
17 *provision of associated technology to operate*
18 *the equipment if the transfer could not re-*
19 *sult in the foreign person using the equip-*
20 *ment to produce critical technologies (as de-*
21 *defined in section 721(a) of the Defense Pro-*
22 *duction Act of 1950, as amended by section*
23 *1703).*

24 *(iv) The procurement by the United*
25 *States person that is a party to the trans-*

1 *action of goods or services, including manu-*
2 *facturing services, from a foreign person*
3 *that is a party to the transaction, if the for-*
4 *ign person has no rights to exploit any*
5 *technology contributed by the United States*
6 *person other than to supply the procured*
7 *goods or services.*

8 *(v) Any contribution and associated*
9 *support by a United States person that is*
10 *a party to the transaction to an industry*
11 *organization related to a standard or speci-*
12 *fication, whether in development or de-*
13 *clared, including any license of or commit-*
14 *ment to license intellectual property in com-*
15 *pliance with the rules of any standards or-*
16 *ganization (as defined by the Secretary by*
17 *regulation).*

18 *(c) MULTILATERAL CONTROLS.—*

19 *(1) IN GENERAL.—The Secretary of State, in*
20 *consultation with the Secretary of Commerce and the*
21 *Secretary of Defense, and the heads of other Federal*
22 *agencies, as appropriate, may propose that any tech-*
23 *nology identified pursuant to subsection (a) be added*
24 *to the list of technologies controlled by the relevant*
25 *multilateral export control regimes.*

1 (2) *ITEMS ON COMMERCE CONTROL LIST OR*
2 *UNITED STATES MUNITIONS LIST.—*

3 (A) *IN GENERAL.—If the Secretary of State*
4 *proposes to a multilateral export control regime*
5 *under paragraph (1) to add a technology identi-*
6 *fied pursuant to subsection (a) to the control list*
7 *of that regime and that regime does not add that*
8 *technology to the control list during the 3-year*
9 *period beginning on the date of the proposal, the*
10 *applicable agency head may determine whether*
11 *national security concerns warrant the continu-*
12 *ation of unilateral export controls with respect to*
13 *that technology.*

14 (B) *APPLICABLE AGENCY HEAD DEFINED.—*
15 *In this paragraph, the term “applicable agency*
16 *head” means—*

17 (i) *in the case of technology listed on*
18 *the Commerce Control List set forth in Sup-*
19 *plement No. 1 to part 774 of the Export Ad-*
20 *ministration Regulations, the Secretary of*
21 *Commerce, in consultation with the Sec-*
22 *retary of Defense and the Secretary of State;*
23 *and*

24 (ii) *in the case of technology listed on*
25 *the United States Munitions List set forth*

1 *in part 121 of title 22, Code of Federal Reg-*
2 *ulations, the Secretary of State, in consulta-*
3 *tion with the Secretary of Defense and the*
4 *heads of other Federal agencies, as appro-*
5 *priate.*

6 *(d) REPORT TO COMMITTEE ON FOREIGN INVESTMENT*
7 *IN THE UNITED STATES.—Not less frequently than every*
8 *180 days, the Secretary of Commerce, in coordination with*
9 *the Secretary of Defense, the Secretary of State, and the*
10 *heads of other Federal agencies, as appropriate, shall sub-*
11 *mit to the Committee on Foreign Investment in the United*
12 *States a report on the results of actions taken pursuant to*
13 *this section.*

14 *(e) REPORT TO CONGRESS.—Not less frequently than*
15 *every 180 days, the Secretary of Commerce, in coordination*
16 *with the Secretary of Defense, the Secretary of State, and*
17 *the heads of other Federal agencies, as appropriate, shall*
18 *submit a report on the results of actions taken pursuant*
19 *to this section, including actions taken pursuant to sub-*
20 *sections (a), (b), and (c), to—*

21 *(1) the Committee on Banking, Housing, and*
22 *Urban Affairs, the Committee on Foreign Relations,*
23 *the Committee on Armed Services, and the Select*
24 *Committee on Intelligence of the Senate; and*

1 (2) *the Committee on Financial Services, the*
2 *Committee on Foreign Affairs, the Committee on*
3 *Armed Services, and the Permanent Select Committee*
4 *on Intelligence of the House of Representatives.*

5 (f) *MODIFICATIONS TO EMERGING TECHNOLOGY AND*
6 *RESEARCH ADVISORY COMMITTEE.—*

7 (1) *IN GENERAL.—The Secretary of Commerce*
8 *shall revise the objectives of the Emerging Technology*
9 *and Research Advisory Committee, established by the*
10 *Secretary under the Export Administration Regula-*
11 *tions, to include advising the interagency process es-*
12 *tablished under subsection (a) with respect to emerg-*
13 *ing and foundational technologies.*

14 (2) *DUTIES.—The Secretary—*

15 (A) *shall revise the duties of the Emerging*
16 *Technology and Research Advisory Committee to*
17 *include identifying emerging and foundational*
18 *technologies that may be developed over a period*
19 *of 5 years or 10 years; and*

20 (B) *may revise the duties of the Advisory*
21 *Committee to include identifying trends in—*

22 (i) *the ownership by foreign persons*
23 *and foreign governments of such tech-*
24 *nologies;*

1 (ii) the types of transactions related to
2 such technologies engaged in by foreign per-
3 sons and foreign governments;

4 (iii) the blending of private and gov-
5 ernment investment in such technologies;
6 and

7 (iv) efforts to obfuscate ownership of
8 such technologies or to otherwise circumvent
9 the controls established under this section.

10 (3) MEETINGS.—

11 (A) FREQUENCY.—The Emerging Tech-
12 nology and Research Advisory Committee should
13 meet not less frequently than every 120 days.

14 (B) ATTENDANCE.—A representative from
15 each agency participating in the interagency
16 process established under subsection (a) should be
17 in attendance at each meeting of the Emerging
18 Technology and Research Advisory Committee.

19 (4) CLASSIFIED INFORMATION.—Not fewer than
20 half of the members of the Emerging Technology and
21 Research Advisory Committee should hold sufficient
22 security clearances such that classified information,
23 including classified information described in clauses
24 (ii) and (iii) of subsection (a)(2)(A), from the inter-
25 agency process established under subsection (a) can be

1 *shared with those members to inform the advice pro-*
2 *vided by the Advisory Committee.*

3 (5) *APPLICABILITY OF FEDERAL ADVISORY COM-*
4 *MITTEE ACT.*—*Subsections (a)(1), (a)(3), and (b) of*
5 *section 10 and sections 11, 13, and 14 of the Federal*
6 *Advisory Committee Act (5 U.S.C. App.) shall not*
7 *apply to the Emerging Technology and Research Ad-*
8 *visory Committee.*

9 (6) *REPORT.*—*The Emerging Technology and*
10 *Research Advisory Committee shall include the find-*
11 *ings of the Advisory Committee under this subsection*
12 *in the annual report to Congress required by section*
13 *14 of the Export Administration Act of 1979 (50*
14 *U.S.C. 4616) (as continued in effect pursuant to the*
15 *International Emergency Economic Powers Act (50*
16 *U.S.C. 1701 et seq.)).*

17 (g) *RULE OF CONSTRUCTION.*—*Nothing in this section*
18 *shall be construed to alter or limit—*

19 (1) *the authority of the President or the Sec-*
20 *retary of State to designate items as defense articles*
21 *and defense services for the purposes of the Arms Ex-*
22 *port Control Act (22 U.S.C. 2751 et seq.) or to other-*
23 *wise regulate such items; or*

24 (2) *the authority of the President under the*
25 *Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.),*

1 *the Nuclear Non-Proliferation Act of 1978 (22 U.S.C.*
2 *3201 et seq.), the Energy Reorganization Act of 1974*
3 *(42 U.S.C. 5801 et seq.), or the Export Administra-*
4 *tion Act of 1979 (50 U.S.C. 4601 et seq.) (as contin-*
5 *ued in effect pursuant to the International Emergency*
6 *Economic Powers Act (50 U.S.C. 1701 et seq.)) or*
7 *any other provision of law relating to the control of*
8 *exports.*

9 *(h) DEFINITIONS.—In this section:*

10 *(1) EXPORT ADMINISTRATION REGULATIONS.—*
11 *The term “Export Administration Regulations”*
12 *means subchapter C of chapter VII of title 15, Code*
13 *of Federal Regulations.*

14 *(2) IN-COUNTRY TRANSFER.—The term “in-coun-*
15 *try transfer” has the meaning given to the term in*
16 *the Export Administration Regulations.*

17 *(3) REEXPORT.—The term “reexport” has the*
18 *meaning given to the term in the Export Administra-*
19 *tion Regulations.*

20 *(4) UNITED STATES PERSON.—The term “United*
21 *States person” means any person subject to the juris-*
22 *diction of the United States.*

23 **SEC. 1726. EXPORT CONTROL ENFORCEMENT AUTHORITY.**

24 *(a) AUTHORITIES.—In order to enforce the provisions*
25 *of the Export Administration Regulations under subchapter*

1 *C of chapter VII of title 15, Code of Federal Regulations,*
2 *issued under the authority of the International Emergency*
3 *Economic Powers Act (50 U.S.C. 1701 et seq.) (pursuant*
4 *to which the President has continued in effect authorities*
5 *granted under the Export Administration Act of 1979 (50*
6 *U.S.C. 4601 et seq.)), the President shall delegate to the Sec-*
7 *retary of Commerce, in addition to existing authorities, the*
8 *authority to authorize any law enforcement officer of the*
9 *Department of Commerce to conduct investigations (includ-*
10 *ing undercover investigations) in the United States and in*
11 *other countries when permitted under such countries' laws*
12 *using all applicable laws of the United States.*

13 *(b) BEST PRACTICE GUIDELINES.—The Secretary of*
14 *Commerce, in consultation with the heads of appropriate*
15 *Federal agencies, may publish and update best practices*
16 *guidelines to assist persons in developing and imple-*
17 *menting, on a voluntary basis, effective export control pro-*
18 *grams in compliance with the Export Administration Reg-*
19 *ulations.*

20 *(c) CONFIDENTIALITY OF INFORMATION.—*

21 *(1) EXEMPTIONS FROM DISCLOSURE.—*

22 *(A) IN GENERAL.—Information obtained*
23 *under the Export Administration Act of 1979*
24 *(50 U.S.C. 2601 et seq.) (as continued in effect*
25 *pursuant to the International Emergency Eco-*

1 *nomie Powers Act (50 U.S.C. 1701 et seq.) may*
2 *be withheld from disclosure only to the extent*
3 *permitted by statute, except that information de-*
4 *scribed in subparagraph (B) shall be withheld*
5 *from public disclosure and shall not be subject to*
6 *disclosure under section 552(b)(3) of title 5,*
7 *United States Code, unless the release of such in-*
8 *formation is determined by the Secretary to be*
9 *in the national interest.*

10 (B) *INFORMATION DESCRIBED.*—*Informa-*
11 *tion described in this subparagraph is informa-*
12 *tion submitted or obtained in connection with an*
13 *application for a license or other authorization*
14 *to export, reexport, or transfer items or engage*
15 *in other activities, a recordkeeping or reporting*
16 *requirement, enforcement activity, or other oper-*
17 *ations under the Export Administration Act of*
18 *1979, including—*

19 (i) *the license application, license, or*
20 *other authorization itself;*

21 (ii) *classification or advisory opinion*
22 *requests, and any response to such a re-*
23 *quest;*

24 (iii) *license determinations and infor-*
25 *mation pertaining to such determinations;*

1 (iv) information or evidence obtained
2 in the course of any investigation; and

3 (v) information obtained or furnished
4 in connection with any international agree-
5 ment, treaty, or other obligation.

6 (2) INFORMATION TO CONGRESS AND GAO.—

7 (A) IN GENERAL.—Nothing in this section
8 shall be construed as authorizing the withholding
9 of information from Congress or the Comptroller
10 General of the United States.

11 (B) AVAILABILITY TO CONGRESS.—

12 (i) IN GENERAL.—Information ob-
13 tained at any time under any provision of
14 the Export Administration Act of 1979 or
15 the Export Administration Regulations, in-
16 cluding reports or license applications re-
17 quired under any such provision, shall be
18 made available to a committee or sub-
19 committee of Congress of appropriate juris-
20 diction, upon the request of the chairman or
21 ranking member of the committee or sub-
22 committee.

23 (ii) PROHIBITION ON FURTHER DIS-
24 CLOSURE.—No committee or subcommittee
25 referred to in clause (i), or member thereof,

1 *may disclose any information made avail-*
2 *able under clause (i) that is submitted on a*
3 *confidential basis unless the full committee*
4 *determines that the withholding of that in-*
5 *formation is contrary to the national inter-*
6 *est.*

7 (C) *AVAILABILITY TO GAO.—*

8 (i) *IN GENERAL.—Information de-*
9 *scribed in subparagraph (B)(i) shall be sub-*
10 *ject to the limitations contained in section*
11 *716 of title 31, United States Code.*

12 (ii) *PROHIBITION ON FURTHER DIS-*
13 *CLOSURE.—An officer or employee of the*
14 *Government Accountability Office may not*
15 *disclose, except to Congress in accordance*
16 *with this paragraph, any information de-*
17 *scribed in subparagraph (B)(i) that is sub-*
18 *mitted on a confidential basis or from*
19 *which any individual can be identified.*

20 (3) *INFORMATION SHARING.—*

21 (A) *EXCHANGE OF INFORMATION.—The*
22 *heads of departments, agencies, and offices with*
23 *enforcement authorities under the Export Ad-*
24 *ministration Act of 1979, consistent with protec-*
25 *tion of law enforcement and its sources and*

1 *methods, shall exchange any licensing and en-*
2 *forcement information with one another that is*
3 *necessary to facilitate enforcement efforts under*
4 *this section, and shall consult on a regular basis*
5 *with one another and with the heads of other de-*
6 *partments, agencies, and offices that obtain in-*
7 *formation subject to this paragraph, in order to*
8 *facilitate the exchange of such information.*

9 *(B) PROVISION OF INFORMATION BY FED-*
10 *ERAL OFFICIALS.—Any Federal official who ob-*
11 *tains information that is relevant to the enforce-*
12 *ment of the Export Administration Act of 1979,*
13 *including information pertaining to any inves-*
14 *tigation, shall furnish such information to each*
15 *appropriate department, agency, or office with*
16 *enforcement responsibilities under this section to*
17 *the extent consistent with the protection of intel-*
18 *ligence, counterintelligence, and law enforcement*
19 *sources, methods, and activities.*

20 *(C) EXCEPTIONS.—The provisions of this*
21 *paragraph shall not apply to information subject*
22 *to the restrictions set forth in section 9 of title*
23 *13, United States Code. Return information, as*
24 *defined in section 6103(b) of the Internal Rev-*

1 *venue Code of 1986, may be disclosed only as au-*
2 *thorized by that section.*

3 *(D) INFORMATION SHARING WITH FEDERAL*
4 *AGENCIES.—Licensing or enforcement informa-*
5 *tion obtained under the Export Administration*
6 *Act of 1979 may be shared with heads of depart-*
7 *ments, agencies, and offices that do not have en-*
8 *forcement authorities under that Act on a case-*
9 *by-case basis, at the discretion of the Secretary*
10 *of Commerce. Such information may be shared*
11 *only when the Secretary makes a determination*
12 *that the sharing of the information is in the na-*
13 *tional interest.*

14 **SEC. 1727. PROHIBITION ON MODIFICATION OF CIVIL PEN-**
15 **ALTIES UNDER EXPORT CONTROL AND SANC-**
16 **TIONS LAWS.**

17 *(a) IN GENERAL.—Notwithstanding any other provi-*
18 *sion of law, the Executive Office of the President may not*
19 *modify any civil penalty, including a denial order, imple-*
20 *mented by the Government of the United States with respect*
21 *to a Chinese telecommunications company pursuant to a*
22 *determination that the company has violated an export con-*
23 *trol or sanctions law of the United States until the date*
24 *that is 30 days after the President certifies to the appro-*
25 *priate congressional committees that the company—*

1 (1) *has not, for a period of one year, conducted*
2 *activities in violation of the laws of the United States;*
3 *and*

4 (2) *is fully cooperating with investigations into*
5 *the activities of the company conducted by the Gov-*
6 *ernment of the United States, if any.*

7 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
8 *FINED.—In this section, the term “appropriate congres-*
9 *sional committees” means—*

10 (1) *the Committee on Banking, Housing, and*
11 *Urban Affairs and the Committee on Foreign Rela-*
12 *tions of the Senate; and*

13 (2) *the Committee on Financial Services and the*
14 *Committee on Foreign Affairs of the House of Rep-*
15 *resentatives.*

16 **SEC. 1728. UNDER SECRETARY OF COMMERCE FOR INDUS-**
17 **TRY AND SECURITY.**

18 (a) *IN GENERAL.—On and after the date of the enact-*
19 *ment of this Act, any reference in the Export Administra-*
20 *tion Act of 1979 (50 U.S.C. 4601 et seq.) or any other law*
21 *or regulation to the Under Secretary of Commerce for Ex-*
22 *port Administration shall be deemed to be a reference to*
23 *the Under Secretary of Commerce for Industry and Secu-*
24 *urity.*

1 (b) *TITLE 5.—Section 5314 of title 5, United States*
2 *Code, is amended by striking “Under Secretary of Com-*
3 *merce for Export Administration” and inserting “Under*
4 *Secretary of Commerce for Industry and Security”.*

5 (c) *CONTINUATION IN OFFICE.—The individual serv-*
6 *ing as Under Secretary of Commerce for Export Adminis-*
7 *tration on the day before the date of the enactment of this*
8 *Act may serve as the Under Secretary of Commerce for In-*
9 *dustry and Security on and after that date without the need*
10 *for renomination or reappointment.*

11 **SEC. 1729. LIMITATION ON CANCELLATION OF DESIGNA-**
12 **TION OF SECRETARY OF THE AIR FORCE AS**
13 **DEPARTMENT OF DEFENSE EXECUTIVE**
14 **AGENT FOR A CERTAIN DEFENSE PRODUC-**
15 **TION ACT PROGRAM.**

16 (a) *LIMITATION ON CANCELLATION OF DESIGNA-*
17 *TION.—The Secretary of Defense may not implement the de-*
18 *cision, issued on July 1, 2017, to cancel the designation,*
19 *under Department of Defense Directive 4400.01E, entitled*
20 *“Defense Production Act Programs” and dated October 12,*
21 *2001, of the Secretary of the Air Force as the Department*
22 *of Defense Executive Agent for the program carried out*
23 *under title III of the Defense Production Act of 1950 (50*
24 *U.S.C. 4531 et seq.) until the date specified in subsection*
25 *(c).*

1 (b) *DESIGNATION.*—*The Secretary of the Air Force*
2 *shall continue to serve as the sole and exclusive Department*
3 *of Defense Executive Agent for the program described in*
4 *subsection (a) until the date specified in subsection (c).*

5 (c) *DATE SPECIFIED.*—*The date specified in this sub-*
6 *section is the date of the enactment of a joint resolution*
7 *or an Act approving the implementation of the decision de-*
8 *scribed in subsection (a).*

9 **SEC. 1730. REVIEW OF AND REPORT ON CERTAIN DEFENSE**
10 **TECHNOLOGIES CRITICAL TO THE UNITED**
11 **STATES MAINTAINING SUPERIOR MILITARY**
12 **CAPABILITIES.**

13 (a) *REVIEW REQUIRED.*—*Not later than 180 days*
14 *after the date of the enactment of this Act, the Secretary*
15 *of Defense and the Director of National Intelligence, in con-*
16 *sultation with the Air Force Research Laboratory, the De-*
17 *fense Advanced Projects Research Agency, and such other*
18 *appropriate research entities as the Secretary and the Di-*
19 *rector may identify, shall—*

20 (1) *jointly carry out and complete a review of*
21 *key national security technology capability advan-*
22 *tages, competitions, and gaps between the United*
23 *States and “near peer” nations;*

24 (2) *develop a definition of “near peer nation” for*
25 *purposes of paragraph (1); and*

1 (3) *submit to the appropriate congressional com-*
2 *mittees a report on the findings of the Secretary and*
3 *the Director with respect to the review conducted*
4 *under paragraph (1).*

5 (b) *ELEMENTS.*—*The review conducted under para-*
6 *graph (1) of subsection (a), and the report required by*
7 *paragraph (3) of that subsection, shall identify, at a min-*
8 *imum, the following:*

9 (1) *Key United States industries and research*
10 *and development activities expected to be critical to*
11 *maintaining a national security technology capa-*
12 *bility if, during the 5-year period beginning on the*
13 *date of the enactment of this Act, the Secretary and*
14 *the Director anticipate that—*

15 (A) *a United States industrial base shortfall*
16 *will exist; and*

17 (B) *United States industry will be unable*
18 *to or otherwise will not provide the needed ca-*
19 *capacity in a timely manner without financial as-*
20 *istance from the United States Government*
21 *through existing statutory authorities specifically*
22 *intended for that purpose, including assistance*
23 *provided under title III of the Defense Produc-*
24 *tion Act of 1950 (50 U.S.C. 4531 et seq.) and*
25 *other appropriate authorities.*

1 (2) *Key areas in which the United States cur-*
2 *rently enjoys a technological advantage.*

3 (3) *Key areas in which the United States no*
4 *longer enjoys a technological advantage.*

5 (4) *Sectors of the defense industrial base in*
6 *which the United States lacks adequate productive ca-*
7 *capacity to meet critical national defense needs.*

8 (5) *Priority areas for which appropriate statu-*
9 *tory industrial base incentives should be applied as*
10 *the most cost-effective, expedient, and practical alter-*
11 *native for meeting the technology or defense industrial*
12 *base needs identified under this subsection, includ-*
13 *ing—*

14 (A) *sustainment of critical production and*
15 *supply chain capabilities;*

16 (B) *commercialization of research and de-*
17 *velopment investments;*

18 (C) *scaling of emerging technologies; and*

19 (D) *other areas as determined by the Sec-*
20 *retary and the Director.*

21 (6) *Priority funding recommendations with re-*
22 *spect to key areas that the Secretary, in consultation*
23 *with the Director, determines are—*

24 (A) *critical to the United States maintain-*
25 *ing superior military capabilities, especially*

1 *with respect to potential peer and near peer*
2 *military or economic competitors, during the 5-*
3 *year period beginning on the date of the enact-*
4 *ment of this Act; and*

5 *(B) suitable for long-term investment from*
6 *funds made available under title III of the De-*
7 *fense Production Act of 1950 and other appro-*
8 *priate statutory authorities.*

9 *(c) FORM OF REPORT.—The report required by sub-*
10 *section (a)(3) shall be submitted in unclassified form, but*
11 *may include a classified annex.*

12 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
13 *FINED.—In this section, the term “appropriate congres-*
14 *sional committees” means—*

15 *(1) the Committee on Banking, Housing and*
16 *Urban Affairs, the Committee on Armed Services, and*
17 *the Select Committee on Intelligence of the Senate;*
18 *and*

19 *(2) the Committee on Financial Services, the*
20 *Committee on Armed Services, and the Permanent*
21 *Select Committee on Intelligence of the House of Rep-*
22 *resentatives.*

1 **SEC. 1731. BRIEFING ON INFORMATION FROM TRANS-**
2 **ACTIONS REVIEWED BY COMMITTEE ON FOR-**
3 **EIGN INVESTMENT IN THE UNITED STATES**
4 **RELATING TO FOREIGN EFFORTS TO INFLU-**
5 **ENCE DEMOCRATIC INSTITUTIONS AND**
6 **PROCESSES.**

7 *Not later than 60 days after the date of the enactment*
8 *of this Act, the Secretary of the Treasury (or a designee*
9 *of the Secretary) shall provide a briefing to the Committee*
10 *on Banking, Housing, and Urban Affairs of the Senate and*
11 *the Committee on Financial Services of the House of Rep-*
12 *resentatives on—*

13 *(1) transactions reviewed by the Committee on*
14 *Foreign Investment in the United States during the*
15 *5-year period preceding the briefing that the Com-*
16 *mittee determined would have allowed foreign persons*
17 *to inappropriately influence democratic institutions*
18 *and processes within the United States and in other*
19 *countries; and*

20 *(2) the disposition of such reviews, including*
21 *any steps taken by the Committee to address the risk*
22 *of allowing foreign persons to influence such institu-*
23 *tions and processes.*

24 **SEC. 1732. EFFECTIVE DATE.**

25 *(a) IMMEDIATE APPLICABILITY OF CERTAIN PROVI-*
26 *SIONS.—The following shall take effect on the date of the*

1 *enactment of this Act and apply with respect to any covered*
2 *transaction the review or investigation of which is initiated*
3 *under section 721 of the Defense Production Act of 1950*
4 *on or after such date of enactment:*

5 (1) *Sections 1705, 1707, 1708, 1709, 1710, 1713,*
6 *1714, 1715, 1716, 1717, 1719, 1720, 1721, 1722,*
7 *1723, 1724, 1725, 1726, 1727, 1728, and 1729 and*
8 *the amendments made by those sections.*

9 (2) *Section 1712 and the amendments made by*
10 *that section (except for clause (iii) of section*
11 *721(b)(4)(A) of the Defense Production Act of 1950,*
12 *as added by section 1712).*

13 (3) *Paragraphs (1), (2), (3), (4), (5)(A)(i),*
14 *(5)(B)(i), (5)(B)(iv)(I), (5)(B)(v), (5)(C)(v), (6), (7),*
15 *(8), (9), (10), (11), (12), (13), (14), (15), (16), and*
16 *(17) of subsection (a) of section 721 of the Defense*
17 *Production Act of 1950, as amended by section 1703.*

18 (4) *Section 721(m)(4) of the Defense Production*
19 *Act of 1950, as amended by section 1718 (except for*
20 *clauses (ii), (iii), (iv), and (v) of subparagraph (B)*
21 *of that section).*

22 (b) *DELAYED APPLICABILITY OF CERTAIN PROVI-*
23 *SIONS.—*

1 (1) *IN GENERAL.*—Any provision of or amend-
2 ment made by this title not specified in subsection (a)
3 shall—

4 (A) take effect on the date that is 30 days
5 after publication in the Federal Register of a de-
6 termination by the chairperson of the Committee
7 on Foreign Investment in the United States that
8 the regulations, organizational structure, per-
9 sonnel, and other resources necessary to admin-
10 ister the new provisions are in place; and

11 (B) apply with respect to any covered
12 transaction the review or investigation of which
13 is initiated under section 721 of the Defense Pro-
14 duction Act of 1950 on or after the date de-
15 scribed in subparagraph (A).

16 (2) *NONDELEGATION OF DETERMINATION.*—The
17 determination of the chairperson of the Committee on
18 Foreign Investment in the United States under para-
19 graph (1)(A) may not be delegated.

20 (c) *AUTHORIZATION FOR PILOT PROGRAMS.*—

21 (1) *IN GENERAL.*—Beginning on the date of the
22 enactment of this Act and ending on the date de-
23 scribed in subsection (b)(1)(A), the Committee on For-
24 eign Investment in the United States may, at its dis-
25 cretion, conduct one or more pilot programs to imple-

1 *ment any authority provided pursuant to any provi-*
2 *sion of or amendment made by this title not specified*
3 *in subsection (a).*

4 (2) *PUBLICATION IN FEDERAL REGISTER.—A*
5 *pilot program may not commence until the date that*
6 *is 30 days after publication in the Federal Register*
7 *of a determination by the chairperson of the Com-*
8 *mittee of the scope of and procedures for the pilot pro-*
9 *gram. That determination may not be delegated.*

10 **SEC. 1733. SEVERABILITY.**

11 *If any provision of this title or an amendment made*
12 *by this title, or the application of such a provision or*
13 *amendment to any person or circumstance, is held to be*
14 *invalid, the application of that provision or amendment to*
15 *other persons or circumstances and the remainder of the*
16 *provisions of this title and the amendments made by this*
17 *title, shall not be affected thereby.*

18 **DIVISION B—MILITARY CON-**
19 **STRUCTION AUTHORIZA-**
20 **TIONS**

21 **SEC. 2001. SHORT TITLE.**

22 *This division may be cited as the “Military Construc-*
23 *tion Authorization Act for Fiscal Year 2019”.*

1 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
2 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
3 **LAW.**

4 (a) *EXPIRATION OF AUTHORIZATIONS AFTER THREE*
5 *YEARS.*—*Except as provided in subsection (b), all author-*
6 *izations contained in titles XXI through XXVII and title*
7 *XXIX for military construction projects, land acquisition,*
8 *family housing projects and facilities, and contributions to*
9 *the North Atlantic Treaty Organization Security Invest-*
10 *ment Program (and authorizations of appropriations there-*
11 *for) shall expire on the later of—*

12 (1) *October 1, 2023; or*

13 (2) *the date of the enactment of an Act author-*
14 *izing funds for military construction for fiscal year*
15 *2024.*

16 (b) *EXCEPTION.*—*Subsection (a) shall not apply to au-*
17 *thorizations for military construction projects, land acqui-*
18 *sition, family housing projects and facilities, and contribu-*
19 *tions to the North Atlantic Treaty Organization Security*
20 *Investment Program (and authorizations of appropriations*
21 *therefor), for which appropriated funds have been obligated*
22 *before the later of—*

23 (1) *October 1, 2023; or*

24 (2) *the date of the enactment of an Act author-*
25 *izing funds for fiscal year 2024 for military construc-*
26 *tion projects, land acquisition, family housing*

1 *projects and facilities, or contributions to the North*
 2 *Atlantic Treaty Organization Security Investment*
 3 *Program.*

4 **SEC. 2003. EFFECTIVE DATE.**

5 *Titles XXI through XXVII and title XXIX shall take*
 6 *effect on the later of—*

- 7 (1) *October 1, 2018; or*
- 8 (2) *the date of the enactment of this Act.*

9 **TITLE XXI—ARMY MILITARY**
 10 **CONSTRUCTION**

11 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 12 **ACQUISITION PROJECTS.**

13 (a) *INSIDE THE UNITED STATES.—Using amounts ap-*
 14 *propriated pursuant to the authorization of appropriations*
 15 *in section 2103(a) and available for military construction*
 16 *projects inside the United States as specified in the funding*
 17 *table in section 4601, the Secretary of the Army may ac-*
 18 *quire real property and carry out military construction*
 19 *projects for the installations or locations inside the United*
 20 *States, and in the amounts, set forth in the following table:*

Army: Inside the United States

State	Installation	Amount
<i>Alabama</i>	<i>Anniston Army Depot</i>	<i>\$5,200,000</i>
<i>California</i>	<i>Fort Irwin</i>	<i>\$29,000,000</i>
<i>Colorado</i>	<i>Fort Carson</i>	<i>\$77,000,000</i>
<i>Georgia</i>	<i>Fort Gordon</i>	<i>\$99,000,000</i>
<i>Hawaii</i>	<i>Wheeler Army Airfield</i>	<i>\$50,000,000</i>
<i>Indiana</i>	<i>Crane Army Ammunition Activity</i>	<i>\$16,000,000</i>
<i>Kentucky</i>	<i>Fort Campbell</i>	<i>\$50,000,000</i>
	<i>Fort Knox</i>	<i>\$26,000,000</i>
<i>New Jersey</i>	<i>Picatinny Arsenal</i>	<i>\$41,000,000</i>
<i>New Mexico</i>	<i>White Sands Missile Range</i>	<i>\$40,000,000</i>

Army: Inside the United States—Continued

State	Installation	Amount
New York	West Point Military Reservation	\$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
Virginia	Arlington National Cemetery Southern Ex- pansion	\$30,000,000

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2103(a) and available for military con-
4 struction projects outside the United States as specified in
5 the funding table in section 4601, the Secretary of the Army
6 may acquire real property and carry out military construc-
7 tion projects for the installations or locations outside the
8 United States, and in the amounts, set forth in the following
9 table:

Army: Outside the United States

Country	Installation	Amount
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

10 **SEC. 2102. FAMILY HOUSING.**

11 (a) *CONSTRUCTION AND ACQUISITION.*—Using
12 amounts appropriated pursuant to the authorization of ap-
13 propriations in section 2103(a) and available for military
14 family housing functions as specified in the funding table
15 in section 4601, the Secretary of the Army may construct
16 or acquire family housing units (including land acquisition
17 and supporting facilities) at the installations or locations,

1 *in the number of units, and in the amounts set forth in*
 2 *the following table:*

Army: Family Housing

<i>State/Coun- try</i>	<i>Installation or Location</i>	<i>Units</i>	<i>Amount</i>
<i>Italy</i>	<i>Vicenza</i>	<i>Family Housing New Construc- tion.</i>	<i>\$95,134,000</i>
<i>Korea</i>	<i>Camp Walker</i>	<i>Family Housing Replacement Construction.</i>	<i>\$68,000,000</i>
<i>Puerto Rico</i>	<i>Fort Buchanan</i>	<i>Family Housing Replacement Construction.</i>	<i>\$26,000,000</i>
<i>Wisconsin</i>	<i>Fort McCoy</i>	<i>Family Housing New Construc- tion.</i>	<i>\$6,200,000</i>

3 **(b) PLANNING AND DESIGN.**—Using amounts appro-
 4 priated pursuant to the authorization of appropriations in
 5 section 2103(a) and available for military family housing
 6 functions as specified in the funding table in section 4601,
 7 the Secretary of the Army may carry out architectural and
 8 engineering services and construction design activities with
 9 respect to the construction or improvement of family hous-
 10 ing units in an amount not to exceed \$18,326,000.

11 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

12 **(a) AUTHORIZATION OF APPROPRIATIONS.**—Funds are
 13 hereby authorized to be appropriated for fiscal years begin-
 14 ning after September 30, 2018, for military construction,
 15 land acquisition, and military family housing functions of
 16 the Department of the Army as specified in the funding
 17 table in section 4601.

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 2101 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 4601.*

9 **SEC. 2104. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 10 **FISCAL YEAR 2015 PROJECTS.**

11 (a) *EXTENSION.*—*Notwithstanding section 2002 of the*
 12 *Military Construction Authorization Act for Fiscal Year*
 13 *2015 (division B of Public Law 113–291; 128 Stat. 3669),*
 14 *the authorization set forth in the table in subsection (b),*
 15 *as provided in section 2101 of that Act (128 Stat. 3670),*
 16 *shall remain in effect until October 1, 2019, or the date*
 17 *of the enactment of an Act authorizing funds for military*
 18 *construction for fiscal year 2020, whichever is later.*

19 (b) *TABLE.*—*The table referred to in subsection (a) is*
 20 *as follows:*

Army: Extension of 2015 Project Authorizations

State/ Country	Installation or Lo- cation	Project	Amount
<i>California</i>	<i>Military Ocean Ter- minal, Concord.</i>	<i>Access Control Point ..</i>	<i>\$9,900,000</i>
<i>Japan</i>	<i>Kadena Air Base</i>	<i>Missile Magazine</i>	<i>\$10,600,000</i>

1 **SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 2 **FISCAL YEAR 2016 PROJECT.**

3 (a) *EXTENSION.*—Notwithstanding section 2002 of the
 4 *Military Construction Authorization Act for Fiscal Year*
 5 *2016 (division B of Public Law 114–92; 129 Stat. 1145)*
 6 *the authorization set forth in the table in subsection (b),*
 7 *as provided in section 2101 of that Act (129 Stat. 1146),*
 8 *shall remain in effect until October 1, 2023, or the date*
 9 *of the enactment of an Act authorizing funds for military*
 10 *construction for fiscal year 2024, whichever is later.*

11 (b) *TABLE.*—The table referred to in subsection (a) is
 12 *as follows:*

Army: Extension of 2016 Project Authorization

Virginia	Arlington Cemetery (DAR)	\$60,000,000
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13 **TITLE XXII—NAVY MILITARY**
 14 **CONSTRUCTION**

15 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 16 **ACQUISITION PROJECTS.**

17 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 18 propriated pursuant to the authorization of appropriations
 19 in section 2204(a) and available for military construction
 20 projects inside the United States as specified in the funding
 21 table in section 4601, the Secretary of the Navy may ac-
 22 quire real property and carry out military construction
 23 projects for the installations or locations inside the United
 24 States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Camp Navajo	\$14,800,000
California	Camp Pendleton	\$199,630,000
	Coronado	\$77,780,000
	Lemoore	\$112,690,000
	Miramar	\$31,980,000
	Point Mugu	\$22,150,000
	San Diego	\$156,540,000
	San Nicolas Island	\$31,010,000
	Seal Beach	\$139,630,000
District of Columbia	Naval Observatory	\$115,600,000
Florida	Mayport	\$111,460,000
	Naval Air Station Whiting Field	\$10,000,000
Georgia	Marine Corps Logistics Base Albany	\$31,900,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$45,000,000
	Kaneohe Bay	\$66,100,000
	Pearl City	\$78,320,000
Maine	Kittery	\$149,685,000
Mississippi	Naval Construction Battalion Center	\$22,300,000
North Carolina	Cherry Point Marine Corps Air Station	\$240,830,000
	Camp Lejeune	\$51,300,000
Pennsylvania	Philadelphia	\$71,050,000
South Carolina	Beaufort	\$15,817,000
	Parris Island	\$35,190,000
Utah	Hill Air Force Base	\$105,520,000
Virginia	Portsmouth	\$26,120,000
	Quantico	\$13,100,000
Washington	Bangor	\$88,960,000
	Whidbey Island	\$27,380,000

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropri-
3 ations in section 2204(a) and available for military con-
4 struction projects outside the United States as specified in
5 the funding table in section 4601, the Secretary of the Navy
6 may acquire real property and carry out military construc-
7 tion projects for the installations or locations outside the
8 United States, and in the amounts, set forth in the following
9 table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahamas	Andros Island	\$31,050,000
Bahrain Island	SW Asia	\$26,340,000
Cuba	Guantanamo Bay	\$85,000,000
Germany	Panzer Kaserne	\$43,950,000
Guam	Joint Region Marianas	\$279,657,000

Navy: Outside the United States—Continued

Country	Installation or Location	Amount
<i>Japan</i>	<i>Kadena Air Base</i>	<i>\$9,049,000</i>

1 SEC. 2202. FAMILY HOUSING.

2 (a) *CONSTRUCTION AND ACQUISITION.*—Using
3 amounts appropriated pursuant to the authorization of ap-
4 propriations in section 2204(a) and available for military
5 family housing functions as specified in the funding table
6 in section 4601, the Secretary of the Navy may construct
7 or acquire family housing units (including land acquisition
8 and supporting facilities) at the installation or location,
9 in the number of units, and in the amount set forth in the
10 following table:

Navy: Family Housing

State	Installation or Location	Units	Amount
<i>Guam</i>	<i>Joint Region Marianas</i>	<i>Replace Andersen Housing PH III.</i>	<i>\$83,441,000</i>

11 (b) *PLANNING AND DESIGN.*—Using amounts appro-
12 priated pursuant to the authorization of appropriations in
13 section 2204(a) and available for military family housing
14 functions as specified in the funding table in section 4601,
15 the Secretary of the Navy may carry out architectural and
16 engineering services and construction design activities with
17 respect to the construction or improvement of family hous-
18 ing units in an amount not to exceed \$4,502,000.

1 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
2 **UNITS.**

3 *Subject to section 2825 of title 10, United States Code,*
4 *and using amounts appropriated pursuant to the author-*
5 *ization of appropriations in section 2204(a) and available*
6 *for military family housing functions as specified in the*
7 *funding table in section 4601, the Secretary of the Navy*
8 *may improve existing military family housing units in an*
9 *amount not to exceed \$16,638,000.*

10 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

11 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
12 *hereby authorized to be appropriated for fiscal years begin-*
13 *ning after September 30, 2018, for military construction,*
14 *land acquisition, and military family housing functions of*
15 *the Department of the Navy, as specified in the funding*
16 *table in section 4601.*

17 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*
18 *PROJECTS.—Notwithstanding the cost variations author-*
19 *ized by section 2853 of title 10, United States Code, and*
20 *any other cost variation authorized by law, the total cost*
21 *of all projects carried out under section 2201 of this Act*
22 *may not exceed the total amount authorized to be appro-*
23 *priated under subsection (a), as specified in the funding*
24 *table in section 4601.*

**TITLE XXIII—AIR FORCE
MILITARY CONSTRUCTION**

**SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND
LAND ACQUISITION PROJECTS.**

(a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth 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
Florida	Eglin Air Force Base	\$62,863,000
	MacDill Air Force Base	\$3,100,000
Maryland	Joint Base Andrews	\$50,000,000
Massachusetts	Hanscom Air Force Base	\$225,000,000
Nebraska	Offutt Air Force Base	\$9,500,000
Nevada	Crech 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	\$116,100,000
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	White Bluff	\$14,000,000

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military con-

1 *struction projects outside the United States as specified in*
 2 *the funding table in section 4601, the Secretary of the Air*
 3 *Force may acquire real property and carry out military*
 4 *construction projects for the installations or locations out-*
 5 *side the United States, and in the amount, set forth in the*
 6 *following table:*

Air Force: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Guam</i>	<i>Joint Region Marianas</i>	<i>\$9,800,000</i>
<i>Mariana Islands-Tinian</i>	<i>Tinian</i>	<i>\$50,700,000</i>
<i>Qatar</i>	<i>Al Udeid</i>	<i>\$70,400,000</i>
<i>United Kingdom</i>	<i>RAF Lakenheath</i>	<i>\$148,467,000</i>
<i>Worldwide Classified</i>	<i>Classified Location</i>	<i>\$18,000,000</i>

7 ***SEC. 2302. FAMILY HOUSING.***

8 *Using amounts appropriated pursuant to the author-*
 9 *ization of appropriations in section 2304(a) and available*
 10 *for military family housing functions as specified in the*
 11 *funding table in section 4601, the Secretary of the Air Force*
 12 *may carry out architectural and engineering services and*
 13 *construction design activities with respect to the construc-*
 14 *tion or improvement of family housing units in an amount*
 15 *not to exceed \$3,199,000.*

16 ***SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING***

17 ***UNITS.***

18 *Subject to section 2825 of title 10, United States Code,*
 19 *and using amounts appropriated pursuant to the author-*
 20 *ization of appropriations in section 2304(a) and available*
 21 *for military family housing functions as specified in the*

1 *funding table in section 4601, the Secretary of the Air Force*
2 *may improve existing military family housing units in an*
3 *amount not to exceed \$75,247,000.*

4 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
5 **FORCE.**

6 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
7 *hereby authorized to be appropriated for fiscal years begin-*
8 *ning after September 30, 2018, for military construction,*
9 *land acquisition, and military family housing functions of*
10 *the Department of the Air Force, as specified in the funding*
11 *table in section 4601.*

12 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*
13 *PROJECTS.—Notwithstanding the cost variations author-*
14 *ized by section 2853 of title 10, United States Code, and*
15 *any other cost variation authorized by law, the total cost*
16 *of all projects carried out under section 2301 of this Act*
17 *may not exceed the total amount authorized to be appro-*
18 *priated under subsection (a), as specified in the funding*
19 *table in section 4601.*

20 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**
21 **CERTAIN PHASED PROJECT AUTHORIZED IN**
22 **FISCAL YEARS 2015, 2016, AND 2017.**

23 *In the case of the authorization contained in the table*
24 *in section 2301(b) of the Military Construction Authoriza-*
25 *tion Act for Fiscal Year 2015 (division B of Public Law*

1 113–291; 128 Stat. 3679) for Royal Air Force Croughton,
2 for JIAC Consolidation Phase 1, the authorization con-
3 tained in the table in section 2301(b) of the Military Con-
4 struction Authorization Act for Fiscal Year 2016 (division
5 B of Public Law 114–92; 129 Stat. 1153) for Croughton
6 Royal Air Force, for JIAC Consolidation Phase 2, and the
7 authorization contained in the table in section 2301(b) of
8 the Military Construction Authorization Act for Fiscal Year
9 2017 (division B of Public Law 114–328; 130 Stat. 2697)
10 for Royal Air Force Croughton, for JIAC Consolidation
11 Phase 3, the location shall be United Kingdom, Unspecified.

12 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT**
13 **CERTAIN FISCAL YEAR 2017 PROJECT.**

14 *In the case of the authorization contained in the table*
15 *in section 2301(a) of the Military Construction Authoriza-*
16 *tion Act for Fiscal Year 2017 (division B of Public Law*
17 *114–328; 130 Stat. 2696) for Joint Base San Antonio,*
18 *Texas, for construction of a basic military training recruit*
19 *dormitory, the Secretary of the Air Force may construct*
20 *a 26,537 square meter dormitory in the amount of*
21 *\$92,300,000.*

22 **SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT**
23 **CERTAIN FISCAL YEAR 2018 PROJECT.**

24 *In the case of the authorization contained in the table*
25 *in section 2301(a) of the Military Construction Authoriza-*

1 *tion Act for Fiscal Year 2018 (division B of Public Law*
2 *115–91; 131 Stat. 1825) for the United States Air Force*
3 *Academy, Colorado, for construction of a cyberworks facil-*
4 *ity, the Secretary of the Air Force may construct a facility*
5 *of up to 4,462 square meters that includes two real property*
6 *gifts of construction of 929 and 465 square meters if such*
7 *gift is accepted by the Secretary in accordance with section*
8 *2601 of title 10, United States Code.*

9 **SEC. 2308. ADDITIONAL AUTHORITY TO CARRY OUT CER-**
10 **TAIN FISCAL YEAR 2019 PROJECTS.**

11 (a) *PROJECT AUTHORIZATIONS.*—*The Secretary of the*
12 *Air Force may carry out military construction projects to*
13 *construct—*

14 (1) *a 6,702 square meter Joint Simulation Envi-*
15 *ronment Facility at Edwards Air Force Base, Cali-*
16 *fornia, in the amount of \$43,000,000;*

17 (2) *a 4,833 square meter Cyberspace Test Facil-*
18 *ity at Eglin Air Force Base, Florida, in the amount*
19 *of \$38,000,000; and*

20 (3) *a 4,735 square meter Joint Simulation Envi-*
21 *ronment Facility at Nellis Air Force Base, Nevada,*
22 *in the amount of \$30,000,000.*

23 (b) *USE OF RESEARCH, DEVELOPMENT, TEST, AND*
24 *EVALUATION FUNDS.*—*As provided for in the Defense Lab-*
25 *oratory Modernization Pilot Program authorized by section*

1 2803 of the Military Construction Authorization Act for
 2 Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1169), the
 3 Secretary may use funds available for research, develop-
 4 ment, test, and evaluation for the projects described in sub-
 5 section (a).

6 **TITLE XXIV—DEFENSE AGEN-**
 7 **CIES MILITARY CONSTRUC-**
 8 **TION**

9 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 10 **TION AND LAND ACQUISITION PROJECTS.**

11 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 12 propriated pursuant to the authorization of appropriations
 13 in section 2403(a) and available for military construction
 14 projects inside the United States as specified in the funding
 15 table in section 4601, the Secretary of Defense may acquire
 16 real property and carry out military construction projects
 17 for the installations or locations inside the United States,
 18 and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alaska	Clear Air Force Station	\$174,000,000
	Fort Greely	\$8,000,000
	Joint Base Elmendorf-Richardson	\$14,000,000
Arkansas	Little Rock Air Force Base	\$14,000,000
California	Camp Pendleton	\$12,596,000
	Coronado	\$71,088,000
	Defense Distribution Depot-Tracy	\$18,800,000
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

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
Oklahoma	New River	\$32,580,000
	McAlester	\$7,000,000
Texas	Joint Base San Antonio	\$10,200,000
	Red River Army Depot	\$71,500,000
Virginia	Dam Neck	\$8,959,000
	Fort A.P. Hill	\$11,734,000
	Fort Belvoir	\$6,127,000
	Humphreys Engineer Center	\$20,257,000
Washington	Joint Base Langley-Eustis	\$12,700,000
	Pentagon	\$35,850,000
	Joint Base Lewis-McChord	\$26,200,000

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropri-
3 ations in section 2403(a) and available for military con-
4 struction projects outside the United States as specified in
5 the funding table in section 4601, the Secretary of Defense
6 may acquire real property and carry out military construc-
7 tion projects for the installations or locations outside the
8 United States, and in the amounts, set forth in the following
9 table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Belgium	U.S. Army Garrison Benelux (Chievres)	\$14,305,000
Cuba	Guantanamo Bay	\$9,080,000
Djibouti	Camp Lemonnier	\$3,750,000
Germany	Baumholder	\$11,504,000
	Kaiserslautern Air Base	\$99,955,000
	Weisbaden	\$56,048,000
Greece	NSA Souda Bay	\$2,230,000
Guam	Naval Base Guam	\$4,634,000
	NSA Naples	\$990,000
Japan	Camp McTureous	\$94,851,000
	Iwakuni	\$33,200,000
	Kadena Air Base	\$21,400,000
	Yokosuka	\$170,386,000
Unspecified World- wide	Unspecified	\$15,693,000

1 **SEC. 2402. ENERGY RESILIENCE AND CONSERVATION IN-**
 2 **VESTMENT PROGRAM.**

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 4601, the Secretary of Defense may carry*
 7 *out energy conservation projects under chapter 173 of title*
 8 *10, United States Code, for the installations or locations*
 9 *outside the United States, and in the amounts set forth in*
 10 *the following table:*

Energy Conservation Projects: Inside the United States

State	Installation or Location	Amount
Alabama	Anniston Army Depot	\$20,000,000
California	Naval Base Ventura County	\$6,530,000
Colorado	Schriever Air Force Base	\$4,044,000
Florida	MacDill Air Force Base	\$3,700,000
Hawaii	Bellows Air Force Base	\$2,944,000
	Joint Base Pearl Harbor-Hickam	\$4,500,000
Idaho	Mountain Home Air Force Base	\$5,980,000
Indiana	NSA Crane	\$6,890,000
Kansas	Salina Training Center	\$3,500,000
Louisiana	Naval Air Station Joint Reserve Base New Orleans	\$5,340,000
Maryland	NSA Bethesda	\$22,000,000
New Mexico	Kirtland Air Force Base	\$462,000
Ohio	Wright-Patterson Air Force Base	\$7,900,000
Pennsylvania	Fort Indiantown Gap	\$2,150,000
South Carolina	Marine Corps Air Station Beaufort	\$22,402,000
Texas	Camp Mabry	\$5,500,000
	Sheppard Air Force Base	\$9,404,000
Virginia	Naval Air Station Oceana	\$2,520,000
	NRO Headquarters	\$571,000
Washington	Naval Base Kitsap	\$1,790,000

11 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE**
 12 **AGENCIES.**

13 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
 14 *hereby authorized to be appropriated for fiscal years begin-*
 15 *ning after September 30, 2018, for military construction,*

1 *land acquisition, and military family housing functions of*
2 *the Department of Defense (other than the military depart-*
3 *ments), as specified in the funding table in section 4601.*

4 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*
5 *PROJECTS.—Notwithstanding the cost variations author-*
6 *ized by section 2853 of title 10, United States Code, and*
7 *any other cost variation authorized by law, the total cost*
8 *of all projects carried out under section 2401 of this Act*
9 *may not exceed the total amount authorized to be appro-*
10 *priated under subsection (a), as specified in the funding*
11 *table in section 4601.*

12 **SEC. 2404. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
13 **FISCAL YEAR 2015 PROJECTS.**

14 (a) *EXTENSION.—Notwithstanding section 2002 of the*
15 *Military Construction Authorization Act for Fiscal Year*
16 *2015 (division B of Public Law 113–291; 128 Stat. 3669),*
17 *the authorizations set forth in the table in subsection (b),*
18 *as provided in section 2401 of that Act (128 Stat. 3681),*
19 *and amended by section 2406 of the Military Construction*
20 *Authorization Act for Fiscal Year 2018 (division B of Pub-*
21 *lic Law 115–91; 131 Stat. 1831), shall remain in effect*
22 *until October 1, 2019, or the date of the enactment of an*
23 *Act authorizing funds for military construction for fiscal*
24 *year 2020, whichever is later.*

1 (b) TABLE.—The table referred to in subsection (a) is
 2 as follows:

Defense Agencies: Extension of 2015 Project Authorizations

State/Country	Installation or Location	Project	Amount
<i>Japan</i>	<i>Commander Fleet Activities Sasebo</i>	<i>E.J. King High School Replacement/Renovation.</i>	<i>\$37,681,000</i>
	<i>Okinawa</i>	<i>Kubasaki High School Replacement/Renovation.</i>	<i>\$99,420,000</i>
<i>New Mexico</i>	<i>Cannon Air Force Base</i> ..	<i>SOF Squadron Operations Facility (STS).</i>	<i>\$23,333,000</i>
<i>Virginia</i>	<i>Pentagon</i>	<i>Redundant Chilled Water Loop.</i>	<i>\$15,100,000</i>

3 **SEC. 2405. AUTHORIZATION OF CERTAIN FISCAL YEAR 2018**
 4 **PROJECT.**

5 The table in section 2401(a) of the National Defense
 6 Authorization Act for Fiscal Year 2018 (division B of Pub-
 7 lic Law 105–91) is amended by inserting after the item re-
 8 lating to South Carolina the following new item:

<i>Texas</i>	<i>Fort Bliss Blood Processing Center</i>	<i>\$8,300,000</i>
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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 construc-*
15 *tion previously financed by the United States.*

16 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

17 *Funds are hereby authorized to be appropriated for fis-*
18 *cal years beginning after September 30, 2018, for contribu-*
19 *tions by the Secretary of Defense under section 2806 of title*
20 *10, United States Code, for the share of the United States*
21 *of the cost of projects for the North Atlantic Treaty Organi-*
22 *zation Security Investment Program authorized by section*
23 *2501 as specified in the funding table in section 4601.*

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 for*
 6 *required in-kind contributions, the Secretary of Defense*
 7 *may accept military construction projects for the installa-*
 8 *tions or locations, and in the amounts, set forth in the fol-*
 9 *lowing table:*

Republic of Korea Funded Construction Projects

<i>Country</i>	<i>Component</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Korea</i>	<i>Army</i>	<i>Camp Carroll</i>	<i>Upgrade Electrical Distribution, Phase 2</i>	<i>\$52,000,000</i>
	<i>Army</i>	<i>Camp Humphreys</i>	<i>Site Development</i>	<i>\$7,800,000</i>
	<i>Army</i>	<i>Camp Humphreys</i>	<i>Air Support Operations Squadron</i>	<i>\$25,000,000</i>
	<i>Army</i>	<i>Camp Humphreys</i>	<i>Unaccompanied Enlisted Personnel Housing, P2</i>	<i>\$76,000,000</i>
	<i>Army</i>	<i>Camp Humphreys</i>	<i>Echelon Above Brigade Engineer Battalion, VMF</i>	<i>\$123,000,000</i>
	<i>Army</i>	<i>Camp Walker</i>	<i>Repair/ Replace Sewer Piping System</i>	<i>\$8,000,000</i>
	<i>Navy</i>	<i>Chinhae</i>	<i>Indoor Training Pool</i>	<i>\$7,400,000</i>
	<i>Navy</i>	<i>Pohang Air Base</i>	<i>Replace Ordnance Storage Magazines</i> ..	<i>\$87,000,000</i>
	<i>Air Force</i> ...	<i>Gimhae Air Base</i>	<i>Airfield Damage Repair Warehouse</i>	<i>\$7,600,000</i>
	<i>Air Force</i> ...	<i>Gwangju Air Base</i>	<i>Airfield Damage Repair Warehouse</i>	<i>\$7,600,000</i>
	<i>Air Force</i> ...	<i>Kunsan Air Base</i>	<i>Explosive Ordnance Disposal Facility</i>	<i>\$8,000,000</i>
	<i>Air Force</i> ...	<i>Kunsan Air Base</i>	<i>Upgrade Flow-Through Fuel System</i>	<i>\$23,000,000</i>
	<i>Air Force</i> ...	<i>Osan Air Base</i>	<i>5th Reconnaissance Squadron Aircraft Shelter</i>	<i>\$12,000,000</i>

Republic of Korea Funded Construction Projects—Continued

Country	Component	Installation or Location	Project	Amount
	Air Force ...	Osan Air Base	Airfield Damage Repair Facility	\$22,000,000
	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 funding*
 12 *table in section 4601, the Secretary of the Army may ac-*
 13 *quire 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 following*
 16 *table:*

Army National Guard

State	Location	Amount
Alaska	Joint Base Elmendorf-Richardson	\$27,000,000
Illinois	Marseilles	\$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

Army National Guard—Continued

State	Location	Amount
Oklahoma	Lexington	\$11,000,000
Oregon	Boardman	\$11,000,000
South Dakota	Rapid City	\$15,000,000
Texas	Houston	\$15,000,000
Virginia	Sandston	\$89,000,000

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 funding*
 6 *table in section 4601, the Secretary of the Army may ac-*
 7 *quire 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 table:*

Army Reserve

State	Location	Amount
California	Barstow	\$34,000,000
Wisconsin	Fort McCoy	\$23,000,000

10 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
 11 **CORPS RESERVE CONSTRUCTION AND LAND**
 12 **ACQUISITION PROJECTS.**

13 *Using amounts appropriated pursuant to the author-*
 14 *ization of appropriations in section 2606 and available for*
 15 *the National Guard and Reserve as specified in the funding*
 16 *table in section 4601, the Secretary of the Navy may ac-*
 17 *quire real property and carry out military construction*
 18 *projects for the Navy Reserve and Marine Corps Reserve*

1 *locations inside the United States, and in the amounts, set*
 2 *forth in the following table:*

Navy Reserve and Marine Corps Reserve

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>California</i>	<i>Seal Beach</i>	<i>\$21,740,000</i>
<i>Georgia</i>	<i>Benning</i>	<i>\$13,630,000</i>
<i>Pennsylvania</i>	<i>Pittsburgh</i>	<i>\$17,650,000</i>

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 funding*
 8 *table in section 4601, the Secretary of the Air Force may*
 9 *acquire real property and carry out military construction*
 10 *projects for the Air National Guard locations inside the*
 11 *United States, and in the amounts, set forth in the following*
 12 *table:*

Air National Guard

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>California</i>	<i>Channel Islands Air National Guard Station.</i>	<i>\$8,000,000</i>
<i>Hawaii</i>	<i>Joint Base Peal Harbor-Hickam</i>	<i>\$17,000,000</i>
<i>Illinois</i>	<i>General Wayne A. Downing Peoria International Airport.</i>	<i>\$9,000,000</i>
<i>Louisiana</i>	<i>Naval Air Station Joint Reserve Base New Orleans.</i>	<i>\$15,000,000</i>
<i>New York</i>	<i>Francis S. Gabreski Airport</i>	<i>\$20,000,000</i>
<i>Pennsylvania</i>	<i>Fort Indiantown Gap</i>	<i>\$8,000,000</i>
<i>Puerto Rico</i>	<i>Luis Munoz Marin International Airport.</i>	<i>\$50,000,000</i>
<i>Virginia</i>	<i>Joint Base Langley-Eustis</i>	<i>\$10,000,000</i>

1 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRU-**
 2 **CTION 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 funding*
 6 *table in section 4601, the Secretary of the Air Force may*
 7 *acquire real property and carry out military construction*
 8 *projects for the Air Force Reserve locations inside the*
 9 *United States, and in the amounts, set forth in the following*
 10 *table:*

Air Force Reserve

State	Location	Amount
<i>Indiana</i>	<i>Grissom Air Reserve Base</i>	<i>\$21,500,000</i>
<i>Minnesota</i>	<i>St. Paul International Airport</i>	<i>\$9,000,000</i>
<i>Mississippi</i>	<i>Keesler Air Force Base</i>	<i>\$4,550,000</i>
<i>New York</i>	<i>Niagara Falls International Airport</i>	<i>\$14,000,000</i>
<i>Texas</i>	<i>Naval Air Station Joint Reserve Base Fort Worth.</i>	<i>\$3,100,000</i>

11 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**
 12 **TIONAL GUARD AND RESERVE.**

13 *Funds are hereby authorized to be appropriated for fis-*
 14 *cal years beginning after September 30, 2018, for the costs*
 15 *of acquisition, architectural and engineering services, and*
 16 *construction of facilities for the Guard and Reserve Forces,*
 17 *and for contributions therefor, under chapter 1803 of title*
 18 *10, United States Code (including the cost of acquisition*
 19 *of land for those facilities), as specified in the funding table*
 20 *in section 4601.*

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 Training*
8 *Center Complex at Dam Neck, Virginia, the Secretary of*
9 *the Navy may construct the Reserve Training Center Com-*
10 *plex at Joint Expeditionary Base Little Creek-Story, Vir-*
11 *ginia.*

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 additions*
18 *and alterations to the National Guard Readiness Center,*
19 *the Secretary of the Army may construct a new readiness*
20 *center. If a new readiness center is constructed, no funds*
21 *above the previously authorized \$15,000,000 may be made*
22 *available for such purpose.*

1 **SEC. 2613. ADDITIONAL AUTHORITY TO CARRY OUT CER-**
2 **TAIN FISCAL YEAR 2019 PROJECT.**

3 (a) *PROJECT AUTHORIZATION.*—*The Secretary of the*
4 *Navy may carry out a military construction project to con-*
5 *struct a 50,000 square foot reserve training center, 6,600*
6 *square foot combat vehicle maintenance and storage facility,*
7 *2,400 square foot vehicle wash rack, 1,600 square foot cov-*
8 *ered training area, road improvements, and associated sup-*
9 *porting facilities, and may acquire approximately 8.5 acres*
10 *of adjacent land and obtain necessary interest in land at*
11 *Pittsburgh, Pennsylvania, in the amount of \$17,650,000.*

12 (b) *USE OF UNOBLIGATED PRIOR-YEAR NAVY MILI-*
13 *TARY CONSTRUCTION RESERVE FUNDS.*—*The Secretary*
14 *may use available, unobligated Navy military construction*
15 *reserve funds for the project described in subsection (a).*

16 (c) *CONGRESSIONAL NOTIFICATION.*—*The Secretary of*
17 *the Navy shall provide information in accordance with sec-*
18 *tion 2851(c) of title 10, United States Code, regarding the*
19 *project described in subsection (a). If it becomes necessary*
20 *to exceed the estimated project cost, the Secretary shall uti-*
21 *lize the authority provided by section 2853 of such title re-*
22 *garding authorized cost and scope of work variations.*

1 **TITLE XXVII—BASE REALIGN-**
2 **MENT AND CLOSURE ACTIVI-**
3 **TIES**

4 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE**
5 **REALIGNMENT AND CLOSURE ACTIVITIES**
6 **FUNDED THROUGH DEPARTMENT OF DE-**
7 **FENSE BASE CLOSURE ACCOUNT.**

8 *Funds are hereby authorized to be appropriated for fis-*
9 *cal years beginning after September 30, 2018, for base re-*
10 *alignment and closure activities, including real property*
11 *acquisition and military construction projects, as author-*
12 *ized by the Defense Base Closure and Realignment Act of*
13 *1990 (part A of title XXIX of Public Law 101–510; 10*
14 *U.S.C. 2687 note) and funded through the Department of*
15 *Defense Base Closure Account established by section 2906*
16 *of such Act (as amended by section 2711 of the Military*
17 *Construction Authorization Act for Fiscal Year 2013 (divi-*
18 *sion B of Public Law 112–239; 126 Stat. 2140)), as speci-*
19 *fied in the funding table in section 4601.*

20 **SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL**
21 **BASE REALIGNMENT AND CLOSURE (BRAC)**
22 **ROUND.**

23 *Nothing in this Act shall be construed to authorize an*
24 *additional Base Realignment and Closure (BRAC) round.*

1 **TITLE XXVIII—MILITARY CON-**
2 **STRUCTION AND GENERAL**
3 **PROVISIONS**

4 **Subtitle A—Military Construction**
5 **Program and Military Family**
6 **Housing Changes**

7 **SEC. 2801. ADDITIONAL AUTHORITY TO OBTAIN ARCHITEC-**
8 **TURAL AND ENGINEERING SERVICES AND**
9 **CONSTRUCTION DESIGN FOR DEFENSE LAB-**
10 **ORATORY MODERNIZATION PILOT PROGRAM.**

11 *Section 2803 of the National Defense Authorization*
12 *Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*
13 *1169; 10 U.S.C. 2358 note) is amended—*

14 *(1) in subsection (a), by striking “subsection*
15 *(d)” and inserting “subsection (e)”;*

16 *(2) in subsection (b)(1), by striking “, site prep-*
17 *aration, and advance planning and design” and in-*
18 *serting “and site preparation”;*

19 *(3) in subsection (d), by striking “subsection*
20 *(c)(1)” and inserting “subsection (d)(1)”;*

21 *(4) by redesignating subsections (c), (d), (e), and*
22 *(f) as subsections (d), (e), (f), and (g), respectively;*

23 *(5) by inserting after subsection (b) the following*
24 *new subsection:*

1 “(c) *ARCHITECTURAL AND ENGINEERING SERVICES*
2 *AND CONSTRUCTION DESIGN.*—Using amounts appro-
3 priated or otherwise made available to the military depart-
4 ments for research, development, test, and evaluation, the
5 Secretary of the military department concerned may obtain
6 architectural and engineering services and carry out con-
7 struction design in connection with a military construction
8 project described in subsection (a). This authority is not
9 subject to the condition in subsection (b).”;

10 (6) in subsection (d), as redesignated by para-
11 graph (4)—

12 (A) in paragraph (1), by adding at the end
13 the following: “This requirement does not include
14 architectural and engineering services and con-
15 struction design under subsection (c).”; and

16 (B) in paragraph (2), by inserting “other
17 than funds used pursuant to subsection (c)” after
18 “subsection (a)”; and

19 (7) in subsection (g), as redesignated by para-
20 graph (4), by striking “2020” and inserting “2025”.

1 **SEC. 2802. MODIFICATION OF CONTRACT AUTHORITY FOR**
2 **ACQUISITION, CONSTRUCTION, OR FUR-**
3 **NISHING OF TEST FACILITIES AND EQUIP-**
4 **MENT.**

5 *Section 2353(a) of title 10, United States Code, is*
6 *amended—*

7 *(1) by inserting after the first sentence the fol-*
8 *lowing: “The acquisition or construction of these re-*
9 *search, developmental, or test facilities shall be subject*
10 *to the cost principles applicable to allowable contract*
11 *expenses.”; and*

12 *(2) by adding at the end the following: “The ac-*
13 *quisition or construction of facilities under the au-*
14 *thority of this section shall not be governed by sec-*
15 *tions 2802, 2805, or 2811 of this title and their asso-*
16 *ciated implementing regulations. The Secretary of De-*
17 *fense and the Secretaries of the military departments*
18 *shall promulgate regulations necessary to give full*
19 *force and effect to this section.”.*

20 **SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHOR-**
21 **ITY TO USE OPERATION AND MAINTENANCE**
22 **FUNDS FOR CONSTRUCTION PROJECTS IN**
23 **CERTAIN AREAS OUTSIDE THE UNITED**
24 **STATES.**

25 *(a) EXTENSION OF AUTHORITY.—Subsection (h) of sec-*
26 *tion 2808 of the Military Construction Authorization Act*

1 *for Fiscal Year 2004 (division B of Public Law 108–136;*
 2 *117 Stat. 1723), as most recently amended by section 2804*
 3 *of the Military Construction Authorization Act for Fiscal*
 4 *Year 2018 (division B of Public Law 115–91), is further*
 5 *amended—*

6 (1) *in paragraph (1), by striking “December 31,*
 7 *2018” and inserting “December 31, 2019”; and*

8 (2) *in paragraph (2), by striking “fiscal year*
 9 *2019” and inserting “fiscal year 2020”.*

10 (b) *LIMITATION ON USE OF AUTHORITY.—Subsection*
 11 *(c)(1) of such section is amended—*

12 (1) *by striking “\$100,000,000” and inserting*
 13 *“\$50,000,000”;*

14 (2) *by striking “October 1, 2017” and inserting*
 15 *“October 1, 2018”;*

16 (3) *by striking “December 31, 2018” and insert-*
 17 *ing “December 31, 2019”; and*

18 (4) *by striking “fiscal year 2019” and inserting*
 19 *“fiscal year 2020”.*

20 **SEC. 2804. UNSPECIFIED MINOR MILITARY CONSTRUCTION**
 21 **PROJECTS RELATED TO REVITALIZATION**
 22 **AND RECAPITALIZATION OF DEFENSE INDUS-**
 23 **TRIAL BASE FACILITIES.**

24 *Section 2805 of title 10, United States Code, is amend-*
 25 *ed by adding at the end the following new subsection:*

1 “(g) *DEFENSE INDUSTRIAL BASE FACILITY REVITAL-*
2 *IZATION.*—(1) *For the revitalization and recapitalization*
3 *of Defense Industrial Base Facilities owned by the United*
4 *States and under the jurisdiction of the Secretary con-*
5 *cerned, the Secretary concerned may obligate and expend—*

6 “(A) *from appropriations available to the Sec-*
7 *retary concerned for operation and maintenance,*
8 *amounts necessary to carry out an unspecified minor*
9 *military construction project costing not more than*
10 *\$6,000,000, notwithstanding subsection (c); or*

11 “(B) *from appropriations available to the Sec-*
12 *retary concerned for military construction not other-*
13 *wise authorized by law or from funds authorized to*
14 *be made available section 2363(a) of this title,*
15 *amounts necessary to carry out an unspecified minor*
16 *military construction project costing not more than*
17 *\$6,000,000.*

18 “(2) *For purposes of this subsection, an unspecified*
19 *minor military construction project is a military construc-*
20 *tion project that (notwithstanding subsection (a)) has an*
21 *approved cost equal to or less than \$6,000,000.*

22 “(3) *If the Secretary concerned makes a decision to*
23 *carry out an unspecified minor military construction*
24 *project to which this subsection applies, the Secretary con-*
25 *cerned shall notify the appropriate committees of Congress*

1 *of that decision, of the justification for the project, and of*
2 *the estimated cost of the project. The project may then be*
3 *carried out only after the end of the 14-day period begin-*
4 *ning on the date the notification is received by the commit-*
5 *tees in an electronic medium pursuant to section 480 of*
6 *this title.*

7 “(4) *In this section, the term ‘defense industrial base*
8 *facility’ means any Department of Defense depot, arsenal,*
9 *shipyard, or plant located within the United States.*

10 “(5) *The authority to carry out a project under this*
11 *subsection expires on September 30, 2023.”.*

12 **SEC. 2805. CONGRESSIONAL OVERSIGHT OF PROJECTS CAR-**
13 **RIED OUT PURSUANT TO LAWS OTHER THAN**
14 **MILITARY CONSTRUCTION AUTHORIZATION**
15 **ACTS.**

16 *Section 2802(e)(1) of title 10, United States Code, is*
17 *amended—*

18 (1) *by striking “Secretary concerned shall—”*
19 *and all that follows through “comply with the con-*
20 *gressional notification requirement” and inserting*
21 *“Secretary concerned shall comply with the congres-*
22 *sional notification requirement”; and*

23 (2) *by inserting “and submit to the congressional*
24 *defense committees any materials required to be sub-*
25 *mitted to Congress or any other congressional com-*

1 *mittees pursuant to the congressional notification re-*
2 *quirement” after “road project will be carried out”.*

3 ***Subtitle B—Project Management***
4 ***and Oversight Reforms***

5 ***SEC. 2811. UPDATES AND MODIFICATIONS TO DEPARTMENT***
6 ***OF DEFENSE FORM 1391, UNIFIED FACILITIES***
7 ***CRITERIA, AND MILITARY INSTALLATION***
8 ***MASTER PLANS.***

9 *(a) FLOOD RISK DISCLOSURE FOR MILITARY CON-*
10 *STRUCTION.—*

11 *(1) IN GENERAL.—The Secretary of Defense shall*
12 *modify Department of Defense Form 1391 to require,*
13 *with respect to any proposed major or minor military*
14 *construction project requiring congressional notifica-*
15 *tion or approval—*

16 *(A) disclosure whether a proposed project*
17 *will be sited within or partially within a 100-*
18 *year floodplain, according to the most recent*
19 *available Federal Emergency Management Agen-*
20 *cy flood hazard data; and*

21 *(B) if the proposed project will be sited*
22 *within or partially within a 100-year floodplain,*
23 *the specific risk mitigation plan.*

24 *(2) DELINEATION OF FLOODPLAIN.—To the ex-*
25 *tent that Federal Emergency Management Agency*

1 *flood hazard data are not available for a proposed*
2 *major or minor military construction site, the Sec-*
3 *retary concerned shall establish a process for delin-*
4 *eating the 100-year floodplain using risk analysis*
5 *that is consistent with the standards used to inform*
6 *Federal flood risk assessments.*

7 (3) *REPORTING REQUIREMENTS.—For proposed*
8 *projects that are to be sited within or partially within*
9 *a 100-year floodplain, the Secretary concerned shall*
10 *submit to the congressional defense committees a re-*
11 *port with the following:*

12 (A) *An assessment of flood vulnerability for*
13 *the proposed project.*

14 (B) *Any information concerning alternative*
15 *construction sites that were considered, and an*
16 *explanation of why those sites do not satisfy mis-*
17 *sion requirements.*

18 (C) *A description of planned flood mitiga-*
19 *tion measures.*

20 (4) *MINIMUM FLOOD MITIGATION REQUIRE-*
21 *MENTS.—When mitigating the flood risk of a major or*
22 *minor military construction project within or par-*
23 *tially within the 100-year floodplain, the Secretary*
24 *concerned shall require any mitigation plan to as-*
25 *sume an additional—*

1 (A) 2 feet above the base flood elevation for
2 non-mission critical buildings, as determined by
3 the Secretary; and

4 (B) 3 feet above the base flood elevation for
5 mission-critical buildings, as determined by the
6 Secretary.

7 (b) *DISCLOSURE REQUIREMENTS FOR DEPARTMENT*
8 *OF DEFENSE FORM 1391.*—Not later than 30 days after
9 the date of the enactment of this Act, the Secretary of De-
10 fense shall amend Department of Defense Form 1391 to re-
11 quire, for each requested military construction project—

12 (1) disclosure whether the project was included
13 in the prior year’s future-years defense program sub-
14 mitted to Congress pursuant to section 221 of title 10,
15 United States Code; and

16 (2) inclusion of an energy study or life cycle
17 analysis.

18 (c) *INCORPORATION OF CHANGING ENVIRONMENTAL*
19 *CONDITION PROJECTIONS IN MILITARY CONSTRUCTION DE-*
20 *SIGNS AND MODIFICATIONS.*—Not later than 30 days after
21 the date of the enactment of this Act, the Secretary of De-
22 fense shall amend section 3–5.6.2.3 of United Facilities Cri-
23 teria (UFC) 2–100–01 and UFC 2–100–02 (or any similar
24 successor regulations) to provide that in order to anticipate
25 changing environmental conditions during the design life

1 *of existing or planned new facilities and infrastructure,*
2 *projections from reliable and authorized sources such as the*
3 *Census Bureau (for population projections), the National*
4 *Academies of Sciences (for land use change projections and*
5 *climate projections), the U.S. Geological Survey (for land*
6 *use change projections), and the U.S. Global Change Re-*
7 *search Office and National Climate Assessment (for climate*
8 *projections) shall be considered and incorporated into mili-*
9 *tary construction designs and modifications.*

10 *(d) INCLUSION OF CONSIDERATION OF ENERGY AND*
11 *CLIMATE RESILIENCY EFFORTS IN MASTER PLANS FOR*
12 *MAJOR MILITARY INSTALLATIONS.—Section 2864 of title*
13 *10, United States Code, is amended—*

14 *(1) in subsection (a)(2)—*

15 *(A) in subparagraph (C), by striking “and”*
16 *at the end;*

17 *(B) in subparagraph (D), by striking the*
18 *period at the end and inserting “; and”; and*

19 *(C) by adding at the end the following new*
20 *subparagraph:*

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

22 *(2) in subsection (d), by adding at the end the*
23 *following new paragraph:*

24 *“(3) The term ‘energy and climate resiliency’*
25 *means anticipation, preparation for, and adaptation*

1 *to utility disruptions and changing environmental*
2 *conditions and the ability to withstand, respond to,*
3 *and recover rapidly from utility disruptions while en-*
4 *sureing the sustainment of mission-critical oper-*
5 *ations.”.*

6 *(e) DEFINITION OF MILITARY INSTALLATION RESIL-*
7 *IENCE.—Section 101(e) of title 10, United States Code, is*
8 *amended by adding at the end the following new paragraph:*

9 “(8) *MILITARY INSTALLATION RESILIENCE.—The*
10 *term ‘military installation resilience’ means the capa-*
11 *bility of a military installation to avoid, prepare for,*
12 *minimize the effect of, adapt to, and recover from ex-*
13 *treme weather events, or from anticipated or unan-*
14 *ticipated changes in environmental conditions, that*
15 *do, or have the potential to, adversely affect the mili-*
16 *tary installation or essential transportation,*
17 *logistical, or other necessary resources outside of the*
18 *military installation that are necessary in order to*
19 *maintain, improve, or rapidly reestablish installation*
20 *mission assurance and mission-essential functions.”.*

21 *(f) ADJUSTMENT AND DIVERSIFICATION ASSISTANCE*
22 *FOR RESPONDING TO THREATS TO THE RESILIENCE OF A*
23 *MILITARY INSTALLATION.—Section 2391(b)(1) of title 10,*
24 *United States Code, is amended—*

1 (1) by striking “, or (E) by the closure” and in-
 2 serting “, (E) by threats to military installation resil-
 3 ience, or (F) by the closure”;

4 (2) by striking “(A), (B), (C), or (E)” and in-
 5 serting “(A), (B), (C), or (F)”;

6 (3) by striking “action described in clause (D),
 7 if the Secretary determines that the encroachment of
 8 the civilian community” and inserting “action de-
 9 scribed in clause (D) or (E), if the Secretary deter-
 10 mines that either the encroachment of the civilian
 11 community or threats to military installation resil-
 12 ience”.

13 **SEC. 2812. WORK IN PROCESS CURVE CHARTS AND OUTLAY**
 14 **TABLES FOR MILITARY CONSTRUCTION**
 15 **PROJECTS.**

16 (a) *REQUIRED SUBMISSIONS.*—

17 (1) *IN GENERAL.*—Subchapter III of chapter 169
 18 of title 10, United States Code, is amended by insert-
 19 ing after section 2864 the following new section:

20 **“§2865. Work in Process Curve charts and outlay ta-**
 21 **bles required for military construction**
 22 **projects**

23 “Along with the budget for each fiscal year submitted
 24 by the President pursuant to section 1105(a) of title 31,
 25 United States Code, the Secretary of Defense and the Secre-

1 *taries of the military departments shall include for any*
2 *military construction project over \$35,000,000, as an ad-*
3 *dendum to be included within the same document as the*
4 *1391s for the Military Construction Program budget docu-*
5 *mentation, a Project Spending Plan that includes—*

6 “(1) a *Work in Process Curve* chart to identify
7 *funding, obligations, and outlay figures; and*

8 “(2) a *monthly outlay table for funding, obliga-*
9 *tions, and outlay figures.*”.

10 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
11 *tions at the beginning of such subchapter is amended*
12 *by inserting after the item relating to section 2864 the*
13 *following new item:*

“2865. *Work in Process Curve charts and outlay tables required for military con-*
struction projects.”.

14 (b) *DEPARTMENT OF DEFENSE GUIDANCE.*—*The Sec-*
15 *retary of Defense shall, in coordination with the Under Sec-*
16 *retary of Defense (Comptroller), update Department of De-*
17 *fense Financial Management Regulation 7000.14–R, and*
18 *any other appropriate instructions and guidance, to ensure*
19 *that the Department of Defense takes appropriate actions*
20 *to comply with section 2865 of title 10, United States Code,*
21 *as added by this section.*

1 ***Subtitle C—Land Conveyances***

2 ***SEC. 2821. LAND EXCHANGE, AIR FORCE PLANT 44, TUCSON,***

3 ***ARIZONA.***

4 (a) *LAND CONVEYANCE AND RESTORATION OF REAL*
5 *PROPERTY IMPROVEMENTS AUTHORIZED.*—*In connection*
6 *with a project planned by the Tucson Airport Authority*
7 *(in this section referred to as “TAA”) to relocate and extend*
8 *a parallel runway and make other airfield safety enhance-*
9 *ments at the Tucson International Airport, the Secretary*
10 *of the Air Force (in this section referred to as the “Sec-*
11 *retary”)* may—

12 (1) *convey to TAA all right, title, and interest of*
13 *the United States in and to all or any part of a par-*
14 *cel of real property, including any improvements*
15 *thereon, consisting of approximately 58 acres on Air*
16 *Force Plant 44, Arizona, and located adjacent to Tuc-*
17 *son International Airport;*

18 (2) *agree to terminate all or a portion of any*
19 *deed restrictions made for the benefit of the United*
20 *States that limit construction on Tucson Inter-*
21 *national Airport within 750 feet of the Airport’s*
22 *southwest property boundary with Air Force Plant*
23 *44; and*

24 (3) *using cash or in-kind consideration as pro-*
25 *vided in subsection (b)—*

1 (A) *construct new explosives storage facilities*
2 *to replace the explosives storage facilities located*
3 *on the land described in paragraph (1)*
4 *and explosives storage facilities located on Air*
5 *Force Plant 44 within the end-of-runway clear*
6 *zone associated with the TAA airfield enhance-*
7 *ment project; and*

8 (B) *construct new fencing as necessary to*
9 *accommodate the changes in the boundary of Air*
10 *Force Plant 44.*

11 (b) *CONSIDERATION.—As consideration for the land*
12 *conveyance, deed restriction termination, replacement of*
13 *real property improvements, and installation of fencing au-*
14 *thorized under subsection (a), the following consideration*
15 *must be received by the United States before the Secretary*
16 *may make any conveyance or termination of real property*
17 *interests of the United States as described in subsection (a):*

18 (1) *All right, title, and interest of the owner or*
19 *owners thereof to the parcels of real property con-*
20 *sisting of approximately 160 acres directly adjacent*
21 *to the south boundary of Air Force Plant 44.*

22 (2) *The cost to the Secretary, in accordance with*
23 *current design standards, of—*

24 (A) *replacing the real property structures*
25 *on Air Force Plant 44 made unusable due to the*

1 *land transfers and termination of deed restric-*
2 *tions, with structures of at least equivalent ca-*
3 *capacity and functionality; and*

4 *(B) installing the necessary boundary fenc-*
5 *ing due to the changes in the boundary of Air*
6 *Force Plant 44.*

7 *(c) DIRECT PAYMENT OF CONSIDERATION TO GOVERN-*
8 *MENT CONTRACTORS.—The Secretary may require that any*
9 *cash consideration to be received under this section be paid,*
10 *directly or through the Air Force design and construction*
11 *agent, to the contractors performing design or construction*
12 *of the real property improvements described in subsection*
13 *(a)(3).*

14 *(d) PAYMENT OF COSTS OF CONVEYANCES.—*

15 *(1) PAYMENT REQUIRED.—The Secretary may*
16 *require TAA to cover costs to be incurred by the Sec-*
17 *retary to carry out the land exchange and other*
18 *transactions authorized under this section, or to reim-*
19 *burse the Secretary for such costs, including survey*
20 *costs, appraisal costs, costs related to environmental*
21 *documentation, and other administrative costs related*
22 *to the conveyances. If amounts are collected from TAA*
23 *in advance of the Secretary incurring the actual costs,*
24 *and the amount collected exceeds the costs actually in-*
25 *curring by the Secretary to carry out such trans-*

1 actions, the Secretary shall refund the excess amount
2 to TAA.

3 (2) *TREATMENT OF AMOUNTS RECEIVED.*—
4 Amounts received as reimbursements under para-
5 graph (1) shall be used in accordance with section
6 2695(c) of title 10, United States Code.

7 (e) *DESCRIPTION OF PROPERTY.*—The exact acreage
8 and legal description of the real property to be exchanged
9 under this section shall be determined by a survey satisfac-
10 tory to the Secretary.

11 (f) *ADDITIONAL TERMS AND CONDITIONS.*—The Sec-
12 retary may require such additional terms and conditions
13 in connection with the land exchange and other trans-
14 actions under this section as the Secretary considers appro-
15 priate to protect the interests of the United States. Without
16 limiting the foregoing, the Secretary may establish a deed
17 restriction on any part of the 58 acres described in sub-
18 section (a)(1) to accommodate existing Quantity Distance
19 arcs.

20 **SEC. 2822. LAND CONVEYANCE, EGLIN AIR FORCE BASE,**
21 **FLORIDA.**

22 (a) *CONVEYANCE AUTHORIZED.*—The Secretary of the
23 Air Force may convey, without consideration, to the Air
24 Force Enlisted Village, a nonprofit corporation (in this sec-
25 tion referred to as the “Village”), all right, title, and inter-

1 *est of the United States in and to a parcel of real property,*
2 *including improvements thereon, consisting of approxi-*
3 *mately 80 acres located adjacent to Eglin Air Force Base,*
4 *Florida, for the purpose of independent-living and assisted-*
5 *living apartments for veterans. The conveyance under this*
6 *subsection is subject to valid existing rights.*

7 **(b) REVERSIONARY INTEREST.**—*If the Secretary deter-*
8 *mines at any time that the real property conveyed under*
9 *subsection (a) is not being used in accordance with the pur-*
10 *pose of the conveyance specified in subsection (a), all right,*
11 *title, and interest in and to such real property, including*
12 *any improvements thereto, shall, at the option of the Sec-*
13 *retary, revert to and become the property of the United*
14 *States, and the United States shall have the right of imme-*
15 *diate entry onto such real property. A determination by the*
16 *Secretary under this subsection shall be made on the record*
17 *after an opportunity for a hearing.*

18 **(c) PAYMENT OF COSTS OF CONVEYANCE.**—

19 **(1) PAYMENT REQUIRED.**—*The Secretary may*
20 *require the Village to cover all costs (except costs for*
21 *environmental remediation of the property) to be in-*
22 *curring by the Secretary, or to reimburse the Secretary*
23 *for costs incurred by the Secretary, to carry out the*
24 *conveyance under this section, including survey costs,*
25 *costs for environmental documentation, and any other*

1 *administrative costs related to the conveyance. If*
2 *amounts are collected from the Village in advance of*
3 *the Secretary incurring the actual costs, and the*
4 *amount collected exceeds the costs actually incurred*
5 *by the Secretary to carry out the conveyance, the Sec-*
6 *retary shall refund the excess amount to the Village.*

7 (2) *TREATMENT OF AMOUNTS RECEIVED.—*
8 *Amounts received under paragraph (1) as reimburse-*
9 *ment for costs incurred by the Secretary to carry out*
10 *the conveyance under subsection (a) shall be credited*
11 *to the fund or account that was used to cover the costs*
12 *incurred by the Secretary in carrying out the convey-*
13 *ance, or to an appropriate fund or account currently*
14 *available to the Secretary for the purposes for which*
15 *the costs were paid. Amounts so credited shall be*
16 *merged with amounts in such fund or account and*
17 *shall be available for the same purposes, and subject*
18 *to the same conditions and limitations, as amounts in*
19 *such fund or account.*

20 (d) *DESCRIPTION OF PROPERTY.—The exact acreage*
21 *and legal description of the property to be conveyed under*
22 *subsection (a) shall be determined by a survey satisfactory*
23 *to the Secretary*

24 (e) *ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
25 *retary may require such additional terms and conditions*

1 *in connection with the conveyance under subsection (a) as*
2 *the Secretary considers appropriate to protect the interests*
3 *of the United States.*

4 ***Subtitle D—Other Matters***

5 ***SEC. 2831. COMMEMORATION OF FREEDMAN'S VILLAGE.***

6 *(a) FREEDMAN'S VILLAGE GATE.—The Secretary of*
7 *the Army shall, as part of the southern expansion of Arling-*
8 *ton National Cemetery, name the newly constructed gate*
9 *located at the intersection of Hobson Drive and Southgate*
10 *Road, "Freedman's Village Gate".*

11 *(b) PERMANENT EASEMENT.—The Secretary of the*
12 *Army is directed to grant to Arlington County a permanent*
13 *easement of no less than 0.1 acres of land within the right-*
14 *of-way of Southgate Road to the south and west of Hobson*
15 *Drive and west of the planned joint base access road that*
16 *is also continuous with Foxcroft Heights Park for the pur-*
17 *pose of commemorating Freedman's Village.*

18 *(c) RELOCATION OF COMMEMORATION IN EVENT LOCA-*
19 *TION IS USED FOR BURIAL PURPOSES.—In the event Ar-*
20 *lington National Cemetery subsequently acquires the prop-*
21 *erty used for the commemoration described under subsection*
22 *(b) for burial purposes, the Army shall relocate any com-*
23 *memoration of Freedman's Village to an appropriate loca-*
24 *tion.*

1 (d) *REIMBURSEMENT.*—*The Secretary of Defense may*
2 *accept reimbursement from Arlington County for any costs*
3 *associated with commemorating Freedman’s Village.*

4 **SEC. 2832. STRATEGIC PLAN TO IMPROVE CAPABILITIES OF**
5 **DEPARTMENT OF DEFENSE TRAINING**
6 **RANGES AND INSTALLATIONS.**

7 (a) *PLAN REQUIRED.*—*The Secretary of Defense shall*
8 *develop and implement a comprehensive strategic plan to*
9 *identify and address deficits in the capabilities of Depart-*
10 *ment of Defense training ranges to support current and an-*
11 *ticipated readiness requirements to execute the National De-*
12 *fense Strategy (NDS).*

13 (b) *EVALUATION.*—*As part of the preparation of the*
14 *strategic plan, the Secretary shall conduct an evaluation*
15 *of the following:*

16 (1) *The adequacy of current training range re-*
17 *sources to include the ability to train against near-*
18 *peer or peer threats in a realistic 5th Generation en-*
19 *vironment.*

20 (2) *The adequacy of current training enablers to*
21 *meet current and anticipated demands of the Armed*
22 *Forces.*

23 (c) *ELEMENTS.*—*The strategic plan shall include the*
24 *following:*

1 (1) *Proposals to enhance the capabilities of*
2 *training ranges to address any limitations or con-*
3 *straints on current Department resources, including*
4 *any climatically induced impacts or shortfalls.*

5 (2) *Goals and milestones for tracking actions*
6 *under the plan and measuring progress in carrying*
7 *out such actions.*

8 (3) *Projected funding requirements for imple-*
9 *menting actions under the plan.*

10 (d) *DEVELOPMENT AND IMPLEMENTATION.—The*
11 *Under Secretary of Defense for Acquisition and*
12 *Sustainment, as the principal staff assistant to the Sec-*
13 *retary on installation management, shall have lead respon-*
14 *sibility for developing and overseeing implementation of the*
15 *strategic plan and for coordination of the discharge of the*
16 *plan by components of the Department.*

17 (e) *REPORT ON IMPLEMENTATION.—Not later than*
18 *April 1, 2020, the Secretary shall, through the Under Sec-*
19 *retary of Defense for Acquisition and Sustainment, submit*
20 *to Congress a report on the progress made in implementing*
21 *this section, including the following:*

22 (1) *A description of the strategic plan.*

23 (2) *A description of the results of the evaluation*
24 *conducted under subsection (b).*

1 (3) *Such recommendations as the Secretary con-*
2 *siders appropriate with respect to improvements of*
3 *the capabilities of training ranges and enablers.*

4 (f) *PROGRESS REPORTS.*—*Not later than April 1,*
5 *2019, and annually thereafter for 3 years, the Secretary*
6 *shall, through the Under Secretary, submit to Congress a*
7 *report setting forth the following:*

8 (1) *A description of the progress made during*
9 *the preceding fiscal year in implementing the stra-*
10 *tegic plan.*

11 (2) *A description of any additional actions*
12 *taken, or to be taken, to address limitations and con-*
13 *straints on training ranges and enablers.*

14 (3) *Assessments of individual training ranges*
15 *addressing the evaluation conducted under subsection*
16 *(b).*

17 (g) *ADDITIONAL REPORT ELEMENT.*—*Each report*
18 *under subsections (e) and (f) shall also include a list of sig-*
19 *nificant modifications to training range inventory, such as*
20 *range closures or expansions, during the preceding fiscal*
21 *year, including any limitations or impacts due to climatic*
22 *conditions.*

1 **SEC. 2833. NATIVE AMERICAN INDIAN LANDS ENVIRON-**
2 **MENTAL MITIGATION PROGRAM.**

3 (a) *IN GENERAL.*—Chapter 160 of title 10, United
4 States Code, is amended by adding at the end the following
5 new section:

6 **“§2712. Native American lands environmental mitiga-**
7 **tion program**

8 “(a) *ESTABLISHMENT.*—The Secretary of Defense may
9 establish and carry out a program to mitigate the environ-
10 mental effects of Department of Defense actions on Indian
11 lands and culturally connected locations.

12 “(b) *PROGRAM ACTIVITIES.*—The activities that may
13 be carried out under the program established under sub-
14 section (a) are the following:

15 “(1) *Identification, investigation, and docu-*
16 *mentation of suspected environmental effects attrib-*
17 *utable to past Department of Defense actions.*

18 “(2) *Development of mitigation options for such*
19 *environmental effects, including development of cost-*
20 *to-complete estimates and a system for prioritizing*
21 *mitigation actions.*

22 “(3) *Direct mitigation actions that the Secretary*
23 *determines are necessary and appropriate to mitigate*
24 *the adverse environmental effects of past Department*
25 *of Defense actions.*

1 “(4) *Demolition and removal of unsafe buildings*
2 *and structures used by, under the jurisdiction of, or*
3 *formerly used by or under the jurisdiction of the De-*
4 *partment of Defense.*

5 “(5) *Training, technical assistance, and admin-*
6 *istrative support to facilitate the meaningful partici-*
7 *pation of Indian tribes in mitigation actions under*
8 *the program.*

9 “(6) *Development and execution of a policy gov-*
10 *erning consultation with Indian tribes that have been*
11 *or may be affected by Department of Defense actions,*
12 *including training Department of Defense personnel*
13 *to ensure compliance with the policy.*

14 “(c) *COOPERATIVE AGREEMENTS.—(1) In carrying*
15 *out the program established under subsection (a), the Sec-*
16 *retary of Defense may enter into a cooperative agreement*
17 *with an Indian tribe or an instrumentality of tribal govern-*
18 *ment.*

19 “(2) *Notwithstanding chapter 63 of title 31, a coopera-*
20 *tive agreement under this section may be used to acquire*
21 *property or services for the direct benefit of the United*
22 *States Government.*

23 “(3) *Any cooperative agreement under this section for*
24 *the procurement of severable services may begin in one fiscal*

1 *year and end in another fiscal year provided the total pe-*
2 *riod of performance does not exceed five calendar years.*

3 “(d) *DEFINITIONS.—In this section:*

4 “(1) *The term ‘Indian land’ includes—*

5 “(A) *any land located within the bound-*
6 *aries and a part of an Indian reservation, pueb-*
7 *lo, or rancheria;*

8 “(B) *any land that has been allotted to an*
9 *individual Indian, but has not been conveyed to*
10 *such Indian with full power of alienation;*

11 “(C) *Alaska Native village and regional cor-*
12 *poration lands; and*

13 “(D) *lands and waters upon which any fed-*
14 *erally recognized Indian tribe has rights reserved*
15 *by treaty, act of Congress, or action by the Presi-*
16 *dent.*

17 “(2) *The term ‘Indian tribe’ means any Indian*
18 *tribe, band, nation, or other organized group or com-*
19 *munity, including any Alaska Native village or re-*
20 *gional or village corporation as defined in or estab-*
21 *lished pursuant to the Alaska Native Claims Settle-*
22 *ment Act (43 U.S.C. 1601 et seq.), which is recognized*
23 *as eligible for the special programs and services pro-*
24 *vided by the United States to Indians because of their*
25 *status as Indians.*

1 “(3) *The term ‘culturally connected location’*
 2 *means a location or place that has demonstrable sig-*
 3 *nificance to Indians or Alaska Natives based on its*
 4 *association with the traditional beliefs, customs, and*
 5 *practices of a living community, including locations*
 6 *or places where religious, ceremonial, subsistence, me-*
 7 *dicinal, economic, or other lifeways practices have*
 8 *historically taken place.”.*

9 **(b) TABLE OF SECTIONS AMENDMENT.**—*The table of*
 10 *sections at the beginning of such chapter is amended by in-*
 11 *serting after the item relating to section 2711 the following*
 12 *new item:*

“2712. Native American lands environmental mitigation program.”.

13 **SEC. 2834. DEFENSE COMMUNITY INFRASTRUCTURE PILOT**
 14 **PROGRAM.**

15 *Section 2391 of title 10, United States Code, is amend-*
 16 *ed—*

17 (1) *by redesignating subsections (d) and (e) as*
 18 *subsections (e) and (f), respectively;*

19 (2) *by inserting after subsection (c) the following*
 20 *new subsection:*

21 “(d) **DEFENSE COMMUNITY INFRASTRUCTURE PILOT**
 22 **PROGRAM.**—(1) *The Secretary of Defense may make grants,*
 23 *conclude cooperative agreements, and supplement funds*
 24 *available under Federal programs administered by agencies*
 25 *other than the Department of Defense to assist State and*

1 *local governments to address deficiencies in community in-*
2 *frastructure supportive of a military installation, if the*
3 *Secretary determines that such assistance will enhance the*
4 *military value, resilience, or military family quality of life*
5 *at such military installation.*

6 “(2) *The Secretary shall establish criteria for the selec-*
7 *tion of community infrastructure projects to receive assist-*
8 *ance under paragraph (1). The criteria shall include a re-*
9 *quirement that the State or local government agree to con-*
10 *tribute not less than 30 percent of the funding for the com-*
11 *munity infrastructure project, unless the community infra-*
12 *structure project is located in a rural area, or for reasons*
13 *related to national security, in which case the Secretary*
14 *may waive the requirement for a State or local government*
15 *contribution.*

16 “(3) *Amounts appropriated or otherwise made avail-*
17 *able for assistance under paragraph (1) may remain avail-*
18 *able until expended.*

19 “(4) *The authority under this subsection shall expire*
20 *on September 30, 2023.”; and*

21 (3) *in subsection (e), as redesignated by para-*
22 *graph (1), by adding at the end the following new*
23 *paragraphs:*

24 “(4) *The term ‘community infrastructure’ means*
25 *any transportation project; school, hospital, police,*

1 *fire, emergency response, or other community support*
2 *facility; or water, waste-water, telecommunications,*
3 *electric, gas, or other utility infrastructure project*
4 *that is located off of a military installation and*
5 *owned by a State or local government.*

6 “(5) *The term ‘rural area’ means a city, town,*
7 *or unincorporated area that has a population of not*
8 *more than 20,000 inhabitants.”*

9 **SEC. 2835. REPRESENTATION OF INSTALLATION INTERESTS**
10 **IN NEGOTIATIONS AND PROCEEDINGS WITH**
11 **CARRIERS AND OTHER PUBLIC UTILITIES.**

12 *Section 501(c) of title 40, United States Code, is*
13 *amended—*

14 *(1) by redesignating paragraphs (1) and (2) as*
15 *subparagraphs (A) and (B), respectively;*

16 *(2) by inserting “(1)” before “For transpor-*
17 *tation”;* and

18 *(3) by adding at the end the following new para-*
19 *graph:*

20 *“(2) Prior to representing any installation of the De-*
21 *partment of Defense in any proceeding under this sub-*
22 *section, the Administrator or any persons or entities acting*
23 *on behalf of the Administrator shall—*

24 *“(A) notify the senior mission commander of the*
25 *installation; and*

1 “(B) solicit and represent the interests of the in-
2 stallation as determined by the installation’s senior
3 mission commander.”.

4 **SEC. 2836. WHITE SANDS MISSILE RANGE LAND ENHANCE-**
5 **MENTS.**

6 (a) *DEFINITIONS.*—*In this section:*

7 (1) *MAP.*—*The term “Map” means the map enti-*
8 *tled “White Sands National Park Proposed Boundary*
9 *Revision & Transfer of Lands Between National Park*
10 *Service & Department of the Army”, numbered 142/*
11 *136,271, and dated February 14, 2017.*

12 (2) *MILITARY MUNITIONS.*—*The term “military*
13 *munitions” has the meaning given the term in section*
14 *101(e) of title 10, United States Code.*

15 (3) *MISSILE RANGE.*—*The term “missile range”*
16 *means the White Sands Missile Range, New Mexico,*
17 *administered by the Secretary of the Army.*

18 (4) *MONUMENT.*—*The term “Monument” means*
19 *the White Sands National Monument, New Mexico,*
20 *established by Presidential Proclamation No. 2025*
21 *(54 U.S.C. 320301 note), dated January 18, 1933,*
22 *and administered by the Secretary.*

23 (5) *MUNITIONS DEBRIS.*—*The term “munitions*
24 *debris” has the meaning given the term in volume 8*
25 *of the Department of Defense Manual Number*

1 6055.09—*M* entitled “DoD Ammunitions and Explosives Safety Standards” and dated February 29, 2008
2
3 (as in effect on the date of enactment of this Act).

4 (6) *PARK*.—The term “Park” means the White
5 Sands National Park established by subsection
6 (b)(2)(A).

7 (7) *PUBLIC LAND ORDER*.—The term “Public
8 Land Order” means Public Land Order 833, dated
9 May 21, 1952 (17 Fed. Reg. 4822).

10 (8) *SECRETARY*.—The term “Secretary” means
11 the Secretary of the Interior.

12 (9) *STATE*.—The term “State” means the State
13 of New Mexico.

14 (b) *WHITE SANDS NATIONAL PARK*.—

15 (1) *FINDINGS*.—Congress finds that—

16 (A) White Sands National Monument was
17 established on January 18, 1933, by President
18 Herbert Hoover under chapter 3203 of title 54,
19 United States Code (commonly known as the
20 “Antiquities Act of 1906”);

21 (B) President Hoover proclaimed that the
22 Monument was established “for the preservation
23 of the white sands and additional features of sce-
24 nic, scientific, and educational interest”;

1 (C) *the Monument was expanded by Presi-*
2 *idents Roosevelt, Eisenhower, Carter, and Clinton*
3 *in 1934, 1942, 1953, 1978, and 1996, respec-*
4 *tively;*

5 (D) *the Monument contains a substantially*
6 *more diverse set of nationally significant histor-*
7 *ical, archaeological, scientific, and natural re-*
8 *sources than were known of at the time the*
9 *Monument was established, including a number*
10 *of recent discoveries;*

11 (E) *the Monument is recognized as a major*
12 *unit of the National Park System with extraor-*
13 *inary values enjoyed by more visitors each year*
14 *since 1995 than any other unit in the State;*

15 (F) *the Monument contributes significantly*
16 *to the local economy by attracting tourists; and*

17 (G) *designation of the Monument as a na-*
18 *tional park would increase public recognition of*
19 *the diverse array of nationally significant re-*
20 *sources at the Monument and visitation to the*
21 *unit.*

22 (2) *ESTABLISHMENT OF WHITE SANDS NATIONAL*
23 *PARK.—*

24 (A) *ESTABLISHMENT.—To protect, preserve,*
25 *and restore its scenic, scientific, educational,*

1 *natural, geological, historical, cultural, archae-*
2 *ological, paleontological, hydrological, fish, wild-*
3 *life, and recreational values and to enhance vis-*
4 *itor experiences, there is established in the State*
5 *the White Sands National Park as a unit of the*
6 *National Park System.*

7 (B) *ABOLISHMENT OF WHITE SANDS NA-*
8 *TIONAL MONUMENT.—*

9 (i) *ABOLISHMENT.—Due to the estab-*
10 *lishment of the Park, the Monument is abol-*
11 *ished.*

12 (ii) *INCORPORATION.—The land and*
13 *interests in land that comprise the Monu-*
14 *ment are incorporated in, and shall be con-*
15 *sidered to be part of, the Park.*

16 (C) *REFERENCES.—Any reference in a law,*
17 *map, regulation, document, paper, or other*
18 *record of the United States to the “White Sands*
19 *National Monument” shall be considered to be a*
20 *reference to the “White Sands National Park”.*

21 (D) *AVAILABILITY OF FUNDS.—Any funds*
22 *available for the Monument shall be available for*
23 *the Park.*

24 (E) *ADMINISTRATION.—The Secretary shall*
25 *administer the Park in accordance with—*

1 (i) *this subsection; and*

2 (ii) *the laws generally applicable to*
3 *units of the National Park System, includ-*
4 *ing section 100101(a), chapter 1003, sec-*
5 *tions 100751(a), 100752, 100753, and*
6 *102101, and chapter 3201 of title 54,*
7 *United States Code.*

8 (F) *WORLD HERITAGE LIST NOMINATION.—*

9 (i) *COUNTY CONCURRENCE.—The Sec-*
10 *retary shall not submit a nomination for*
11 *the Park to be included on the World Herit-*
12 *age List of the United Nations Educational,*
13 *Scientific and Cultural Organization unless*
14 *each county in which the Park is located*
15 *concurrs in the nomination.*

16 (ii) *ARMY NOTIFICATION.—Before sub-*
17 *mitting a nomination for the Park to be in-*
18 *cluded on the World Heritage List of the*
19 *United Nations Educational, Scientific and*
20 *Cultural Organization, the Secretary shall*
21 *notify the Secretary of the Army of the in-*
22 *tent of the Secretary to nominate the Park.*

23 (G) *EFFECT.—Nothing in this paragraph*
24 *affects—*

1 (i) *valid existing rights (including*
2 *water rights);*

3 (ii) *permits or contracts issued by the*
4 *Monument;*

5 (iii) *existing agreements, including*
6 *agreements with the Department of Defense;*

7 (iv) *the jurisdiction of the Department*
8 *of Defense regarding the restricted airspace*
9 *above the Park; or*

10 (v) *the airshed classification of the*
11 *Park under the Clean Air Act (42 U.S.C.*
12 *7401 et seq.).*

13 (c) *MODIFICATION OF BOUNDARIES OF WHITE SANDS*
14 *NATIONAL PARK AND WHITE SANDS MISSILE RANGE.—*

15 (1) *TRANSFERS OF ADMINISTRATIVE JURISDIC-*
16 *TION.—*

17 (A) *TRANSFER OF ADMINISTRATIVE JURIS-*
18 *DICTION TO THE SECRETARY.—*

19 (i) *IN GENERAL.—Administrative ju-*
20 *risdiction over the land described in clause*
21 *(ii) is transferred from the Secretary of the*
22 *Army to the Secretary.*

23 (ii) *DESCRIPTION OF LAND.—The land*
24 *referred to in clause (i) is—*

1 (I) *the approximately 2,826 acres*
2 *of land identified as “To NPS, lands*
3 *inside current boundary” on the Map;*
4 *and*

5 (II) *the approximately 5,766 acres*
6 *of land identified as “To NPS, new ad-*
7 *ditions” on the Map.*

8 (B) *TRANSFER OF ADMINISTRATIVE JURIS-*
9 *DICTION TO THE SECRETARY OF THE ARMY.—*

10 (i) *IN GENERAL.—Administrative ju-*
11 *risdiction over the land described in clause*
12 *(ii) is transferred from the Secretary to the*
13 *Secretary of the Army.*

14 (ii) *DESCRIPTION OF LAND.—The land*
15 *referred to in clause (i) is the approxi-*
16 *mately 3,737 acres of land identified as “To*
17 *DOA” on the Map.*

18 (2) *BOUNDARY MODIFICATIONS.—*

19 (A) *PARK.—*

20 (i) *IN GENERAL.—The boundary of the*
21 *Park is revised to reflect the boundary de-*
22 *picted on the Map.*

23 (ii) *MAP.—*

24 (I) *IN GENERAL.—The Secretary,*
25 *in coordination with the Secretary of*

1 *the Army, shall prepare and keep on*
2 *file for public inspection in the appro-*
3 *priate office of the Secretary a map*
4 *and a legal description of the revised*
5 *boundary of the Park.*

6 (II) *EFFECT.*—*The map and legal*
7 *description under subclause (I) shall*
8 *have the same force and effect as if in-*
9 *cluded in this section, except that the*
10 *Secretary may correct clerical and ty-*
11 *pographical errors in the map and*
12 *legal description.*

13 (iii) *BOUNDARY SURVEY.*—*As soon as*
14 *practicable after the date of the establish-*
15 *ment of the Park and subject to the avail-*
16 *ability of funds, the Secretary shall com-*
17 *plete an official boundary survey of the*
18 *Park.*

19 (B) *MISSILE RANGE.*—

20 (i) *IN GENERAL.*—*The boundary of the*
21 *missile range and the Public Land Order*
22 *are modified to exclude the land transferred*
23 *to the Secretary under paragraph (1)(A)*
24 *and to include the land transferred to the*

1 *Secretary of the Army under paragraph*
2 *(1)(B).*

3 *(ii) MAP.—The Secretary shall prepare*
4 *a map and legal description depicting the*
5 *revised boundary of the missile range.*

6 *(C) CONFORMING AMENDMENT.—Section*
7 *2854 of Public Law 104–201 (54 U.S.C. 320301*
8 *note) is repealed.*

9 *(3) ADMINISTRATION.—*

10 *(A) PARK.—The Secretary shall administer*
11 *the land transferred under paragraph (1)(A) in*
12 *accordance with laws (including regulations) ap-*
13 *plicable to the Park.*

14 *(B) MISSILE RANGE.—Subject to subpara-*
15 *graph (C), the Secretary of the Army shall ad-*
16 *minister the land transferred to the Secretary of*
17 *the Army under paragraph (1)(B) as part of the*
18 *missile range.*

19 *(C) INFRASTRUCTURE; RESOURCE MANAGE-*
20 *MENT.—*

21 *(i) RANGE ROAD 7.—*

22 *(I) INFRASTRUCTURE MANAGE-*
23 *MENT.—To the maximum extent prac-*
24 *ticable, in planning, constructing, and*
25 *managing infrastructure on the land*

1 *described in subclause (III), the Sec-*
2 *retary of the Army shall apply low-im-*
3 *act development techniques and strat-*
4 *egies to prevent impacts within the*
5 *missile range and the Park from*
6 *stormwater runoff from the land de-*
7 *scribed in that subclause.*

8 (II) *RESOURCE MANAGEMENT.*—

9 *The Secretary of the Army shall—*

10 (aa) *manage the land de-*
11 *scribed in subclause (III) in a*
12 *manner consistent with the pro-*
13 *tection of natural and cultural re-*
14 *sources within the missile range*
15 *and the Park and in accordance*
16 *with section 101(a)(1)(B) of the*
17 *Sikes Act (16 U.S.C.*
18 *670a(a)(1)(B)), division A of sub-*
19 *title III of title 54, United States*
20 *Code, and the Native American*
21 *Graves Protection and Repatri-*
22 *ation Act (25 U.S.C. 3001 et seq.);*
23 *and*

24 (bb) *include the land de-*
25 *scribed in subclause (III) in the*

1 *integrated natural and cultural*
2 *resource management plan for the*
3 *missile range.*

4 (III) *DESCRIPTION OF LAND.*—

5 *The land referred to in subclauses (I)*
6 *and (II) is the land that is transferred*
7 *to the administrative jurisdiction of*
8 *the Secretary of the Army under para-*
9 *graph (1)(B) and located in the area*
10 *east of Range Road 7 in—*

11 *(aa) T. 17 S., R. 5 E., sec.*

12 *31;*

13 *(bb) T. 18 S., R. 5 E.; and*

14 *(cc) T. 19 S., R. 5 E., sec. 5.*

15 (ii) *FENCE.*—

16 (1) *IN GENERAL.*—*The Secretary*
17 *of the Army shall continue to allow the*
18 *Secretary to maintain the fence shown*
19 *on the Map until such time as the Sec-*
20 *retary determines that the fence is un-*
21 *necessary for the management of the*
22 *Park.*

23 (II) *REMOVAL.*—*If the Secretary*
24 *determines that the fence is unneces-*
25 *sary for the management of the Park*

1 *under subclause (I), the Secretary shall*
2 *promptly remove the fence at the ex-*
3 *penditure of the Department of the Inte-*
4 *rior.*

5 *(D) RESEARCH.—The Secretary of the*
6 *Army and the Secretary may enter into an*
7 *agreement to allow the Secretary to conduct cer-*
8 *tain research in the area identified as “Coopera-*
9 *tive Use Research Area” on the Map.*

10 *(E) MILITARY MUNITIONS AND MUNITIONS*
11 *DEBRIS.—*

12 *(i) RESPONSE ACTION.—With respect*
13 *to any Federal liability, the Secretary of the*
14 *Army shall remain responsible for any re-*
15 *sponse action addressing military muni-*
16 *tions or munitions debris on the land trans-*
17 *ferred under paragraph (1)(A) to the same*
18 *extent as on the day before the date of en-*
19 *actment of this Act.*

20 *(ii) INVESTIGATION OF MILITARY MUNI-*
21 *TIONS AND MUNITIONS DEBRIS.—*

22 *(I) IN GENERAL.—The Secretary*
23 *may request that the Secretary of the*
24 *Army conduct 1 or more investigations*
25 *of military munitions or munitions de-*

1 *bris on any land transferred under*
2 *paragraph (1)(A).*

3 *(II) ACCESS.—The Secretary shall*
4 *give access to the Secretary of the*
5 *Army to the land covered by a request*
6 *under subclause (I) for the purposes of*
7 *conducting the 1 or more investigations*
8 *under that subclause.*

9 *(III) LIMITATION.—An investiga-*
10 *tion conducted under this clause shall*
11 *be subject to available appropriations.*

12 *(iii) APPLICABLE LAW.—Any activities*
13 *undertaken under this subparagraph shall*
14 *be carried out in accordance with—*

15 *(I) the Comprehensive Environ-*
16 *mental Response, Compensation, and*
17 *Liability Act of 1980 (42 U.S.C. 9601*
18 *et seq.);*

19 *(II) the purposes for which the*
20 *Park was established; and*

21 *(III) any other applicable law.*

22 **SEC. 2837. AUTHORITY TO TRANSFER FUNDS FOR CON-**
23 **STRUCTION OF INDIAN RIVER BRIDGE.**

24 *Notwithstanding the limitation in section 2215 of title*
25 *10, United States Code, the Secretary of Defense may trans-*

1 *fer to the Administrator of the National Aeronautics and*
 2 *Space Administration up to 50 percent of the shared costs*
 3 *of constructing the Indian River Bridge. The authority*
 4 *under this section shall expire on October 1, 2022.*

5 **TITLE XXIX—OVERSEAS CONTIN-**
 6 **GENY OPERATIONS MILI-**
 7 **TARY CONSTRUCTION**

8 **SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 9 **ACQUISITION PROJECTS.**

10 *The Secretary of the Army may acquire real property*
 11 *and carry out the military construction projects for the in-*
 12 *stallation outside the United States, and in the amount,*
 13 *set forth in the following table:*

Army: Outside the United States

Country	Location	Amount
<i>Bulgaria</i>	<i>Nevo Selo FOS</i>	<i>\$5,200,000</i>
<i>Poland</i>	<i>Drawsko Pomorski Training Area</i>	<i>\$17,000,000</i>
	<i>Powidz Air Base</i>	<i>\$87,000,000</i>
	<i>Zagan Training Area</i>	<i>\$40,400,000</i>
<i>Romania</i>	<i>Mihail Kogalniceanu FOS</i>	<i>\$21,651,000</i>

14 **SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 15 **ACQUISITION PROJECTS.**

16 *The Secretary of the Navy may acquire real property*
 17 *and carry out the military construction projects for the in-*
 18 *stallations outside the United States, and in the amounts,*
 19 *set forth in the following table:*

Navy: Outside the United States

Country	Location	Amount
<i>Greece</i>	<i>Souda Bay</i>	<i>\$47,850,000</i>
<i>Italy</i>	<i>Sigonella</i>	<i>\$66,050,000</i>

Navy: Outside the United States—Continued

Country	Location	Amount
<i>Spain</i>	<i>Rota</i>	\$21,590,000
<i>United Kingdom</i>	<i>Lossiemouth</i>	\$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 prop-*
4 *erty and carry out the military construction projects for*
5 *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
<i>Germany</i>	<i>Ramstein Air Base</i>	\$119,000,000
<i>Norway</i>	<i>Rygge</i>	\$13,800,000
<i>Slovakia</i>	<i>Malacky</i>	\$59,000,000
<i>United Kingdom</i>	<i>RAF Fairford</i>	\$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 in-*
11 *stallations outside the United States, and in the amounts,*
12 *set forth in the following table:*

Defense Agencies: Outside the United States

Country	Location	Amount
<i>Estonia</i>	<i>Unspecified</i>	\$15,700,000
<i>Qatar</i>	<i>Al Udeid</i>	\$60,000,000

13 **SEC. 2905. AUTHORIZATION OF APPROPRIATIONS.**

14 *Funds are hereby authorized to be appropriated for fis-*
15 *cal years beginning after September 30, 2018, for the mili-*
16 *tary construction projects outside the United States author-*

1 ized by this title as specified in the funding table in section
2 4601.

3 ***DIVISION C—DEPARTMENT OF***
4 ***ENERGY NATIONAL SECURITY***
5 ***AUTHORIZATIONS AND***
6 ***OTHER AUTHORIZATIONS***
7 ***TITLE XXXI—DEPARTMENT OF***
8 ***ENERGY NATIONAL SECURITY***
9 ***PROGRAMS***

10 ***Subtitle A—National Security***
11 ***Programs and Authorizations***

12 ***SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-***
13 ***TION.***

14 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
15 *hereby authorized to be appropriated to the Department of*
16 *Energy for fiscal year 2019 for the activities of the National*
17 *Nuclear Security Administration in carrying out programs*
18 *as specified in the funding table in section 4701.*

19 (b) *AUTHORIZATION OF NEW PLANT PROJECTS.—*
20 *From funds referred to in subsection (a) that are available*
21 *for carrying out plant projects, the Secretary of Energy*
22 *may carry out new plant projects for the National Nuclear*
23 *Security Administration as follows:*

1 *Project 19–D–670, 138kV Power Transmission*
2 *System Replacement, Nevada National Security Site,*
3 *Nevada, \$6,000,000.*

4 *Project 19–D–660, Lithium Production Capa-*
5 *bility, Y–12 National Security Complex, Oak Ridge,*
6 *Tennessee, \$19,000,000.*

7 *Project 19–D–930, KS Overhead Piping, Kessel-*
8 *ring Site, West Milton, New York, \$10,994,000.*

9 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

10 *Funds are hereby authorized to be appropriated to the*
11 *Department of Energy for fiscal year 2019 for defense envi-*
12 *ronmental cleanup activities in carrying out programs as*
13 *specified in the funding table in section 4701.*

14 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

15 *Funds are hereby authorized to be appropriated to the*
16 *Department of Energy for fiscal year 2019 for other defense*
17 *activities in carrying out programs as specified in the fund-*
18 *ing table in section 4701.*

19 **SEC. 3104. NUCLEAR ENERGY.**

20 *Funds are hereby authorized to be appropriated to the*
21 *Department of Energy for fiscal year 2019 for nuclear en-*
22 *ergy as specified in the funding table in section 4701.*

1 ***Subtitle B—Program Authoriza-***
2 ***tions, Restrictions, and Limita-***
3 ***tions***

4 ***SEC. 3111. CLARIFICATION OF ROLES AND AUTHORITIES OF***
5 ***NATIONAL NUCLEAR SECURITY ADMINISTRA-***
6 ***TION.***

7 *(a) AMENDMENTS TO DEPARTMENT OF ENERGY ORGA-*
8 *NIZATION ACT.—*

9 *(1) UNDER SECRETARY FOR NUCLEAR SECUR-*
10 *ITY.—Section 202(c)(3) of the Department of Energy*
11 *Organization Act (42 U.S.C. 7132(c)(3)) is amended*
12 *by striking “Act.” and all that follows through “may*
13 *be delegated” and inserting the following: “Act (50*
14 *U.S.C. 2402). In carrying out the functions of the Ad-*
15 *ministrator, the Under Secretary shall be subject to*
16 *the authority of the Secretary in accordance with sec-*
17 *tion 3219 of that Act (50 U.S.C. 2409). Such author-*
18 *ity may be delegated”.*

19 *(2) ESTABLISHMENT OF POLICY.—Section 213 of*
20 *the Department of Energy Organization Act (42*
21 *U.S.C. 7144) is amended—*

22 *(A) in subsection (a), by inserting “, acting*
23 *through the Under Secretary for Nuclear Secu-*
24 *rity,” after “The Secretary”;*

25 *(B) in subsection (b)—*

1 (i) by striking “programs and activi-
2 ties of the Administration” and inserting
3 “regulations, policies, and activities of the
4 Administration with respect to health and
5 safety”; and

6 (ii) by striking “those programs and
7 activities” and inserting “those regulations,
8 policies, and activities”; and

9 (C) by striking subsection (c).

10 (b) AMENDMENTS TO NATIONAL NUCLEAR SECURITY
11 ADMINISTRATION ACT.—

12 (1) ADMINISTRATOR FOR NUCLEAR SECURITY.—

13 Section 3212 of the National Nuclear Security Ad-
14 ministration Act (50 U.S.C. 2402) is amended—

15 (A) in subsection (b)—

16 (i) in the matter preceding paragraph
17 (1), by striking “and activities” and insert-
18 ing “, policies, regulations, and rules”; and

19 (ii) in paragraph (9), by striking the
20 end period and inserting “, subject to the
21 policies of the Department of Energy.”; and

22 (B) in subsection (d)—

23 (i) by striking “may” and inserting
24 “shall”; and

1 (ii) by striking “, unless disapproved
2 by the Secretary of Energy” and inserting
3 “to carry out the mission and functions of
4 the Administration, except as provided by
5 section 3219”.

6 (2) *GENERAL COUNSEL.*—Section 3217 of the
7 *National Nuclear Security Administration Act (50*
8 *U.S.C. 2407)* is amended—

9 (A) by striking “There is” and inserting the
10 following:

11 “(a) *IN GENERAL.*—There is”;

12 (B) by striking the end period and inserting
13 “and shall report to the Administrator.”; and

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

16 “(b) *AVOIDANCE OF COORDINATION AND DUPLICA-*
17 *TION.*—The General Counsel shall be independent from and
18 may not duplicate the efforts of the General Counsel of the
19 Department of Energy appointed under section 202(e) of
20 the Department of Energy Organization Act (42 U.S.C.
21 7132(e)).”.

22 (3) *STAFF.*—Section 3218 of the National Nu-
23 clear Security Administration Act (50 U.S.C. 2408)
24 is amended by adding at the end the following new
25 subsections:

1 “(c) *REPORTING.*—*The staff of the Administration*
2 *shall report to the Administrator through the appropriate*
3 *structures of the Administration.*

4 “(d) *AVOIDANCE OF COORDINATION AND DUPLICA-*
5 *TION.*—*The staff of the Administration performing func-*
6 *tions specified in subsection (b) shall be independent from*
7 *and may not duplicate the efforts of staff of elements of the*
8 *Department of Energy other than the Administration that*
9 *perform functions similar to the functions specified in sub-*
10 *section (b).*

11 “(e) *APPLICABILITY OF PROHIBITION ON DUAL OF-*
12 *FICE HOLDING.*—*The prohibition under section 3220(d)*
13 *shall apply to staff of the Administration performing func-*
14 *tions specified in subsection (b).”.*

15 (4) *AUTHORITY OF SECRETARY.*—

16 (A) *IN GENERAL.*—*Section 3219 of the Na-*
17 *tional Nuclear Security Administration Act (50*
18 *U.S.C. 2409) is amended—*

19 (i) *in the section heading, by striking*
20 “**TO MODIFY ORGANIZATION OF**” *and*
21 inserting “**WITH RESPECT TO**”;

22 (ii) *by striking “Notwithstanding” and*
23 inserting the following:

1 “(a) *IN GENERAL.*—(1) *The Secretary of Energy, act-*
2 *ing through the Administrator, shall be responsible for set-*
3 *ting broad priorities for the Administration.*

4 “(2) *The Secretary may disapprove any action, policy,*
5 *regulation, or rule of the Administrator if—*

6 “(A) *the Secretary submits to the congressional*
7 *defense committees justification for such disapproval;*
8 *and*

9 “(B) *a period of 15 days has elapsed following*
10 *the date on which such justification was submitted.*

11 “(3) *Except as provided by this section, the Adminis-*
12 *trator shall have complete authority to establish and con-*
13 *duct oversight of policies, activities, and procedures of the*
14 *Administration without direction or oversight by the Sec-*
15 *retary.*

16 “(4) *The authority of the Secretary under paragraphs*
17 *(1) and (2) may be delegated only to the Deputy Secretary*
18 *of Energy, without further redelegation.*

19 “(b) *ORGANIZATION OF ADMINISTRATION.*—*Notwith-*
20 *standing”; and*

21 *(iii) in subsection (b), as designated by*
22 *clause (ii), by striking “subsection (b) or (c)*
23 *of”.*

24 “(B) *CLERICAL AMENDMENT.*—*The table of*
25 *contents for the National Nuclear Security Ad-*

1 *ministration Act is amended by striking the item*
2 *relating to section 3219 and inserting the fol-*
3 *lowing new item:*

“Sec. 3219. *Scope of authority of Secretary of Energy with respect to Administra-*
tion.”.

4 (5) *STATUS OF PERSONNEL.*—*Section 3220 of the*
5 *National Nuclear Security Administration Act (50*
6 *U.S.C. 2410) is amended—*

7 (A) *in subsection (a)—*

8 (i) *in paragraph (1)—*

9 (I) *by striking subparagraph (A);*

10 *and*

11 (II) *by redesignating subpara-*

12 *graphs (B) and (C) as subparagraphs*

13 *(A) and (B), respectively; and*

14 (ii) *in paragraph (2), by striking the*

15 *end period and inserting “, except as pro-*

16 *vided by section 3219.”; and*

17 (B) *in subsection (b), by striking the end*

18 *period and inserting “and except as provided by*

19 *section 3219.”.*

20 (6) *OFFICE OF DEFENSE NUCLEAR SECURITY.*—

21 *Section 3232 of the National Nuclear Security Ad-*

22 *ministration Act (50 U.S.C. 2422) is amended—*

1 (A) in subsection (a), by striking “Secretary
2 of Energy” and all that follows and inserting
3 “Administrator.”; and

4 (B) in subsection (b)—

5 (i) in paragraph (1), by striking “Sec-
6 retary and”; and

7 (ii) in paragraph (2)—

8 (I) by striking “Secretary” and
9 inserting “Secretary of Energy”; and

10 (II) by striking “Department”
11 and inserting “Department of En-
12 ergy”.

13 (7) COUNTERINTELLIGENCE PROGRAMS.—Section
14 3233 of the National Nuclear Security Administra-
15 tion Act (50 U.S.C. 2423) is amended—

16 (A) in subsection (a), by inserting “, in co-
17 ordination with the Administrator,” after “Sec-
18 retary of Energy”; and

19 (B) in subsection (b), by inserting “, in co-
20 ordination with the Administrator,” after “Sec-
21 retary of Energy”.

22 (8) AUTHORIZED PERSONNEL LEVELS.—

23 (A) IN GENERAL.—Section 3241A of the
24 National Nuclear Security Administration Act
25 (50 U.S.C. 2441a) is amended—

1 (i) *in the section heading, by striking*
2 “**AUTHORIZED**” *and inserting “**ANNUAL***
3 **REPORT ON**”;

4 (ii) *by amending subsection (a) to read*
5 *as follows:*

6 “(a) *IN GENERAL.—The Administrator shall include*
7 *in the budget justification materials submitted to Congress*
8 *in support of the budget of the Administration for each fis-*
9 *cal year (as submitted with the budget of the President*
10 *under section 1105(a) of title 31, United States Code) a*
11 *report containing the following information as of the date*
12 *of the report:*

13 “(1) *The number of full-time equivalent employ-*
14 *ees of the Office of the Administrator.*

15 “(2) *The number of service support contracts of*
16 *the Administration and whether such contracts are*
17 *funded using program or program direction funds.*

18 “(3) *The number of full-time equivalent con-*
19 *tractor employees working under each contract identi-*
20 *fied under paragraph (2).*

21 “(4) *The number of full-time equivalent con-*
22 *tractor employees described in paragraph (3) that*
23 *have been employed under such a contract for a pe-*
24 *riod greater than two years.*

1 “(5) *With respect to each contract identified*
2 *under paragraph (2)—*

3 “(A) *the cost of the contract; and*

4 “(B) *identification of the program or pro-*
5 *gram direction accounts that support the con-*
6 *tract.”;*

7 *(iii) by striking subsection (c);*

8 *(iv) by redesignating subsections (d)*
9 *and (e) as subsections (c) and (d), respec-*
10 *tively; and*

11 *(v) by striking subsection (f).*

12 (B) *CLERICAL AMENDMENT.—The table of*
13 *contents for the National Nuclear Security Ad-*
14 *ministration Act is amended by striking the item*
15 *relating to section 3241A and inserting the fol-*
16 *lowing new item:*

“*Sec. 3241A. Annual report on personnel levels of the Office of the Adminis-*
trator.”.

17 (9) *COMPLIANCE WITH FEDERAL ACQUISITION*
18 *REGULATION.—Section 3262 of the National Nuclear*
19 *Security Administration Act (50 U.S.C. 2462) is*
20 *amended—*

21 (A) *by striking “The Administrator” and*
22 *inserting the following:*

23 “(a) *IN GENERAL.—The Administrator”;*

1 (B) by inserting “specific to the Adminis-
2 tration” after “procedures”; and

3 (C) by adding at the end the following new
4 subsection:

5 “(b) *REQUIREMENT FOR PROCEDURES.*—The proce-
6 dures established under subsection (a) shall be separate from
7 procedures applied to elements of the Department of Energy
8 other than the Administration.”.

9 (10) *DEFINITIONS.*—Section 3281(2)(A) of the
10 National Nuclear Security Administration Act (50
11 U.S.C. 2471(2)(A)) is amended by striking “Plant”
12 and inserting “National Security Campus”.

13 (c) *AMENDMENTS TO ATOMIC ENERGY DEFENSE*
14 *ACT.*—

15 (1) *DEFINITIONS.*—Section 4002(9)(A) of the
16 Atomic Energy Defense Act (50 U.S.C. 2501(9)(A)) is
17 amended striking “Plant” and inserting “National
18 Security Campus”.

19 (2) *STOCKPILE STEWARDSHIP PROGRAM.*—Sec-
20 tion 4201(a) of the Atomic Energy Defense Act (50
21 U.S.C. 2521(a)) is amended by striking “The Sec-
22 retary, acting through the Administrator,” and in-
23 serting “The Administrator”.

1 (3) *STOCKPILE STEWARDSHIP CRITERIA*.—Section
2 *4202 of the Atomic Energy Defense Act (50*
3 *U.S.C. 2522) is amended—*

4 (A) *in subsection (a)—*

5 (i) *by striking “Secretary of Energy”*
6 *and inserting “Administrator”; and*

7 (ii) *by striking “Department of En-*
8 *ergy” and inserting “Administration”; and*

9 (B) *in subsection (b)—*

10 (i) *in the subsection heading, by strik-*
11 *ing “SECRETARY” and inserting “DEPART-*
12 *MENT”;*

13 (ii) *by striking “Secretary of Energy”*
14 *and inserting “Administrator”; and*

15 (iii) *by striking “Secretary of Defense”*
16 *and inserting “Chairman of the Nuclear*
17 *Weapons Council”.*

18 (4) *STOCKPILE STEWARDSHIP, MANAGEMENT,*
19 *AND RESPONSIVENESS PLAN*.—Section 4203 of the
20 *Atomic Energy Defense Act (50 U.S.C. 2523) is*
21 *amended—*

22 (A) *in subsection (d)(4)(A)(ii), by striking*
23 *“quadrennial defense review if such strategy has*
24 *not been submitted as of the date of the plan”*
25 *and inserting “national defense strategy”;*

1 (B) in subsection (e)(1)(A)(i), by striking
2 “or the most recent quadrennial defense review,
3 as applicable under subsection (d)(4)(A), and
4 the” and inserting “, the national defense strat-
5 egy, and the most recent”; and

6 (C) in subsection (f)—

7 (i) by striking paragraph (4);

8 (ii) by redesignating paragraph (3) as
9 paragraph (4); and

10 (iii) by inserting after paragraph (2)

11 the following new paragraph (3):

12 “(3) The term ‘national defense strategy’ means
13 the review of the defense programs and policies of the
14 United States that is carried out every four years
15 under section 113(g) of title 10, United States Code.”.

16 (5) *STOCKPILE MANAGEMENT PROGRAM*.—Sec-
17 tion 4204 of the Atomic Energy Defense Act (50
18 U.S.C. 2524) is amended—

19 (A) in subsection (a), in the matter pre-
20 ceding paragraph (1), by striking “Secretary of
21 Energy, acting through the Administrator and
22 in consultation with the Secretary of Defense”
23 and inserting “Administrator, in consultation
24 with the Nuclear Weapons Council”; and

1 (B) in subsection (b), in the matter pre-
2 ceding paragraph (1), by striking “Secretary of
3 Energy” and inserting “Administrator”.

4 (6) *NUCLEAR TEST BAN READINESS PROGRAM.*—
5 Section 4207 of the Atomic Energy Defense Act (50
6 U.S.C. 2527) is amended, in subsections (a) and (c),
7 by striking “Secretary of Energy” and inserting “Ad-
8 ministrator”.

9 (7) *REQUIREMENTS FOR SPECIFIC REQUEST FOR*
10 *NEW OR MODIFIED NUCLEAR WEAPONS.*—Section
11 4209 of the Atomic Energy Defense Act (50 U.S.C.
12 2529) is amended—

13 (A) in subsection (a)(1)—

14 (i) by striking “Secretary of Energy”
15 and inserting “Administrator”;

16 (ii) by striking “Secretary” and insert-
17 ing “Administrator”; and

18 (iii) by striking “in the budget” and
19 all that follows and inserting “in the budget
20 justification materials submitted to Con-
21 gress in support of the Department of En-
22 ergy budget for that fiscal year (as sub-
23 mitted with the budget of the President
24 under section 1105(a) of title 31, United
25 States Code).”;

1 (B) *in subsection (b), by striking “The Sec-*
2 *retary shall include in a request for funds under*
3 *subsection (a)” and inserting “A request for*
4 *funds under subsection (a) shall include”;* and

5 (C) *in subsection (c), by striking “Sec-*
6 *retary” and inserting “Secretary of Energy”.*

7 (8) *MANUFACTURING INFRASTRUCTURE FOR NU-*
8 *CLEAR WEAPONS STOCKPILE.—Section 4212 of the*
9 *Atomic Energy Defense Act (50 U.S.C. 2532) is*
10 *amended—*

11 (A) *in subsection (a)(1), in the matter pre-*
12 *ceding subparagraph (A)—*

13 (i) *by striking “Secretary of Energy”*
14 *and inserting “Administrator”;* and

15 (ii) *by inserting “most recent” before*
16 *“Nuclear Posture Review”;* and

17 (B) *in subsection (b)—*

18 (i) *in paragraph (2), by striking*
19 *“Plant” and inserting “National Security*
20 *Complex”;* and

21 (ii) *in paragraph (4), by striking*
22 *“Plant” and inserting “National Security*
23 *Campus”.*

24 (9) *REPORTS ON LIFE EXTENSION PROGRAMS.—*

1 (A) *IN GENERAL.*—Section 4216 of the
2 *Atomic Energy Defense Act (50 U.S.C. 2536)* is
3 amended—

4 (i) in the section heading, by striking
5 “**LIFETIME**” and inserting “**LIFE**”; and

6 (ii) by striking “lifetime” each place it
7 appears and inserting “life”.

8 (B) *CLERICAL AMENDMENT.*—The table of
9 contents for the *Atomic Energy Defense Act* is
10 amended by striking the item relating to section
11 4216 and inserting the following new item:

“Sec. 4216. Reports on life extension programs.”.

12 (10) *SELECTED ACQUISITION REPORTS.*—Section
13 4217 of the *Atomic Energy Defense Act (50 U.S.C.*
14 *2537)* is amended—

15 (A) in subsection (a)(1), by striking “the
16 Secretary of Energy, acting through the Admin-
17 istrator,” and inserting “the Administrator”;
18 and

19 (B) in subsection (b)—

20 (i) in paragraph (1), in the matter
21 preceding subparagraph (A), by striking
22 “Secretary of Energy, acting through the
23 Administrator,” and inserting “Adminis-
24 trator”; and

1 (ii) in paragraph (2)(B), by striking
2 “the Secretary or”.

3 (11) *ADVICE ON SAFETY, SECURITY, AND RELI-*
4 *ABILITY OF NUCLEAR WEAPONS STOCKPILE.*—Section
5 4218 of the Atomic Energy Defense Act (50 U.S.C.
6 2538) is amended—

7 (A) in subsection (d), by striking “or the
8 Commander of the United States Strategic Com-
9 mand”; and

10 (B) in subsection (e)—

11 (i) by striking “, a member of the Nu-
12 clear Weapons Council, or the Commander
13 of the United States Strategic Command”
14 and inserting “or a member of the Nuclear
15 Weapons Council”; and

16 (ii) by striking “member, or Com-
17 mander” and inserting “or member”.

18 (12) *STOCKPILE RESPONSIVENESS PLAN.*—Sec-
19 tion 4220(b) of the Atomic Energy Defense Act (50
20 U.S.C. 2538b(b)) is amended—

21 (A) by striking “Secretary of Energy, act-
22 ing through the Administrator and” and insert-
23 ing “Administrator,”; and

24 (B) by striking “Secretary of Defense” and
25 inserting “Nuclear Weapons Council”.

1 (13) *TRITIUM PRODUCTION PROGRAM.*—Section
2 4231 of the Atomic Energy Defense Act (50 U.S.C.
3 2541) is amended—

4 (A) in subsection (a), by striking “Secretary
5 of Energy” and inserting “Administrator”; and

6 (B) in subsections (b) and (c), by striking
7 “Secretary” and inserting “Administrator”.

8 (14) *MODERNIZATION AND CONSOLIDATION OF*
9 *TRITIUM RECYCLING FACILITIES.*—Section 4234 of the
10 Atomic Energy Defense Act (50 U.S.C. 2544) is
11 amended, in the matter preceding paragraph (1), by
12 striking “Secretary of Energy” and inserting “Ad-
13 ministrato

14 (15) *PROCEDURES FOR MEETING TRITIUM PRO-*
15 *DUCTION REQUIREMENTS.*—Section 4235 of the Atom-
16 ic Energy Defense Act (50 U.S.C. 2545) is amended—

17 (A) in subsection (a), by striking “Secretary
18 of Energy” and inserting “Administrator”;

19 (B) in subsection (b), by striking “Sec-
20 retary” and inserting “Administrator”; and

21 (C) by striking subsection (c).

22 (16) *CERTIFICATION OF STATUS OF SECURITY OF*
23 *FACILITIES.*—Section 4506 of the Atomic Energy De-
24 fense Act (50 U.S.C. 2657) is amended—

25 (A) in subsection (a)—

1 (i) in paragraph (1)—

2 (I) in the matter preceding sub-
3 paragraph (A)—

4 (aa) by striking “September
5 30” and inserting “December 31”;
6 and

7 (bb) by striking “Secretary of
8 Energy” and inserting “congres-
9 sional defense committees”; and

10 (II) in subparagraph (B), by
11 striking “and the Department of En-
12 ergy”;

13 (ii) in paragraph (2), by striking “to
14 the Secretary”; and

15 (iii) by striking paragraph (3); and

16 (B) in subsection (b)(1), in the matter pre-
17 ceding subparagraph (A), by striking “December
18 1 of each even-numbered year, the Secretary”
19 and inserting “December 31 of each even-num-
20 bered year, the Secretary of Energy”.

21 (17) CERTIFICATES OF COMMENDATION FOR EX-
22 EMPLOYEE SERVICE.—

23 (A) IN GENERAL.—Section 4605 of the
24 Atomic Energy Defense Act (50 U.S.C. 2705) is
25 amended—

1 (i) in the section heading, by striking
 2 “**DEPARTMENT OF ENERGY**” and insert-
 3 ing “**ADMINISTRATION**”;

4 (ii) in subsection (a)—

5 (I) by striking “Department of
 6 Energy” and inserting “Administra-
 7 tion”;

8 (II) by striking “a Department”
 9 and inserting “an Administration”;
 10 and

11 (III) by striking “the Depart-
 12 ment” each place it appears and in-
 13 serting “the Administration”; and

14 (iii) in subsection (c)—

15 (I) in the subsection heading, by
 16 striking “**DEPARTMENT OF ENERGY**”
 17 and inserting “**ADMINISTRATION**”; and

18 (II) by striking “Department of
 19 Energy” each place it appears and in-
 20 serting “Administration”.

21 (B) **CLERICAL AMENDMENT.**—The table of
 22 contents for the Atomic Energy Defense Act is
 23 amended by striking the item relating to section
 24 4605 and inserting the following:

“Sec. 4605. Authority to provide certificate of commendation to Administration and contractor employees for exemplary service in stockpile stewardship and security.”.

1 (18) *EXECUTIVE MANAGEMENT TRAINING.*—*Sec-*
2 *tion 4621 of the Atomic Energy Defense Act (50*
3 *U.S.C. 2721) is amended—*

4 (A) *in subsection (a)—*

5 (i) *by inserting “and the Adminis-*
6 *trator” after “Secretary of Energy”; and*

7 (ii) *by inserting “and the Administra-*
8 *tion” after “Department of Energy”; and*

9 (B) *in subsection (b)(1), by inserting “and*
10 *Administration” after “Department of Energy”.*

11 (19) *STOCKPILE STEWARDSHIP RECRUITMENT*
12 *AND TRAINING PROGRAM.*—*Section 4622 of the Atomic*
13 *Energy Defense Act (50 U.S.C. 2722) is amended—*

14 (A) *in subsection (a), by striking “Secretary*
15 *of Energy” and inserting “Administrator”; and*

16 (B) *in subsection (c), by striking “Sec-*
17 *retary” and inserting “Administrator”.*

18 (20) *FELLOWSHIP PROGRAM.*—*Section 4623 of*
19 *the Atomic Energy Defense Act (50 U.S.C. 2723) is*
20 *amended—*

21 (A) *in subsection (a)—*

22 (i) *by striking “Secretary of Energy”*
23 *and inserting “Administrator”; and*

24 (ii) *by striking “Secretary” and insert-*
25 *ing “Administrator”;*

1 (B) in subsection (b)(1), by striking “De-
2 partment of Energy” and inserting “Adminis-
3 tration”;

4 (C) in subsections (c) and (d), by striking
5 “Secretary” and inserting “Administrator”;

6 (D) in subsection (e), by striking “Sec-
7 retary” and all that follows through “Defense
8 Programs,” and inserting “Administrator shall”;
9 and

10 (E) in subsection (f)—

11 (i) in paragraph (1), by striking “Sec-
12 retary” and inserting “Administrator”; and

13 (ii) in paragraph (2), by striking
14 “Secretary of Energy” and inserting “Ad-
15 ministrator”.

16 (21) *TRANSFER OF WEAPONS ACTIVITIES*
17 *FUNDS.*—Section 4711 of the Atomic Energy Defense
18 Act (50 U.S.C. 2751) is amended—

19 (A) in subsection (a)—

20 (i) by striking “Secretary of Energy”
21 and inserting “Administrator”; and

22 (ii) by striking “Department of En-
23 ergy” and inserting “Administration”;

1 (B) in subsection (d), by striking “Sec-
2 retary, acting through the Administrator,” and
3 inserting “Administrator”; and

4 (C) in subsection (e)(1)—

5 (i) by striking “Department of En-
6 ergy” and inserting “Administration”; and

7 (ii) by striking “Department” and in-
8 serting “Administration”.

9 (22) NOTIFICATION OF COST OVERRUNS.—Sec-
10 tion 4713(c)(2)(B) of the Atomic Energy Defense Act
11 (50 U.S.C. 2753(c)(2)(B)) is amended by inserting
12 “or the Administration” after “Department of En-
13 ergy”.

14 (23) LIFE-CYCLE COST ESTIMATES.—Section
15 4714(a) of the Atomic Energy Defense Act (50 U.S.C.
16 2754(a)) is amended—

17 (A) by striking “413.3” and inserting
18 “413.3B”; and

19 (B) by inserting “, or a successor order,”
20 after “assets”.

21 (24) UNFUNDED PRIORITIES.—

22 (A) IN GENERAL.—Section 4716 of the
23 Atomic Energy Defense Act (50 U.S.C. 2756) is
24 amended in the section heading by striking “NA-

1 **TIONAL NUCLEAR SECURITY ADMINISTRA-**
2 **TION”** and inserting “**ADMINISTRATION**”.

3 (B) *CLERICAL AMENDMENT.*—*The table of*
4 *contents for the Atomic Energy Defense Act is*
5 *amended by striking the item relating to section*
6 *4716 and inserting the following new item:*

“*Sec. 4716. Unfunded priorities of the Administration.*”.

7 (25) *REVIEWS OF CAPITAL ASSETS ACQUISITION*
8 *PROJECTS.*—*Section 4733(d)(3)(B) of the Atomic En-*
9 *ergy Defense Act (50 U.S.C. 2773(d)(3)(B)) is amend-*
10 *ed by striking “413.3” and inserting “413.3B”.*

11 (26) *LABORATORY-DIRECTED RESEARCH AND DE-*
12 *VELOPMENT PROGRAMS.*—*Section 4811 of the Atomic*
13 *Energy Defense Act (50 U.S.C. 2791) is amended—*

14 (A) *in subsection (a), by inserting “or the*
15 *Administration” after “Department of Energy”;*

16 (B) *in subsection (b)—*

17 (i) *by striking “The Secretary” and*
18 *inserting “(1) Except as provided by para-*
19 *graph (2), the Secretary”;*

20 (ii) *by striking “such laboratories” and*
21 *inserting “government-owned, contractor-*
22 *operated laboratories funded out of funds*
23 *available to the Department of Energy”;*
24 *and*

1 (iii) by adding at the end the following
2 new paragraph:

3 “(2) *The Administrator shall prescribe regulations for*
4 *the conduct of laboratory-directed research and development*
5 *at government-owned, contractor-operated laboratories*
6 *funded out of funds available to the Administration.”; and*

7 (C) in subsection (c)—

8 (i) by inserting “or the Administra-
9 tion” after “Department of Energy”; and

10 (ii) by inserting “or the Adminis-
11 trator, as applicable,” after “Secretary”.

12 (27) *REPORT ON USE OF FUNDS FOR RESEARCH*
13 *AND DEVELOPMENT.—Section 4812A of the Atomic*
14 *Energy Defense Act (50 U.S.C. 2793) is amended—*

15 (A) in subsection (a)—

16 (i) in the subsection heading, by strik-
17 ing “REQUIRED” and inserting “OF SEC-
18 RETARY OF ENERGY”; and

19 (ii) in the second sentence, by striking
20 “national security mission of the Depart-
21 ment of Energy” and inserting “defense en-
22 vironmental cleanup and other defense mis-
23 sions of the Department of Energy (other
24 than the national security mission of the
25 Administration)”;

1 (B) by redesignating subsections (b) and (c)
2 as subsections (c) and (d), respectively; and

3 (C) by inserting after subsection (a) the fol-
4 lowing new subsection (b):

5 “(b) *REPORT OF ADMINISTRATOR.—The Adminis-*
6 *trator shall submit to the congressional defense committees,*
7 *with the report of the Secretary required by subsection (a),*
8 *a report on the funds expended during the preceding fiscal*
9 *year on activities under the laboratory-directed research*
10 *and development program of the Administration. The pur-*
11 *pose of the report is to permit an assessment of the extent*
12 *to which such activities support the national security mis-*
13 *sion of the Administration.”.*

14 **SEC. 3112. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
15 **TION PERSONNEL SYSTEM.**

16 (a) *IN GENERAL.—Subtitle C of the National Nuclear*
17 *Security Administration Act (50 U.S.C. 2441 et seq.) is*
18 *amended by adding at the end the following new section:*

19 **“SEC. 3248. ALTERNATIVE PERSONNEL SYSTEM.**

20 “(a) *IN GENERAL.—The Administrator may adapt the*
21 *pay banding and performance-based pay adjustment dem-*
22 *onstration project carried out by the Administration under*
23 *the authority provided by section 4703 of title 5, United*
24 *States Code, into a permanent alternative personnel system*
25 *for the Administration (to be known as the ‘National Nu-*

1 clear Security Administration Personnel System’) and im-
2 plement that system with respect to employees of the Ad-
3 ministration.

4 “(b) *MODIFICATIONS.*—In adapting the demonstration
5 project described in subsection (a) into a permanent alter-
6 native personnel system, the Administrator—

7 “(1) may, subject to paragraph (2), revise the re-
8 quirements and limitations of the demonstration
9 project to the extent necessary; and

10 “(2) shall—

11 “(A) ensure that the permanent alternative
12 personnel system is carried out in a manner con-
13 sistent with the final plan for the demonstration
14 project published in the Federal Register on De-
15 cember 21, 2007 (72 Fed. Reg. 72776);

16 “(B) ensure that significant changes in the
17 system not take effect until revisions to the plan
18 for the demonstration project are approved by
19 the Office of Personnel Management and pub-
20 lished in the Federal Register;

21 “(C) ensure that procedural modifications
22 or clarifications to the final plan for the dem-
23 onstration project be made through local notifi-
24 cation processes;

1 “(D) authorize, and establish incentives for,
2 employees of the Administration to have rota-
3 tional assignments among different programs of
4 the Administration, the headquarters and field
5 offices of the Administration, and the manage-
6 ment and operating contractors of the Adminis-
7 tration; and

8 “(E) establish requirements for employees of
9 the Administration who are in the permanent al-
10 ternative personnel system described in sub-
11 section (a) to be promoted to senior-level posi-
12 tions in the Administration, including require-
13 ments with respect to—

14 “(i) professional training and con-
15 tinuing education; and

16 “(ii) a certain number and types of ro-
17 tational assignments under subparagraph
18 (D), as determined by the Administrator.

19 “(c) *APPLICATION TO NAVAL NUCLEAR PROPULSION*
20 *PROGRAM.*—The Director of the Naval Nuclear Propulsion
21 Program established pursuant to section 4101 of the Atomic
22 Energy Defense Act (50 U.S.C. 2511) and section 3216 of
23 this Act may, with the concurrence of the Secretary of the
24 Navy, apply the alternative personnel system under sub-
25 section (a) to—

1 “(1) all employees of the Naval Nuclear Propul-
2 sion Program in the competitive service (as defined in
3 section 2102 of title 5, United States Code); and

4 “(2) all employees of the Department of Navy
5 who are assigned to the Naval Nuclear Propulsion
6 Program and are in the excepted service (as defined
7 in section 2103 of title 5, United States Code) (other
8 than such employees in statutory excepted service sys-
9 tems).”.

10 (b) *BRIEFING.*—

11 (1) *IN GENERAL.*—Not later than 180 days after
12 the date of the enactment of this Act, the Adminis-
13 trator for Nuclear Security shall provide a briefing to
14 the appropriate congressional committees on the im-
15 plementation of section 3248 of the National Nuclear
16 Security Administration Act, as added by subsection
17 (a).

18 (2) *APPROPRIATE CONGRESSIONAL COMMITTEES*
19 *DEFINED.*—In this subsection, the term “appropriate
20 congressional committees” means—

21 (A) the congressional defense committees;

22 (B) the Committee on Energy and Natural
23 Resources of the Senate and the Committee on
24 Energy and Commerce of the House of Rep-
25 resentatives; and

1 (C) *the Committee on Homeland Security*
2 *and Governmental Affairs of the Senate and the*
3 *Committee on Oversight and Government Reform*
4 *of the House of Representatives.*

5 (c) *CONFORMING AMENDMENTS.—Section 3116 of the*
6 *National Defense Authorization Act for Fiscal Year 2018*
7 *(Public Law 115–91) is amended—*

8 (1) *by striking subsection (a);*

9 (2) *by redesignating subsections (b), (c), and (d)*
10 *as subsections (a), (b), and (c), respectively; and*

11 (3) *in paragraph (1) of subsection (c), as so re-*
12 *designated—*

13 (A) *in subparagraph (A), by striking “im-*
14 *plementation of” and all that follows through*
15 *“subsection (b)” and inserting “implementation*
16 *of subsection (a)”;* and

17 (B) *in subparagraph (B), by striking “sub-*
18 *section (c)” and inserting “subsection (b)”.*

19 (d) *CLERICAL AMENDMENT.—The table of contents for*
20 *the National Nuclear Security Administration Act is*
21 *amended by inserting after the item relating to section 3247*
22 *the following new item:*

“Sec. 3248. *Alternative personnel system.*”.

1 **SEC. 3113. AMENDMENTS TO THE ATOMIC ENERGY ACT OF**
2 **1954.**

3 (a) *CONSULTATIONS.*—Section 57 b.(2) of the Atomic
4 Energy Act of 1954 (42 U.S.C. 2077(b)(2)) is amended by
5 inserting after “the Department of Defense.” the following:
6 “The Department of State, the Nuclear Regulatory Commis-
7 sion, the Department of Commerce, and the Department of
8 Defense shall submit to the Secretary of Energy their com-
9 ments on the determination of the Secretary under the pre-
10 vious sentence and any information and analysis needed
11 to support their positions.”.

12 (b) *DELEGATION OF FUNCTIONS.*—Section 161 of the
13 Atomic Energy Act of 1954 (42 U.S.C. 2201) is amended
14 by striking subsection n. and inserting the following new
15 subsection n.:

16 “n. delegate to the General Manager or other officers
17 of the Commission—

18 “(1) the functions assigned to the Commission
19 under section 57 b. on a case-by-case basis consistent
20 with the national security interests of the United
21 States; and

22 “(2) any of the other functions assigned to the
23 Commission under this Act except those specified in
24 section 51, 61, 108, 123, 145 b. (with respect to the
25 determination of those persons to whom the Commis-

1 *sion may reveal Restricted Data in the national in-*
2 *terest), 145 f., or 161 a.;*”.

3 (c) *CIVIL PENALTIES.*—Section 234 a. of the Atomic
4 *Energy Act (42 U.S.C. 2282(a)) is amended—*

5 (1) *by striking “57,”; and*

6 (2) *by striking “or (2)” and inserting “(2) vio-*
7 *lates any provision of section 57, or (3)”.*

8 (d) *REPORT.*—Section 3136(e)(2) of the National De-
9 *fense Authorization Act for Fiscal Year 2016 (42 U.S.C.*
10 *2077a(e)(2)) is amended—*

11 (1) *in subparagraph (C), by striking “; and”*
12 *and inserting a semicolon;*

13 (2) *by redesignating subparagraph (D) as sub-*
14 *paragraph (E);*

15 (3) *by inserting after subparagraph (C) the fol-*
16 *lowing new subparagraph (D):*

17 *“(D) any delegation of the functions under*
18 *such section 57 b. made under section 161 n.(1)*
19 *of that Act, including to whom such functions*
20 *were delegated;”;*

21 (4) *in subparagraph (E), as redesignated by*
22 *paragraph (2), by striking the period at the end and*
23 *inserting “; and”;* and

24 (5) *by adding at the end the following new sub-*
25 *paragraph:*

1 “(F)(i) an explanation and justification of
2 any determination under paragraph (2) of such
3 section 57 b. that an authorization to transfer
4 United States civil nuclear technology to a for-
5 foreign country is not in the interest of the United
6 States, and any conditions placed on such an
7 authorization, including any such determination
8 or conditions resulting from coordination with
9 the Department of State, the Nuclear Regulatory
10 Commission, the Department of Commerce, and
11 the Department of Defense; and

12 “(ii) an explanation and justification of
13 any extensions of the deadlines established under
14 the procedures required by section 57 b.”.

15 (e) *SENSE OF CONGRESS.*—It is the sense of Congress
16 that the Secretary of Energy has the authority to impose
17 civil penalties for violations of section 57 b.(2) of the Atomic
18 Energy Act of 1954 (42 U.S.C. 2077(b)(2)), any rule, regu-
19 lation, or order issued under that section, or any term, con-
20 dition, or limitation of any license or certification issued
21 under that section.

22 (f) *REGULATIONS.*—Not later than one year after the
23 date of the enactment of this Act, the Secretary of Energy
24 shall—

1 (1) *revise the regulations of the Department of*
2 *Energy to reflect the authority of the Secretary to im-*
3 *pose civil penalties for the violations described in sub-*
4 *section (e); or*

5 (2) *submit to Congress a report describing—*

6 (A) *why the Secretary cannot make such re-*
7 *visions; and*

8 (B) *what additional amendments to law*
9 *would be required to enable the Secretary to do*
10 *so.*

11 **SEC. 3114. EXTENSION OF ENHANCED PROCUREMENT AU-**
12 **THORITY TO MANAGE SUPPLY CHAIN RISK.**

13 *Section 4806(g)(3) of the Atomic Energy Defense Act*
14 *(50 U.S.C. 2786(g)(3)) is amended by striking “four” and*
15 *inserting “10”.*

16 **SEC. 3115. PILOT PROGRAM ON CONDUCT BY DEPARTMENT**
17 **OF ENERGY OF BACKGROUND REVIEWS FOR**
18 **ACCESS BY CERTAIN INDIVIDUALS TO NA-**
19 **TIONAL SECURITY LABORATORIES.**

20 (a) *IN GENERAL.—The Secretary of Energy shall es-*
21 *tablish a pilot program to assess the feasibility and advis-*
22 *ability of conducting background reviews required by sec-*
23 *tion 4502(a) of the Atomic Energy Defense Act (50 U.S.C.*
24 *2652(a)) within the Department of Energy.*

1 **(b) REQUIREMENTS.**—*Under the pilot program estab-*
2 *lished under subsection (a), the Secretary may admit an*
3 *individual described in section 4502(a) of the Atomic En-*
4 *ergy Defense Act (50 U.S.C. 2652(a)) to a facility of a na-*
5 *tional security laboratory described in that section if, in*
6 *addition to the conduct of a background review under sub-*
7 *section (a) with respect to that individual—*

8 **(1)** *the Secretary determines that the admission*
9 *of that individual to that facility is in the national*
10 *interest and will further science, technology, and engi-*
11 *neering capabilities in support of the mission of the*
12 *Department of Energy; and*

13 **(2)** *a security plan is developed and imple-*
14 *mented to mitigate the risks associated with the ad-*
15 *mission of that individual to that facility.*

16 **(c) ROLES OF SECRETARY AND DIRECTOR OF NA-**
17 **TIONAL INTELLIGENCE AND DIRECTOR OF FEDERAL BU-**
18 **REAU OF INVESTIGATION.**—

19 **(1) ROLE OF SECRETARY.**—*Under the pilot pro-*
20 *gram under subsection (a), the Secretary shall con-*
21 *duct background reviews for all individuals described*
22 *in section 4502(a) of the Atomic Energy Defense Act*
23 *(50 U.S.C. 2652(a)) seeking admission to facilities of*
24 *national security laboratories described in that sec-*
25 *tion. Such reviews by the Secretary shall be conducted*

1 *independent of and in addition to background reviews*
2 *conducted by the Director of National Intelligence and*
3 *the Director of the Federal Bureau of Investigation*
4 *under that section.*

5 (2) *ROLES OF DIRECTOR OF NATIONAL INTEL-*
6 *LIGENCE AND DIRECTOR OF FEDERAL BUREAU OF IN-*
7 *VESTIGATION.*—*Notwithstanding paragraph (1), dur-*
8 *ing the period during which the pilot program estab-*
9 *lished under subsection (a) is being carried out, the*
10 *Director of National Intelligence and the Director of*
11 *the Federal Bureau of Investigation shall retain pri-*
12 *mary responsibility for the conduct of all background*
13 *reviews required by section 4502(a) of the Atomic En-*
14 *ergy Defense Act (50 U.S.C. 2652(a)).*

15 (d) *TERMINATION.*—*The pilot program established*
16 *under subsection (a) shall terminate on the date that is two*
17 *years after the date of the enactment of this Act.*

18 (e) *REPORT REQUIRED.*—*Not later than 90 days after*
19 *the date on which the pilot program established under sub-*
20 *section (a) terminates under subsection (d), the Secretary*
21 *of Energy, in consultation with the Director of National*
22 *Intelligence and the Director of the Federal Bureau of In-*
23 *vestigation, shall submit to the appropriate congressional*
24 *committees a report on the conduct of background reviews*
25 *under the pilot program that includes—*

1 (1) *a comparison of the effectiveness of and*
2 *timelines required for background reviews conducted*
3 *by the Secretary under the pilot program and back-*
4 *ground reviews conducted by the Director of National*
5 *Intelligence and the Director of the Federal Bureau of*
6 *Investigation under section 4502(a) of the Atomic En-*
7 *ergy Defense Act (50 U.S.C. 2652(a)); and*

8 (2) *the number of such reviews conducted for in-*
9 *dividuals who are citizens or agents of each country*
10 *on the sensitive countries list referred to in that sec-*
11 *tion.*

12 (f) *DEFINITIONS.—In this section:*

13 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
14 *TEES.—The term “appropriate congressional commit-*
15 *tees” means—*

16 (A) *the Committee on Armed Services and*
17 *the Select Committee on Intelligence of the Sen-*
18 *ate; and*

19 (B) *the Committee on Armed Services and*
20 *the Permanent Select Committee on Intelligence*
21 *of the House of Representatives.*

22 (2) *NATIONAL SECURITY LABORATORY.—The*
23 *term “national security laboratory” has the meaning*
24 *given that term in section 4002 of the Atomic Energy*
25 *Defense Act (50 U.S.C. 2501).*

1 **SEC. 3116. EXTENSION OF AUTHORITY FOR ACCEPTANCE OF**
2 **CONTRIBUTIONS FOR ACCELERATION OF RE-**
3 **MOVAL OR SECURITY OF FISSILE MATERIALS,**
4 **RADIOLOGICAL MATERIALS, AND RELATED**
5 **EQUIPMENT AT VULNERABLE SITES WORLD-**
6 **WIDE.**

7 *Section 3132(f)(7) of the Ronald W. Reagan National*
8 *Defense Authorization Act for Fiscal Year 2005 (50 U.S.C.*
9 *2569(f)(7)) is amended by striking “December 31, 2018”*
10 *and inserting “December 31, 2023”.*

11 **SEC. 3117. MODIFICATION OF LIMITATION ON DEVELOP-**
12 **MENT OF LOW-YIELD NUCLEAR WEAPONS.**

13 *(a) FINDINGS.—Congress makes the following findings:*

14 *(1) The global posture of strategic nuclear forces*
15 *has changed dramatically during the 10 years pre-*
16 *ceding the date of the enactment of this Act.*

17 *(2) The Government of the Russian Federation—*

18 *(A) is violating the Treaty between the*
19 *United States of America and the Union of So-*
20 *viet Socialist Republics on the Elimination of*
21 *their Intermediate-Range and Shorter-Range*
22 *Missiles, signed at Washington December 8,*
23 *1987, and entered into force June 1, 1988 (com-*
24 *monly known as the “INF Treaty”);*

25 *(B) is expanding its nuclear delivery sys-*
26 *tems beyond the limitations provided for under*

1 *the Treaty between the United States of America*
2 *and the Russian Federation on Measures for the*
3 *Further Reduction and Limitation of Strategic*
4 *Offensive Arms, signed on April 8, 2010, and en-*
5 *tered into force on February 5, 2011 (commonly*
6 *known as the “New START Treaty”); and*

7 *(C) has considerable numerical advantages*
8 *over the United States in tactical nuclear weap-*
9 *ons.*

10 *(3) Congress concurs with the findings of the*
11 *2018 Nuclear Posture Review.*

12 *(4) United States nuclear forces must adjust to*
13 *new strategic realities.*

14 ***(b) MODIFICATION OF LIMITATION.***—*Section 3116(c)*
15 *of the National Defense Authorization Act for Fiscal Year*
16 *2004 (Public Law 108–136; 117 Stat. 1746; 50 U.S.C. 2529*
17 *note) is amended by striking “specifically authorized by*
18 *Congress” and inserting “the Secretary specifically requests*
19 *funding for the development of that weapon pursuant to sec-*
20 *tion 4209(a) of the Atomic Energy Defense Act (50 U.S.C.*
21 *2529(a))”.*

22 ***SEC. 3118. PROHIBITION ON USE OF FUNDS FOR TERMI-***
23 ***NATING ACTIVITIES AT MOX FACILITY.***

24 ***(a) IN GENERAL.***—*None of the funds authorized to be*
25 *appropriated or otherwise made available for the Depart-*

1 *ment of Energy by this Act or any other Act for any fiscal*
 2 *year before fiscal year 2020 may be obligated or expended—*

3 *(1) to terminate construction and project support*
 4 *activities at the MOX facility; or*

5 *(2) to convert the MOX facility to be used for*
 6 *any purpose other than its original mission.*

7 *(b) DEFINITIONS.—In this section, the terms “MOX fa-*
 8 *cility” and “project support activities” have the meanings*
 9 *given those terms in section 3121(c) of the National Defense*
 10 *Authorization Act for Fiscal Year 2018 (Public Law 115–*
 11 *91).*

12 ***Subtitle C—Plans and Reports***

13 ***SEC. 3121. MODIFICATIONS TO COST-BENEFIT ANALYSES*** 14 ***FOR COMPETITION OF MANAGEMENT AND OP-*** 15 ***ERATING CONTRACTS.***

16 *Section 3121 of the National Defense Authorization*
 17 *Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.*
 18 *2175), as most recently amended by section 3135 of the Na-*
 19 *tional Defense Authorization Act for Fiscal Year 2016 (Pub-*
 20 *lic Law 114–92; 129 Stat. 1207), is further amended—*

21 *(1) by amending subsection (a) to read as fol-*
 22 *lows:*

23 *“(a) REPORTS REQUIRED.—If the Administrator for*
 24 *Nuclear Security awards a new contract to manage and*
 25 *operate a facility of the National Nuclear Security Admin-*

1 *istration, the Administrator shall submit to the congres-*
2 *sional defense committees a report described in subsection*
3 *(b) with respect to the contract by not later than 30 days*
4 *after the completion of the period required to transition to*
5 *the contract.”;*

6 *(2) in subsection (b)(3), by inserting “, the costs*
7 *of the transition to the contract from the previous*
8 *contract,” after “conducting the competition”;* and

9 *(3) in subsection (d)—*

10 *(A) by amending paragraph (2) to read as*
11 *follows:*

12 *“(2) COMPREHENSIVE REVIEW.—*

13 *“(A) DETERMINATION.—Except as provided*
14 *in paragraph (3), the Comptroller General shall*
15 *determine, in consultation with the congressional*
16 *defense committees, whether to conduct a com-*
17 *prehensive review of a report required by sub-*
18 *section (a).*

19 *“(B) SUBMISSION.—The Comptroller Gen-*
20 *eral shall submit a comprehensive review con-*
21 *ducted under subparagraph (A) of a report re-*
22 *quired by subsection (a) to the congressional de-*
23 *fense committees not later than 3 years after that*
24 *report is submitted to such committees.*

1 “(C) *ELEMENTS.*—A comprehensive review
2 conducted under subparagraph (A) of a report
3 required by subsection (a) shall include an as-
4 sessment, based on the most current information
5 available, of the following:

6 “(i) *The actual cost savings achieved*
7 *compared to cost savings estimated under*
8 *subsection (b)(1), and any increased costs*
9 *incurred under the contract that were unex-*
10 *pected or uncertain at the time the contract*
11 *was awarded.*

12 “(ii) *Any disruptions or delays in mis-*
13 *sion activities or deliverables resulting from*
14 *the competition for the contract compared to*
15 *the disruptions and delays estimated under*
16 *subsection (b)(4).*

17 “(iii) *Whether expected benefits of the*
18 *competition with respect to mission per-*
19 *formance or operations have been achieved.*

20 “(iv) *Such other matters as the Comp-*
21 *troller General considers appropriate.”; and*
22 *(B) by striking paragraph (3).*

1 **SEC. 3122. REVIEW OF DEFENSE ENVIRONMENTAL CLEAN-**
2 **UP ACTIVITIES.**

3 (a) *IN GENERAL.*—*The Secretary of Energy shall enter*
4 *into an arrangement with the National Academies of*
5 *Sciences, Engineering, and Medicine to conduct a review*
6 *of the defense environmental cleanup activities of the Office*
7 *of Environmental Management of the Department of En-*
8 *ergy.*

9 (b) *ELEMENTS.*—*The review conducted under sub-*
10 *section (a) shall include—*

11 (1) *an assessment of—*

12 (A) *project management practices with re-*
13 *spect to the activities described in subsection (a);*

14 (B) *the outcomes of such activities; and*

15 (C) *the appropriateness of the level of en-*
16 *gagement and oversight of the Office of Environ-*
17 *mental Management with respect to such activi-*
18 *ties; and*

19 (2) *recommendations with respect to actions to*
20 *enhance the effectiveness of such activities.*

21 **SEC. 3123. SURVEY OF WORKFORCE OF NATIONAL SECU-**
22 **RITY LABORATORIES AND NUCLEAR WEAP-**
23 **ONS PRODUCTION FACILITIES.**

24 (a) *IN GENERAL.*—*Not later than 180 days after the*
25 *date of the enactment of this Act, the Administrator for Nu-*

1 clear Security shall submit to the congressional defense com-
2 mittees a report that includes—

3 (1) a detailed proposal for a survey of the work-
4 force of the national security laboratories and nuclear
5 weapons production facilities that is modeled on the
6 Federal Employee Viewpoint Survey of the Office of
7 Personnel Management;

8 (2) the determination of the Administrator with
9 respect to whether to implement the survey; and

10 (3) if the Administrator determines not to imple-
11 ment the survey, a description of the reasons for that
12 determination.

13 (b) IMPLEMENTATION FACTORS.—The report required
14 by subsection (a) shall address factors associated with im-
15 plementation of the survey described in that subsection, in-
16 cluding—

17 (1) the costs of designing the survey;

18 (2) the time required for and the costs of admin-
19 istering the survey and analyzing the data from the
20 survey;

21 (3) the periodicity of administering the survey to
22 ascertain trends; and

23 (4) any other matters the Administrator con-
24 siders appropriate.

1 (c) *DEFINITIONS.*—*In this section, the terms “national*
2 *security laboratory” and “nuclear weapons production fa-*
3 *cility” have the meanings given those terms in section 4002*
4 *of the Atomic Energy Defense Act (50 U.S.C. 2501).*

5 **SEC. 3124. ELIMINATION OF CERTAIN REPORTS.**

6 (a) *REPORT OF OWNER’S AGENT ON HANFORD WASTE*
7 *TREATMENT AND IMMOBILIZATION PLANT CONTRACT.*—
8 *Section 4446 of the Atomic Energy Defense Act (50 U.S.C.*
9 *2626) is amended—*

10 (1) *by striking subsection (d); and*

11 (2) *by redesignating subsections (e) and (f) as*
12 *subsections (d) and (e), respectively.*

13 (b) *FUTURE-YEARS DEFENSE ENVIRONMENTAL MAN-*
14 *AGEMENT PLAN.*—

15 (1) *IN GENERAL.*—*Section 4402A of the Atomic*
16 *Energy Defense Act (50 U.S.C. 2582a) is repealed.*

17 (2) *CLERICAL AMENDMENT.*—*The table of con-*
18 *tents for the Atomic Energy Defense Act is amended*
19 *by striking the item relating to section 4402A.*

20 (c) *ANNUAL CERTIFICATION OF SHIPMENTS TO WASTE*
21 *ISOLATION PILOT PLANT.*—*Section 3115 of the National*
22 *Defense Authorization Act for Fiscal Year 2017 (Public*
23 *Law 114–328; 130 Stat. 2759) is repealed.*

1 **SEC. 3125. IMPLEMENTATION OF NUCLEAR POSTURE RE-**
2 **VIEW BY NATIONAL NUCLEAR SECURITY AD-**
3 **MINISTRATION.**

4 (a) *REPORT REQUIRED.*—Not later than December 1,
5 2018, the Administrator for Nuclear Security shall submit
6 to the congressional defense committees a report on the im-
7 plementation of the 2018 Nuclear Posture Review by the
8 National Nuclear Security Administration.

9 (b) *ELEMENTS.*—The report required by subsection (a)
10 shall include the following:

11 (1) *A list of specific actions associated with im-*
12 *plementation of the policies set forth in the 2018 Nu-*
13 *clear Posture Review applicable to the National Nu-*
14 *clear Security Administration.*

15 (2) *For each such action—*

16 (A) *an identification of the office within the*
17 *Administration with responsibility for the ac-*
18 *tion; and*

19 (B) *key milestones for the action.*

20 (3) *A discussion of any challenges to successfully*
21 *implementing such actions.*

22 (4) *A description of the process established for*
23 *monitoring the implementation of such actions.*

24 (5) *A description of policy decisions by the Ad-*
25 *ministrator that are necessary to complete the imple-*
26 *mentation of such actions.*

1 **TITLE XXXII—DEFENSE NU-**
2 **CLEAR FACILITIES SAFETY**
3 **BOARD**

4 **SEC. 3201. AUTHORIZATION.**

5 *There are authorized to be appropriated for fiscal year*
6 *2019, \$31,243,000 for the operation of the Defense Nuclear*
7 *Facilities Safety Board under chapter 21 of the Atomic En-*
8 *ergy Act of 1954 (42 U.S.C. 2286 et seq.).*

9 **TITLE XXXV—MARITIME**
10 **ADMINISTRATION**

11 **SEC. 3501. MARITIME ADMINISTRATION.**

12 *Section 109 of title 49, United States Code, is amended*
13 *to read as follows:*

14 **“§ 109. Maritime Administration**

15 *“(a) ORGANIZATION AND MISSION.—The Maritime*
16 *Administration is an administration in the Department of*
17 *Transportation. The mission of the Maritime Administra-*
18 *tion is to foster, promote, and develop the merchant mari-*
19 *time industry of the United States.*

20 *“(b) MARITIME ADMINISTRATOR.—The head of the*
21 *Maritime Administration is the Maritime Administrator,*
22 *who is appointed by the President by and with the advice*
23 *and consent of the Senate. The Administrator shall report*
24 *directly to the Secretary of Transportation and carry out*
25 *the duties prescribed by the Secretary.*

1 “(c) *DEPUTY MARITIME ADMINISTRATOR.*—*The Mari-*
2 *time Administration shall have a Deputy Maritime Admin-*
3 *istrator, who is appointed in the competitive service by the*
4 *Secretary, after consultation with the Administrator. The*
5 *Deputy Administrator shall carry out the duties prescribed*
6 *by the Administrator. The Deputy Administrator shall be*
7 *Acting Administrator during the absence or disability of*
8 *the Administrator and, unless the Secretary designates an-*
9 *other individual, during a vacancy in the office of Adminis-*
10 *trator.*

11 “(d) *DUTIES AND POWERS VESTED IN SECRETARY.*—
12 *All duties and powers of the Maritime Administration are*
13 *vested in the Secretary.*

14 “(e) *REGIONAL OFFICES.*—*The Maritime Administra-*
15 *tion shall have regional offices for the Atlantic, Gulf, Great*
16 *Lakes, and Pacific port ranges, and may have other re-*
17 *gional offices as necessary. The Secretary shall appoint a*
18 *qualified individual as Director of each regional office. The*
19 *Secretary shall carry out appropriate activities and pro-*
20 *grams of the Maritime Administration through the regional*
21 *offices.*

22 “(f) *INTERAGENCY AND INDUSTRY RELATIONS.*—*The*
23 *Secretary shall establish and maintain liaison with other*
24 *agencies, and with representative trade organizations*
25 *throughout the United States, concerned with the transpor-*

1 *tation of commodities by water in the export and import*
2 *foreign commerce of the United States, for the purpose of*
3 *securing preference to vessels of the United States for the*
4 *transportation of those commodities.*

5 “(g) *DETAILING OFFICERS FROM ARMED FORCES.—*
6 *To assist the Secretary in carrying out duties and powers*
7 *relating to the Maritime Administration, not more than*
8 *five officers of the Armed Forces may be detailed to the Sec-*
9 *retary at any one time, in addition to details authorized*
10 *by any other law. During the period of a detail, the Sec-*
11 *retary shall pay the officer an amount that, when added*
12 *to the officer’s pay and allowances as an officer in the*
13 *Armed Forces, makes the officer’s total pay and allowances*
14 *equal to the amount that would be paid to an individual*
15 *performing work the Secretary considers to be of similar*
16 *importance, difficulty, and responsibility as that performed*
17 *by the officer during the detail.*

18 “(h) *CONTRACTS, COOPERATIVE AGREEMENTS, AND*
19 *AUDITS.—*

20 “(1) *CONTRACTS AND COOPERATIVE AGREE-*
21 *MENTS.—In the same manner that a private corpora-*
22 *tion may make a contract within the scope of its au-*
23 *thority under its charter, the Secretary may make*
24 *contracts and cooperative agreements for the United*
25 *States Government and disburse amounts to—*

1 “(A) carry out the Secretary’s duties and
2 powers under this section, subtitle V of title 46,
3 and all other Maritime Administration pro-
4 grams; and

5 “(B) protect, preserve, and improve collat-
6 eral held by the Secretary to secure indebtedness.

7 “(2) AUDITS.—The financial transactions of the
8 Secretary under paragraph (1) shall be audited by the
9 Comptroller General. The Comptroller General shall
10 allow credit for an expenditure shown to be necessary
11 because of the nature of the business activities author-
12 ized by this section or subtitle V of title 46. At least
13 once a year, the Comptroller General shall report to
14 Congress any departure by the Secretary from this
15 section or subtitle V of title 46.

16 “(i) GRANT ADMINISTRATIVE EXPENSES.—Except as
17 otherwise provided by law, the administrative and related
18 expenses for the administration of any grant programs by
19 the Maritime Administrator may not exceed 3 percent.

20 “(j) AUTHORIZATION OF APPROPRIATIONS.—

21 “(1) IN GENERAL.—Except as otherwise provided
22 in this subsection, there are authorized to be appro-
23 priated such amounts as may be necessary to carry
24 out the duties and powers of the Secretary relating to
25 the Maritime Administration.

1 “(2) *LIMITATIONS.*—*Only those amounts specifically*
2 *authorized by law may be appropriated for the*
3 *use of the Maritime Administration for—*

4 “(A) *acquisition, construction, or recon-*
5 *struction of vessels;*

6 “(B) *construction-differential subsidies inci-*
7 *dent to the construction, reconstruction, or recon-*
8 *ditioning of vessels;*

9 “(C) *costs of national defense features;*

10 “(D) *payments of obligations incurred for*
11 *operating-differential subsidies;*

12 “(E) *expenses necessary for research and de-*
13 *velopment activities, including reimbursement of*
14 *the Vessel Operations Revolving Fund for losses*
15 *resulting from expenses of experimental vessel op-*
16 *erations;*

17 “(F) *the Vessel Operations Revolving Fund;*

18 “(G) *National Defense Reserve Fleet ex-*
19 *penses;*

20 “(H) *expenses necessary to carry out part B*
21 *of subtitle V of title 46; and*

22 “(I) *other operations and training expenses*
23 *related to the development of waterborne trans-*
24 *portation systems, the use of waterborne trans-*
25 *portation systems, and general administration.”.*

1 **SEC. 3502. PERMANENT AUTHORITY OF SECRETARY OF**
2 **TRANSPORTATION TO ISSUE VESSEL WAR**
3 **RISK INSURANCE.**

4 (a) *IN GENERAL.*—Section 53912 of title 46, United
5 States Code, is repealed.

6 (b) *CLERICAL AMENDMENT.*—The table of sections at
7 the beginning of chapter 539 of such title is amended by
8 striking the item relating to section 53912.

9 **DIVISION D—FUNDING TABLES**

10 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-**
11 **BLES.**

12 (a) *IN GENERAL.*—Whenever a funding table in this
13 division specifies a dollar amount authorized for a project,
14 program, or activity, the obligation and expenditure of the
15 specified dollar amount for the project, program, or activity
16 is hereby authorized, subject to the availability of appro-
17 priations.

18 (b) *MERIT-BASED DECISIONS.*—A decision to commit,
19 obligate, or expend funds with or to a specific entity on
20 the basis of a dollar amount authorized pursuant to sub-
21 section (a) shall—

22 (1) be based on merit-based selection procedures
23 in accordance with the requirements of sections
24 2304(k) and 2374 of title 10, United States Code, or
25 on competitive procedures; and

1 (2) *comply with other applicable provisions of*
 2 *law.*

3 (c) *RELATIONSHIP TO TRANSFER AND PROGRAMMING*
 4 *AUTHORITY.—An amount specified in the funding tables in*
 5 *this division may be transferred or reprogrammed under*
 6 *a transfer or reprogramming authority provided by another*
 7 *provision of this Act or by other law. The transfer or re-*
 8 *programming of an amount specified in such funding tables*
 9 *shall not count against a ceiling on such transfers or*
 10 *reprogrammings under section 1001 or section 1522 of this*
 11 *Act or any other provision of law, unless such transfer or*
 12 *reprogramming would move funds between appropriation*
 13 *accounts.*

14 (d) *APPLICABILITY TO CLASSIFIED ANNEX.—This sec-*
 15 *tion applies to any classified annex that accompanies this*
 16 *Act.*

17 (e) *ORAL WRITTEN COMMUNICATIONS.—No oral or*
 18 *written communication concerning any amount specified in*
 19 *the funding tables in this division shall supersede the re-*
 20 *quirements of this section.*

21 **TITLE XLI—PROCUREMENT**

22 **SEC. 4101. PROCUREMENT.**

SEC. 4101. PROCUREMENT <i>(In Thousands of Dollars)</i>			
<i>Line</i>	<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
2	UTILITY F/W AIRCRAFT	744	744
3	MQ-1 UAV	43,326	43,326
4	RQ-11 (RAVEN)	46,416	46,416
ROTARY			
7	AH-64 APACHE BLOCK IIIA REMAN	753,248	753,248

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
8	AH-64 APACHE BLOCK IIIA REMAN AP	174,550	174,550
9	AH-64 APACHE BLOCK IIIB NEW BUILD	284,687	284,687
10	AH-64 APACHE BLOCK IIIB NEW BUILD AP	58,600	58,600
11	UH-60 BLACKHAWK M MODEL (MYP)	988,810	988,810
12	UH-60 BLACKHAWK M MODEL (MYP) AP	106,150	106,150
13	UH-60 BLACK HAWK A AND L MODELS	146,138	146,138
14	CH-47 HELICOPTER	99,278	99,278
15	CH-47 HELICOPTER AP	24,235	24,235
	MODIFICATION OF AIRCRAFT		
18	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS)	27,114	27,114
19	GRAY EAGLE MODS ²	97,781	97,781
20	MULTI SENSOR ABN RECON (MIP)	52,274	52,274
21	AH-64 MODS	104,996	104,996
22	CH-47 CARGO HELICOPTER MODS (MYP)	7,807	7,807
23	GRCS SEMA MODS (MIP)	5,573	5,573
24	ARL SEMA MODS (MIP)	7,522	7,522
25	EMARSS SEMA MODS (MIP)	20,448	20,448
26	UTILITY/CARGO AIRPLANE MODS	17,719	17,719
27	UTILITY HELICOPTER MODS	6,443	6,443
28	NETWORK AND MISSION PLAN	123,614	123,614
29	COMMS, NAV SURVEILLANCE	161,969	161,969
30	DEGRADED VISUAL ENVIRONMENT	30,000	30,000
31	GATM ROLLUP	26,848	26,848
32	RQ-7 UAV MODS	103,246	103,246
33	UAS MODS	17,644	17,644
	GROUND SUPPORT AVIONICS		
34	AIRCRAFT SURVIVABILITY EQUIPMENT	57,170	57,170
35	SURVIVABILITY CM	5,853	5,853
36	CMWS	13,496	13,496
37	COMMON INFRARED COUNTERMEASURES (CIRCM)	36,839	36,839
	OTHER SUPPORT		
38	AVIONICS SUPPORT EQUIPMENT	1,778	1,778
39	COMMON GROUND EQUIPMENT	34,818	34,818
40	AIRCREW INTEGRATED SYSTEMS	27,243	27,243
41	AIR TRAFFIC CONTROL	63,872	63,872
42	INDUSTRIAL FACILITIES	1,417	1,417
43	LAUNCHER, 2.75 ROCKET	1,901	1,901
44	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2	991	991
	TOTAL AIRCRAFT PROCUREMENT, ARMY	3,782,558	3,782,558
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
1	LOWER TIER AIR AND MISSILE DEFENSE (AMD)	111,395	111,395
2	MSE MISSILE	871,276	871,276
3	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	145,636	645,636
	Acceleration of cruise missile defense		[500,000]
4	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I AP	31,286	31,286
	AIR-TO-SURFACE MISSILE SYSTEM		
6	JOINT AIR-TO-GROUND MSLS (JAGM)	276,462	276,462
	ANTI-TANK/ASSAULT MISSILE SYS		
8	JAVELIN (AAWS-M) SYSTEM SUMMARY	303,665	303,665
9	TOW 2 SYSTEM SUMMARY	105,014	105,014
10	TOW 2 SYSTEM SUMMARY AP	19,949	19,949
11	GUIDED MLRS ROCKET (GMLRS)	359,613	359,613
12	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	20,964	20,964
	MODIFICATIONS		
15	PATRIOT MODS	313,228	313,228
16	ATACMS MODS	221,656	141,656
	Requested quantity exceeds maximum		[-80,000]
17	GMLRS MOD	266	266
18	STINGER MODS	94,756	94,756
19	AVENGER MODS	48,670	48,670
20	ITAS/TOW MODS	3,173	3,173
21	MLRS MODS	383,216	383,216
22	HIMARS MODIFICATIONS	10,196	10,196
	SPARES AND REPAIR PARTS		
23	SPARES AND REPAIR PARTS	27,737	27,737
	SUPPORT EQUIPMENT & FACILITIES		
24	AIR DEFENSE TARGETS	6,417	6,417
25	PRODUCTION BASE SUPPORT	1,202	1,202
	TOTAL MISSILE PROCUREMENT, ARMY	3,355,777	3,775,777
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
2	ARMORED MULTI PURPOSE VEHICLE (AMPV)	479,801	379,801
	Program decrease		[-100,000]
	MODIFICATION OF TRACKED COMBAT VEHICLES		
4	STRYKER (MOD)	287,490	138,100

**SEC. 4101. PROCUREMENT
(In Thousands of Dollars)**

Line	Item	FY 2019 Request	Senate Authorized
	Army requested transfer		[-149,390]
5	STRYKER UPGRADE	21,900	171,290
	Army requested transfer		[149,390]
6	BRADLEY PROGRAM (MOD)	625,424	301,424
	Program decrease		[-324,000]
7	M109 FOV MODIFICATIONS	26,482	26,482
8	PALADIN INTEGRATED MANAGEMENT (PIM)	351,802	461,802
	Program increase		[110,000]
9	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	110,500	110,500
10	ASSAULT BRIDGE (MOD)	2,120	2,120
11	ASSAULT BREACHER VEHICLE	62,407	62,407
12	M88 FOV MODS	4,517	4,517
13	JOINT ASSAULT BRIDGE	142,255	142,255
14	M1 ABRAMS TANK (MOD)	927,600	927,600
15	ABRAMS UPGRADE PROGRAM	1,075,999	1,075,999
	WEAPONS & OTHER COMBAT VEHICLES		
18	M240 MEDIUM MACHINE GUN (7.62MM)	1,955	1,955
19	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	23,345	23,345
20	GUN AUTOMATIC 30MM M230	7,434	7,434
21	MACHINE GUN, CAL .50 M2 ROLL	22,330	22,330
22	MORTAR SYSTEMS	12,470	12,470
23	XM320 GRENADE LAUNCHER MODULE (GLM)	697	697
24	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	46,236	46,236
25	CARBINE	69,306	69,306
26	SMALL ARMS—FIRE CONTROL	7,929	7,929
27	COMMON REMOTELY OPERATED WEAPONS STATION	35,968	35,968
28	HANDGUN	48,251	48,251
	MOD OF WEAPONS AND OTHER COMBAT VEH		
29	MK-19 GRENADE MACHINE GUN MODS	1,684	1,684
30	M777 MODS	3,086	3,086
31	M4 CARBINE MODS	31,575	31,575
32	M2 50 CAL MACHINE GUN MODS	21,600	21,600
33	M249 SAW MACHINE GUN MODS	3,924	3,924
34	M240 MEDIUM MACHINE GUN MODS	6,940	6,940
35	SNIPER RIFLES MODIFICATIONS	2,747	2,747
36	M119 MODIFICATIONS	5,704	5,704
37	MORTAR MODIFICATION	3,965	3,965
38	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	5,577	5,577
	SUPPORT EQUIPMENT & FACILITIES		
39	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	3,174	3,174
40	PRODUCTION BASE SUPPORT (WOCV-WTCV)	3,284	3,284
41	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	1,640	1,640
	TOTAL PROCUREMENT OF W&TCV, ARMY	4,489,118	4,175,118
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	41,848	35,148
	FY2018 Omnibus forward finance		[-6,700]
2	CTG, 7.62MM, ALL TYPES	86,199	86,199
3	CTG, HANDGUN, ALL TYPES	20,158	20,158
4	CTG, .50 CAL, ALL TYPES	65,573	65,573
5	CTG, 20MM, ALL TYPES	8,198	8,198
7	CTG, 30MM, ALL TYPES	77,995	77,995
8	CTG, 40MM, ALL TYPES	69,781	69,781
	MORTAR AMMUNITION		
9	60MM MORTAR, ALL TYPES	45,280	45,280
10	81MM MORTAR, ALL TYPES	46,853	46,853
11	120MM MORTAR, ALL TYPES	83,003	83,003
	TANK AMMUNITION		
12	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	168,101	168,101
	ARTILLERY AMMUNITION		
13	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	39,341	39,341
14	ARTILLERY PROJECTILE, 155MM, ALL TYPES	211,442	211,442
15	PROJ 155MM EXTENDED RANGE M982	100,906	100,906
16	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	236,677	136,677
	Ammunition Cuts		[-100,000]
	MINES		
17	MINES & CLEARING CHARGES, ALL TYPES	15,905	15,905
	ROCKETS		
18	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	4,503	4,503
19	ROCKET, HYDRA 70, ALL TYPES	211,211	211,211
	OTHER AMMUNITION		
20	CAD/PAD, ALL TYPES	10,428	10,428
21	DEMOLITION MUNITIONS, ALL TYPES	44,656	44,656
22	GRENADES, ALL TYPES	19,896	19,896
23	SIGNALS, ALL TYPES	10,121	10,121
24	SIMULATORS, ALL TYPES	11,464	11,464
	MISCELLANEOUS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
25	AMMO COMPONENTS, ALL TYPES	5,224	5,224
26	NON-LETHAL AMMUNITION, ALL TYPES	4,310	4,310
27	ITEMS LESS THAN \$5 MILLION (AMMO)	11,193	11,193
28	AMMUNITION PECULLAR EQUIPMENT	10,500	10,500
29	FIRST DESTINATION TRANSPORTATION (AMMO)	18,456	18,456
30	CLOSEOUT LIABILITIES	100	100
	PRODUCTION BASE SUPPORT		
32	INDUSTRIAL FACILITIES	394,133	394,133
33	CONVENTIONAL MUNITIONS DEMILITARIZATION	157,535	157,535
34	ARMS INITIATIVE	3,771	3,771
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,234,761	2,128,061
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
1	TACTICAL TRAILERS/DOLLY SETS	16,512	16,512
2	SEMITRAILERS, FLATBED:	16,951	16,951
3	AMBULANCE, 4 LITTER, 5/4 TON, 4X4	50,123	50,123
4	GROUND MOBILITY VEHICLES (GMV)	46,988	46,988
6	JOINT LIGHT TACTICAL VEHICLE	1,319,436	1,069,436
	Program reduction		[-250,000]
7	TRUCK, DUMP, 30T (CCE)	6,480	6,480
8	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	132,882	132,882
9	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	14,842	14,842
10	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	138,105	138,105
12	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	31,892	31,892
13	TACTICAL WHEELED VEHICLE PROTECTION KITS	38,128	38,128
14	MODIFICATION OF IN SVC EQUIP	78,507	78,507
	NON-TACTICAL VEHICLES		
16	HEAVY ARMORED VEHICLE	790	790
17	PASSENGER CARRYING VEHICLES	1,390	1,390
18	NONTACTICAL VEHICLES, OTHER	15,415	15,415
	COMM—JOINT COMMUNICATIONS		
20	SIGNAL MODERNIZATION PROGRAM	150,777	150,777
21	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	469,117	469,117
22	SITUATION INFORMATION TRANSPORT	62,727	62,727
23	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY	13,895	13,895
24	JCSE EQUIPMENT (USREDCOM)	4,866	4,866
	COMM—SATELLITE COMMUNICATIONS		
27	DEFENSE ENTERPRISE WIDERAND SATCOM SYSTEMS	108,133	108,133
28	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	56,737	56,737
29	SHF TERM	13,100	13,100
30	SMART-T (SPACE)	9,160	9,160
31	GLOBAL BRDCST SVC—GBS	25,647	25,647
32	ENROUTE MISSION COMMAND (EMC)	37,401	37,401
	COMM—C3 SYSTEM		
36	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	20,500	20,500
	COMM—COMBAT COMMUNICATIONS		
38	HANDHELD MANPACK SMALL FORM FIT (HMS)	351,565	351,565
40	RADIO TERMINAL SET, MIDS LVT(2)	4,641	4,641
41	TRACTOR DESK	2,187	2,187
42	TRACTOR RIDE	9,411	9,411
44	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	17,515	17,515
45	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	819	819
46	UNIFIED COMMAND SUITE	17,807	17,807
47	COTS COMMUNICATIONS EQUIPMENT	191,835	191,835
48	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	25,177	25,177
	COMM—INTELLIGENCE COMM		
50	CI AUTOMATION ARCHITECTURE (MIP)	9,740	9,740
51	DEFENSE MILITARY DECEPTION INITIATIVE	2,667	2,667
	INFORMATION SECURITY		
53	FAMILY OF BIOMETRICS	8,319	8,319
54	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	2,000	2,000
55	COMMUNICATIONS SECURITY (COMSEC)	88,337	88,337
56	DEFENSIVE CYBER OPERATIONS	51,343	51,343
57	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	330	330
58	PERSISTENT CYBER TRAINING ENVIRONMENT	3,000	3,000
	COMM—LONG HAUL COMMUNICATIONS		
59	BASE SUPPORT COMMUNICATIONS	34,434	34,434
	COMM—BASE COMMUNICATIONS		
60	INFORMATION SYSTEMS	95,558	95,558
61	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,736	4,736
62	HOME STATION MISSION COMMAND CENTERS (HSMCC)	24,479	24,479
63	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	216,433	216,433
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
66	JTT/CIBS-M (MIP)	10,268	10,268
68	DCGS-A (MIP)	261,863	261,863
69	JOINT TACTICAL GROUND STATION (JTAGS) (MIP)	5,434	5,434
70	TROJAN (MIP)	20,623	20,623

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Line	Item	FY 2019 Request	Senate Authorized
71	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	45,998	47,798
	SOUTHCOM SIGINT Suite COMSAT RF		[1,800]
72	CI HUMINT AUTO REPRTING & COLL(CHARCS)(MIP)	296	296
76	ITEMS LESS THAN \$5.0M (MIP)	410	410
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
77	LIGHTWEIGHT COUNTER MORTAR RADAR	9,165	9,165
78	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	5,875	5,875
79	AIR VIGILANCE (AV) (MIP)	8,497	8,497
83	CI MODERNIZATION (MIP)	486	486
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
84	SENTINEL MODS	79,629	79,629
85	NIGHT VISION DEVICES	153,180	153,180
87	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	22,882	22,882
88	RADIATION MONITORING SYSTEMS	17,393	17,393
90	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	46,740	46,740
91	FAMILY OF WEAPON SIGHTS (FWS)	140,737	140,737
93	PROFILER	171	171
94	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	405,239	405,239
95	JOINT EFFECTS TARGETING SYSTEM (JETS)	66,574	66,574
96	MOD OF IN-SVC EQUIP (LLDR)	20,783	20,783
97	COMPUTER BALLISTICS: LHMC XM32	8,553	8,553
98	MORTAR FIRE CONTROL SYSTEM	21,489	21,489
99	COUNTERFIRE RADARS	162,121	162,121
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
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
	ELECT EQUIP—AUTOMATION		
111	ARMY TRAINING MODERNIZATION	12,265	12,265
112	AUTOMATED DATA PROCESSING EQUIP	201,875	186,875
	<i>Consolidating more IT purchases</i>		[-15,000]
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
	ELECT EQUIP—AUDIO VISUAL SYS (AV)		
117	TACTICAL DIGITAL MEDIA	4,392	4,392
118	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	1,970	1,970
	ELECT EQUIP—SUPPORT		
119	PRODUCTION BASE SUPPORT (C-E)	506	506
	CLASSIFIED PROGRAMS	4,501	4,501
	CLASSIFIED PROGRAMS		
	CHEMICAL DEFENSIVE EQUIPMENT		
121	PROTECTIVE SYSTEMS	2,314	2,314
122	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	7,478	7,478
124	CBRN DEFENSE	173,954	173,954
	BRIDGING EQUIPMENT		
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
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
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	11,594
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	1,748
137	< \$5M, COUNTERMINE EQUIPMENT	7,829	7,829
138	FAMILY OF BOATS AND MOTORS	5,806	5,806
	COMBAT SERVICE SUPPORT EQUIPMENT		
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

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Line	Item	FY 2019 Request	Senate Authorized
PETROLEUM EQUIPMENT			
149	QUALITY SURVEILLANCE EQUIPMENT	1,770	1,770
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	39,730	39,730
MEDICAL EQUIPMENT			
151	COMBAT SUPPORT MEDICAL	57,752	57,752
MAINTENANCE EQUIPMENT			
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	37,722	37,722
153	ITEMS LESS THAN \$5.0M (MAINT EQ)	4,985	4,985
CONSTRUCTION EQUIPMENT			
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	980
161	CONST EQUIP ESP	37,017	37,017
162	ITEMS LESS THAN \$5.0M (CONST EQUIP)	6,103	6,103
RAIL FLOAT CONTAINERIZATION EQUIPMENT			
163	ARMY WATERCRAFT ESP	27,711	27,711
164	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	8,385	8,385
GENERATORS			
165	GENERATORS AND ASSOCIATED EQUIP	133,772	133,772
166	TACTICAL ELECTRIC POWER RECAPITALIZATION	8,333	8,333
MATERIAL HANDLING EQUIPMENT			
167	FAMILY OF FORKLIFTS	12,901	12,901
TRAINING EQUIPMENT			
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
TEST MEASURE AND DIG EQUIPMENT (TMD)			
173	CALIBRATION SETS EQUIPMENT	4,270	4,270
174	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	76,295	76,295
175	TEST EQUIPMENT MODERNIZATION (TEMOD)	9,806	9,806
OTHER SUPPORT EQUIPMENT			
176	M25 STABILIZED BINOCULAR	4,368	4,368
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
OPA2			
184	INITIAL SPARES—CA&E	9,817	9,817
	TOTAL OTHER PROCUREMENT, ARMY	7,999,529	7,736,329
AIRCRAFT PROCUREMENT, NAVY			
COMBAT AIRCRAFT			
1	F/A-18E/F (FIGHTER) HORNET	1,937,553	1,937,553
2	F/A-18E/F (FIGHTER) HORNET AP	58,799	58,799
3	JOINT STRIKE FIGHTER CV	1,144,958	1,023,958
	Program Realignment		[-121,000]
4	JOINT STRIKE FIGHTER CV AP	140,010	140,010
5	J5F STOVL	2,312,847	2,312,847
6	J5F STOVL AP	228,492	228,492
7	CH-53K (HEAVY LIFT)	1,113,804	1,113,804
8	CH-53K (HEAVY LIFT) AP	161,079	161,079
9	V-22 (MEDIUM LIFT)	806,337	806,337
10	V-22 (MEDIUM LIFT) AP	36,955	36,955
11	H-1 UPGRADES (UH-1Y/AH-1Z)	820,755	820,755
14	P-8A POSEIDON	1,803,753	1,803,753
15	P-8A POSEIDON AP	180,000	180,000
16	E-2D ADV HAWKEYE	742,693	917,693
	UPL—1 additional Aircraft		[175,000]
17	E-2D ADV HAWKEYE AP	240,734	240,734
71	O/A-X LIGHT ATTACK AIRCRAFT	0	100,000
	Initial procurement for light attack aircraft		[100,000]
AIRLIFT AIRCRAFT			
18	C-40A	206,000	0
	Funded in FY18 Omnibus		[-206,000]
OTHER AIRCRAFT			
20	KC-130J	160,433	160,433
21	KC-130J AP	110,013	110,013
22	MQ-4 TRITON	568,743	568,743
23	MQ-4 TRITON AP	58,522	58,522
24	MQ-8 UAV	54,761	54,761
25	STUASL0 UAV	14,866	14,866

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(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
26	VH-92A EXECUTIVE HELO	649,015	649,015
72	UAV	0	100,000
	Procurement of UAV		[100,000]
	MODIFICATION OF AIRCRAFT		
27	AEA SYSTEMS	25,277	25,277
28	AV-8 SERIES	58,577	58,577
29	ADVERSARY	14,606	14,606
30	F-18 SERIES	1,213,482	1,227,382
	UPL—EA-18G Advanced Modes / Cognitive EW		[13,900]
31	H-53 SERIES	70,997	70,997
32	SH-60 SERIES	130,661	130,661
33	H-1 SERIES	87,143	87,143
34	EP-3 SERIES	3,633	3,633
35	P-3 SERIES	803	803
36	E-2 SERIES	88,780	88,780
37	TRAINER A/C SERIES	11,660	11,660
38	C-2A	11,327	11,327
39	C-130 SERIES	79,075	79,075
40	FEWSG	597	597
41	CARGO/TRANSPORT A/C SERIES	8,932	8,932
42	E-6 SERIES	181,821	181,821
43	EXECUTIVE HELICOPTERS SERIES	23,566	23,566
44	SPECIAL PROJECT AIRCRAFT	7,620	7,620
45	T-45 SERIES	195,475	195,475
46	POWER PLANT CHANGES	21,521	21,521
47	JPATS SERIES	27,644	27,644
48	AVIATION LIFE SUPPORT MODS	15,864	15,864
49	COMMON ECM EQUIPMENT	166,306	191,306
	UPL—F/A-18 E/F Adaptive Radar Countermeasures		[25,000]
50	COMMON AVIONICS CHANGES	117,551	117,551
51	COMMON DEFENSIVE WEAPON SYSTEM	1,994	1,994
52	ID SYSTEMS	40,696	40,696
53	P-8 SERIES	71,251	71,251
54	MAGTF EW FOR AVIATION	11,590	11,590
55	MQ-8 SERIES	37,907	37,907
57	V-22 (TILT/ROTOR ACFT) OSPREY	214,820	214,820
58	NEXT GENERATION JAMMER (NGJ)	952	952
59	F-35 STOVL SERIES	36,618	70,118
	F-35B Modifications Increase		[33,500]
60	F-35 CV SERIES	21,236	26,236
	F-35C Modifications Increase		[5,000]
61	QRC	101,499	101,499
62	MQ-4 SERIES	48,278	48,278
63	RQ-21 SERIES	6,904	6,904
	AIRCRAFT SPARES AND REPAIR PARTS		
64	SPARES AND REPAIR PARTS	1,792,920	1,842,920
	F-35B and F-35C spares quantity increase		[50,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
65	COMMON GROUND EQUIPMENT	421,606	421,606
66	AIRCRAFT INDUSTRIAL FACILITIES	24,496	24,496
67	WAR CONSUMABLES	42,108	42,108
68	OTHER PRODUCTION CHARGES	1,444	1,444
69	SPECIAL SUPPORT EQUIPMENT	49,489	49,489
70	FIRST DESTINATION TRANSPORTATION	1,951	1,951
	TOTAL AIRCRAFT PROCUREMENT, NAVY	19,041,799	19,217,199
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
1	TRIDENT II MODS	1,078,750	1,078,750
	SUPPORT EQUIPMENT & FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	6,998	6,998
	STRATEGIC MISSILES		
3	TOMAHAWK	98,570	98,570
	TACTICAL MISSILES		
4	AMRAAM	211,058	211,058
5	SIDEWINDER	77,927	122,927
	Navy UPL: Increase to maximum capacity		[45,000]
6	JSOW	1,330	1,330
7	STANDARD MISSILE	490,210	490,210
8	STANDARD MISSILE AP	125,683	125,683
9	SMALL DIAMETER BOMB II	91,272	91,272
10	RAM	96,221	96,221
11	JOINT AIR GROUND MISSILE (JAGM)	24,109	24,109
14	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	11,378	11,378
15	AERIAL TARGETS	137,137	137,137
16	OTHER MISSILE SUPPORT	3,318	3,318
17	LRASM	81,190	111,190
	Navy UPL: Increase to maximum capacity		[30,000]

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Line	Item	FY 2019 Request	Senate Authorized
18	LCS OTH MISSILE	18,156	18,156
	MODIFICATION OF MISSILES		
19	ESSM	98,384	98,384
20	HARPOON MODS	14,840	26,840
	Navy UPL: Increase to max capacity		[12,000]
21	HARM MODS	187,985	74,085
	Reduce procurement due to test results		[-113,900]
	SUPPORT EQUIPMENT & FACILITIES		
23	WEAPONS INDUSTRIAL FACILITIES	2,006	2,006
24	FLEET SATELLITE COMM FOLLOW-ON	66,779	66,779
	ORDNANCE SUPPORT EQUIPMENT		
25	ORDNANCE SUPPORT EQUIPMENT	62,008	62,008
	TORPEDOES AND RELATED EQUIP		
26	SSTD	6,353	6,353
27	MK-48 TORPEDO	92,616	103,616
	Navy UPL: Increase to maximum capacity		[11,000]
28	ASW TARGETS	12,324	12,324
	MOD OF TORPEDOES AND RELATED EQUIP		
29	MK-54 TORPEDO MODS	105,946	105,946
30	MK-48 TORPEDO ADCAP MODS	40,005	40,005
31	QUICKSTRIKE MINE	9,758	9,758
	SUPPORT EQUIPMENT		
32	TORPEDO SUPPORT EQUIPMENT	79,371	79,371
33	ASW RANGE SUPPORT	3,872	3,872
	DESTINATION TRANSPORTATION		
34	FIRST DESTINATION TRANSPORTATION	3,726	3,726
	GUNS AND GUN MOUNTS		
35	SMALL ARMS AND WEAPONS	15,067	15,067
	MODIFICATION OF GUNS AND GUN MOUNTS		
36	CIWS MODS	63,318	63,318
37	COAST GUARD WEAPONS	40,823	40,823
38	GUN MOUNT MODS	74,618	74,618
39	LCS MODULE WEAPONS	11,350	5,350
	Early to need		[-6,000]
41	AIRBORNE MINE NEUTRALIZATION SYSTEMS	22,249	22,249
	SPARES AND REPAIR PARTS		
43	SPARES AND REPAIR PARTS	135,688	135,688
	TOTAL WEAPONS PROCUREMENT, NAVY	3,702,393	3,680,493
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	79,871	79,871
2	JDAM	87,900	87,900
3	AIRBORNE ROCKETS, ALL TYPES	151,431	151,431
4	MACHINE GUN AMMUNITION	11,344	11,344
5	PRACTICE BOMBS	49,471	49,471
6	CARTRIDGES & CART ACTUATED DEVICES	56,227	56,227
7	AIR EXPENDABLE COUNTERMEASURES	66,382	66,382
8	JATOS	2,907	2,907
9	5 INCH/54 GUN AMMUNITION	72,657	72,657
10	INTERMEDIATE CALIBER GUN AMMUNITION	33,613	20,613
	Alamo LRIP ahead of testing		[-13,000]
11	OTHER SHIP GUN AMMUNITION	42,142	42,142
12	SMALL ARMS & LANDING PARTY AMMO	49,888	49,888
13	PYROTECHNIC AND DEMOLITION	10,931	10,931
15	AMMUNITION LESS THAN \$5 MILLION	1,106	1,106
	MARINE CORPS AMMUNITION		
19	MORTARS	28,266	28,266
21	DIRECT SUPPORT MUNITIONS	63,664	63,664
22	INFANTRY WEAPONS AMMUNITION	59,295	59,295
26	COMBAT SUPPORT MUNITIONS	31,577	31,577
28	AMMO MODERNIZATION	15,001	15,001
29	ARTILLERY MUNITIONS	86,297	86,297
30	ITEMS LESS THAN \$5 MILLION	6,239	6,239
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	1,006,209	993,209
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
1	OHIO REPLACEMENT SUBMARINE AP	3,005,330	3,005,330
	OTHER WARSHIPS		
2	CARRIER REPLACEMENT PROGRAM	1,598,181	1,598,181
4	VIRGINIA CLASS SUBMARINE	4,373,382	4,373,382
5	VIRGINIA CLASS SUBMARINE AP	2,796,401	3,046,401
	FY19-23 MYP EOQ or SIB expansion		[250,000]
7	CVN REFUELING OVERHAULS AP	449,597	449,597
8	DDG 1000	270,965	0
	Cost growth transfer to Line 28		[-270,965]
9	DDG-51	5,253,327	5,225,827

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
	Multiyear procurement contract savings		[-27,500]
10	DDG-51 AP	391,928	641,928
	Enable greater long lead material procurement		[250,000]
11	LITTORAL COMBAT SHIP	646,244	576,244
	Align Plans and Other costs with end of production		[-70,000]
	AMPHIBIOUS SHIPS		
12	LPD -17	0	650,000
	AP for FY2020 LPD Flight II and/or MYP EOQ		[650,000]
13	EXPEDITIONARY SEA BASE (ESB)	650,000	650,000
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
16	TAO FLEET OILER	977,104	977,104
17	TAO FLEET OILER AP	75,046	75,046
18	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	80,517	80,517
20	LCU 1700	41,520	41,520
21	OUTFITTING	634,038	562,038
	Unjustified cost growth		[-72,000]
22	SHIP TO SHORE CONNECTOR	325,375	325,375
23	SERVICE CRAFT	72,062	97,062
	Accelerate detail design and construction of YP-703 Flight II		[25,000]
24	LCAC SLEP	23,321	23,321
28	COMPLETION OF PY SHIPBUILDING PROGRAMS	207,099	478,064
	Cost growth transfer from Line 8		[270,965]
29	CABLE SHIP	0	250,000
	Program increase		[250,000]
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	21,871,437	23,126,937
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
1	SURFACE POWER EQUIPMENT	19,700	19,700
	GENERATORS		
3	SURFACE COMBATANT HM&E	23,495	23,495
	NAVIGATION EQUIPMENT		
4	OTHER NAVIGATION EQUIPMENT	63,330	73,330
	Accelerate ECDIS-N 9.3, 9.4, 9.5 implementation		[10,000]
	OTHER SHIPBOARD EQUIPMENT		
5	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	178,421	178,421
6	DDG MOD	487,999	487,999
7	FIREFIGHTING EQUIPMENT	28,143	28,143
8	COMMAND AND CONTROL SWITCHBOARD	2,248	2,248
9	LHA/LHD MIDLIFE	37,694	37,694
10	POLLUTION CONTROL EQUIPMENT	20,883	20,883
11	SUBMARINE SUPPORT EQUIPMENT	37,155	37,155
12	VIRGINIA CLASS SUPPORT EQUIPMENT	66,328	66,328
13	LCS CLASS SUPPORT EQUIPMENT	47,241	47,241
14	SUBMARINE BATTERIES	27,987	27,987
15	LPD CLASS SUPPORT EQUIPMENT	65,033	65,033
16	DDG 1000 CLASS SUPPORT EQUIPMENT	89,700	51,300
	Procurement early to need		[-38,400]
17	STRATEGIC PLATFORM SUPPORT EQUIP	22,254	22,254
18	DSSP EQUIPMENT	3,629	3,629
19	CG MODERNIZATION	276,446	276,446
20	LCAC	3,709	3,709
21	UNDERWATER EOD PROGRAMS	78,807	78,807
22	ITEMS LESS THAN \$5 MILLION	126,865	101,865
	Insufficient justification for CVN-78 in-service requirements		[-25,000]
23	CHEMICAL WARFARE DETECTORS	2,966	2,966
24	SUBMARINE LIFE SUPPORT SYSTEM	11,968	11,968
	REACTOR PLANT EQUIPMENT		
25	REACTOR POWER UNITS	346,325	346,325
26	REACTOR COMPONENTS	497,063	497,063
	OCEAN ENGINEERING		
27	DIVING AND SALVAGE EQUIPMENT	10,706	10,706
	SMALL BOATS		
28	STANDARD BOATS	49,771	49,771
	PRODUCTION FACILITIES EQUIPMENT		
29	OPERATING FORCES IPE	225,181	225,181
	OTHER SHIP SUPPORT		
31	LCS COMMON MISSION MODULES EQUIPMENT	46,732	46,732
32	LCS MCM MISSION MODULES	124,147	152,063
	Transfer Cobra trainer from Line 53		[8,616]
	Transfer KnifeFish and UISS trainers from Line 52		[19,300]
33	LCS ASW MISSION MODULES	57,294	39,294
	Excess procurement ahead of satisfactory testing		[-18,000]
34	LCS SUW MISSION MODULES	26,006	14,506
	Excess procurement ahead of satisfactory testing		[-11,500]
35	LCS IN-SERVICE MODERNIZATION	70,526	70,526
	LOGISTIC SUPPORT		
36	LSD MIDLIFE & MODERNIZATION	4,784	4,784

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
SHIP SONARS			
37	SPQ-9B RADAR	20,309	20,309
38	AN/SQ-89 SURF ASW COMBAT SYSTEM	115,459	115,459
39	SSN ACOUSTIC EQUIPMENT	318,189	318,189
40	UNDERSEA WARFARE SUPPORT EQUIPMENT	10,134	10,134
ASW ELECTRONIC EQUIPMENT			
41	SUBMARINE ACOUSTIC WARFARE SYSTEM	23,815	23,815
42	SSTD	11,277	6,277
	AN/SLQ-32E contract delay		[-5,000]
43	FIXED SURVEILLANCE SYSTEM	237,780	237,780
44	SURTASS	57,872	57,872
ELECTRONIC WARFARE EQUIPMENT			
45	AN/SLQ-32	420,344	420,344
RECONNAISSANCE EQUIPMENT			
46	SHIPBOARD IW EXPLOIT	220,883	220,883
47	AUTOMATED IDENTIFICATION SYSTEM (AIS)	4,028	4,028
OTHER SHIP ELECTRONIC EQUIPMENT			
48	COOPERATIVE ENGAGEMENT CAPABILITY	44,173	38,173
	Common Array Block antenna program delay		[-6,000]
49	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	10,991	10,991
50	ATDLS	34,526	34,526
51	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,769	3,769
52	MINESWEEPING SYSTEM REPLACEMENT	35,709	16,409
	Transfer Knifejfish and UISS trainers to Line 32		[-19,300]
53	SHALLOW WATER MCM	8,616	0
	Transfer Cobra trainer to Line 32		[-8,616]
54	NAVSTAR GPS RECEIVERS (SPACE)	10,703	10,703
55	AMERICAN FORCES RADIO AND TV SERVICE	2,626	2,626
56	STRATEGIC PLATFORM SUPPORT EQUIP	9,467	9,467
AVIATION ELECTRONIC EQUIPMENT			
57	ASHORE ATC EQUIPMENT	70,849	70,849
58	AFLOAT ATC EQUIPMENT	47,890	47,890
59	ID SYSTEMS	26,163	26,163
60	JOINT PRECISION APPROACH AND LANDING SYSTEM (.....	38,094	38,094
61	NAVAL MISSION PLANNING SYSTEMS	11,966	11,966
OTHER SHORE ELECTRONIC EQUIPMENT			
62	TACTICAL/MOBILE CAI SYSTEMS	42,010	42,010
63	DCGS-N	12,896	12,896
64	CANES	423,027	423,027
65	RADLAC	8,175	8,175
66	CANES-INTELL	54,465	54,465
67	GPETE	5,985	5,985
68	MASF	5,413	5,413
69	INTEG COMBAT SYSTEM TEST FACILITY	6,251	6,251
70	EMI CONTROL INSTRUMENTATION	4,183	4,183
71	ITEMS LESS THAN \$5 MILLION	148,350	142,950
	NGSSR installation funding early to need		[-5,400]
SHIPBOARD COMMUNICATIONS			
72	SHIPBOARD TACTICAL COMMUNICATIONS	45,450	45,450
73	SHIP COMMUNICATIONS AUTOMATION	105,087	105,087
74	COMMUNICATIONS ITEMS UNDER \$5M	41,123	41,123
SUBMARINE COMMUNICATIONS			
75	SUBMARINE BROADCAST SUPPORT	30,897	30,897
76	SUBMARINE COMMUNICATION EQUIPMENT	78,580	78,580
SATELLITE COMMUNICATIONS			
77	SATELLITE COMMUNICATIONS SYSTEMS	41,205	41,205
78	NAVY MULTIBAND TERMINAL (NMT)	113,885	113,885
SHORE COMMUNICATIONS			
79	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,292	4,292
CRYPTOGRAPHIC EQUIPMENT			
80	INFO SYSTEMS SECURITY PROGRAM (ISSP)	153,526	153,526
81	MIO INTEL EXPLOITATION TEAM	951	951
CRYPTOLOGIC EQUIPMENT			
82	CRYPTOLOGIC COMMUNICATIONS EQUIP	14,209	17,009
	SOUTHCOM CCO Sensor (2 suites)		[2,800]
OTHER ELECTRONIC SUPPORT			
86	COAST GUARD EQUIPMENT	40,713	40,713
SONOBUOYS			
88	SONOBUOYS—ALL TYPES	177,891	213,891
	Navy UPL		[36,000]
AIRCRAFT SUPPORT EQUIPMENT			
89	WEAPONS RANGE SUPPORT EQUIPMENT	93,864	93,864
90	AIRCRAFT SUPPORT EQUIPMENT	111,724	111,724
91	ADVANCED ARRESTING GEAR (AAG)	11,054	11,054
92	METEOROLOGICAL EQUIPMENT	21,072	21,072
93	DCBS/DPL	656	656
94	AIRBORNE MINE COUNTERMEASURES	11,299	11,299
95	LAMPS EQUIPMENT	594	594

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
96	AVIATION SUPPORT EQUIPMENT	39,374	39,374
97	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	35,405	35,405
	SHIP GUN SYSTEM EQUIPMENT		
98	SHIP GUN SYSTEMS EQUIPMENT	5,337	5,337
	SHIP MISSILE SYSTEMS EQUIPMENT		
99	SHIP MISSILE SUPPORT EQUIPMENT	213,090	213,090
100	TOMAHAWK SUPPORT EQUIPMENT	92,890	92,890
	FBM SUPPORT EQUIPMENT		
101	STRATEGIC MISSILE SYSTEMS EQUIP	271,817	271,817
	ASW SUPPORT EQUIPMENT		
102	SSN COMBAT CONTROL SYSTEMS	129,501	129,501
103	ASW SUPPORT EQUIPMENT	19,436	19,436
	OTHER ORDNANCE SUPPORT EQUIPMENT		
104	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	14,258	14,258
105	ITEMS LESS THAN \$5 MILLION	5,378	5,378
	OTHER EXPENDABLE ORDNANCE		
106	SUBMARINE TRAINING DEVICE MODS	65,543	65,543
107	SURFACE TRAINING EQUIPMENT	230,425	230,425
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
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
	SUPPLY SUPPORT EQUIPMENT		
117	SUPPLY EQUIPMENT	18,786	18,786
118	FIRST DESTINATION TRANSPORTATION	5,375	5,375
119	SPECIAL PURPOSE SUPPLY SYSTEMS	580,371	580,371
	TRAINING DEVICES		
120	TRAINING SUPPORT EQUIPMENT	3,400	3,400
121	TRAINING AND EDUCATION EQUIPMENT	24,283	24,283
	COMMAND SUPPORT EQUIPMENT		
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	CAISR EQUIPMENT	3,576	3,576
128	ENVIRONMENTAL SUPPORT EQUIPMENT	31,902	31,902
129	PHYSICAL SECURITY EQUIPMENT	175,436	195,436
	<i>New Navy port waterborne security barriers increase</i>		[20,000]
130	ENTERPRISE INFORMATION TECHNOLOGY	25,393	25,393
	OTHER		
133	NEXT GENERATION ENTERPRISE SERVICE	96,269	96,269
	CLASSIFIED PROGRAMS	15,681	15,681
	CLASSIFIED PROGRAMS		
	SPARES AND REPAIR PARTS		
134	SPARES AND REPAIR PARTS	326,838	326,838
	TOTAL OTHER PROCUREMENT, NAVY	9,414,355	9,373,855
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	156,249	78,149
	<i>Unjustified investment in a vehicle with low/limited combat utility</i>		[-78,100]
2	AMPHIBIOUS COMBAT VEHICLE 1.1	167,478	167,478
3	LAV PIP	43,701	43,701
	ARTILLERY AND OTHER WEAPONS		
5	155MM LIGHTWEIGHT TOWED HOWITZER	47,158	47,158
6	ARTILLERY WEAPONS SYSTEM	134,246	134,246
7	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	40,687	40,687
	OTHER SUPPORT		
8	MODIFICATION KITS	22,904	22,904
	GUIDED MISSILES		
9	GROUND BASED AIR DEFENSE	18,334	18,334
10	ANTI-ARMOR MISSILE-JAVELIN	3,020	3,020
11	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	13,760	13,760
12	ANTI-ARMOR MISSILE-TOW	59,702	59,702
	COMMAND AND CONTROL SYSTEMS		
13	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	35,467	35,467
	REPAIR AND TEST EQUIPMENT		
14	REPAIR AND TEST EQUIPMENT	46,081	46,081
	OTHER SUPPORT (TEL)		
15	MODIFICATION KITS	971	971
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
16	ITEMS UNDER \$5 MILLION (COMM & ELEC)	69,203	69,203

SEC. 4101. PROCUREMENT
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Line	Item	FY 2019 Request	Senate Authorized
17	AIR OPERATIONS C2 SYSTEMS	14,269	14,269
	RADAR + EQUIPMENT (NON-TEL)		
18	RADAR SYSTEMS	6,694	6,694
19	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	224,969	224,969
	INTELL/COMM EQUIPMENT (NON-TEL)		
21	GCSS-MC	1,187	1,187
22	FIRE SUPPORT SYSTEM	60,189	60,189
23	INTELLIGENCE SUPPORT EQUIPMENT	73,848	73,848
25	UNMANNED AIR SYSTEMS (INTEL)	3,848	3,848
26	DCGS-MC	16,081	16,081
	OTHER SUPPORT (NON-TEL)		
30	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	87,120	87,120
31	COMMON COMPUTER RESOURCES	68,914	68,914
32	COMMAND POST SYSTEMS	124,838	99,870
	Operational limitations of NOTM		[-24,968]
33	RADIO SYSTEMS	279,680	279,680
34	COMM SWITCHING & CONTROL SYSTEMS	36,649	36,649
35	COMM & ELEC INFRASTRUCTURE SUPPORT	83,971	83,971
	CLASSIFIED PROGRAMS	3,626	3,626
	CLASSIFIED PROGRAMS		
	ADMINISTRATIVE VEHICLES		
36	COMMERCIAL CARGO VEHICLES	25,441	25,441
	TACTICAL VEHICLES		
37	MOTOR TRANSPORT MODIFICATIONS	11,392	11,392
38	JOINT LIGHT TACTICAL VEHICLE	607,011	607,011
39	FAMILY OF TACTICAL TRAILERS	2,393	2,393
40	TRAILERS	6,540	6,540
	ENGINEER AND OTHER EQUIPMENT		
41	ENVIRONMENTAL CONTROL EQUIP ASSORT	496	496
42	TACTICAL FUEL SYSTEMS	54	54
43	POWER EQUIPMENT ASSORTED	21,062	21,062
44	AMPHIBIOUS SUPPORT EQUIPMENT	5,290	5,290
45	EOD SYSTEMS	47,854	47,854
	MATERIALS HANDLING EQUIPMENT		
46	PHYSICAL SECURITY EQUIPMENT	28,306	28,306
	GENERAL PROPERTY		
47	FIELD MEDICAL EQUIPMENT	33,513	33,513
48	TRAINING DEVICES	52,040	41,632
	Excess to need		[-10,408]
49	FAMILY OF CONSTRUCTION EQUIPMENT	36,156	36,156
50	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	606	606
	OTHER SUPPORT		
51	ITEMS LESS THAN \$5 MILLION	11,608	11,608
	SPARES AND REPAIR PARTS		
53	SPARES AND REPAIR PARTS	25,804	25,804
	TOTAL PROCUREMENT, MARINE CORPS	2,860,410	2,746,934
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
1	F-35	4,261,021	4,193,521
	Program Realignment		[-67,500]
2	F-35 AP	406,000	406,000
18	O/A-X LIGHT ATTACK AIRCRAFT	0	350,000
	Procurement of O/A-X aircraft and long lead materials		[350,000]
	OTHER COMBAT AIRCRAFT		
3	C-135B	222,176	222,176
	TACTICAL AIRLIFT		
4	KC-46A TANKER	2,559,911	2,312,011
	Interim contractor support		[-102,700]
	Restore program accountability		[-145,200]
	OTHER AIRLIFT		
5	C-130J	35,858	35,858
6	HC-130J	129,437	129,437
8	MC-130J	770,201	770,201
9	MC-130J AP	218,000	218,000
	HELICOPTERS		
11	COMBAT RESCUE HELICOPTER	680,201	680,201
	MISSION SUPPORT AIRCRAFT		
13	CIVIL AIR PATROL A/C	2,719	2,719
	OTHER AIRCRAFT		
14	TARGET DRONES	139,053	139,053
15	COMPASS CALL MODS	108,113	108,113
17	MQ-9	221,707	341,707
	Increase to accelerate Advanced Battle Management System		[120,000]
	STRATEGIC AIRCRAFT		
19	B-2A	60,301	60,301
20	B-1B	51,290	51,290
21	B-52	105,519	100,719

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
	Air Force requested realignment		[-14,800]
	LRASM certification		[10,000]
	TACTICAL AIRCRAFT		
23	A-10	98,720	163,720
	Additional replacement wings		[65,000]
24	C-130J	10,831	10,831
25	F-15	548,109	548,109
26	F-16	324,323	324,323
27	F-22A	250,710	250,710
29	F-35 MODIFICATIONS	247,271	297,271
	F-35A Modifications increase		[50,000]
30	F-15 EFAW	147,685	147,685
31	INCREMENT 3.2B	9,007	9,007
33	KC-46A TANKER	8,547	8,547
	AIRLIFT AIRCRAFT		
34	C-5	77,845	77,845
36	C-17A	102,121	102,121
37	C-21	17,516	17,516
38	C-32A	4,537	4,537
39	C-37A	419	419
	TRAINER AIRCRAFT		
41	GLIDER MODS	137	137
42	T-6	22,550	22,550
43	T-1	21,952	21,952
44	T-38	70,623	70,623
	OTHER AIRCRAFT		
45	U-2 MODS	48,774	48,774
46	KC-10A (ATCA)	11,104	11,104
47	C-12	4,900	4,900
48	VC-25A MOD	36,938	36,938
49	C-40	251	251
50	C-130	22,094	96,094
	T56 Series 3.5 Engine Enhancement packages		[74,000]
51	C-130J MODS	132,045	132,045
52	C-135	113,076	113,076
53	OC-135B	5,913	5,913
54	COMPASS CALL MODS	49,885	49,885
55	COMBAT FLIGHT INSPECTION (CFIN)	499	499
56	RC-135	394,532	394,532
57	E-3	133,906	133,906
58	E-4	67,858	67,858
59	E-8	9,919	34,919
	Central Computer upgrade design		[25,000]
60	AIRBORNE WARNING AND CNTR SYS (AWACS) 40/45	57,780	57,780
61	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	14,293	14,293
62	H-1	2,940	2,940
63	H-60	55,466	55,466
64	RQ-4 MODS	23,715	23,715
65	HC/MC-130 MODIFICATIONS	37,754	37,754
66	OTHER AIRCRAFT	62,010	62,010
67	MQ-9 MODS	171,548	171,548
69	CV-22 MODS	60,416	60,416
	AIRCRAFT SPARES AND REPAIR PARTS		
70	INITIAL SPARES/REPAIR PARTS	956,408	1,006,408
	F-35A spares		[50,000]
	COMMON SUPPORT EQUIPMENT		
71	AIRCRAFT REPLACEMENT SUPPORT EQUIP	81,241	81,241
	POST PRODUCTION SUPPORT		
74	B-2A	1,763	1,763
75	B-2B	35,861	35,861
76	B-52	12,819	12,819
77	C-17A	10,114	10,114
79	F-15	2,545	2,545
81	F-16	11,718	11,718
82	F-22A	14,489	14,489
83	OTHER AIRCRAFT	9,928	9,928
84	RQ-4 POST PRODUCTION CHARGES	40,641	40,641
	INDUSTRIAL PREPAREDNESS		
86	INDUSTRIAL RESPONSIVENESS	17,378	17,378
	WAR CONSUMABLES		
88	WAR CONSUMABLES	29,342	29,342
	OTHER PRODUCTION CHARGES		
89	OTHER PRODUCTION CHARGES	1,502,386	1,502,386
	CLASSIFIED PROGRAMS	28,278	28,278
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	16,206,937	16,620,737
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		

**SEC. 4101. PROCUREMENT
(In Thousands of Dollars)**

Line	Item	FY 2019 Request	Senate Authorized
1	MISSILE REPLACEMENT EQ-BALLISTIC	36,786	36,786
	TACTICAL		
2	JOINT AIR-SURFACE STANDOFF MISSILE	430,708	430,708
3	LRASMO	44,185	54,385
	Restore reduction		[10,200]
4	SIDEWINDER (AIM-9X)	121,253	121,253
5	AMRAAM	337,886	337,886
6	PREDATOR HELLFIRE MISSILE	113,765	113,765
7	SMALL DIAMETER BOMB	105,034	105,034
8	SMALL DIAMETER BOMB II	100,861	92,861
	Unit price adjustment		[-8,000]
	INDUSTRIAL FACILITIES		
9	INDUSTRI'L PREPAREDNS/POL PREVENTION	787	787
	CLASS IV		
10	ICBM FUZE MOD	15,767	15,767
11	ICBM FUZE MOD AP	4,100	4,100
12	MM III MODIFICATIONS	129,199	129,199
13	AGM-65D MAVERICK	288	288
14	AIR LAUNCH CRUISE MISSILE (ALCM)	47,632	47,632
	MISSILE SPARES AND REPAIR PARTS		
16	REPLEN SPARES/REPAIR PARTS	97,481	97,481
	SPECIAL PROGRAMS		
18	SPECIAL UPDATE PROGRAMS	188,539	188,539
	CLASSIFIED PROGRAMS	895,183	895,183
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,669,454	2,671,654
	SPACE PROCUREMENT, AIR FORCE		
	SPACE PROGRAMS		
1	ADVANCED EHF	29,829	29,829
2	AF SATELLITE COMM SYSTEM	35,400	35,400
3	COUNTERSPACE SYSTEMS	1,121	1,121
4	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	27,867	27,867
5	WIDEBAND GAPPILLER SATELLITES(SPACE)	61,606	61,606
6	GENERAL INFORMATION TECH—SPACE	3,425	3,425
7	GPS III SPACE SEGMENT	69,386	69,386
8	GLOBAL POSITIONING (SPACE)	2,181	2,181
9	INTEG BROADCAST SERV	16,445	16,445
10	SPACEBORNE EQUIP (COMSEC)	31,895	31,895
12	MILSATCOM	11,265	11,265
13	EVOLVED EXPENDABLE LAUNCH CAPABILITY	709,981	709,981
14	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	994,555	994,555
15	SBIR HIGH (SPACE)	138,397	138,397
17	NUDET DETECTION SYSTEM	7,705	7,705
18	ROCKET SYSTEMS LAUNCH PROGRAM	47,609	47,609
19	SPACE FENCE	51,361	51,361
20	SPACE MODS	148,065	148,065
21	SPACELIFT RANGE SYSTEM SPACE	117,637	117,637
	SPARES		
22	SPARES AND REPAIR PARTS	21,812	21,812
	TOTAL SPACE PROCUREMENT, AIR FORCE	2,527,542	2,527,542
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	345,911	345,911
	CARTRIDGES		
2	CARTRIDGES	163,840	163,840
	BOMBS		
3	PRACTICE BOMBS	20,876	20,876
4	GENERAL PURPOSE BOMBS	259,308	259,308
5	MASSIVE ORDNANCE PENETRATOR (MOP)	38,111	38,111
6	JOINT DIRECT ATTACK MUNITION	234,198	234,198
7	B61	109,292	109,292
8	B61 AP	52,731	52,731
	OTHER ITEMS		
9	CAD/PAD	51,455	51,455
10	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,038	6,038
11	SPARES AND REPAIR PARTS	524	524
12	MODIFICATIONS	1,270	1,270
13	ITEMS LESS THAN \$5,000,000	4,604	4,604
	FLARES		
15	FLARES	125,286	125,286
	FUZES		
16	FUZES	109,358	109,358
	SMALL ARMS		
17	SMALL ARMS	64,502	64,502
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	1,587,304	1,587,304
	OTHER PROCUREMENT, AIR FORCE		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	6,949	6,949
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	36,002	36,002
3	CAP VEHICLES	1,022	1,022
4	CARGO AND UTILITY VEHICLES	42,696	49,879
	Procurement of 7 DABs for PACOM		[7,183]
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	30,145	30,145
6	SECURITY AND TACTICAL VEHICLES	1,230	3,903
	Procurement of 7 DABs for PACOM		[2,673]
7	SPECIAL PURPOSE VEHICLES	43,003	53,693
	Procurement of 7 DABs for PACOM		[10,690]
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	23,328	32,308
	Procurement of 7 DABs for PACOM		[8,980]
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	11,537	31,309
	Procurement of 7 DABs for PACOM		[19,772]
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	37,600	40,353
	Procurement of 7 DABs for PACOM		[2,753]
11	BASE MAINTENANCE SUPPORT VEHICLES	104,923	104,923
	COMM SECURITY EQUIPMENT(COMSEC)		
12	COMSEC EQUIPMENT	114,372	114,372
	INTELLIGENCE PROGRAMS		
13	INTERNATIONAL INTEL TECH & ARCHITECTURES	8,290	8,290
14	INTELLIGENCE TRAINING EQUIPMENT	2,099	2,099
15	INTELLIGENCE COMM EQUIPMENT	37,415	37,415
	ELECTRONICS PROGRAMS		
16	AIR TRAFFIC CONTROL & LANDING SYS	57,937	57,937
18	BATTLE CONTROL SYSTEM—FIXED	3,012	3,012
19	THEATER AIR CONTROL SYS IMPROVEMEN	19,989	19,989
20	WEATHER OBSERVATION FORECAST	45,020	45,020
21	STRATEGIC COMMAND AND CONTROL	32,836	32,836
22	CHEYENNE MOUNTAIN COMPLEX	12,454	12,454
23	MISSION PLANNING SYSTEMS	14,263	14,263
25	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	7,769	7,769
	SPCL COMM-ELECTRONICS PROJECTS		
26	GENERAL INFORMATION TECHNOLOGY	40,450	40,450
27	AF GLOBAL COMMAND & CONTROL SYS	6,619	6,619
28	MOBILITY COMMAND AND CONTROL	10,192	10,192
29	AIR FORCE PHYSICAL SECURITY SYSTEM	159,313	161,315
	Procurement of 7 DABs for PACOM		[2,002]
30	COMBAT TRAINING RANGES	132,675	132,675
31	MINIMUM ESSENTIAL EMERGENCY COMM N	140,875	140,875
32	WIDE AREA SURVEILLANCE (WAS)	92,104	92,104
33	C3 COUNTERMEASURES	45,152	45,152
34	GCSS-AF FOS	483	483
35	DEFENSE ENTERPRISE ACCOUNTING & MGT SYS	802	802
36	MAINTENANCE REPAIR & OVERHAUL INITIATIVE	12,207	12,207
37	THEATER BATTLE MGT C2 SYSTEM	7,644	7,644
38	AIR & SPACE OPERATIONS CENTER (AOC)	40,066	40,066
	AIR FORCE COMMUNICATIONS		
41	BASE INFORMATION TRANSP T INFRAST (BITI) WIRED	22,357	22,357
42	AFNET	102,836	102,836
43	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	3,145	3,145
44	USCENTCOM	13,194	13,194
	ORGANIZATION AND BASE		
45	TACTICAL C-E EQUIPMENT	161,231	161,231
47	RADIO EQUIPMENT	12,142	12,142
48	CCTV/AUDIOVISUAL EQUIPMENT	6,505	6,505
49	BASE COMM INFRASTRUCTURE	169,404	169,404
	MODIFICATIONS		
50	COMM ELECT MODS	10,654	10,654
	PERSONAL SAFETY & RESCUE EQUIP		
51	PERSONAL SAFETY AND RESCUE EQUIPMENT	51,906	51,906
	DEPOT PLANT+MTRLS HANDLING EQ		
52	MECHANIZED MATERIAL HANDLING EQUIP	88,298	88,298
	BASE SUPPORT EQUIPMENT		
53	BASE PROCURED EQUIPMENT	17,031	17,031
54	ENGINEERING AND EOD EQUIPMENT	82,635	82,635
55	MOBILITY EQUIPMENT	9,549	9,549
56	BASE MAINTENANCE AND SUPPORT EQUIPMENT	24,005	48,048
	Procurement of 7 DABs for PACOM		[24,043]
	SPECIAL SUPPORT PROJECTS		
58	DARP RC135	26,262	26,262
59	DCGS-AF	448,290	448,290

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
61	SPECIAL UPDATE PROGRAM	913,813	913,813
	CLASSIFIED PROGRAMS	17,258,069	17,258,069
	CLASSIFIED PROGRAMS		
	SPARES AND REPAIR PARTS		
63	SPARES AND REPAIR PARTS	86,365	86,365
	TOTAL OTHER PROCUREMENT, AIR FORCE	20,890,164	20,968,260
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, OSD		
43	MAJOR EQUIPMENT, OSD	35,295	35,295
	MAJOR EQUIPMENT, NSA		
42	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	5,403	5,403
	MAJOR EQUIPMENT, WHS		
46	MAJOR EQUIPMENT, WHS	497	497
	MAJOR EQUIPMENT, DISA		
7	INFORMATION SYSTEMS SECURITY	21,590	41,590
	<i>Sharkseer</i>		[20,000]
8	TELEPORT PROGRAM	33,905	33,905
9	ITEMS LESS THAN \$5 MILLION	27,886	27,886
10	NET CENTRIC ENTERPRISE SERVICES (NCES)	1,017	1,017
11	DEFENSE INFORMATION SYSTEM NETWORK	150,674	150,674
13	WHITE HOUSE COMMUNICATION AGENCY	94,610	94,610
14	SENIOR LEADERSHIP ENTERPRISE	197,246	197,246
15	JOINT REGIONAL SECURITY STACKS (JRSS)	140,338	140,338
16	JOINT SERVICE PROVIDER	107,182	87,682
	<i>General reduction</i>		[-19,500]
	MAJOR EQUIPMENT, DLA		
18	MAJOR EQUIPMENT	5,225	5,225
	MAJOR EQUIPMENT, DSS		
21	MAJOR EQUIPMENT	1,196	1,196
	MAJOR EQUIPMENT, DCAA		
1	ITEMS LESS THAN \$5 MILLION	2,542	2,542
	MAJOR EQUIPMENT, TJS		
44	MAJOR EQUIPMENT, TJS	4,360	4,360
45	MAJOR EQUIPMENT, TJS—CE2T2	904	904
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
26	THAAD	874,068	874,068
27	GROUND BASED MIDCOURSE	409,000	409,000
28	GROUND BASED MIDCOURSE AP	115,000	115,000
29	AEGIS BMD	593,488	593,488
30	AEGIS BMD AP	115,206	115,206
31	BMDs AN/TPY-2 RADARS	13,185	13,185
32	ISRAELI PROGRAMS	80,000	80,000
33	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	50,000	50,000
34	AEGIS ASHORE PHASE III	15,000	15,000
35	IRON DOME	70,000	70,000
36	AEGIS BMD HARDWARE AND SOFTWARE	97,057	97,057
	MAJOR EQUIPMENT, DHRA		
3	PERSONNEL ADMINISTRATION	10,630	10,630
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
23	VEHICLES	207	207
24	OTHER MAJOR EQUIPMENT	5,592	5,592
	MAJOR EQUIPMENT, DODEA		
20	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,723	1,723
	MAJOR EQUIPMENT, DCMA		
2	MAJOR EQUIPMENT	3,873	3,873
	MAJOR EQUIPMENT, DMACT		
19	MAJOR EQUIPMENT	13,106	13,106
	CLASSIFIED PROGRAMS	589,691	589,691
	CLASSIFIED PROGRAMS		
	AVIATION PROGRAMS		
50	ROTARY WING UPGRADES AND SUSTAINMENT	148,351	148,351
51	UNMANNED ISR	57,708	57,708
52	NON-STANDARD AVIATION	18,731	18,731
53	U-28	32,301	32,301
54	MH-47 CHINOOK	131,033	131,033
55	CV-22 MODIFICATION	32,529	32,529
56	MQ-9 UNMANNED AERIAL VEHICLE	24,621	24,621
57	PRECISION STRIKE PACKAGE	226,965	226,965
58	AC/MC-130J	165,813	165,813
59	C-130 MODIFICATIONS	80,274	80,274
	SHIPBUILDING		
60	UNDERWATER SYSTEMS	136,723	136,723
	AMMUNITION PROGRAMS		
61	ORDNANCE ITEMS <\$5M	357,742	357,742
	OTHER PROCUREMENT PROGRAMS		
62	INTELLIGENCE SYSTEMS	85,699	85,699
63	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	17,863	17,863

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2019 Request	Senate Authorized
64	OTHER ITEMS <\$5M	112,117	112,117
65	COMBATANT CRAFT SYSTEMS	7,313	7,313
66	SPECIAL PROGRAMS	14,026	14,026
67	TACTICAL VEHICLES	88,608	88,608
68	WARRIOR SYSTEMS <\$5M	438,590	438,590
69	COMBAT MISSION REQUIREMENTS	19,408	19,408
70	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	6,281	6,281
71	OPERATIONAL ENHANCEMENTS INTELLIGENCE	18,509	18,509
73	OPERATIONAL ENHANCEMENTS	367,433	367,433
	CBDP		
74	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	166,418	166,418
75	CB PROTECTION & HAZARD MITIGATION	144,519	144,519
	TOTAL PROCUREMENT, DEFENSE-WIDE	6,786,271	6,786,771
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
1	JOINT URGENT OPERATIONAL NEEDS FUND	100,025	100,025
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	100,025	100,025
	TOTAL PROCUREMENT	130,526,043	131,998,763

1 **SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY**

2 **OPERATIONS.**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2019 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
3	MQ-1 UAV	60,000	60,000
	ROTARY		
11	UH-60 BLACKHAWK M MODEL (MYP)	21,246	21,246
14	CH-47 HELICOPTER	25,000	25,000
	MODIFICATION OF AIRCRAFT		
17	MQ-1 PAYLOAD (MIP)	11,400	11,400
19	GRAY EAGLE MODS?	32,000	32,000
20	MULTI SENSOR ABN RECON (MIP)	51,000	51,000
32	RQ-7 UAV MODS	50,868	50,868
33	UAS MODS	3,402	3,402
	GROUND SUPPORT AVIONICS		
36	CMWS	84,387	84,387
37	COMMON INFRARED COUNTERMEASURES (CIRCM)	24,060	24,060
	TOTAL AIRCRAFT PROCUREMENT, ARMY	363,363	363,363
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
2	MSE MISSILE	260,000	260,000
	AIR-TO-SURFACE MISSILE SYSTEM		
5	HELLFIRE SYS SUMMARY	255,040	255,040
	ANTI-TANK/ASSAULT MISSILE SYS		
8	JAVELIN (AAWS-M) SYSTEM SUMMARY	31,120	31,120
11	GUIDED MLRS ROCKET (GMLRS)	624,500	624,500
13	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	171,138	171,138
14	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS)	112,973	112,973
	MODIFICATIONS		
16	ATACMS MODS	225,580	225,580
21	MLRS MODS	122,000	122,000
	TOTAL MISSILE PROCUREMENT, ARMY	1,802,351	1,802,351
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
1	BRADLEY PROGRAM	205,000	205,000
2	ARMORED MULTI PURPOSE VEHICLE (AMPV)	230,359	230,359
	MODIFICATION OF TRACKED COMBAT VEHICLES		
6	BRADLEY PROGRAM (MOD)	50,000	50,000
8	PALADIN INTEGRATED MANAGEMENT (PIM)	67,000	67,000
9	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	42,354	42,354
14	M1 ABRAMS TANK (MOD)	34,000	34,000
15	ABRAMS UPGRADE PROGRAM	455,000	455,000
	WEAPONS & OTHER COMBAT VEHICLES		
18	M240 MEDIUM MACHINE GUN (7.62MM)	126	126
22	MORTAR SYSTEMS	11,842	11,842

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
25	CARBINE	1,800	1,800
27	COMMON REMOTELY OPERATED WEAPONS STATION	3,378	3,378
	MOD OF WEAPONS AND OTHER COMBAT VEH		
32	M2 50 CAL MACHINE GUN MODS	4,920	4,920
34	M240 MEDIUM MACHINE GUN MODS	7	7
	SUPPORT EQUIPMENT & FACILITIES		
39	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	1,397	1,397
	TOTAL PROCUREMENT OF W&TCV, ARMY	1,107,183	1,107,183
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	3,392	3,392
2	CTG, 7.62MM, ALL TYPES	40	40
3	CTG, HANDGUN, ALL TYPES	17	17
4	CTG, .50 CAL, ALL TYPES	189	189
5	CTG, 20MM, ALL TYPES	1,605	1,605
7	CTG, 30MM, ALL TYPES	25,000	25,000
	MORTAR AMMUNITION		
9	60MM MORTAR, ALL TYPES	218	218
10	81MM MORTAR, ALL TYPES	484	484
	ARTILLERY AMMUNITION		
14	ARTILLERY PROJECTILE, 155MM, ALL TYPES	79,400	79,400
15	PROJ 155MM EXTENDED RANGE M982	72,985	72,985
16	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	63,900	63,900
	ROCKETS		
18	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	22,242	22,242
19	ROCKET, HYDRA 70, ALL TYPES	39,974	39,974
	OTHER AMMUNITION		
21	DEMOLITION MUNITIONS, ALL TYPES	5	5
22	GRENADES, ALL TYPES	8	8
	MISCELLANEOUS		
27	ITEMS LESS THAN \$5 MILLION (AMMO)	66	66
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	309,525	309,525
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
2	SEMITRAILERS, FLATBED:	8,000	8,000
3	AMBULANCE, 4 LITTER, 5/4 TON, 4X4	20,770	20,770
10	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	115,400	115,400
12	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	6,682	6,682
13	TACTICAL WHEELED VEHICLE PROTECTION KITS	50,000	50,000
14	MODIFICATION OF IN SVC EQUIP	186,377	186,377
	COMM—SATELLITE COMMUNICATIONS		
28	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	7,100	7,100
	COMM—COMBAT COMMUNICATIONS		
37	JOINT TACTICAL RADIO SYSTEM	1,560	1,560
42	TRACTOR RIDE	13,190	13,190
45	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	9,549	9,549
47	COTS COMMUNICATIONS EQUIPMENT	22,000	22,000
	COMM—INTELLIGENCE COMM		
50	CI AUTOMATION ARCHITECTURE (MIP)	9,800	9,800
	INFORMATION SECURITY		
55	COMMUNICATIONS SECURITY (COMSEC)	3	3
	COMM—LONG HAUL COMMUNICATIONS		
59	BASE SUPPORT COMMUNICATIONS	690	690
	COMM—BASE COMMUNICATIONS		
60	INFORMATION SYSTEMS	8,750	8,750
63	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	60,337	60,337
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
68	DCGS-A (MIP)	37,806	37,806
70	TROJAN (MIP)	6,926	6,926
71	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	2,011	2,011
75	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	5,370	5,370
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
80	CREW	42,651	42,651
81	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP)	20,050	20,050
82	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	12,974	12,974
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
85	NIGHT VISION DEVICES	463	463
86	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	2,861	2,861
87	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	60	60
88	RADIATION MONITORING SYSTEMS	11	11
90	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	251,062	251,062
91	FAMILY OF WEAPON SIGHTS (FWS)	525	525
94	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	26,146	26,146
96	MOD OF IN-SVC EQUIP (LLDR)	4,050	4,050
97	COMPUTER BALLISTICS: LHMCB XM32	960	960
98	MORTAR FIRE CONTROL SYSTEM	7,660	7,660

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
99	COUNTERFIRE RADARS	165,200	165,200
	ELECT EQUIP—AUTOMATION		
112	AUTOMATED DATA PROCESSING EQUIP	28,475	28,475
	CHEMICAL DEFENSIVE EQUIPMENT		
121	PROTECTIVE SYSTEMS	27	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	2,317
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
129	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	16,000	16,000
130	AREA MINE DETECTION SYSTEM (AMDS)	1	1
132	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	4,850	4,850
136	REMOTE DEMOLITION SYSTEMS	1	1
	COMBAT SERVICE SUPPORT EQUIPMENT		
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
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	17,527	17,527
	MAINTENANCE EQUIPMENT		
153	ITEMS LESS THAN \$5.0M (MAINT EQ)	268	268
	CONSTRUCTION EQUIPMENT		
159	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	25,700	25,700
	GENERATORS		
165	GENERATORS AND ASSOCIATED EQUIP	569	569
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
174	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	9,495	9,495
	OTHER SUPPORT EQUIPMENT		
176	M25 STABILIZED BINOCULAR	33	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
	TOTAL OTHER PROCUREMENT, ARMY	1,382,047	1,382,047
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
25	STUASLo UAV	35,065	35,065
	MODIFICATION OF AIRCRAFT		
32	SH-60 SERIES	4,858	4,858
34	EP-3 SERIES	5,380	5,380
44	SPECIAL PROJECT AIRCRAFT	2,165	2,165
49	COMMON ECM EQUIPMENT	9,820	9,820
51	COMMON DEFENSIVE WEAPON SYSTEM	3,206	3,206
61	QRC	2,410	2,410
63	RQ-21 SERIES	17,215	17,215
	TOTAL AIRCRAFT PROCUREMENT, NAVY	80,119	80,119
	WEAPONS PROCUREMENT, NAVY		
	STRATEGIC MISSILES		
3	TOMAHAWK		82,800
	Buy-back Tomahawk		[82,800]
	TACTICAL MISSILES		
4	AMRAAM	1,183	1,183
5	SIDEWINDER	381	381
12	HELLFIRE	1,530	1,530
15	AERIAL TARGETS	6,500	6,500
	GUNS AND GUN MOUNTS		
35	SMALL ARMS AND WEAPONS	1,540	1,540
	MODIFICATION OF GUNS AND GUN MOUNTS		
38	GUN MOUNT MODS	3,000	3,000
	TOTAL WEAPONS PROCUREMENT, NAVY	14,134	96,934
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	62,530	62,530
2	JDAM	93,019	93,019
3	AIRBORNE ROCKETS, ALL TYPES	2,163	2,163
4	MACHINE GUN AMMUNITION	5,000	5,000
6	CARTRIDGES & CART ACTUATED DEVICES	5,334	5,334
7	AIR EXPENDABLE COUNTERMEASURES	36,580	36,580
8	JATOS	747	747
11	OTHER SHIP GUN AMMUNITION	2,538	2,538
13	PYROTECHNIC AND DEMOLITION	1,807	1,807
15	AMMUNITION LESS THAN \$5 MILLION	2,229	229

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
	<i>Excess balances</i>		[−2,000]
	MARINE CORPS AMMUNITION		
19	MORTARS	2,018	2,018
21	DIRECT SUPPORT MUNITIONS	632	632
22	INFANTRY WEAPONS AMMUNITION	779	779
26	COMBAT SUPPORT MUNITIONS	164	164
29	ARTILLERY MUNITIONS	31,001	31,001
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	246,541	244,541
	OTHER PROCUREMENT, NAVY		
	OTHER SHIPBOARD EQUIPMENT		
21	UNDERWATER EOD PROGRAMS	9,200	9,200
	SMALL BOATS		
28	STANDARD BOATS	19,060	19,060
	ASW ELECTRONIC EQUIPMENT		
43	FIXED SURVEILLANCE SYSTEM	56,950	56,950
	SATELLITE COMMUNICATIONS		
77	SATELLITE COMMUNICATIONS SYSTEMS	3,200	3,200
	CRYPTOLOGIC EQUIPMENT		
82	CRYPTOLOGIC COMMUNICATIONS EQUIP	2,000	2,000
	SONOBUOYS		
88	SONOBUOYS—ALL TYPES	21,156	21,156
	OTHER ORDNANCE SUPPORT EQUIPMENT		
104	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	33,580	33,580
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
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
	SUPPLY SUPPORT EQUIPMENT		
118	FIRST DESTINATION TRANSPORTATION	500	500
	COMMAND SUPPORT EQUIPMENT		
123	MEDICAL SUPPORT EQUIPMENT	6,500	6,500
128	ENVIRONMENTAL SUPPORT EQUIPMENT	2,200	2,200
129	PHYSICAL SECURITY EQUIPMENT	19,389	19,389
	CLASSIFIED PROGRAMS	4,800	4,800
	TOTAL OTHER PROCUREMENT, NAVY	187,173	187,173
	PROCUREMENT, MARINE CORPS		
	INTELL/COMM EQUIPMENT (NON-TEL)		
22	FIRE SUPPORT SYSTEM	5,583	5,583
	TACTICAL VEHICLES		
37	MOTOR TRANSPORT MODIFICATIONS	44,440	44,440
	ENGINEER AND OTHER EQUIPMENT		
45	EOD SYSTEMS	8,000	8,000
	TOTAL PROCUREMENT, MARINE CORPS	58,023	58,023
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRLIFT		
6	HC-130J	100,000	100,000
	OTHER AIRCRAFT		
17	MQ-9	339,740	339,740
18	RQ-20B PUMA	13,500	13,500
	STRATEGIC AIRCRAFT		
20	B-1B	4,000	4,000
22	LARGE AIRCRAFT INFRARED COUNTERMEASURES	149,778	149,778
	TACTICAL AIRCRAFT		
23	A-10	10,350	10,350
	OTHER AIRCRAFT		
45	U-2 MODS	7,900	7,900
54	COMPASS CALL MODS	36,400	36,400
59	E-8	13,000	13,000
63	H-60	40,560	40,560
65	HC/MC-130 MODIFICATIONS	87,900	87,900
66	OTHER AIRCRAFT	53,731	53,731
68	MQ-9 UAS PAYLOADS	16,000	16,000
	AIRCRAFT SPARES AND REPAIR PARTS		
70	INITIAL SPARES/REPAIR PARTS	91,500	91,500
	COMMON SUPPORT EQUIPMENT		
71	AIRCRAFT REPLACEMENT SUPPORT EQUIP	32,529	32,529
72	OTHER PRODUCTION CHARGES	22,000	22,000
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	1,018,888	1,018,888
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
2	JOINT AIR-SURFACE STANDOFF MISSILE	61,600	84,400
	Buy-back JASSM-ER		[22,800]
5	AMRAAM	2,600	2,600

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
6	PREDATOR HELLFIRE MISSILE	255,000	255,000
7	SMALL DIAMETER BOMB	140,724	140,724
	CLASS IV		
13	AGM-65D MAVERICK	33,602	33,602
	TOTAL MISSILE PROCUREMENT, AIR FORCE	493,526	516,326
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
2	CARTRIDGES	29,587	29,587
	BOMBS		
4	GENERAL PURPOSE BOMBS	551,862	551,862
6	JOINT DIRECT ATTACK MUNITION	738,451	738,451
	FLARES		
15	FLARES	12,116	12,116
	FUZES		
16	FUZES	81,000	81,000
	SMALL ARMS		
17	SMALL ARMS	8,500	8,500
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	1,421,516	1,421,516
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	9,680	9,680
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	9,680	9,680
4	CARGO AND UTILITY VEHICLES	19,680	19,680
	SPECIAL PURPOSE VEHICLES		
6	SECURITY AND TACTICAL VEHICLES	24,880	24,880
7	SPECIAL PURPOSE VEHICLES	34,680	34,680
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	9,736	9,736
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	24,680	24,680
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	9,680	9,680
11	BASE MAINTENANCE SUPPORT VEHICLES	9,680	9,680
	INTELLIGENCE PROGRAMS		
15	INTELLIGENCE COMM EQUIPMENT	6,156	6,156
	ELECTRONICS PROGRAMS		
16	AIR TRAFFIC CONTROL & LANDING SYS	56,884	56,884
	SPCL COMM-ELECTRONICS PROJECTS		
29	AIR FORCE PHYSICAL SECURITY SYSTEM	46,236	46,236
37	THEATER BATTLE MGT C2 SYSTEM	2,500	2,500
	ORGANIZATION AND BASE		
45	TACTICAL C-E EQUIPMENT	27,911	27,911
	PERSONAL SAFETY & RESCUE EQUIP		
51	PERSONAL SAFETY AND RESCUE EQUIPMENT	13,600	13,600
	BASE SUPPORT EQUIPMENT		
53	BASE PROCURED EQUIPMENT	28,800	28,800
54	ENGINEERING AND EOD EQUIPMENT	53,500	53,500
55	MOBILITY EQUIPMENT	78,562	78,562
56	BASE MAINTENANCE AND SUPPORT EQUIPMENT	28,055	28,055
	SPECIAL SUPPORT PROJECTS		
59	DCGS-AF	2,000	2,000
	CLASSIFIED PROGRAMS	3,229,364	3,229,364
	TOTAL OTHER PROCUREMENT, AIR FORCE	3,725,944	3,725,944
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
8	TELEPORT PROGRAM	3,800	3,800
17	DEFENSE INFORMATION SYSTEMS NETWORK	12,000	12,000
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
25	COUNTER IED & IMPROVISED THREAT TECHNOLOGIES	5,534	5,534
	CLASSIFIED PROGRAMS	41,559	41,559
	CLASSIFIED PROGRAMS		
	AVIATION PROGRAMS		
47	MANNED ISR	5,000	5,000
48	MC-12	5,000	5,000
49	MH-60 BLACKHAWK	27,600	27,600
51	UNMANNED ISR	17,000	17,000
52	NON-STANDARD AVIATION	13,000	13,000
53	U-28	51,722	51,722
54	MH-47 CHINOOK	36,500	36,500
	AMMUNITION PROGRAMS		
61	ORDNANCE ITEMS <\$5M	100,850	100,850
	OTHER PROCUREMENT PROGRAMS		
62	INTELLIGENCE SYSTEMS	16,500	16,500
64	OTHER ITEMS <\$5M	7,700	7,700

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
67	TACTICAL VEHICLES	59,891	59,891
68	WARRIOR SYSTEMS <\$5M	21,135	21,135
69	COMBAT MISSION REQUIREMENTS	10,000	10,000
71	OPERATIONAL ENHANCEMENTS INTELLIGENCE	10,805	10,805
73	OPERATIONAL ENHANCEMENTS	126,539	126,539
	TOTAL PROCUREMENT, DEFENSE-WIDE	572,135	572,135
	TOTAL PROCUREMENT	12,782,468	12,886,068

1 **TITLE XLII—RESEARCH, DEVELOPMENT,**
2 **OPERATION, TEST, AND EVALUA-**
3 **TION**

4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
1	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	11,585	11,585
2	0601102A	DEFENSE RESEARCH SCIENCES	276,912	289,412
		Basic research increase		[7,500]
		Quantum information sciences		[5,000]
3	0601103A	UNIVERSITY RESEARCH INITIATIVES	65,283	65,283
4	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	92,115	97,115
		Basic research program increase		[5,000]
		SUBTOTAL BASIC RESEARCH	445,895	463,395
		APPLIED RESEARCH		
5	0602105A	MATERIALS TECHNOLOGY	28,600	28,600
6	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	32,366	37,366
		Program increase		[5,000]
7	0602122A	TRACTOR HIP	8,674	8,674
8	0602126A	TRACTOR JACK	400	400
9	0602211A	AVIATION TECHNOLOGY	64,847	59,847
		Mission systems / engine and drives coordination		[-5,000]
10	0602270A	ELECTRONIC WARFARE TECHNOLOGY	25,571	25,571
11	0602303A	MISSILE TECHNOLOGY	50,183	50,183
12	0602307A	ADVANCED WEAPONS TECHNOLOGY	29,502	29,502
13	0602308A	ADVANCED CONCEPTS AND SIMULATION	28,500	38,500
		Pilot for cyber modeling and simulation		[10,000]
14	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	70,450	70,450
15	0602618A	BALLISTICS TECHNOLOGY	75,541	75,541
16	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	5,032	5,032
17	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	12,394	12,394
18	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	40,444	42,944
		Advanced warheads technology		[2,500]
19	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	58,283	58,283
20	0602709A	NIGHT VISION TECHNOLOGY	29,582	29,582
21	0602712A	COUNTERMINE SYSTEMS	21,244	21,244
22	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	24,131	26,631
		General program increase		[2,500]
23	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	13,242	13,242
24	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	55,003	50,003
		General Program Reduction		[-5,000]
25	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	14,958	14,958
26	0602784A	MILITARY ENGINEERING TECHNOLOGY	78,159	78,159
27	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	21,862	21,862
28	0602786A	WARFIGHTER TECHNOLOGY	40,566	40,566
29	0602787A	MEDICAL TECHNOLOGY	90,075	90,075
		SUBTOTAL APPLIED RESEARCH	919,609	929,609
		ADVANCED TECHNOLOGY DEVELOPMENT		
30	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	39,338	39,338

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	Senate Authorized
31	0603002A	MEDICAL ADVANCED TECHNOLOGY	62,496	62,496
32	0603003A	AVIATION ADVANCED TECHNOLOGY	124,958	119,958
		Platform design and structures systems		[-5,000]
33	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	102,686	122,686
		Accelerate ERCA gun		[20,000]
34	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	119,739	192,239
		Modular scalable powertrain		[2,500]
		Prototype Next Generation Combat Vehicle		[70,000]
35	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	13,000	13,000
36	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	8,044	8,044
37	0603009A	TRACTOR HIKE	22,631	22,631
38	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	25,682	25,682
40	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	3,762	3,762
41	0603130A	TRACTOR NAIL	4,896	4,896
42	0603131A	TRACTOR EGGS	6,041	6,041
43	0603270A	ELECTRONIC WARFARE TECHNOLOGY	31,491	31,491
44	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	61,132	61,132
45	0603322A	TRACTOR CAGE	16,845	16,845
46	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	183,322	188,322
		Program increase		[5,000]
47	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	11,104	11,104
48	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,885	5,885
49	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	61,376	61,376
50	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	9,136	9,136
51	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	25,864	38,864
		Minor MILCON		[8,000]
		Program increase		[5,000]
52	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	34,883	37,383
		PNT research		[2,500]
53	0603794A	C3 ADVANCED TECHNOLOGY	52,387	47,387
		General program decrease		[-5,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	1,026,698	1,129,698
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
54	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	10,777	10,777
56	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	42,802	42,802
57	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	45,254	45,254
58	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	22,700	22,700
59	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	41,974	55,974
		Army UPL: Test and evaluation of M999 155mm		[14,000]
60	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	119,395	119,395
61	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	8,746	8,746
62	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	35,667	43,667
		ISR capabilities to support long range field artillery		[8,000]
63	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	7,350	7,350
64	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEMVAL	14,749	14,749
65	0603790A	NATO RESEARCH AND DEVELOPMENT	3,687	3,687
66	0603801A	AVIATION—ADV DEV	10,793	10,793
67	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	14,248	14,248
68	0603807A	MEDICAL SYSTEMS—ADV DEV	34,284	34,284
69	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	18,044	18,044
70	0604017A	ROBOTICS DEVELOPMENT	95,660	95,660
71	0604020A	CROSS FUNCTIONAL TEAM (CFT) ADVANCED DEVELOPMENT & PROTOTYPING	38,000	38,000
72	0604100A	ANALYSIS OF ALTERNATIVES	9,765	9,765
73	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	12,393	12,393
74	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	120,374	120,374
75	0604115A	TECHNOLOGY MATURATION INITIATIVES	95,347	95,347
76	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	95,085	95,085
77	0604118A	TRACTOR BEAM	52,894	52,894
79	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	77,939	77,939
80	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2)	51,030	81,030
		Accelerate delivery and capacity for IFPC		[30,000]
81	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	65,817	70,817
		Army Cyber Center of Excellence		[5,000]
82	1206120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	146,300	146,300
83	1206308A	ARMY SPACE SYSTEMS INTEGRATION	38,319	38,319
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	1,329,393	1,386,393
SYSTEM DEVELOPMENT & DEMONSTRATION				
84	0604201A	AIRCRAFT AVIONICS	32,293	32,293
85	0604270A	ELECTRONIC WARFARE DEVELOPMENT	78,699	78,699

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	Senate Authorized
88	0604328A	TRACTOR CAGE	17,050	17,050
89	0604601A	INFANTRY SUPPORT WEAPONS	83,155	83,155
90	0604604A	MEDIUM TACTICAL VEHICLES	3,704	3,704
91	0604611A	JAVELIN	10,623	10,623
92	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	11,950	11,950
93	0604633A	AIR TRAFFIC CONTROL	12,347	12,347
95	0604642A	LIGHT TACTICAL WHEELED VEHICLES	8,212	8,212
96	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	393,613	318,613
		<i>Mobile Protected Firepower decrease</i>		[-75,000]
97	0604710A	NIGHT VISION SYSTEMS—ENG DEV	139,614	139,614
98	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	4,507	4,507
99	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 SUBUNITION (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	79,706
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	69,204	78,204
		<i>Suite of Vehicle Protection Systems</i>		[9,000]
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
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	0
		<i>Duplication concern in contract writing systems</i>		[-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	42,866
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 (ALAMD)	277,607	277,607
143	0605766A	NATIONAL CAPABILITIES INTEGRATION (NIP)	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
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION:	3,192,689	3,084,761
		RDT&E MANAGEMENT SUPPORT		
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	107,996
		<i>Program increase</i>		[25,000]
155	0605103A	RAND ARROYO CENTER	19,821	19,821

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	Senate Authorized
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	320,759
		<i>Increase to help manage directed energy workloads</i>		[15,000]
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
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	1,322,481	1,362,481
	999999999	CLASSIFIED PROGRAMS	5,955	5,955
		OPERATIONAL SYSTEMS DEVELOPMENT		
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 PRO- GRAMS.	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 DE- VELOPMENT.	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	65,369
198	0203429A	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
202	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	40,676	40,676
203	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PRO- GRAMS.	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	1,643
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 SYS- TEM 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	12,416
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	0307665A	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
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,922,614	1,922,614
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	10,159,379	10,278,951

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Line	Program Element	Item	FY 2019 Request	Senate Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
BASIC RESEARCH				
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	119,433	124,433
		Basic research program increase		[5,000]
2	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,237	19,237
3	0601153N	DEFENSE RESEARCH SCIENCES	458,708	468,708
		Basic research program increase		[5,000]
		Quantum information sciences		[5,000]
		SUBTOTAL BASIC RESEARCH	597,378	612,378
APPLIED RESEARCH				
4	0602114N	POWER PROJECTION APPLIED RESEARCH	14,643	17,143
		Directed energy		[2,500]
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	124,049	124,049
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	59,607	59,607
7	0602235N	COMMON PICTURE APPLIED RESEARCH	36,348	36,348
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	56,197	48,697
		ONR global growth		[-7,500]
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	83,800	83,800
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	42,998	42,998
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,349	6,349
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	58,049	78,049
		General program increase		[20,000]
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	147,771	147,771
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	37,545	37,545
15	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH	159,697	164,697
		Directed energy and electronic warfare/unmanned and autonomous systems		[5,000]
16	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES	64,418	64,418
		SUBTOTAL APPLIED RESEARCH	891,471	911,471
ADVANCED TECHNOLOGY DEVELOPMENT				
19	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	2,423	2,423
21	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	150,245	140,245
		Unjustified growth		[-10,000]
22	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	13,313	13,313
23	0603671N	NAVY ADVANCED TECHNOLOGY DEVELOPMENT (ATD)	131,502	131,502
24	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	232,996	232,996
25	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	58,657	58,657
30	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT	161,859	166,359
		DE & EW/unmanned and autonomous systems		[4,500]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	750,995	745,495
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
31	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	29,747	29,747
32	0603216N	AVIATION SURVIVABILITY	7,050	7,050
33	0603251N	AIRCRAFT SYSTEMS	793	793
34	0603254N	ASW SYSTEMS DEVELOPMENT	7,058	7,058
35	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,540	3,540
36	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	59,741	62,241
		Locust/HCUS/INP Transition		[2,500]
37	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	62,727	36,727
		Barracuda EDMs ahead of PDR and CDR		[-26,000]
38	0603506N	SURFACE SHIP TORPEDO DEFENSE	8,570	8,570
39	0603512N	CARRIER SYSTEMS DEVELOPMENT	5,440	5,440
40	0603525N	PILOT FISH	162,222	162,222
41	0603527N	RETRACT LARCH	11,745	11,745
42	0603536N	RETRACT JUNIPER	114,265	114,265
43	0603542N	RADIOLOGICAL CONTROL	740	740
44	0603553N	SURFACE ASW	1,122	1,122
45	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	109,086	112,586
		Advanced submarine propulsion development		[3,500]
46	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	9,374	9,374
47	0603563N	SHIP CONCEPT ADVANCED DESIGN	89,419	107,419
		CHAMP acceleration		[18,000]
48	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	13,348	13,348
49	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	256,137	256,137
50	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	22,109	22,109
51	0603576N	CHALK EAGLE	29,744	29,744
52	0603581N	LITTORAL COMBAT SHIP (LCS)	27,997	27,997
53	0603582N	COMBAT SYSTEM INTEGRATION	16,351	16,351
54	0603595N	OHIO REPLACEMENT	514,846	514,846
55	0603596N	LCS MISSION MODULES	103,633	133,033

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Line	Program Element	Item	FY 2019 Request	Senate Authorized
		Project 2552: Align with deferred LCS-6 SSMM test		[-5,000]
		Transfer from PE 64028N		[16,700]
		Transfer from PE 64126N		[10,100]
		Transfer from PE 64127N		[7,600]
56	0603597N	AUTOMATED TEST AND ANALYSIS	7,931	7,931
57	0603599N	FRIGATE DEVELOPMENT	134,772	134,772
58	0603609N	CONVENTIONAL MUNITIONS	9,307	9,307
60	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	1,828	1,828
61	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	43,148	43,148
62	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	5,915	5,915
63	0603721N	ENVIRONMENTAL PROTECTION	19,811	19,811
64	0603724N	NAVY ENERGY PROGRAM	25,656	25,656
65	0603725N	FACILITIES IMPROVEMENT	5,301	5,301
66	0603734N	CHALK CORAL	267,985	267,985
67	0603739N	NAVY LOGISTIC PRODUCTIVITY	4,059	4,059
68	0603746N	RETRACT MAPLE	377,878	377,878
69	0603748N	LINK PLUMERIA	381,770	381,770
70	0603751N	RETRACT ELM	60,535	60,535
73	0603790N	NATO RESEARCH AND DEVELOPMENT	9,652	9,652
74	0603795N	LAND ATTACK TECHNOLOGY	15,529	0
		Program delay and no GLGP EMD FYDP funding		[-15,529]
75	0603851M	JOINT NON-LETHAL WEAPONS TESTING	27,581	27,581
76	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/ VAL	101,566	101,566
77	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	223,344	223,344
78	0604014N	F/A-18 INFRARED SEARCH AND TRACK (IRST)	108,700	132,700
		IRST block II risk reduction		[24,000]
79	0604027N	DIGITAL WARFARE OFFICE	26,691	26,691
80	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	16,717	0
		Transfer to PE 63596N		[-16,717]
81	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	30,187	30,187
82	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION	48,796	48,796
83	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	92,613	71,413
		Early to need		[-21,200]
84	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	58,121	58,121
86	0604126N	LITTORAL AIRBORNE MCM	17,622	7,522
		Transfer to PE 63596N		[-10,100]
87	0604127N	SURFACE MINE COUNTERMEASURES	18,154	10,554
		Transfer to PE 63596N		[-7,600]
88	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	47,278	47,278
90	0604289M	NEXT GENERATION LOGISTICS	11,081	11,081
92	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	7,107	7,107
93	0604454N	LX (R)	5,549	5,549
94	0604536N	ADVANCED UNDERSEA PROTOTYPING	87,669	87,669
95	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	132,818	132,818
96	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	7,230	7,230
97	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	143,062	143,062
99	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	8,889	8,889
100	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	25,291	25,291
101	0304240N	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	9,300	9,300
102	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	466	466
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	4,293,713	4,273,967
		SYSTEM DEVELOPMENT & DEMONSTRATION		
103	0603208N	TRAINING SYSTEM AIRCRAFT	12,798	12,798
104	0604212N	OTHER HELO DEVELOPMENT	32,128	32,128
105	0604214M	AV-8B AIRCRAFT—ENG DEV	46,363	30,163
		Lacks operational justification/need		[-16,200]
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	223,565
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	30,980
		Increase to advance aircrew physiological monitoring		[10,000]
119	0604269N	EA-18	147,419	242,719
		UPL—EA-18G Advanced Modes / Cognitive EW		[95,300]
120	0604270N	ELECTRONIC WARFARE DEVELOPMENT	89,824	121,424

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Line	Program Element	Item	FY 2019 Request	Senate Authorized
		UPL—EA—18G Offensive Airborne Electronic Attack Special Mission Pod.		[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	397,403
127	0604311N	LPD—17 CLASS SYSTEMS INTEGRATION	939	50,939
		Mk 41 VLS integration		[50,000]
128	0604329N	SMALL DIAMETER BOMB (SDB)	104,448	104,448
129	0604366N	STANDARD MISSILE IMPROVEMENTS	165,881	184,881
		Navy UPL: SM—6 Blk 1B 21" rocket motor		[19,000]
130	0604373N	AIRBORNE MCM	10,831	10,831
131	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	33,429	33,429
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	148,233
140	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	60,824	60,824
141	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	60,062	66,062
		Planning to support FY21 award of LHA—9		[6,000]
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 FACTORS	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
159	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	14,005	14,005
160	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	268,567	178,467
		Duplication concern in contract writing systems		[—26,300]
		Lengthy delivery timelines for Navy Personnel and Pay System		[—63,800]
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	718,942
169	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	6,759	6,759
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
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,042,480	6,148,080
		MANAGEMENT SUPPORT		
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	77,014
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	78,565
		Insufficient budget justification		[—9,000]
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

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Line	Program Element	Item	FY 2019 Request	Senate Authorized
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 AC- TIVITIES)	1,579	1,579
208	1206867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,684	8,684
		SUBTOTAL MANAGEMENT SUPPORT	1,020,569	1,011,569
	999999999	CLASSIFIED PROGRAMS	1,549,503	1,549,503
		OPERATIONAL SYSTEMS DEVELOPMENT		
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	130,515
214	0607700N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,127	3,127
215	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	157,679	157,679
216	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	43,198	43,198
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	193,086
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 (TMPC). Restore MST to maintain 2020 IOC	282,395	291,095
223	0204311N	INTEGRATED SURVEILLANCE SYSTEM	36,959	71,959
		Additional TRAPS units		[35,000]
224	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	15,454	15,454
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	21,522
		Cancel ER program		[-99,240]
231	0205604N	TACTICAL DATA LINKS	104,696	116,696
		UPL—Tactical Targeting Network Technology acceleration		[12,000]
232	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	28,421	28,421
233	0205632N	MK-48 ADCAP	94,155	94,155
234	0205633N	AVIATION IMPROVEMENTS	121,805	136,805
		UPL—F/A-18 E/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	0206333M	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	0
		Lacks operational justification/need		[-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	219,894
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

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		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	4,885,060	4,833,883
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	18,481,666	18,536,843
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	348,322	358,322
		Basic research program increase		[5,000]
		Quantum information sciences		[5,000]
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	154,991	154,991
3	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	14,506	17,006
		Directed energy research		[2,500]
		SUBTOTAL BASIC RESEARCH	517,819	530,319
		APPLIED RESEARCH		
4	0602102F	MATERIALS	125,373	129,373
		Advanced materials analysis		[4,000]
5	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	130,547	135,547
		High speed systems technology (hypersonic vehicle structures)		[5,000]
6	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	112,518	112,518
7	0602203F	AEROSPACE PROPULSION	190,919	213,419
		Affordable Responsive Modular Rocket		[15,000]
		Multi-mode propulsion		[3,000]
		Solid rocket motor produce on-demand		[2,000]
		Turbine engine technology		[2,500]
8	0602204F	AEROSPACE SENSORS	166,534	159,034
		General program reduction		[-7,500]
9	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEAD- QUARTERS ACTIVITIES.	8,288	8,288
11	0602602F	CONVENTIONAL MUNITIONS	112,841	112,841
12	0602605F	DIRECTED ENERGY TECHNOLOGY	141,898	145,898
		Skywave technologies laboratory		[4,000]
13	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	162,420	162,420
14	0602890F	HIGH ENERGY LASER RESEARCH	43,359	55,859
		Directed energy research		[2,500]
		High powered microwave		[10,000]
15	1206601F	SPACE TECHNOLOGY	117,645	123,645
		Wargaming and simulator lab		[6,000]
		SUBTOTAL APPLIED RESEARCH	1,312,342	1,358,842
		ADVANCED TECHNOLOGY DEVELOPMENT		
16	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	34,426	31,926
		General program reduction		[-5,000]
		Materials affordability		[2,500]
17	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	15,150	16,150
		Prevention/enhanced maintainability technologies		[1,000]
18	0603203F	ADVANCED AEROSPACE SENSORS	39,968	39,968
19	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	121,002	131,002
		Design/Manufacture aircraft aft body drag reduction devices		[10,000]
20	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	115,462	139,462
		General program increase		[9,000]
		Multi-mode propulsion		[5,000]
		Technology for the Sustainment of Strategic Systems		[10,000]
21	0603270F	ELECTRONIC COMBAT TECHNOLOGY	55,319	60,319
		RF/EO/IR warning and countermeasures		[5,000]
22	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	54,895	54,895
23	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	10,674	10,674
24	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOP- MENT.	36,463	36,463
25	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	194,981	194,981
26	0603605F	ADVANCED WEAPONS TECHNOLOGY	43,368	53,368
		Demonstrator laser weapon system		[10,000]
27	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	42,025	42,025
28	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	51,064	51,064
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT ...	814,797	862,297
		ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES		
30	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,568	5,568
32	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	18,194	18,194
33	0603790F	NATO RESEARCH AND DEVELOPMENT	2,305	2,305
35	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	41,856	41,856
37	0604015F	LONG RANGE STRIKE—BOMBER	2,314,196	2,314,196
38	0604201F	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT	14,894	14,894
39	0604257F	ADVANCED TECHNOLOGY AND SENSORS	34,585	34,585
40	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP	9,740	9,740

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41	0604317F	TECHNOLOGY TRANSFER	12,960	12,960
42	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	71,501	71,501
43	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	62,618	62,618
46	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	28,350	38,350
		Tanker prototype		[10,000]
48	0604858F	TECH TRANSITION PROGRAM	1,186,075	1,408,875
		Acceleration of Hypersonic Conventional Strike Weapon		[100,000]
		Low cost attritable aircraft prototype		[80,000]
		Rapid Sustainment Initiative		[42,800]
49	0605230F	GROUND BASED STRATEGIC DETERRENT	345,041	414,441
		UPL program acceleration		[69,400]
50	0207110F	NEXT GENERATION AIR DOMINANCE	503,997	503,997
51	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	40,326	40,326
52	0208099F	UNIFIED PLATFORM (UP)	29,800	29,800
54	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	41,880	41,880
55	0305601F	MISSION PARTNER ENVIRONMENTS	10,074	10,074
56	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	253,825	253,825
57	0306415F	ENABLED CYBER ACTIVITIES	16,325	16,325
59	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	17,577	0
		Duplication concern		[-17,577]
60	1203164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	286,629	286,629
61	1203710F	EO/IR WEATHER SYSTEMS	7,940	7,940
62	1206422F	WEATHER SYSTEM FOLLOW-ON	138,052	138,052
63	1206425F	SPACE SITUATION AWARENESS SYSTEMS	39,338	39,338
64	1206434F	MIDTERM POLAR MILSATCOM SYSTEM	383,113	383,113
65	1206438F	SPACE CONTROL TECHNOLOGY	91,018	91,018
66	1206730F	SPACE SECURITY AND DEFENSE PROGRAM	45,542	45,542
67	1206760F	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	51,419	51,419
68	1206761F	PROTECTED TACTICAL SERVICE (PTS)	29,776	29,776
69	1206855F	PROTECTED SATCOM SERVICES (PSCS)—AGGREGATED	29,379	29,379
70	1206857F	OPERATIONALLY RESPONSIVE SPACE	366,050	316,050
		Space RCO Solar Power Project—Early to need		[-50,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	6,529,943	6,764,566
		SYSTEM DEVELOPMENT & DEMONSTRATION		
71	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	39,602	39,602
72	0604201F	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT	58,531	58,531
73	0604222F	NUCLEAR WEAPONS SUPPORT	4,468	4,468
74	0604270F	ELECTRONIC WARFARE DEVELOPMENT	1,909	1,909
75	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	207,746	257,746
		Increase to accelerate 21st Century Battle Management Command and Control.		[50,000]
76	0604287F	PHYSICAL SECURITY EQUIPMENT	14,421	14,421
77	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	73,158	73,158
81	0604429F	AIRBORNE ELECTRONIC ATTACK	7,153	7,153
83	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	58,590	58,590
84	0604604F	SUBMUNITIONS	2,990	2,990
85	0604617F	AGILE COMBAT SUPPORT	20,028	20,028
86	0604618F	JOINT DIRECT ATTACK MUNITION	15,787	15,787
87	0604706F	LIFE SUPPORT SYSTEMS	8,919	8,919
88	0604735F	COMBAT TRAINING RANGES	35,895	35,895
89	0604800F	F-35—EMD	69,001	69,001
90	0307581F	JSTARS RECAP	0	50,000
		Continue JSTARS recap GMTI radar development		[50,000]
91	0604932F	LONG RANGE STANDOFF WEAPON	614,920	699,920
		UPL Program acceleration		[85,000]
92	0604933F	ICBM FUZE MODERNIZATION	172,902	172,902
97	0605221F	KC-46	88,170	88,170
98	0605223F	ADVANCED PILOT TRAINING	265,465	265,465
99	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
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

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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	743,126
		<i>Accelerate sensor development</i>		[100,000]
130	1206853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	245,447	245,447
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	5,272,191	5,557,191
		MANAGEMENT SUPPORT		
131	0604256F	THREAT SIMULATOR DEVELOPMENT	34,256	34,256
132	0604759F	MAJOR T&E INVESTMENT	91,844	106,844
		<i>Test infrastructure improvements</i>		[15,000]
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	692,784
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
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	19,721
162	1206864F	SPACE TEST PROGRAM (STP)	25,620	25,620
		SUBTOTAL MANAGEMENT SUPPORT	2,839,511	2,854,511
	999999999	CLASSIFIED PROGRAMS	16,534,124	16,534,124
		OPERATIONAL SYSTEMS DEVELOPMENT		
165	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	11,344	11,344
167	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	47,287	13,141
		<i>Poor agile development implementation and lengthy delivery timeline</i>		[-34,146]
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	295,214
		<i>Air Force requested realignment</i>		[14,800]
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	192,883
191	0207136F	MANNED DESTRUCTIVE SUPPRESSION	15,238	15,238
192	0207138F	F-22A SQUADRONS	603,553	603,553
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

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202	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	60,062	60,062
203	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	106,102	106,102
204	0207412F	CONTROL AND REPORTING CENTER (CRC)	6,413	6,413
205	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	120,664	130,664
		Increase to accelerate 21st Century Battle Management Command and Control.		[10,000]
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
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	106,873
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 (ATCAL).	6,271	6,271
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	48,518
270	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	175,334	175,334
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	221,690
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 ARCHITECTURES.	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	15,873
		Poor agile development implementation		[-35,060]
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

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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 DEVELOPMENT.	99,734	87,918
		Poor agile development implementation		[-11,816]
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	1203165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL 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 TECHNOLOGY 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	62,256
		Assumed cost savings		[-10,000]
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 CONTROL SEGMENT.	513,235	513,235
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	22,891,740	22,825,518
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF ...	40,178,343	40,753,244
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH	37,023	37,023
2	0601101E	DEFENSE RESEARCH SCIENCES	422,130	429,630
		Basic research program increase		[5,000]
		Critical materials		[2,500]
3	0601110D8Z	BASIC RESEARCH INITIATIVES	42,702	52,702
		Quantum information sciences		[5,000]
		University-lab research partnership		[5,000]
4	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	47,825	57,825
		TBI Treatment for blast injuries		[10,000]
5	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	85,919	85,919
6	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	30,412	30,412
7	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	42,103	42,103
		SUBTOTAL BASIC RESEARCH	708,114	735,614
		APPLIED RESEARCH		
8	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,170	21,670
		Insensitive munitions		[2,500]
9	0602115E	BIOMEDICAL TECHNOLOGY	101,300	101,300
11	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	51,596	51,596
12	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	60,688	53,188
		General program reduction		[-7,500]
13	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	395,317	395,317
14	0602383E	BIOLOGICAL WARFARE DEFENSE	38,640	38,640
15	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	192,674	192,674
16	0602668D8Z	CYBER SECURITY RESEARCH	14,969	14,969
17	0602702E	TACTICAL TECHNOLOGY	335,466	332,966
		General program increase		[2,500]
		MAD-FIRES reduction		[-5,000]
18	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	226,898	211,898
		General program reduction		[-15,000]
19	0602716E	ELECTRONICS TECHNOLOGY	333,847	333,847
20	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	161,151	161,151
21	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	9,300	9,300
22	1160401BB	SOF TECHNOLOGY DEVELOPMENT	35,921	35,921
		SUBTOTAL APPLIED RESEARCH	1,976,937	1,954,437
		ADVANCED TECHNOLOGY DEVELOPMENT		
23	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,598	25,598
24	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	125,271	111,271
		General program reduction		[-14,000]
25	0603133D8Z	FOREIGN COMPARATIVE TESTING	24,532	24,532
27	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	299,858	299,858

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28	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	13,017	13,017
29	0603178C	WEAPONS TECHNOLOGY	0	13,400
		MDA UPL: Accelerate hypersonic missile defense		[13,400]
31	0603180C	ADVANCED RESEARCH	20,365	42,565
		Accelerate hypersonic missile defense		[22,200]
32	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,644	18,644
34	0603286E	ADVANCED AEROSPACE SYSTEMS	277,603	282,603
		Hypersonics weapons programs development and transition		[5,000]
35	0603287E	SPACE PROGRAMS AND TECHNOLOGY	254,671	364,671
		Blackjack increase		[110,000]
36	0603288D8Z	ANALYTIC ASSESSMENTS	19,472	19,472
37	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	37,263	37,263
38	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA	13,621	13,621
39	0603294C	COMMON KILL VEHICLE TECHNOLOGY	189,753	189,753
40	0603342D8W	DEFENSE INNOVATION UNIT EXPERIMENTAL (DIUX)	29,364	29,864
		Defense technology innovation		[500]
41	0603375D8Z	TECHNOLOGY INNOVATION	83,143	103,143
		Commercial SAR satellites		[20,000]
42	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	142,826	142,826
43	0603527D8Z	RETRACT LARCH	161,128	161,128
44	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	12,918	12,918
45	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	106,049	106,049
46	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	12,696	5,196
		General program reduction		[-7,500]
47	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	114,637	121,637
		Enhancing cybersecurity for small vendors		[5,000]
		Eye protection system		[2,000]
48	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	49,667	52,167
		General program increase		[2,500]
49	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	48,338	48,338
50	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	11,778	12,778
		General program increase		[1,000]
52	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	76,514	86,514
		Readiness Increase		[10,000]
53	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	168,931	173,931
		Tunable filter, support for microelectronics development		[5,000]
54	0603727D8Z	JOINT WARFIGHTING PROGRAM	5,992	5,992
55	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	111,099	118,599
		Support for the Electronics Resurgence Initiative		[7,500]
56	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	185,984	185,984
57	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	438,569	428,569
		General program reduction		[-10,000]
58	0603767E	SENSOR TECHNOLOGY	190,128	191,628
		Sensors and processing systems technology		[1,500]
59	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	13,564	13,564
60	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	15,050	15,050
61	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	69,626	59,626
		General program reduction		[-10,000]
62	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY	19,415	19,415
63	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	69,533	69,533
64	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	96,389	111,389
		Hypersonics and directed energy test		[10,000]
		Workforce development		[5,000]
65	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	40,582	50,582
		Readiness Increase		[10,000]
66	0303310D8Z	CWMD SYSTEMS	26,644	26,644
67	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	79,380	79,380
300	8888	NATIONAL SECURITY INNOVATION ACTIVITIES	0	150,000
		Establish office for capital investment		[150,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT ...	3,699,612	4,038,712
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
68	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	28,140	28,140
69	0603600D8Z	WALKOFF	92,222	92,222
70	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES ...	2,506	2,506
71	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	40,016	50,016
		Readiness Increase		[10,000]
72	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT ..	214,173	398,273
		MDA UPL: USFK JEON		[184,100]
73	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	926,359	718,359
		Reduce FY19 Numbers		[-208,000]

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74	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	129,886	129,886
75	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	220,876	244,876
		MDA UPL: USFK JEON		[24,000]
76	0603890C	BMD ENABLING PROGRAMS	540,926	540,926
77	0603891C	SPECIAL PROGRAMS—MDA	422,348	422,348
78	0603892C	AEGIS BMD	767,539	767,539
81	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI. Inconsistent capability delivery	475,168	425,168
				[-50,000]
82	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	48,767	48,767
83	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC). REGARDING TRENCH	54,925	54,925
84	0603906C	REGARDING TRENCH	16,916	16,916
85	0603907C	SEA BASED X-BAND RADAR (SBX)	149,715	116,715
		Reduce FY19 Numbers		[-33,000]
86	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
87	0603914C	BALLISTIC MISSILE DEFENSE TEST	365,681	437,581
		MDA UPL: USFK JEON		[71,900]
88	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	517,852	486,352
		MDA UPL: USFK JEON		[4,500]
		Reduce FY19 Numbers		[-36,000]
89	0603920D8Z	HUMANITARIAN DEMING	11,347	11,347
90	0603923D8Z	COALITION WARFARE	8,528	8,528
91	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,477	8,477
		Corrosion prevention		[5,000]
92	0604115C	TECHNOLOGY MATURATION INITIATIVES	148,822	228,822
		Laser scaling for boost phase intercept		[80,000]
93	0604132D8Z	MISSILE DEFEAT PROJECT	58,607	58,607
94	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING. HYPERSONIC DEFENSE	12,993	12,993
95	0604181C	HYPERSONIC DEFENSE	120,444	130,944
		Accelerate hypersonic missile defense		[10,500]
96	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	1,431,702	1,481,702
		Quartermaster Pathfinder		[50,000]
97	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	233,142	238,642
		New trust approach development		[5,500]
98	0604331D8Z	RAPID PROTOTYPING PROGRAM	99,333	99,333
99	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT. PACIFIC DISCRIMINATING RADAR	3,781	3,781
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. LONG RANGE DISCRIMINATION RADAR (LRDR)	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
		Reduce FY19 Numbers		[-139,400]
106	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST. AEGIS BMD 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	27,692
111	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	81,934	72,634
		Reduce FY19 Numbers		[-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	89,484
		MDA UPL: Initiate missile defense tracking system		[73,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES.	8,709,725	8,752,525
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
118	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD. PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	8,333	8,333
119	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	263,414	263,414
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. INFORMATION TECHNOLOGY DEVELOPMENT	6,163	6,163
123	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	11,988	0
		Lengthy delivery timelines		[-11,988]
124	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	296	296
125	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	1,489	1,489
126	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	9,590	9,590
127	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	3,173	3,173

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128	0605075D8Z	DCMO POLICY AND INTEGRATION	2,105	3,105
		Data and advanced analytics		[1,000]
129	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCLAL 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	0
		Duplication concern		[-6,374]
133	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	56,178	58,678
		New trust approach development		[2,500]
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
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION.	831,189	816,327
	999999999	CLASSIFIED PROGRAMS	45,604	45,604
		MANAGEMENT SUPPORT		
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	268,796
		Advanced hypersonic wind tunnel experimentation		[10,000]
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	89,184
		Cyber range capacity and development		[5,000]
143	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	22,576	17,576
		General program reduction		[-5,000]
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	52,565	52,565
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
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	25,179
		Improve software testing capabilities		[5,000]
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 (CE2T2)—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
		SUBTOTAL MANAGEMENT SUPPORT	1,117,030	1,132,030
	999999999	CLASSIFIED PROGRAMS	3,877,898	3,887,898
		Classified increase		[10,000]
		OPERATIONAL SYSTEM DEVELOPMENT		
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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	Senate Authorized
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	CAH 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	7,940
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	3,262
		General program reduction		[-3,000]
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	10,954
		Personnel security and continuous evaluation		[5,000]
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	184,993
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
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
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	4,973,946	4,985,946
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW ..	22,016,553	22,415,591
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	85,685	85,685
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	64,332	64,332
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	70,992	81,892
		Increase for test and evaluation technologies		[10,900]
		SUBTOTAL MANAGEMENT SUPPORT	221,009	231,909
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	221,009	231,909
		TOTAL RDT&E	91,056,950	92,216,538

1 **SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 2 **TION FOR OVERSEAS CONTINGENCY OPER-**
 3 **ATIONS.**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2019 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
56	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	1,000	1,000

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)**

Line	Program Element	Item	FY 2019 Request	Senate Authorized
58	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	1,500	1,500
61	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	3,000	3,000
76	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	23,000	23,000
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	28,500	28,500
		SYSTEM DEVELOPMENT & DEMONSTRATION		
88	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—RH13	1,200	1,200
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	236,863	236,863
		OPERATIONAL SYSTEMS DEVELOPMENT		
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	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	14,000
231	0307665A	BIOMETRICS ENABLED INTELLIGENCE	2,214	2,214
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ...	59,741	59,741
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	325,104	325,104
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
41	0603527N	RETRACT LARCH	18,000	18,000
61	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	13,900	13,900
74	0603795N	LAND ATTACK TECHNOLOGY	1,400	1,400
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	33,300	33,300
		SYSTEM DEVELOPMENT & DEMONSTRATION		
149	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	1,100	1,100
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	1,100	1,100
		OPERATIONAL SYSTEMS DEVELOPMENT		
236	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	16,130	16,130
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ...	133,412	133,412
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	167,812	167,812
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
65	1206438F	SPACE CONTROL TECHNOLOGY	1,100	1,100
70	1206857F	OPERATIONALLY RESPONSIVE SPACE	12,395	12,395
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	13,495	13,495
		OPERATIONAL SYSTEMS DEVELOPMENT		
999999999		CLASSIFIED PROGRAMS	188,127	188,127
		OPERATIONAL SYSTEMS DEVELOPMENT		
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
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ...	300,776	300,776
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF ..	314,271	314,271
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW ADVANCED TECHNOLOGY DEVELOPMENT		

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)**

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
24	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	25,000	25,000
26	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION	13,648	13,648
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	38,648	38,648
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
94	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	242,668	242,668
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES.	242,668	242,668
	9999999999	CLASSIFIED PROGRAMS	192,131	192,131
		OPERATIONAL SYSTEM DEVELOPMENT		
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
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	219,228	219,228
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	500,544	500,544
		TOTAL RDT&E	1,307,731	1,307,731

1 **TITLE XLIII—OPERATION AND**
2 **MAINTENANCE**

3 **SEC. 4301. OPERATION AND MAINTENANCE.**

**SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)**

<i>Line</i>	<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	2,076,360	2,076,360
020	MODULAR SUPPORT BRIGADES	107,946	107,946
030	ECHELONS ABOVE BRIGADE	732,485	732,485
040	THEATER LEVEL ASSETS	1,169,508	1,169,508
050	LAND FORCES OPERATIONS SUPPORT	1,180,460	1,180,460
060	AVIATION ASSETS	1,467,500	1,467,500
070	FORCE READINESS OPERATIONS SUPPORT	4,285,211	4,285,211
080	LAND FORCES SYSTEMS READINESS	482,201	482,201
090	LAND FORCES DEPOT MAINTENANCE	1,536,851	1,536,851
100	BASE OPERATIONS SUPPORT	8,274,299	8,274,299
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,516,859	3,516,859
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	210,264
	SOUTHCOM ABN GFE Sensor (GEOINT/SIGINT)		[4,200]
	SOUTHCOM Cyber HUMINT (CME/OPS)		[1,000]
	SOUTHCOM OSINT/PAI (CME/LIC/TOOLS)		[1,600]
	SOUTHCOM Overland Airborne ISR Flight Hours		[7,200]
	SOUTHCOM SIGINT Suite COMSAT RF		[300]
210	US FORCES KOREA	59,625	59,625
	SUBTOTAL OPERATING FORCES	25,905,788	25,920,088
	MOBILIZATION		
220	STRATEGIC MOBILITY	370,941	370,941
230	ARMY PREPOSITIONED STOCKS	573,560	573,560
240	INDUSTRIAL PREPAREDNESS	7,678	7,678
	SUBTOTAL MOBILIZATION	952,179	952,179
	TRAINING AND RECRUITING		
250	OFFICER ACQUISITION	135,832	135,832
260	RECRUIT TRAINING	54,819	54,819

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2019 Request	Senate Authorized
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	498,962
	<i>Marketing Cuts</i>		[-200,000]
340	EXAMINING	162,049	162,049
350	OFF-DUTY AND VOLUNTARY EDUCATION	215,622	215,622
360	CIVILIAN EDUCATION AND TRAINING	176,914	176,914
370	JUNIOR RESERVE OFFICER TRAINING CORPS	174,430	174,430
	SUBTOTAL TRAINING AND RECRUITING	5,141,369	4,941,369
	CLASSIFIED PROGRAMS	1,259,622	1,259,622
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	588,047	588,047
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	48,251
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	10,009,981	10,009,981
	UNDISTRIBUTED		
1	UNDISTRIBUTED	0	-200,000
	<i>Army misrepresentation of civilian pay budget request</i>		[-200,000]
	SUBTOTAL UNDISTRIBUTED	0	-200,000
	TOTAL OPERATION & MAINTENANCE, ARMY	42,009,317	41,623,617
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
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, RESTORATION & MODERNIZATION	304,658	304,658
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	22,175	22,175
	SUBTOTAL OPERATING FORCES	2,797,361	2,797,361
	ADMIN & SRVWD ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	119,548	119,548
	TOTAL OPERATION & MAINTENANCE, ARMY RES	2,916,909	2,916,909
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	810,269	810,269
020	MODULAR SUPPORT BRIGADES	193,402	193,402
030	ECHELONS ABOVE BRIGADE	753,815	753,815

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2019 Request	Senate Authorized
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, RESTORATION & MODERNIZATION	919,947	919,947
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,010,524	1,010,524
	SUBTOTAL OPERATING FORCES	6,964,850	6,964,850
ADMIN & SRVWD ACTIVITIES			
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	434,445	434,445
	TOTAL OPERATION & MAINTENANCE, ARNG	7,399,295	7,399,295
OPERATION & MAINTENANCE, NAVY OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	5,372,399	5,372,399
020	FLEET AIR TRAINING	2,023,351	2,023,351
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	1,253,756
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	66,649	66,649
080	AVIATION LOGISTICS	939,368	939,368
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	8,751,526
120	SHIP DEPOT OPERATIONS SUPPORT	2,168,876	2,168,876
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,349,593	1,351,293
	SOUTHCOM CCO Sensor Integration		[1,700]
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	823,952
290	OTHER WEAPON SYSTEMS SUPPORT	494,101	494,101
300	ENTERPRISE INFORMATION	921,936	876,936
	General reduction		[-45,000]
310	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,040,389	2,446,389
	FSRM to 100% max executable		[406,000]
320	BASE OPERATING SUPPORT	4,414,753	4,414,753
	SUBTOTAL OPERATING FORCES	41,725,992	42,088,692
MOBILIZATION			
330	SHIP PREPOSITIONING AND SURGE	549,142	549,142
340	READY RESERVE FORCE	310,805	310,805
360	SHIP ACTIVATIONS/INACTIVATIONS	161,150	161,150
370	EXPEDITIONARY HEALTH SERVICES SYSTEMS	120,338	120,338
390	COAST GUARD SUPPORT	24,097	24,097
	SUBTOTAL MOBILIZATION	1,165,532	1,165,532
TRAINING AND RECRUITING			
400	OFFICER ACQUISITION	145,481	145,481
410	RECRUIT TRAINING	9,637	9,637

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
420	RESERVE OFFICERS TRAINING CORPS	149,687	149,687
430	SPECIALIZED SKILL TRAINING	879,557	879,557
450	PROFESSIONAL DEVELOPMENT EDUCATION	184,436	184,436
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	CIVILLAN EDUCATION AND TRAINING	72,083	72,083
500	JUNIOR ROTC	54,156	54,156
	SUBTOTAL TRAINING AND RECRUITING	1,995,288	1,995,288
	CLASSIFIED PROGRAMS	574,994	574,994
	ADMIN & SRVWD ACTIVITIES		
510	ADMINISTRATION	1,089,964	1,089,964
530	CIVILLAN MANPOWER AND PERSONNEL MANAGEMENT	164,074	164,074
540	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,116,821	4,116,821
	TOTAL OPERATION & MAINTENANCE, NAVY	49,003,633	49,366,333
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	873,320	873,320
020	FIELD LOGISTICS	1,094,187	1,094,187
030	DEPOT MAINTENANCE	314,182	314,182
040	MARITIME PREPOSITIONING	98,136	98,136
050	CYBERSPACE ACTIVITIES	183,546	183,546
060	SUSTAINMENT, RESTORATION & MODERNIZATION	832,636	832,636
070	BASE OPERATING SUPPORT	2,151,390	2,151,390
	SUBTOTAL OPERATING FORCES	5,547,397	5,547,397
	TRAINING AND RECRUITING		
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
	SUBTOTAL TRAINING AND RECRUITING	818,144	818,144
	CLASSIFIED PROGRAMS	50,859	50,859
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	29,735	29,735
170	ADMINISTRATION	386,375	386,375
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	466,969	466,969
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	6,832,510	6,832,510
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
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	SUSTAINMENT, RESTORATION AND MODERNIZATION	36,356	36,356
120	BASE OPERATING SUPPORT	103,562	103,562
	SUBTOTAL OPERATING FORCES	1,009,112	1,009,112

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
ADMIN & SRVWD ACTIVITIES			
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	17,894	17,894
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,027,006	1,027,006
OPERATION & MAINTENANCE, MC RESERVE			
OPERATING FORCES			
010	OPERATING FORCES	99,173	99,173
020	DEPOT MAINTENANCE	19,430	19,430
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	39,962	39,962
040	BASE OPERATING SUPPORT	101,829	101,829
	SUBTOTAL OPERATING FORCES	260,394	260,394
ADMIN & SRVWD ACTIVITIES			
050	ADMINISTRATION	11,176	11,176
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	11,176	11,176
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	271,570	271,570
OPERATION & MAINTENANCE, AIR FORCE			
	CLASSIFIED PROGRAMS	1,164,810	1,164,810
OPERATING FORCES			
010	PRIMARY COMBAT FORCES	758,178	783,178
	Increase for F-35 sustainment to accelerate depot component repair capability		[25,000]
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	3,511,830
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,892,705	2,917,705
	Additional demo		[25,000]
060	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	7,613,084	8,258,984
	Increase for JSTARS buy-back		[95,900]
	WSS to 100% executable		[550,000]
070	FLYING HOUR PROGRAM	4,345,208	4,395,208
	Increase for JSTARS buy-back		[50,000]
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
918	UNDISTRIBUTED	0	156,800
	Procurement of 7 DABs for PACOM		[156,800]
	SUBTOTAL OPERATING FORCES	33,797,280	34,699,980
MOBILIZATION			
230	AIRLIFT OPERATIONS	1,307,695	1,307,695
240	MOBILIZATION PREPAREDNESS	144,417	144,417
	SUBTOTAL MOBILIZATION	1,452,112	1,452,112
TRAINING AND RECRUITING			
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
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

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	FY 2019 Request	Senate Authorized
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
	SUBTOTAL TRAINING AND RECRUITING	2,178,214	2,178,214
	CLASSIFIED PROGRAMS	1,222,456	1,222,456
	ADMIN & SRVWD ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,632,962	4,632,962
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	42,060,568	42,963,268
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
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	345,576
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	120,736	123,536
	Additional demo		[2,800]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	241,239	293,239
	WSS to 91%		[52,000]
060	BASE SUPPORT	385,922	385,922
	SUBTOTAL OPERATING FORCES	3,152,279	3,207,079
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
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
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	107,955	107,955
	TOTAL OPERATION & MAINTENANCE, AF RESERVE ..	3,260,234	3,315,034
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,619,940	2,621,540
	Restoring O&M associated with buyback of 3 PMAI JSTARS aircraft		[1,600]
020	MISSION SUPPORT OPERATIONS	623,265	623,265
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	748,287	748,287
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	303,792	303,792
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	1,061,759	1,061,759
060	BASE SUPPORT	988,333	999,333
	PFAS Transfer		[11,000]
	SUBTOTAL OPERATING FORCES	6,345,376	6,357,976
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
070	ADMINISTRATION	45,711	45,711
080	RECRUITING AND ADVERTISING	36,535	36,535
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	82,246	82,246
	TOTAL OPERATION & MAINTENANCE, ANG	6,427,622	6,440,222
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	430,215	432,715
	Operational logistics exercise elements		[2,500]
020	JOINT CHIEFS OF STAFF—CE2T2	602,186	602,186
040	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	5,389,250	5,389,250

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
	SUBTOTAL OPERATING FORCES	6,421,651	6,424,151
	TRAINING AND RECRUITING		
050	DEFENSE ACQUISITION UNIVERSITY	181,601	181,601
060	JOINT CHIEFS OF STAFF	96,565	96,565
070	SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING	370,583	370,583
	SUBTOTAL TRAINING AND RECRUITING	648,749	648,749
	CLASSIFIED PROGRAMS	15,645,192	15,645,192
	ADMIN & SRVWIDE ACTIVITIES		
080	CIVIL MILITARY PROGRAMS	166,131	166,131
100	DEFENSE CONTRACT AUDIT AGENCY	625,633	625,633
110	DEFENSE CONTRACT MANAGEMENT AGENCY	1,465,354	1,465,354
120	DEFENSE HUMAN RESOURCES ACTIVITY	859,923	859,923
130	DEFENSE INFORMATION SYSTEMS AGENCY	2,106,930	2,106,930
150	DEFENSE LEGAL SERVICES AGENCY	27,403	27,403
160	DEFENSE LOGISTICS AGENCY	379,275	379,275
170	DEFENSE MEDIA ACTIVITY	207,537	207,537
180	DEFENSE PERSONNEL ACCOUNTING AGENCY	130,696	130,696
190	DEFENSE SECURITY COOPERATION AGENCY	754,711	754,711
200	DEFENSE SECURITY SERVICE	789,175	852,775
	Additional civilian FTE		[18,600]
	New mission needs		[45,000]
220	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	34,951	34,951
230	DEFENSE THREAT REDUCTION AGENCY	553,329	553,329
250	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,892,284	2,942,284
	Impact aid for children with severe disabilities		[10,000]
	Impact aid for schools with military dependent students		[40,000]
260	MISSILE DEFENSE AGENCY	499,817	499,817
280	OFFICE OF ECONOMIC ADJUSTMENT	70,035	70,035
290	OFFICE OF THE SECRETARY OF DEFENSE	1,519,655	1,565,655
	CDC Health Study (sec. 312)		[10,000]
	Clearinghouse		[1,000]
	Defense Environmental International Cooperations (DEIC)		[1,000]
	Defense Fellows Program		[10,000]
	DOD emerging contaminants		[1,000]
	DOD environmental resilience		[1,000]
	DOD Rewards Program Cut		[-3,000]
	Readiness and Environmental Protection Initiative Increase		[25,000]
300	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES	97,787	97,787
310	WASHINGTON HEADQUARTERS SERVICES	456,407	456,407
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	29,282,225	29,441,825
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	36,352,625	36,514,725
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR ARMED FORCES, DEFENSE		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	14,662	14,662
	SUBTOTAL US COURT OF APPEALS FOR ARMED FORCES, DEFENSE	14,662	14,662
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	107,663	107,663
	SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	107,663	107,663
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	FORMER SOVIET UNION (FSU) THREAT REDUCTION	335,240	335,240
	SUBTOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	335,240	335,240
	DOD ACQUISITION WORKFORCE DEVELOPMENT FUND		
010	ACQ WORKFORCE DEV FD	400,000	400,000

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
	SUBTOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	400,000	400,000
	ENVIRONMENTAL RESTORATION, ARMY		
060	ENVIRONMENTAL RESTORATION, ARMY	203,449	203,449
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	203,449	203,449
	ENVIRONMENTAL RESTORATION, NAVY		
080	ENVIRONMENTAL RESTORATION, NAVY	329,253	329,253
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	329,253	329,253
	ENVIRONMENTAL RESTORATION, AIR FORCE		
100	ENVIRONMENTAL RESTORATION, AIR FORCE	296,808	285,808
	PEAS Transfer		[-11,000]
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	296,808	285,808
	ENVIRONMENTAL RESTORATION, DEFENSE		
120	ENVIRONMENTAL RESTORATION, DEFENSE	8,926	8,926
	SUBTOTAL ENVIRONMENTAL RESTORATION, DEFENSE	8,926	8,926
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
140	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	212,346	212,346
	SUBTOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	212,346	212,346
	TOTAL MISCELLANEOUS APPROPRIATIONS	1,908,347	1,897,347
	UNDISTRIBUTED		
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-216,520
	Foreign Currency Fluctuation		[-267,000]
	JROTC		[5,480]
	Operation and Maintenance, Air Force DSMOA		[10,000]
	Operation and Maintenance, Air National Guard DSMOA		[15,000]
	Operation and Maintenance, Army DSMOA		[10,000]
	Operation and Maintenance, Navy DSMOA		[10,000]
	SUBTOTAL UNDISTRIBUTED	0	-216,520
	TOTAL UNDISTRIBUTED	0	-216,520
	TOTAL OPERATION & MAINTENANCE	199,469,636	200,351,316

1 **SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS**

2 **CONTINGENCY OPERATIONS.**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	1,179,339	1,179,339
030	ECHELONS ABOVE BRIGADE	25,983	25,983
040	THEATER LEVEL ASSETS	2,189,916	2,189,916
050	LAND FORCES OPERATIONS SUPPORT	188,609	188,609
060	AVIATION ASSETS	120,787	120,787
070	FORCE READINESS OPERATIONS SUPPORT	3,867,286	3,867,286
080	LAND FORCES SYSTEMS READINESS	550,068	550,068
090	LAND FORCES DEPOT MAINTENANCE	195,873	195,873
100	BASE OPERATIONS SUPPORT	109,560	109,560
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	60,807	60,807
140	ADDITIONAL ACTIVITIES	5,992,222	5,992,222

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	10,000	10,000
160	RESET	1,036,454	1,036,454
180	US AFRICA COMMAND	248,796	248,796
190	US EUROPEAN COMMAND	98,127	98,127
200	US SOUTHERN COMMAND	2,550	2,550
	SUBTOTAL OPERATING FORCES	15,876,377	15,876,377
	MOBILIZATION		
230	ARMY PREPOSITIONED STOCKS	158,753	158,753
	SUBTOTAL MOBILIZATION	158,753	158,753
	CLASSIFIED PROGRAMS	1,074,270	1,074,270
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	712,230	712,230
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
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	2,175,370	2,175,370
	TOTAL OPERATION & MAINTENANCE, ARMY	18,210,500	18,210,500
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	ECHELONS ABOVE BRIGADE	20,700	20,700
060	FORCE READINESS OPERATIONS SUPPORT	700	700
090	BASE OPERATIONS SUPPORT	20,487	20,487
	SUBTOTAL OPERATING FORCES	41,887	41,887
	TOTAL OPERATION & MAINTENANCE, ARMY RES	41,887	41,887
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	109,974	109,974
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE COMMUNICATIONS	755	755
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	755	755
	TOTAL OPERATION & MAINTENANCE, ARNG	110,729	110,729
	AFGHANISTAN SECURITY FORCES FUND		
	AFGHAN NATIONAL ARMY		
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
	SUBTOTAL AFGHAN NATIONAL ARMY	1,908,277	1,908,277
	AFGHAN NATIONAL POLICE		
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
	SUBTOTAL AFGHAN NATIONAL POLICE	767,014	767,014
	AFGHAN AIR FORCE		
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

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
	SUBTOTAL AFGHAN AIR FORCE	1,822,130	1,822,130
	AFGHAN SPECIAL SECURITY FORCES		
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
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	702,029	702,029
	TOTAL AFGHANISTAN SECURITY FORCES FUND	5,199,450	5,199,450
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
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	SUSTAINMENT, RESTORATION AND MODERNIZATION	67,321	67,321
320	BASE OPERATING SUPPORT	211,394	211,394
	SUBTOTAL OPERATING FORCES	4,418,623	4,418,623
	MOBILIZATION		
370	EXPEDITIONARY HEALTH SERVICES SYSTEMS	12,902	12,902
390	COAST GUARD SUPPORT	165,000	165,000
	SUBTOTAL MOBILIZATION	177,902	177,902
	TRAINING AND RECRUITING		
430	SPECIALIZED SKILL TRAINING	51,138	51,138
	SUBTOTAL TRAINING AND RECRUITING	51,138	51,138
	CLASSIFIED PROGRAMS	16,076	16,076
	ADMIN & SRVWD ACTIVITIES		
510	ADMINISTRATION	4,145	4,145
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	109,492	109,492
	TOTAL OPERATION & MAINTENANCE, NAVY	4,757,155	4,757,155
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	1,023,283	1,023,283
	TRAINING AND RECRUITING		
120	TRAINING SUPPORT	30,459	30,459
	SUBTOTAL TRAINING AND RECRUITING	30,459	30,459
	CLASSIFIED PROGRAMS	4,650	4,650

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
ADMIN & SRVWD ACTIVITIES			
160	SERVICEWIDE TRANSPORTATION	61,400	61,400
170	ADMINISTRATION	2,108	2,108
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	68,158	68,158
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	1,121,900	1,121,900
OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES			
020	INTERMEDIATE MAINTENANCE	500	500
030	AIRCRAFT DEPOT MAINTENANCE	11,400	11,400
080	COMBAT SUPPORT FORCES	13,737	13,737
	SUBTOTAL OPERATING FORCES	25,637	25,637
	TOTAL OPERATION & MAINTENANCE, NAVY RES	25,637	25,637
OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES			
010	OPERATING FORCES	2,550	2,550
040	BASE OPERATING SUPPORT	795	795
	SUBTOTAL OPERATING FORCES	3,345	3,345
	TOTAL OPERATION & MAINTENANCE, MC RESERVE ..	3,345	3,345
OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES			
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, RESTORATION & MODERNIZA- TION	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
	SUBTOTAL OPERATING FORCES	7,408,887	7,408,887
MOBILIZATION			
230	AIRLIFT OPERATIONS	1,287,659	1,287,659
240	MOBILIZATION PREPAREDNESS	107,064	107,064
	SUBTOTAL MOBILIZATION	1,394,723	1,394,723
TRAINING AND RECRUITING			
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
	SUBTOTAL TRAINING AND RECRUITING	29,330	29,330
	CLASSIFIED PROGRAMS	51,108	51,108
ADMIN & SRVWD ACTIVITIES			
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

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
540	INTERNATIONAL SUPPORT	240	240
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	452,849	452,849
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	9,285,789	9,285,789
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	51,000	51,000
060	BASE SUPPORT	9,500	9,500
	SUBTOTAL OPERATING FORCES	60,500	60,500
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	60,500	60,500
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,560	3,560
060	BASE SUPPORT	12,310	12,310
	SUBTOTAL OPERATING FORCES	15,870	15,870
	TOTAL OPERATION & MAINTENANCE, ANG	15,870	15,870
	OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	28,671	28,671
040	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	3,733,161	3,733,161
	SUBTOTAL OPERATING FORCES	3,761,832	3,761,832
	CLASSIFIED PROGRAMS	1,944,813	1,944,813
	ADMIN & SRVWIDE ACTIVITIES		
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	1,658,442
	Coalition Support Funds		[-550,000]
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
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	4,788,076	4,238,076
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	8,549,908	7,999,908
	TOTAL OPERATION & MAINTENANCE	47,382,670	46,832,670

1 **TITLE XLIV—MILITARY**
2 **PERSONNEL**
3 **SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	140,689,301	137,627,221
End strength cut		[-993,200]
Foreign Currency Fluctuation		[-133,000]
JROTC		1,220
Military Personnel Underexecution		[-1,937,100]

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	140,689,301	137,627,221
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS		
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	7,533,090	7,533,090
SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	7,533,090	7,533,090
TOTAL MILITARY PERSONNEL	148,222,391	145,160,311

1 **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**
2 **GENCY OPERATIONS.**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	4,660,661	4,660,661
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	4,660,661	4,660,661
TOTAL MILITARY PERSONNEL	4,660,661	4,660,661

3 **TITLE XLV—OTHER**
4 **AUTHORIZATIONS**

5 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
010	Industrial Operations	59,002	59,002
020	Supply Management—Army	99,763	99,763
	SUBTOTAL WORKING CAPITAL FUND, ARMY	59,002	59,002
	SUBTOTAL WORKING CAPITAL FUND, ARMY	99,763	99,763
	WORKING CAPITAL FUND, AIR FORCE		
020	Supplies and Materials	69,054	69,054
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	69,054	69,054
	WORKING CAPITAL FUND, DEFENSE-WIDE		
020	Supply Chain Management—Def	48,096	48,096
	SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	48,096	48,096
	WORKING CAPITAL FUND, DECA		
010	Working Capital Fund, DECA	1,266,200	1,266,200
	SUBTOTAL WORKING CAPITAL FUND, DECA	1,266,200	1,266,200
	TOTAL WORKING CAPITAL FUND	1,542,115	1,542,115

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2019 Request	Senate Authorized
CHEM AGENTS & MUNITIONS DESTRUCTION OPERATION AND MAINTENANCE			
1	Chem Demilitarization—O&M	105,997	105,997
	SUBTOTAL OPERATION AND MAINTENANCE	105,997	105,997
RESEARCH, DEVELOPMENT, TEST, AND EVALUATION			
2	Chem Demilitarization—RDT&E	886,728	886,728
	SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	886,728	886,728
PROCUREMENT			
3	Chem Demilitarization—Proc	1,091	1,091
	SUBTOTAL PROCUREMENT	1,091	1,091
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	993,816	993,816
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES			
010	Drug Interdiction and Counter-Drug Activities, Defense	547,171	547,171
	SUBTOTAL DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES	547,171	547,171
DRUG DEMAND REDUCTION PROGRAM			
020	Drug Demand Reduction Program	117,900	117,900
	SUBTOTAL DRUG DEMAND REDUCTION PROGRAM	117,900	117,900
READINESS COUNTERDRUG ACTIVITIES			
040	Drug Interdiction and Counter-Drug Activities, Defense	5,276	5,276
	SUBTOTAL READINESS COUNTERDRUG ACTIVITIES	5,276	5,276
NATIONAL GUARD COUNTER-DRUG PROGRAM			
030	National Guard Counter-Drug Program	117,178	117,178
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG PRO- GRAM	117,178	117,178
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	787,525	787,525
OFFICE OF THE INSPECTOR GENERAL OPERATION AND MAINTENANCE			
010	Office of the Inspector General	327,611	327,611
	SUBTOTAL OPERATION AND MAINTENANCE	327,611	327,611
RDT&E			
020	Office of the Inspector General	1,602	1,602
	SUBTOTAL RDT&E	1,602	1,602
PROCUREMENT			
030	Office of the Inspector General	60	60
	SUBTOTAL PROCUREMENT	60	60
	TOTAL OFFICE OF THE INSPECTOR GENERAL	329,273	329,273
DEFENSE HEALTH PROGRAM OPERATION & MAINTENANCE			
010	In-House Care	9,738,569	9,738,569
020	Private Sector Care	15,103,735	15,103,735
030	Consolidated Health Support	2,107,961	2,107,961
040	Information Management	2,039,878	2,039,878
050	Management Activities	307,629	307,629
060	Education and Training	756,778	759,278
	Specialized medical pilot program		[2,500]
070	Base Operations/Communications	2,090,845	2,090,845
	SUBTOTAL OPERATION & MAINTENANCE	32,145,395	32,147,895
RDT&E			
080	R&D Research	11,386	11,386
090	R&D Exploratory Development	75,010	75,010
100	R&D Advanced Development	275,258	275,258
110	R&D Demonstration/Validation	117,529	117,529

SEC. 4501. OTHER AUTHORIZATIONS <i>(In Thousands of Dollars)</i>			
Line	Item	FY 2019 Request	Senate Authorized
120	R&D Engineering Development	151,985	151,985
130	R&D Management and Support	63,755	63,755
140	R&D Capabilities Enhancement	15,714	15,714
	SUBTOTAL RDT&E	710,637	710,637
PROCUREMENT			
150	PROC Initial Outfitting	33,056	33,056
160	PROC Replacement & Modernization	343,424	343,424
180	PROC DoD Healthcare Management System Modernization	496,680	496,680
	SUBTOTAL PROCUREMENT	873,160	873,160
	TOTAL DEFENSE HEALTH PROGRAM	33,729,192	33,731,692
	TOTAL OTHER AUTHORIZATIONS	37,381,921	37,384,421

1 **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**
 2 **TINGENCY OPERATIONS.**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS <i>(In Thousands of Dollars)</i>			
Line	Item	FY 2019 Request	Senate Authorized
WORKING CAPITAL FUND			
WORKING CAPITAL FUND, ARMY			
020	Supply Management—Army	6,600	6,600
	SUBTOTAL WORKING CAPITAL FUND, ARMY	6,600	6,600
WORKING CAPITAL FUND, AIR FORCE			
020	Supplies and Materials	8,590	8,590
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	8,590	8,590
	TOTAL WORKING CAPITAL FUND	15,190	15,190
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF			
DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES			
010	Drug Interdiction and Counter-Drug Activities, Defense	153,100	153,100
	SUBTOTAL DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES	153,100	153,100
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	153,100	153,100
OFFICE OF THE INSPECTOR GENERAL			
OPERATION AND MAINTENANCE			
010	Office of the Inspector General	24,692	24,692
	SUBTOTAL OPERATION AND MAINTENANCE	24,692	24,692
	TOTAL OFFICE OF THE INSPECTOR GENERAL	24,692	24,692
DEFENSE HEALTH PROGRAM			
OPERATION & MAINTENANCE			
010	In-House Care	72,627	72,627
020	Private Sector Care	277,066	277,066
030	Consolidated Health Support	2,375	2,375
	SUBTOTAL OPERATION & MAINTENANCE	352,068	352,068
	TOTAL DEFENSE HEALTH PROGRAM	352,068	352,068
COUNTER-ISIS TRAIN AND EQUIP FUND			
COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)			
010	IRAQ	850,000	850,000
020	SYRIA	300,000	300,000
030	Other	250,000	250,000
	SUBTOTAL COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)	1,400,000	1,400,000

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
	TOTAL COUNTER-ISIS TRAIN AND EQUIP FUND	1,400,000	1,400,000
	TOTAL OTHER AUTHORIZATIONS	1,945,050	1,945,050

1 **TITLE XLVI—MILITARY**
2 **CONSTRUCTION**

3 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

<i>Account</i>	<i>State/Country and Installation</i>	<i>Project Title</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
MILITARY CONSTRUCTION				
ARMY				
	<i>Alabama</i>			
ARMY	Anniston Army Depot	Weapon Maintenance Shop	5,200	5,200
	<i>California</i>			
ARMY	Fort Irwin	Multipurpose Range Complex	29,000	29,000
	<i>Colorado</i>			
ARMY	Fort Carson	Vehicle Maintenance Shop	77,000	77,000
	<i>Georgia</i>			
ARMY	Fort Gordon	Cyber Instructional Fac and Network Ctr	99,000	99,000
	<i>Germany</i>			
ARMY	East Camp Grafenwoehr	Mission Training Complex	31,000	31,000
	<i>Hawaii</i>			
ARMY	Fort Shafter	Command and Control Facility, Iner 4	105,000	105,000
ARMY	Wheeler Army Airfield	Rotary wing parking apron	0	50,000
	<i>Honduras</i>			
ARMY	Soto Cano AB	Barracks	21,000	21,000
	<i>Indiana</i>			
ARMY	Crane Army Ammunition Activity	Railcar Holding Area	16,000	16,000
	<i>Kentucky</i>			
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
	<i>Korea</i>			
ARMY	Camp Tango	Command and Control Facility	17,500	17,500
	<i>Kuwait</i>			
ARMY	Camp Arifjan	Vehicle Maintenance Shop	44,000	44,000
	<i>New Jersey</i>			
ARMY	Picatinny Arsenal	Munitions Disassembly Complex	41,000	41,000
	<i>New Mexico</i>			
ARMY	White Sands Missile Range	Information Systems Facility	40,000	40,000
	<i>New York</i>			
ARMY	West Point Military Reservation	Engineering Center	95,000	95,000
ARMY	West Point Military Reservation	Parking Structure	65,000	65,000
	<i>North Carolina</i>			
ARMY	Fort Bragg	Dining Facility	10,000	10,000
	<i>South Carolina</i>			
ARMY	Fort Jackson	Trainee Barracks Complex 3, PH2	52,000	52,000
	<i>Texas</i>			
ARMY	Fort Bliss	Supply Support Activity	24,000	24,000
ARMY	Fort Hood	Supply Support Activity	0	9,600
	<i>Virginia</i>			
ARMY	Arlington National Cemetery	Arlington National Cemetery Southern Expansion.	0	30,000
	<i>Worldwide Unspecified</i>			
ARMY	Unspecified Worldwide Locations	Host Nation Support	34,000	34,000
ARMY	Unspecified Worldwide Locations	Planning and Design	71,068	71,068
ARMY	Unspecified Worldwide Locations	Unspecified Minor Construction	72,000	72,000
ARMY	Unspecified Worldwide Locations	Planning and Design	5,000	5,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
SUBTOTAL ARMY			1,011,768	1,119,368
NAVY				
	<i>Arizona</i>			
NAVY	<i>Camp Navajo</i>	<i>Missile Motor Magazines and U&SI</i>	0	14,800
	<i>Bahamas</i>			
NAVY	<i>Andros Island</i>	<i>AUTEC Austere Quarters</i>	31,050	31,050
	<i>Bahrain Island</i>			
NAVY	<i>SW Asia</i>	<i>Fleet Maintenance Facility & TOC</i>	26,340	26,340
	<i>California</i>			
NAVY	<i>Camp Pendleton</i>	<i>62 Area Mess Hall & Consolidated Warehouse</i> ...	0	71,700
NAVY	<i>Camp Pendleton</i>	<i>Supply Warehouse SOI-West</i>	0	16,600
NAVY	<i>Camp Pendleton</i>	<i>Potable Water Distribution Improvements</i>	47,230	47,230
NAVY	<i>Camp Pendleton</i>	<i>AAV-ACV Maintenance & Warehouse Facility</i> ...	49,410	49,410
NAVY	<i>Camp Pendleton</i>	<i>Full Motion Trainer Facility</i>	10,670	10,670
NAVY	<i>Camp Pendleton</i>	<i>Electrical Upgrades</i>	4,020	4,020
NAVY	<i>Coronado</i>	<i>CMV-22B Airfield Improvements</i>	77,780	77,780
NAVY	<i>Lemoore</i>	<i>F-35 Maintenance Hangar</i>	112,690	112,690
NAVY	<i>Miramar</i>	<i>F-35 Vertical Landing Pads and Taxiway</i>	20,480	20,480
NAVY	<i>Miramar</i>	<i>Airfield Security Improvements</i>	11,500	11,500
NAVY	<i>Point Mugu</i>	<i>Directed Energy Systems Intergration Lab</i>	22,150	22,150
NAVY	<i>San Diego</i>	<i>Harbor Drive Switching Station</i>	48,440	48,440
NAVY	<i>San Diego</i>	<i>Pier 8 Replacement</i>	108,100	108,100
NAVY	<i>San Nicolas Island</i>	<i>Missile Assembly Build & High Explosive Mag</i> ..	31,010	31,010
NAVY	<i>Seal Beach</i>	<i>Missile Magazines</i>	0	21,800
NAVY	<i>Seal Beach</i>	<i>Causeway, Boat Channel & Turning Basin</i>	117,830	117,830
	<i>District of Columbia</i>			
NAVY	<i>Naval Observatory</i>	<i>Master Time Clocks & Operations Facility</i>	115,600	115,600
	<i>Florida</i>			
NAVY	<i>Mayport</i>	<i>LCS Support Facility</i>	82,350	82,350
NAVY	<i>Mayport</i>	<i>LCS Operational Training Facility Addition</i>	29,110	29,110
NAVY	<i>NAS Whiting Field</i>	<i>Air Traffic Control Tower (North Field)</i>	0	10,000
	<i>Georgia</i>			
NAVY	<i>MCLB Albany</i>	<i>Welding and Body Repair Shop Facility</i>	0	31,900
	<i>Germany</i>			
NAVY	<i>Panzer Kaserne</i>	<i>Marforeur HQ Modernization and Expansion</i> ...	43,950	43,950
	<i>Guam</i>			
NAVY	<i>Joint Region Marianas</i>	<i>Ace Gym & Dining</i>	27,910	27,910
NAVY	<i>Joint Region Marianas</i>	<i>Earth Covered Magazines</i>	52,270	52,270
NAVY	<i>Joint Region Marianas</i>	<i>Ordnance Ops</i>	22,020	22,020
NAVY	<i>Joint Region Marianas</i>	<i>Machine Gun Range</i>	141,287	15,000
NAVY	<i>Joint Region Marianas</i>	<i>Unaccompanied Enlisted Housing</i>	36,170	36,170
	<i>Guantanamo Bay, Cuba</i>			
NAVY	<i>Guantanamo Bay</i>	<i>Solid Waste Management Facility</i>	85,000	85,000
	<i>Hawaii</i>			
NAVY	<i>Joint Base Pearl Harbor-Hickam</i>	<i>Drydock Waterfront Facility</i>	45,000	45,000
	<i>Kaneohe Bay</i>			
NAVY	<i>Kaneohe Bay</i>	<i>Corrosion Control Hangar</i>	66,100	66,100
NAVY	<i>Pearl City</i>	<i>Water Transmission Line</i>	78,320	78,320
	<i>Japan</i>			
NAVY	<i>Kadena AB</i>	<i>Tactical Operations Center</i>	9,049	9,049
	<i>Maine</i>			
NAVY	<i>Kittery</i>	<i>Extend Portal Crane Rail</i>	39,725	39,725
NAVY	<i>Kittery</i>	<i>Dry Dock #1 Superflood Basin</i>	109,960	109,960
	<i>Mississippi</i>			
NAVY	<i>Naval Construction Battalion Center</i>	<i>Expeditionary Combat Skills Student Berthing</i> ..	0	22,300
	<i>North Carolina</i>			
NAVY	<i>Camp Lejeune</i>	<i>2nd Radio BN Complex, Phase 2</i>	0	51,300
NAVY	<i>Cherry Point Marine Corps Air Station</i>	<i>Aircraft Maintenance Hangar</i>	133,970	27,000
	<i>Cherry Point Marine Corps Air Station</i>			
NAVY	<i>Cherry Point Marine Corps Air Station</i>	<i>Flightline Utility Modernization</i>	106,860	106,860
	<i>Pennsylvania</i>			
NAVY	<i>Philadelphia</i>	<i>Submarine Propulsor Manufacturing Support Fac.</i>	71,050	71,050
	<i>South Carolina</i>			
NAVY	<i>MCAS Beaufort</i>	<i>Cryogenics Facility</i>	0	6,300
NAVY	<i>MCAS Beaufort</i>	<i>Recycling/Hazardous Waste Facility</i>	9,517	9,517
NAVY	<i>Parris Island</i>	<i>Range Improvements & Modernization, Phase 2</i>	35,190	35,190
	<i>Utah</i>			
NAVY	<i>Hill AFB</i>	<i>D5 Missile Motor Receipt/Storage Facility</i>	105,520	105,520
	<i>Virginia</i>			
NAVY	<i>Portsmouth</i>	<i>Ships Maintenance Facility</i>	26,120	26,120
NAVY	<i>Quantico</i>	<i>Ammunition Supply Point Upgrade, Phase 2</i>	0	13,100
NAVY	<i>Quantico</i>	<i>TBS Fire Station</i>	21,980	0
	<i>Washington</i>			
NAVY	<i>Bangor</i>	<i>Pier and Maintenance Facility</i>	88,960	88,960

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Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
NAVY	Whidbey Island	Fleet Support Facility	19,450	19,450
NAVY	Whidbey Island	Next Generation Jammer Facility	7,930	7,930
	Worldwide Unspecified			
NAVY	Unspecified Worldwide Locations	Unspecified Minor Construction	0	25,000
NAVY	Unspecified Worldwide Locations	Unspecified Minor Construction	28,579	28,579
NAVY	Unspecified Worldwide Locations	Planning and Design	185,542	185,542
SUBTOTAL NAVY			2,543,189	2,572,752
AIR FORCE				
	Alaska			
AIR FORCE	Eielson AFB	F-35A School AGE Facility	22,500	22,500
AIR FORCE	Eielson AFB	F-35A CATM Range	19,000	19,000
AIR FORCE	Eielson AFB	F-35 Aircraft Maintenance Unit Admin Facility	6,800	6,800
AIR FORCE	Eielson AFB	F-35 Conventional Munitions Maintenance Fac	15,500	15,500
	Arizona			
AIR FORCE	Davis-Monthan AFB	AGE Facility	0	15,000
AIR FORCE	Luke AFB	F-35A Squad Ops #6	17,000	17,000
AIR FORCE	Luke AFB	F-35A ADAL AMU B914 Sq 6	23,000	23,000
	Florida			
AIR FORCE	Eglin AFB	F-35A Student Dormitory II	28,000	28,000
AIR FORCE	Eglin AFB	F-35A Integrated Trng Center Academics Bldg ..	34,863	34,863
AIR FORCE	MacDill AFB	KC135 Beddown Add Flight Simulator Training	3,100	3,100
	Guam			
AIR FORCE	Joint Region Marianas	Hayman Munitions Storage Igloos MSA 2	9,800	9,800
	Mariana Islands			
AIR FORCE	Tinian	APR—Cargo Pad With Taxiway Extension	46,000	46,000
AIR FORCE	Tinian	APR—Maintenance Support Facility	4,700	4,700
	Maryland			
AIR FORCE	Joint Base Andrews	Child Development Center	0	13,000
AIR FORCE	Joint Base Andrews	PAR Relocate Haz Cargo Pad and EOD Range	37,000	37,000
AIR FORCE	Joint Base Andrews	Presidential Aircraft Recap Complex, Inc. 2	154,000	121,250
	Massachusetts			
AIR FORCE	Hanscom AFB	MIT-Lincoln Laboratory (West Lab CSL/MIF) ..	225,000	175,000
	Nebraska			
AIR FORCE	Offutt AFB	Parking Lot, USSTRATCOM	9,500	9,500
	Nevada			
AIR FORCE	Creech AFB	MQ-9 CPIP Operations & Command Center Fac..	28,000	28,000
AIR FORCE	Creech AFB	MQ-9 CPIP GCS Operations Facility	31,000	31,000
AIR FORCE	Nellis AFB	CRH Simulator	5,900	5,900
	New Mexico			
AIR FORCE	Holloman AFB	MQ-9 FTU Ops Facility	85,000	85,000
AIR FORCE	Kirtland AFB	Wyoming Gate Upgrade for Anti-Terrorism Compliance.	0	7,000
	New York			
AIR FORCE	Rome Lab	Anti-Terrorism Perimeter Security / Entry Control Point.	0	14,200
	North Dakota			
AIR FORCE	Minot AFB	Consolidated Helo/TRF Ops/AMU and Alert Fac	66,000	66,000
	Ohio			
AIR FORCE	Wright-Patterson AFB	ADAL Intelligence Production Complex (NASIC)	116,100	116,100
	Oklahoma			
AIR FORCE	Altus AFB	KC-46A FTU/FTC Simulator Facility PH 3	12,000	12,000
AIR FORCE	Tinker AFB	KC-46A Depot Maintenance Hangar	81,000	81,000
AIR FORCE	Tinker AFB	KC-46A Depot Fuel Maintenance Hangar	85,000	85,000
	Qatar			
AIR FORCE	Al Udeid	Personnel Deployment Processing Facility	40,000	40,000
AIR FORCE	Al Udeid	Flightline Support Facilities	30,400	30,400
	South Carolina			
AIR FORCE	Shaw AFB	CPIP MQ-9 MCE Group	53,000	53,000
	Texas			
AIR FORCE	Joint Base San Antonio-Lackland	BMT Recruit Dormitory 6	25,000	25,000
	United Kingdom			
AIR FORCE	Royal Air Force Lakenheath	F-35A Fuel System Maintenance Dock 2 Bay	16,880	16,880
AIR FORCE	Royal Air Force Lakenheath	F-35A Parking Apron	27,431	27,431
AIR FORCE	Royal Air Force Lakenheath	F-35A AGE Facility	12,449	12,449
AIR FORCE	Royal Air Force Lakenheath	F-35A ADAL Parts Store	13,926	13,926
AIR FORCE	Royal Air Force Lakenheath	F-35A 6 Bay Hangar	39,036	39,036

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Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
AIR FORCE	Royal Air Force Lakenheath	F-35A Dorm	29,541	29,541
AIR FORCE	Royal Air Force Lakenheath	F-35A ADAL Conventional Munitions MX	9,204	9,204
AIR FORCE	Utah Hill AFB	Composite Aircraft Antenna Calibration Fac	0	26,000
AIR FORCE	Washington White Bluff	ADAL JPRA C2 Mission Support Facility	0	14,000
AIR FORCE	Worldwide Classified Classified Location	TACMOR—Utilities and Infrastructure Support	18,000	18,000
AIR FORCE	Worldwide Unspecified Various Worldwide Locations	Planning and Design	0	20,000
AIR FORCE	Various Worldwide Locations	Planning and Design	195,577	195,577
AIR FORCE	Various Worldwide Locations	Planning and Design	11,000	11,000
AIR FORCE	Various Worldwide Locations	Unspecified Minor Military Construction	38,500	38,500
SUBTOTAL AIR FORCE			1,725,707	1,752,157
DEFENSE-WIDE				
DEFENSE-WIDE	Alabama Anniston Army Depot	Install microgrid	0	20,000
DEFENSE-WIDE	Alaska Clear AFS	Long Range Discrim Radar Sys Complex Ph2 ...	174,000	130,000
DEFENSE-WIDE	Fort Greely	Missile Field #1 Expansion	8,000	8,000
DEFENSE-WIDE	Joint Base Elmendorf-Richardson	Operations Facility Replacement	14,000	14,000
DEFENSE-WIDE	Arkansas Little Rock AFB	Hydrant Fuel System Alterations	14,000	14,000
DEFENSE-WIDE	Belgium U.S. Army Garrison Benlux (Chievres)	Europe West District Superintendent's Office	14,305	14,305
DEFENSE-WIDE	California Camp Pendleton	SOF EOD Facility—West	3,547	3,547
DEFENSE-WIDE	Camp Pendleton	SOF Human Performance Training Center-West	9,049	9,049
DEFENSE-WIDE	Coronado	SOF NSWG-1 Operations Support Facility	25,172	25,172
DEFENSE-WIDE	Coronado	SOF Close Quarters Combat Facility	12,768	12,768
DEFENSE-WIDE	Coronado	SOF ATC Applied Instruction Facility	14,819	14,819
DEFENSE-WIDE	Coronado	SOF ATC Training Facility	18,329	18,329
DEFENSE-WIDE	Defense Distribution Depot-Tracy	Main Access Control Point Upgrades	18,800	18,800
DEFENSE-WIDE	NB Ventura County	SNI Energy Storage System	0	6,530
DEFENSE-WIDE	Colorado Fort Carson	SOF Human Performance Training Center	15,297	15,297
DEFENSE-WIDE	Fort Carson	SOF Mountaineering Facility	9,000	9,000
DEFENSE-WIDE	Conus Classified Classified Location	Battalion Complex, PH2	49,222	49,222
DEFENSE-WIDE	Djibouti Camp Lemonnier	ECIP-Install PV Ground Array	0	3,750
DEFENSE-WIDE	Germany Baumholder	SOF Joint Parachute Rigging Facility	11,504	11,504
DEFENSE-WIDE	Kaiserslautern AB	Kaiserslautern Middle School	99,955	99,955
DEFENSE-WIDE	Rhine Ordnance Barracks	Medical Center Replacement Inc. 8	319,589	319,589
DEFENSE-WIDE	Weisbaden	Clay Kaserne Elementary School	56,048	56,048
DEFENSE-WIDE	Greece NSA Souda Bay	Energy Management Control Systems (EMCS) ...	0	2,230
DEFENSE-WIDE	Guam Naval Base Guam	P-691 NBG 74 Facilities Automated Controls ...	0	4,634
DEFENSE-WIDE	Guantanamo Bay, Cuba Guantanamo Bay	Working Dog Treatment Facility Replacement ...	9,080	9,080
DEFENSE-WIDE	Hawaii Bellows AFB	Expand PV and provide energy resilience to fire crash rescue.	0	2,944
DEFENSE-WIDE	Japan Camp McTearous	Bechtel Elementary School	94,851	94,851
DEFENSE-WIDE	Iwakuni	Fuel Pier	33,200	33,200
DEFENSE-WIDE	Kadena AB	Truck Unload Facilities	21,400	21,400
DEFENSE-WIDE	Yokosuka	Kinnick High School	170,386	40,000
DEFENSE-WIDE	Kansas Salina Training Center	PV/Water Conservation & Energy Resilience	0	3,500
DEFENSE-WIDE	Kentucky Fort Campbell	Ft Campbell Middle School	62,634	62,634
DEFENSE-WIDE	Fort Campbell	SOF Logistics Support Operations Facility	5,435	5,435
DEFENSE-WIDE	Fort Campbell	SOF Air/Ground Integ. Urban Live Fire Range	9,091	9,091

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Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
DEFENSE-WIDE	Fort Campbell Louisiana	SOF Multi-Use Helicopter Training Facility	5,138	5,138
DEFENSE-WIDE	JRB NAS New Orleans Maine	Distribution Switchgear	0	5,340
DEFENSE-WIDE	Kittery Maryland	Consolidated Warehouse Replacement	11,600	11,600
DEFENSE-WIDE	Fort Meade	NSAW Recapitalize Building #2 Inc 4	218,000	191,600
DEFENSE-WIDE	Fort Meade	NSAW Recapitalize Building #3 Inc 1	99,000	99,000
DEFENSE-WIDE	Fort Meade	Mission Support Operations Warehouse Facility	30,000	30,000
DEFENSE-WIDE	Missouri St Louis	Next NGA West (N2W) Complex Phase 1 Inc. 2 ..	213,600	50,000
DEFENSE-WIDE	St Louis	Next NGA West (N2W) Complex Phase 2 Inc. 1 ..	110,000	110,000
DEFENSE-WIDE	New Jersey Joint Base McGuire-Dix- Lakehurst	Hot Cargo Hydrant System Replacement	10,200	10,200
DEFENSE-WIDE	North Carolina Fort Bragg	SOF Replace Training Maze and Tower	12,109	12,109
DEFENSE-WIDE	Fort Bragg	SOF SERE Resistance Training Lab. Complex ..	20,257	20,257
DEFENSE-WIDE	New River	Amb Care Center/Dental Clinic Replacement	32,580	32,580
DEFENSE-WIDE	Oklahoma McAlester	Bulk Diesel System Replacement	7,000	7,000
DEFENSE-WIDE	South Carolina MCAS Beaufort	Electrical Hardening and Black Start CHP Sys- tem.	0	22,402
DEFENSE-WIDE	Texas Camp Mabry	Install microgrid	0	5,500
DEFENSE-WIDE	Joint Base San Antonio- Lackland	Energy Aerospace Operations Facility	10,200	10,200
DEFENSE-WIDE	Red River Army Depot	General Purpose Warehouse	71,500	71,500
DEFENSE-WIDE	United Kingdom Croughton RAF	Ambulatory Care Center Addition/Alteration	10,000	0
DEFENSE-WIDE	Virginia Dam Neck	SOF Magazines	8,959	8,959
DEFENSE-WIDE	Fort A.P. Hill	Training Campus	11,734	11,734
DEFENSE-WIDE	Fort Belvoir	Human Performance Training Center	6,127	6,127
DEFENSE-WIDE	Humphreys Engineer Center	Maintenance and Supply Facility	20,257	20,257
DEFENSE-WIDE	Joint Base Langley- Eustis	Fuel Facilities Replacement	6,900	6,900
DEFENSE-WIDE	Joint Base Langley- Eustis	Ground Vehicle Fueling Facility Replacement ...	5,800	5,800
DEFENSE-WIDE	NAS Oceana	Super Flight Line Electrical Distribution System (FLEDS).	0	2,520
DEFENSE-WIDE	Pentagon	North Village VACP & Fencing	12,200	12,200
DEFENSE-WIDE	Pentagon	Exterior Infrastruc. & Security Improvements ...	23,650	23,650
DEFENSE-WIDE	Washington Joint Base Lewis- McChord	Refueling Facility	26,200	26,200
DEFENSE-WIDE	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design—ERCIP	0	5,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Planning and Design	55,925	55,925
DEFENSE-WIDE	Unspecified Worldwide Locations	Planning and Design	496	496
DEFENSE-WIDE	Unspecified Worldwide Locations	Unspecified Minor Construction	10,000	10,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Planning and Design	14,184	14,184
DEFENSE-WIDE	Unspecified Worldwide Locations	Unspecified Minor Construction	13,642	13,642
DEFENSE-WIDE	Unspecified Worldwide Locations	Unspecified Minor Construction	5,000	5,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog.	150,000	150,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Contingency Construction	10,000	10,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Planning and Design	14,300	14,300
DEFENSE-WIDE	Unspecified Worldwide Locations	ERCIP Design	10,000	10,000
DEFENSE-WIDE	Unspecified Worldwide Locations	Exercise Related Minor Construction	12,479	12,479
DEFENSE-WIDE	Unspecified Worldwide Locations	Planning and Design	2,036	2,036
DEFENSE-WIDE	Various Worldwide Loca- tions	Planning & Design	42,705	42,705

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Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
DEFENSE-WIDE	Various Worldwide Locations	Unspecified Minor Construction	17,366	17,366
DEFENSE-WIDE	Various Worldwide Locations	Planning and Design	55,699	55,699
SUBTOTAL DEFENSE-WIDE			2,693,324	2,403,288
ARMY NATIONAL GUARD				
	<i>Alaska</i>			
ARMY NATIONAL GUARD	Joint Base Elmendorf-Richardson	United States Property & Fiscal Office	27,000	27,000
	<i>Illinois</i>			
ARMY NATIONAL GUARD	Marseilles	Automated Record Fire Range	5,000	5,000
	<i>Montana</i>			
ARMY NATIONAL GUARD	Malta	National Guard Readiness Center	15,000	15,000
	<i>Nevada</i>			
ARMY NATIONAL GUARD	North Las Vegas	National Guard Readiness Center	32,000	32,000
	<i>New Hampshire</i>			
ARMY NATIONAL GUARD	Pembroke	National Guard Readiness Center	12,000	12,000
	<i>North Dakota</i>			
ARMY NATIONAL GUARD	Fargo	National Guard Readiness Center	32,000	32,000
	<i>Ohio</i>			
ARMY NATIONAL GUARD	Camp Ravenna	Automated Multipurpose Machine Gun Range ...	7,400	7,400
	<i>Oklahoma</i>			
ARMY NATIONAL GUARD	Lexington	Aircraft vehicle storage building	0	11,000
	<i>Oregon</i>			
ARMY NATIONAL GUARD	Boardman	Tactical unmanned aerial vehicle hangar	0	11,000
	<i>South Dakota</i>			
ARMY NATIONAL GUARD	Rapid City	National Guard Readiness Center	15,000	15,000
	<i>Texas</i>			
ARMY NATIONAL GUARD	Houston	Unheated vehicle storage (aircraft)	0	15,000
	<i>Virginia</i>			
ARMY NATIONAL GUARD	Sandston	Army aviation support facility	0	89,000
	<i>Worldwide Unspecified</i>			
ARMY NATIONAL GUARD	Unspecified Worldwide Locations	Unspecified Minor Construction	18,100	18,100
ARMY NATIONAL GUARD	Unspecified Worldwide Locations	Planning and Design	16,622	16,622
SUBTOTAL ARMY NATIONAL GUARD			180,122	306,122
AIR NATIONAL GUARD				
	<i>California</i>			
AIR NATIONAL GUARD	Channel Islands Angs	Construct C-130J Flight Simulator Facility	8,000	8,000
	<i>Hawaii</i>			
AIR NATIONAL GUARD	Joint Base Pearl Harbor-Hickam	Construct Addition to F-22 LO/CRF B3408	17,000	17,000
	<i>Illinois</i>			
AIR NATIONAL GUARD	Gen. Wayne A. Downing Peoria International Airport	Construct New Fire Crash/Rescue Station	9,000	9,000
	<i>Louisiana</i>			
AIR NATIONAL GUARD	JRB NAS New Orleans	NORTHCOM—Construct Alert Apron	15,000	15,000
	<i>New York</i>			
AIR NATIONAL GUARD	Francis S. Gabreski Airport	Security Forces/Comm.training Facility	20,000	20,000
	<i>Pennsylvania</i>			
AIR NATIONAL GUARD	Fort Indiantown Gap	Replace Operations Training/Dining Hall	8,000	8,000
	<i>Puerto Rico</i>			
AIR NATIONAL GUARD	Luis Munoz Marin International	Hurricane Maria—Communications Facility	0	15,000
AIR NATIONAL GUARD	Luis Munoz Marin International Airport	Hurricane Maria—Maintenance Hangar	0	35,000
	<i>Virginia</i>			

SEC. 4601. MILITARY CONSTRUCTION
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Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
AIR NATIONAL GUARD	Joint Base Langley-Eustis	Construct Cyber Ops Facility	10,000	10,000
AIR NATIONAL GUARD	Worldwide Unspecified			
AIR NATIONAL GUARD	Unspecified Worldwide Locations	Planning and Design	0	4,000
AIR NATIONAL GUARD	Unspecified Worldwide Locations	Unspecified Minor Construction	23,626	23,626
AIR NATIONAL GUARD	Various Worldwide Locations	Planning and Design	18,500	18,500
SUBTOTAL AIR NATIONAL GUARD			129,126	183,126
ARMY RESERVE				
ARMY RESERVE	California			
ARMY RESERVE	Barstow	ECS Modified TEMF / Warehouse	34,000	34,000
ARMY RESERVE	Wisconsin			
ARMY RESERVE	Fort McCoy	Transient Training Barracks	23,000	23,000
ARMY RESERVE	Worldwide Unspecified			
ARMY RESERVE	Unspecified Worldwide Locations	Unspecified Minor Construction	2,064	2,064
ARMY RESERVE	Unspecified Worldwide Locations	Planning and Design	5,855	5,855
SUBTOTAL ARMY RESERVE			64,919	64,919
NAVY RESERVE				
NAVY RESERVE	California			
NAVY RESERVE	Seal Beach	Reserve Training Center	21,740	21,740
NAVY RESERVE	Georgia			
NAVY RESERVE	Benning	Reserve Training Center	13,630	13,630
NAVY RESERVE	Worldwide Unspecified			
NAVY RESERVE	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
NAVY RESERVE	Unspecified Worldwide Locations	Planning & Design	4,695	4,695
SUBTOTAL NAVY RESERVE			43,065	43,065
AIR FORCE RESERVE				
AIR FORCE RESERVE	Indiana			
AIR FORCE RESERVE	Grissom ARB	Aerial Port Facility	0	9,400
AIR FORCE RESERVE	Grissom ARB	Add/Alter Aircraft Maintenance Hangar	12,100	12,100
AIR FORCE RESERVE	Minnesota			
AIR FORCE RESERVE	Minneapolis-St Paul IAP	Small Arms Range	9,000	9,000
AIR FORCE RESERVE	Mississippi			
AIR FORCE RESERVE	Keesler AFB	Aeromedical Staging Squadron Facility	4,550	4,550
AIR FORCE RESERVE	New York			
AIR FORCE RESERVE	Niagara Falls IAP	Physical Fitness Center	14,000	14,000
AIR FORCE RESERVE	Texas			
AIR FORCE RESERVE	Fort Worth	Munitions Training/Admin Facility	3,100	3,100
AIR FORCE RESERVE	Worldwide Unspecified			
AIR FORCE RESERVE	Unspecified Worldwide Locations	Planning and Design	0	5,000
AIR FORCE RESERVE	Unspecified Worldwide Locations	Planning & Design	4,055	4,055
AIR FORCE RESERVE	Unspecified Worldwide Locations	Unspecified Minor Construction	3,358	3,358
SUBTOTAL AIR FORCE RESERVE			50,163	64,563
NATO SECURITY INVESTMENT PROGRAM				
NATO SECURITY INVESTMENT PROGRAM	Worldwide Unspecified			
NATO SECURITY INVESTMENT PROGRAM	NATO Security Investment Program	NATO Security Investment Program	171,064	171,064
SUBTOTAL NATO SECURITY INVESTMENT PROGRAM			171,064	171,064
TOTAL MILITARY CONSTRUCTION			8,612,447	8,680,424

FAMILY HOUSING CONSTRUCTION, ARMY

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
CONSTRUCTION, ARMY	<i>Germany</i> Baumholder	Family Housing Improvements	32,000	32,000
CONSTRUCTION, ARMY	<i>Italy</i> Vicenza	Family Housing New Construction	95,134	95,134
CONSTRUCTION, ARMY	<i>Korea</i> Camp Humphreys	Family Housing New Construction Iner 3	85,000	85,000
CONSTRUCTION, ARMY	Camp Walker	Family Housing Replacement Construction	68,000	68,000
CONSTRUCTION, ARMY	<i>Puerto Rico</i> Fort Buchanan	Family Housing Replacement Construction	26,000	26,000
CONSTRUCTION, ARMY	<i>Wisconsin</i> Fort McCoy	Family Housing New Construction	6,200	6,200
CONSTRUCTION, ARMY	<i>Worldwide Unspecified</i> Unspecified Worldwide Locations	Family Housing P & D	18,326	18,326
SUBTOTAL CONSTRUCTION, ARMY			330,660	330,660
OPERATION AND MAINTENANCE, ARMY				
OPERATION AND MAINTENANCE, ARMY	<i>Worldwide Unspecified</i> Unspecified Worldwide Locations	Management	36,302	36,302
OPERATION AND MAINTENANCE, ARMY	<i>Unspecified Worldwide</i> Locations	Services	10,502	10,502
OPERATION AND MAINTENANCE, ARMY	<i>Unspecified Worldwide</i> Locations	Furnishings	15,842	15,842
OPERATION AND MAINTENANCE, ARMY	<i>Unspecified Worldwide</i> Locations	Miscellaneous	408	408
OPERATION AND MAINTENANCE, ARMY	<i>Unspecified Worldwide</i> Locations	Maintenance	75,530	75,530
OPERATION AND MAINTENANCE, ARMY	<i>Unspecified Worldwide</i> Locations	Utilities	57,872	57,872
OPERATION AND MAINTENANCE, ARMY	<i>Unspecified Worldwide</i> Locations	Leasing	161,252	161,252
OPERATION AND MAINTENANCE, ARMY	<i>Unspecified Worldwide</i> Locations	Housing Privatization Support	18,801	18,801
SUBTOTAL OPERATION AND MAINTENANCE, ARMY			376,509	376,509
CONSTRUCTION, NAVY AND MARINE CORPS				
CONSTRUCTION, NAVY AND MARINE CORPS	<i>Mariana Islands</i> Guam	Replace Andersen Housing PH III	83,441	83,441
CONSTRUCTION, NAVY AND MARINE CORPS	<i>Worldwide Unspecified</i> Unspecified Worldwide Locations	Improvements, Washington DC	16,638	16,638
CONSTRUCTION, NAVY AND MARINE CORPS	<i>Unspecified Worldwide</i> Locations	P&D Washington DC	4,502	4,502
SUBTOTAL CONSTRUCTION, NAVY AND MARINE CORPS			104,581	104,581
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS				
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	<i>Worldwide Unspecified</i> Unspecified Worldwide Locations	Utilities	60,252	60,252
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	<i>Unspecified Worldwide</i> Locations	Furnishings	16,395	16,395

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Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Management	50,870	50,870
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Miscellaneous	148	148
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Services	16,261	16,261
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Leasing	62,515	62,515
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Maintenance	86,328	86,328
OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS	Unspecified Worldwide Locations	Housing Privatization Support	21,767	21,767
SUBTOTAL OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS.			314,536	314,536
CONSTRUCTION, AIR FORCE				
CONSTRUCTION, AIR FORCE	Worldwide Unspecified Unspecified Worldwide Locations	Construction Improvements	75,247	75,247
CONSTRUCTION, AIR FORCE	Unspecified Worldwide Locations	Planning & Design	3,199	3,199
SUBTOTAL CONSTRUCTION, AIR FORCE			78,446	78,446
OPERATION AND MAINTENANCE, AIR FORCE				
OPERATION AND MAINTENANCE, AIR FORCE	Worldwide Unspecified Unspecified Worldwide Locations	Housing Privatization	22,205	22,205
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Utilities	48,566	48,566
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Management	54,423	54,423
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Services	13,669	13,669
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Furnishings	30,645	30,645
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Miscellaneous	2,171	2,171
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Leasing	15,832	15,832
OPERATION AND MAINTENANCE, AIR FORCE	Unspecified Worldwide Locations	Maintenance	129,763	129,763
SUBTOTAL OPERATION AND MAINTENANCE, AIR FORCE			317,274	317,274
OPERATION AND MAINTENANCE, DEFENSE-WIDE				
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Worldwide Unspecified Unspecified Worldwide Locations	Utilities	4,100	4,100
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Furnishings	416	416
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Utilities	106	106

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2019 Request	Senate Authorized
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Leasing	13,046	13,046
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Maintenance	121	121
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Furnishings	643	643
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Leasing	38,232	38,232
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Furnishings	01	01
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Services	02	02
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Utilities	09	09
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Maintenance	1,542	1,542
OPERATION AND MAINTENANCE, DEFENSE-WIDE	Unspecified Worldwide Locations	Management	155	155
SUBTOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE			58,373	58,373
IMPROVEMENT FUND				
IMPROVEMENT FUND	Worldwide Unspecified Unspecified Worldwide Locations	Administrative Expenses—FHIP	1,653	1,653
SUBTOTAL IMPROVEMENT FUND			1,653	1,653
UNACCOMP HSG IMPRV FUND				
UNACCOMP HSG IMPRV FUND	Worldwide Unspecified Unaccompanied Housing Improvement Fund	Administrative Expenses—UHIF	600	600
SUBTOTAL UNACCOMP HSG IMPRV FUND			600	600
TOTAL FAMILY HOUSING			1,582,632	1,582,632
DEFENSE BASE REALIGNMENT AND CLOSURE				
ARMY				
ARMY	Worldwide Unspecified Base Realignment & Closure, Army	Base Realignment and Closure	62,796	62,796
NAVY				
NAVY	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment & Closure	151,839	151,839
AIR FORCE				
AIR FORCE	Worldwide Unspecified Unspecified Worldwide Locations	DoD BRAC Activities—Air Force	52,903	52,903
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			267,538	267,538
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			10,462,617	10,530,594

1 **SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CON-**
 2 **TINGENCY OPERATIONS.**

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	FY 2019 Request	Senate Authorized
MILITARY CONSTRUCTION				
ARMY				
	<i>Bulgaria</i>			
ARMY	Nevo Selo FOS	EDI: Ammunition Holding Area	5,200	5,200
	<i>Guantanamo Bay, Cuba</i>			
ARMY	Guantanamo Bay	OCO: High Value Detention Facility	69,000	0
	<i>Poland</i>			
ARMY	Drausko Pomorski Train- ing Area	EDI: Staging Areas	17,000	17,000
ARMY	Powidz AB	EDI: Rail Extension & Railhead	14,000	14,000
ARMY	Powidz AB	EDI: Ammunition Storage Facility	52,000	52,000
ARMY	Powidz AB	EDI: Bulk Fuel Storage	21,000	21,000
ARMY	Zagan Training Area	EDI: Rail Extension and Railhead	6,400	6,400
ARMY	Zagan Training Area	EDI: Staging Areas	34,000	34,000
	<i>Romania</i>			
ARMY	Mihail Kogalniceanu FOS	EDI: Explosives & Ammo Load/Unload Apron	21,651	21,651
	<i>Worldwide Unspecified</i>			
ARMY	Unspecified Worldwide Locations	EDI: Planning and Design	20,999	20,999
SUBTOTAL ARMY			261,250	192,250
NAVY				
	<i>Greece</i>			
NAVY	Souda Bay	EDI: Marathi Logistics Support Center	6,200	6,200
NAVY	Souda Bay	EDI: Joint Mobility Processing Center	41,650	41,650
	<i>Italy</i>			
NAVY	Signonella	EDI: P-SA Taxiway	66,050	66,050
	<i>Spain</i>			
NAVY	Rota	EDI: Port Operations Facilities	21,590	21,590
	<i>United Kingdom</i>			
NAVY	Lossiemouth	EDI: P-S Base Improvements	79,130	79,130
	<i>Worldwide Unspecified</i>			
NAVY	Unspecified Worldwide Locations	EDI: Planning and Design	12,700	12,700
SUBTOTAL NAVY			227,320	227,320
AIR FORCE				
	<i>Germany</i>			
AIR FORCE	Ramstein AB	EDI—KMC DABS-FEV/RH Storage Warehouses	119,000	119,000
	<i>Norway</i>			
AIR FORCE	Rygge AS	EDI—Construct Taxiway	13,800	13,800
	<i>Slovakia</i>			
AIR FORCE	Malacky AB	EDI—Regional Munitions Storage Area	59,000	59,000
	<i>United Kingdom</i>			
AIR FORCE	RAF Fairford	EDI—Construct DABS-FEV Storage	87,000	87,000
AIR FORCE	RAF Fairford	EDI—Munitions Holding Area	19,000	19,000
	<i>Worldwide Unspecified</i>			
AIR FORCE	Unspecified Worldwide Locations	EDI—Planning & Design Funds	48,000	48,000
SUBTOTAL AIR FORCE			345,800	345,800
DEFENSE-WIDE				
	<i>Estonia</i>			
DEFENSE-WIDE	Unspecified Estonia	EDI: SOF Training Facility	9,600	9,600
DEFENSE-WIDE	Unspecified Estonia	EDI: SOF Operations Facility	6,100	6,100
	<i>Qatar</i>			
DEFENSE-WIDE	Al Udeid	OCO: Trans-Regional Logistics Complex	60,000	60,000
	<i>Worldwide Unspecified</i>			
DEFENSE-WIDE	Unspecified Worldwide Locations	EDI: Planning and Design	7,100	7,100
DEFENSE-WIDE	Various Worldwide Loca- tions	EDI: Planning and Design	4,250	4,250
SUBTOTAL DEFENSE-WIDE			87,050	87,050
TOTAL MILITARY CONSTRUCTION			921,420	852,420
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			921,420	852,420

1 **TITLE XLVII—DEPARTMENT OF**
 2 **ENERGY NATIONAL SECURITY**
 3 **PROGRAMS**

4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**
 5 **PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2019 Request	Senate Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	136,090	136,090
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	11,017,078	11,017,078
Defense nuclear nonproliferation	1,862,825	1,862,825
Naval reactors	1,788,618	1,788,618
Federal salaries and expenses	422,529	422,529
Total, National nuclear security administration	15,091,050	15,091,050
Environmental and other defense activities:		
Defense environmental cleanup	5,630,217	5,630,217
Other defense activities	853,300	853,300
Defense nuclear waste disposal	30,000	0
Total, Environmental & other defense activities	6,513,517	6,483,517
Total, Atomic Energy Defense Activities	21,604,567	21,574,567
Total, Discretionary Funding	21,740,657	21,710,657
Nuclear Energy		
Idaho site-wide safeguards and security	136,090	136,090
Total, Nuclear Energy	136,090	136,090
Weapons Activities		
Directed stockpile work		
Life extension programs and major alterations		
B61 Life extension program	794,049	794,049
W76 Life extension program	113,888	0
Split into W76-1 and W76-2 lines		[-113,888]
W76-1 Life extension program	0	48,888
Complete W76-1 life extension		[48,888]
W76-2 Warhead modification program	0	65,000
NPR Implementation		[65,000]
W88 Alt 370	304,285	304,285
W80-4 Life extension program	654,766	654,766
IW-1	53,000	53,000
Total, Life extension programs and major alterations	1,919,988	1,919,988
Stockpile systems		
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
Total, Stockpile systems	619,482	619,482
Weapons dismantlement and disposition		
Operations and maintenance	56,000	56,000
Stockpile services		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2019 Request	Senate Authorized
<i>Production support</i>	512,916	512,916
<i>Research and development support</i>	38,129	38,129
<i>R&D certification and safety</i>	216,582	216,582
<i>Management, technology, and production</i>	300,736	300,736
Total, Stockpile services	1,068,363	1,068,363
Strategic materials		
<i>Uranium sustainment</i>	87,182	87,182
<i>Plutonium sustainment</i>	361,282	361,282
<i>Tritium sustainment</i>	205,275	205,275
<i>Lithium sustainment</i>	29,135	29,135
<i>Domestic uranium enrichment</i>	100,704	100,704
<i>Strategic materials sustainment</i>	218,794	218,794
Total, Strategic materials	1,002,372	1,002,372
Total, Directed stockpile work	4,666,205	4,666,205
Research, development, test and evaluation (RDT&E)		
Science		
<i>Advanced certification</i>	57,710	57,710
<i>Primary assessment technologies</i>	95,057	95,057
<i>Dynamic materials properties</i>	131,000	131,000
<i>Advanced radiography</i>	32,544	32,544
<i>Secondary assessment technologies</i>	77,553	77,553
<i>Academic alliances and partnerships</i>	53,364	53,364
<i>Enhanced Capabilities for Subcritical Experiments</i>	117,632	117,632
Total, Science	564,860	564,860
Engineering		
<i>Enhanced surety</i>	43,226	43,226
<i>Weapon systems engineering assessment technology</i>	27,536	27,536
<i>Nuclear survivability</i>	48,230	48,230
<i>Enhanced surveillance</i>	58,375	58,375
<i>Stockpile Responsiveness</i>	34,000	34,000
Total, Engineering	211,367	211,367
Inertial confinement fusion ignition and high yield		
<i>Ignition</i>	22,434	22,434
<i>Support of other stockpile programs</i>	17,397	17,397
<i>Diagnostics, cryogenics and experimental support</i>	51,453	51,453
<i>Pulsed power inertial confinement fusion</i>	8,310	8,310
<i>Facility operations and target production</i>	319,333	319,333
Total, Inertial confinement fusion and high yield	418,927	418,927
Advanced simulation and computing		
<i>Advanced simulation and computing</i>	656,401	656,401
Construction:		
<i>18-D-670, Erascale Class Computer Cooling Equipment, LANL</i> ...	24,000	24,000
<i>18-D-620, Erascale Computing Facility Modernization Project, LLNL</i>	23,000	23,000
Total, Construction	47,000	47,000
Total, Advanced simulation and computing	703,401	703,401
Advanced manufacturing		
<i>Additive manufacturing</i>	17,447	17,447
<i>Component manufacturing development</i>	48,477	48,477
<i>Process technology development</i>	30,914	30,914
Total, Advanced manufacturing	96,838	96,838
Total, RDT&E	1,995,393	1,995,393
Infrastructure and operations		
<i>Operations of facilities</i>	891,000	891,000
<i>Safety and environmental operations</i>	115,000	115,000
<i>Maintenance and repair of facilities</i>	365,000	365,000
Recapitalization:		
<i>Infrastructure and safety</i>	431,631	431,631
<i>Capability based investments</i>	109,057	109,057
Total, Recapitalization	540,688	540,688
Program increase to address high-priority deferred maintenance		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2019 Request	Senate Authorized
Construction:		
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-650, Tritium Production Capability, SRS	27,000	27,000
17-D-640, U1a Complex Enhancements Project, NNSS	53,000	53,000
16-D-515, Albuquerque complex project	47,953	47,953
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
Total, Construction	1,091,048	1,091,048
Total, Infrastructure and operations	3,002,736	3,002,736
Secure transportation asset		
Operations and equipment	176,617	176,617
Program direction	102,022	102,022
Total, Secure transportation asset	278,639	278,639
Defense nuclear security		
Operations and maintenance	690,638	690,638
Total, Defense nuclear security	690,638	690,638
Information technology and cybersecurity	221,175	221,175
Legacy contractor pensions	162,292	162,292
Total, Weapons Activities	11,017,078	11,017,078
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global material security		
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
Total, Global material security	337,108	337,108
Material management and minimization		
HEU reactor conversion	98,300	98,300
Nuclear material removal	32,925	32,925
Material disposition	200,869	200,869
Total, Material management & minimization	332,094	332,094
Nonproliferation and arms control	129,703	129,703
Defense nuclear nonproliferation R&D	456,095	456,095
Nonproliferation Construction:		
18-D-150 Surplus Plutonium Disposition Project	59,000	59,000
99-D-143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	220,000	220,000
Total, Nonproliferation construction	279,000	279,000
Total, Defense Nuclear Nonproliferation Programs	1,534,000	1,534,000
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
Total, Defense Nuclear Nonproliferation	1,862,825	1,862,825
Naval Reactors		
Naval reactors development	514,951	514,951
Columbia-Class reactor systems development	138,000	138,000
S5G Prototype refueling	250,000	250,000
Naval reactors operations and infrastructure	525,764	525,764
Construction:	0	0
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
Total, Construction	311,194	311,194
Program direction	48,709	48,709
Total, Naval Reactors	1,788,618	1,788,618

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2019 Request	Senate Authorized
Federal Salaries And Expenses		
Program direction	422,529	422,529
Total, Office Of The Administrator	422,529	422,529
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,889	4,889
Richland:		
River corridor and other cleanup operations	89,577	89,577
Central plateau remediation	562,473	562,473
Richland community and regulatory support	5,121	5,121
Construction:		
18-D-404 WESF Modifications and Capsule Storage	1,000	1,000
Total, Construction	1,000	1,000
Total, Hanford site	658,171	658,171
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	15,000	15,000
Rad liquid tank waste stabilization and disposition	677,460	677,460
Construction:		
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
Total, Construction	746,053	746,053
Total, Office of River protection	1,438,513	1,438,513
Idaho National Laboratory:		
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
Total, Idaho National Laboratory	349,226	349,226
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,704	1,704
Nuclear facility D & D 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
Total, NNSA sites and Nevada off-sites	271,069	271,069
Oak Ridge Reservation:		
OR Nuclear facility D & D		
OR-0041—D&D—Y-12	30,214	30,214
OR-0042—D&D—ORNL	60,007	60,007
Total, OR Nuclear facility D & D	90,221	90,221
U233 Disposition Program	45,000	45,000
OR cleanup and waste disposition		
OR cleanup and disposition	67,000	67,000
Construction:		
17-D-401 On-site waste disposal facility	5,000	5,000
14-D-403 Outfall 200 Mercury Treatment Facility	11,274	11,274
Total, Construction	16,274	16,274
Total, OR cleanup and waste disposition	83,274	83,274
OR community & regulatory support	4,711	4,711
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	226,206	226,206
Savannah River Sites:		
Nuclear Material Management	351,331	351,331
Environmental Cleanup		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2019 Request	Senate Authorized
Environmental Cleanup	166,105	166,105
Construction:		
18-D-402, Emergency Operations Center	1,259	1,259
Total, Environmental Cleanup	167,364	167,364
SR community and regulatory support	4,749	4,749
Radioactive liquid tank waste stabilization and disposition	805,686	805,686
Construction:		
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
Total, Construction	143,693	143,693
Total, Savannah River site	1,472,823	1,472,823
Waste Isolation Pilot Plant		
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
Construction:		
15-D-411 Safety significant confinement ventilation system, WIPP	84,212	84,212
15-D-412 Exhaust shaft, WIPP	1,000	1,000
Total, Construction	85,212	85,212
Total, Waste Isolation Pilot Plant	396,907	396,907
Program direction	300,000	300,000
Program support	6,979	6,979
Minority Serving Institution Partnership	6,000	6,000
Safeguards and Security		
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
Total, Safeguards and Security	324,434	324,434
Technology development	25,000	25,000
HQEF-0040—Excess Facilities	150,000	150,000
Total, Defense Environmental Cleanup	5,630,217	5,630,217
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security	135,194	135,194
Program direction	70,653	70,653
Total, Environment, Health, safety and security	205,847	205,847
Independent enterprise assessments		
Independent enterprise assessments	24,068	24,068
Program direction	52,702	52,702
Total, Independent enterprise assessments	76,770	76,770
Specialized security activities	254,378	254,378
Office of Legacy Management		
Legacy management	140,575	140,575
Program direction	18,302	18,302
Total, Office of Legacy Management	158,877	158,877
Defense related administrative support		
Chief financial officer	48,484	48,484
Chief information officer	96,793	96,793
Project management oversight and Assessments	8,412	8,412
Total, Defense related administrative support	153,689	153,689
Office of hearings and appeals	5,739	5,739
Subtotal, Other defense activities	855,300	855,300
Rescission of prior year balances (OHA)	-2,000	-2,000
Total, Other Defense Activities	853,300	853,300

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

<i>Program</i>	<i>FY 2019 Request</i>	<i>Senate Authorized</i>
<i>Defense Nuclear Waste Disposal</i>		
<i>Yucca mountain and interim storage</i>	<i>30,000</i>	<i>0</i>
<i>Program cut</i>		<i>[-30,000]</i>
<i>Total, Defense Nuclear Waste Disposal</i>	<i>30,000</i>	<i>0</i>

1 ***DIVISION E—ADDITIONAL***
2 ***PROVISIONS***
3 ***TITLE LI—PROCUREMENT***

4 ***SEC. 5101. BRIEFING ON PROCUREMENT PLAN FOR AC-***
5 ***QUIRED POSITION NAVIGATION AND TIMING***
6 ***(APNT) SOLUTION.***

7 *Not later than September 1, 2018, the Secretary of the*
8 *Army, in coordination with the Director of the Army’s Ac-*
9 *quired Position Navigation and Timing (APNT) Cross*
10 *Functional Team (CFT) pilot, shall provide to the congres-*
11 *sional defense committees a briefing that outlines potential*
12 *courses of action to begin immediate procurement of APNT*
13 *systems, subject to successful test and evaluation.*

14 ***SEC. 5102. SENSE OF CONGRESS ON KC-46A AERIAL RE-***
15 ***FUELING TANKER EMERGENT REQUIRE-***
16 ***MENTS.***

17 *It is the sense of Congress that—*

18 (1) *the KC-46A aircraft will serve as the back-*
19 *bone of the Air Force’s critical aerial refueling mis-*
20 *sion for the next several decades, replacing the aging*
21 *1950’s-era KC-135 Stratotanker fleet;*

22 (2) *the Air Force has provided funding for nu-*
23 *merous military construction projects at installations*
24 *across the country to prepare for the delivery and bed*
25 *down of the KC-46A aircraft;*

1 (3) as the KC-46A program matures and re-
2 quirements become better defined, additional military
3 construction and facilities, sustainment, restoration
4 and modernization (FSRM) funding is likely to be
5 necessary to properly support the fielding of the air-
6 craft, house additional personnel, and meet unforeseen
7 requirements of the tanker mission; and

8 (4) the Secretary of the Air Force should con-
9 tinue to review and validate new emergent require-
10 ments and prepare to provide additional military
11 construction and FSRM funding in its budget request
12 for fiscal year 2020 and future years as needed.

13 **SEC. 5103. ADDITIONAL ELEMENT IN THE QUARTERLY UP-**
14 **DATES ON THE F-35 JOINT STRIKE FIGHTER**
15 **PROGRAM.**

16 The element on the assessment of the F-35 Joint Strike
17 Fighter program under section 152(b)(3) in the quarterly
18 updates on that program under section 152 shall include
19 an assessment of efforts to ensure that excessive sustainment
20 costs do not threaten the Department of Defense's ability
21 to purchase the required number of aircraft.

1 **TITLE LII—RESEARCH, DEVELOP-**
2 **MENT, TEST, AND EVALUA-**
3 **TION**

4 **SEC. 5201. JOINT ARTIFICIAL INTELLIGENCE RESEARCH,**
5 **DEVELOPMENT, AND TRANSITION ACTIVI-**
6 **TIES.**

7 *The near-term actionable recommendations of the Sec-*
8 *retary of Defense under section 226(e)(3)(B) shall include*
9 *recommendations on research into systems that integrate*
10 *the strengths and reliability of artificial intelligence and*
11 *machine learning with the inductive reasoning power of a*
12 *human.*

13 **SEC. 5202. SCOPE OF COMPETITIVE ACQUISITION STRAT-**
14 **EGY FOR THE BRADLEY FIGHTING VEHICLE**
15 **TRANSMISSION REPLACEMENT.**

16 *The plan to use full and open competition in the acqui-*
17 *sition strategy for the Bradley Fighting Vehicle trans-*
18 *mission replacement required by section 241(b)(2) shall be*
19 *based on the Federal Acquisition Regulation rather than*
20 *to the maximum extent practicable.*

1 **SEC. 5203. PILOT PROGRAM TO TEST MACHINE-VISION**
2 **TECHNOLOGIES TO DETERMINE THE AU-**
3 **THENTICITY AND SECURITY OF MICROELEC-**
4 **TRONIC PARTS IN WEAPON SYSTEMS.**

5 (a) *PILOT PROGRAM AUTHORIZED.*—The Under Sec-
6 retary of Defense for Research and Engineering, in coordi-
7 nation with the Defense Microelectronics Activity, shall es-
8 tablish a pilot program to test the feasibility and reliability
9 of using machine-vision technologies to determine the au-
10 thenticity and security of microelectronic parts in weapon
11 systems.

12 (b) *OBJECTIVES OF PILOT PROGRAM.*—The objective
13 of the pilot program required by subsection (a) shall include
14 determining the following:

15 (1) *The effectiveness and technology readiness*
16 *level of machine-vision technologies to determine the*
17 *authenticity of microelectronic parts at the time of*
18 *the creation of such part through final insertion of*
19 *such part into weapon systems.*

20 (2) *The best method of incorporating machine-vi-*
21 *sion technologies into the process of developing, trans-*
22 *porting, and inserting microelectronics into weapon*
23 *systems.*

24 (3) *The rules, regulations, or processes that*
25 *hinder the development and incorporation of ma-*
26 *chine-vision technologies, and the application of such*

1 *rules, regulations, or processes to mitigate counterfeit*
2 *microelectronics proliferation throughout the Depart-*
3 *ment of Defense.*

4 *(c) CONSULTATION.—In carrying out the pilot pro-*
5 *gram required by subsection (a), the Under Secretary may*
6 *consult with the following:*

7 *(1) Manufacturers of semiconductors or elec-*
8 *tronics.*

9 *(2) Industry associations relating to semiconduc-*
10 *tors or electronics.*

11 *(3) Original equipment manufacturers of prod-*
12 *ucts for the Department of Defense.*

13 *(4) Nontraditional defense contractors (as de-*
14 *efined in section 2302 of title 10, United States Code)*
15 *that are machine-vision companies.*

16 *(5) Federal laboratories (as defined in section*
17 *2500 of title 10, United States Code).*

18 *(6) Other elements of the Department of Defense*
19 *that fall under the authority of the Under Secretary*
20 *of Defense for Research and Engineering.*

21 *(d) COMMENCEMENT AND DURATION.—The pilot pro-*
22 *gram established under this section shall be established not*
23 *later than April 1, 2019, and all activities under such pilot*
24 *program shall terminate not later than December 31, 2020.*

1 **TITLE LIII—OPERATION AND**
2 **MAINTENANCE**

3 **SEC. 5301. PRIORITIZATION OF ENVIRONMENTAL IMPACTS**
4 **FOR FACILITIES SUSTAINMENT, RESTORA-**
5 **TION, AND MODERNIZATION DEMOLITION.**

6 *The Secretary of Defense shall establish prioritization*
7 *metrics for facilities deemed eligible for demolition within*
8 *the Facilities Sustainment, Restoration, and Modernization*
9 *(FSRM) process. Those metrics shall include full spectrum*
10 *readiness and environmental impacts, including the re-*
11 *moval of contamination.*

12 **SEC. 5302. CORE SAMPLING AT JOINT BASE SAN ANTONIO,**
13 **TEXAS.**

14 *(a) SITE INVESTIGATION REQUIRED.—The Secretary*
15 *of the Air Force shall conduct a core sampling study along*
16 *the proposed route of the W-6 wastewater treatment line*
17 *on Air Force real property, in compliance with best engi-*
18 *neering practices, to determine if any regulated or haz-*
19 *ardous substances are present in the soil along the proposed*
20 *route.*

21 *(b) REPORT REQUIRED.—Not later than 120 days*
22 *after the date of the enactment of this Act, the Secretary*
23 *of the Air Force shall submit to the Committees on Armed*
24 *Services of the Senate and the House of Representatives a*

1 *report on the results of the core samples taken pursuant to*
2 *subsection (a).*

3 **SEC. 5303. TRANSPORTATION TO CONTINENTAL UNITED**
4 **STATES OF RETIRED MILITARY WORKING**
5 **DOGS OUTSIDE THE CONTINENTAL UNITED**
6 **STATES THAT ARE SUITABLE FOR ADOPTION**
7 **IN THE UNITED STATES.**

8 *Section 2583(f) of title 10, United States Code, is*
9 *amended by adding at the end the following new paragraph:*

10 *“(3)(A) In the case of a military working dog located*
11 *outside the continental United States (OCONUS) at the*
12 *time of retirement that is suitable for adoption at that time,*
13 *the Secretary of the military department concerned shall*
14 *undertake transportation of the dog to the continental*
15 *United States (including transportation by contract at*
16 *United States expense) for adoption under this section un-*
17 *less—*

18 *“(i) the dog is adopted as described in para-*
19 *graph (2)(A); or*

20 *“(ii) transportation of the dog to the continental*
21 *United States would not be in the best interests of the*
22 *dog for medical reasons.*

23 *“(B) Nothing in this paragraph shall be construed to*
24 *alter the preference in adoption of retired military working*
25 *dogs for former handlers as set forth in subsection (g).”.*

1 **SEC. 5304. ADDITIONAL ELEMENT IN REPORT ON COLD**
2 **WEATHER CAPABILITIES AND READINESS OF**
3 **THE UNITED STATES ARMED FORCES.**

4 *The report on cold weather capabilities and readiness*
5 *of the United States Armed Forces required by section 322*
6 *shall also include an analysis of potential partnerships with*
7 *State, local, tribal, and private entities to maximize train-*
8 *ing potential and to utilize local expertise.*

9 **SEC. 5305. REPORT ON AIR FORCE TRAINING RANGE RE-**
10 **QUIREMENTS TO ADDRESS FIFTH GENERA-**
11 **TION THREATS.**

12 *(a) FINDINGS.—Congress makes the following findings:*

13 *(1) The Department of Defense needs to ensure*
14 *that air training ranges are properly equipped to*
15 *prepare pilots for operating in any battlespace where*
16 *they may have to operate.*

17 *(2) The ongoing development of anti-aircraft*
18 *technology among near-peer competitors of the United*
19 *States, and the proliferation of that technology to a*
20 *widening array of potential battlefields, necessitates*
21 *maximum preparedness among United States fighter*
22 *and bomber pilots.*

23 *(3) Years of focusing on low intensity stability*
24 *operations and multiple budget cycles under spending*
25 *caps have resulted in an under capitalization of fifth*
26 *generation training resources.*

1 **(b) REPORT.**—Not later than 90 days after the date
2 of the enactment of this Act, the Secretary of the Air Force
3 shall submit to the congressional defense committees a re-
4 port on the needs of the Air Force to ensure pilots can train
5 against the full range of fifth generation threats at training
6 ranges, including—

7 (1) the appropriate mix of live and virtual
8 threats that should be available on the training
9 ranges;

10 (2) the need to have threat representative simula-
11 tors at those training ranges;

12 (3) the plan to meet those needs;

13 (4) the resources required to meet those needs;

14 and

15 (5) the timeline for meeting those needs.

16 **SEC. 5306. ANNUAL REPORT ON DIFFERENCES IN SHIP RE-**
17 **PAIR CONTRACT AND FINAL DELIVERY**
18 **COSTS.**

19 **(a) REPORT REQUIRED.**—The Secretary of the Navy
20 shall submit to the congressional defense committees a re-
21 port on the differences between the final contract and final
22 delivery cost for each ship repair, including a description
23 of any growth work that was added after the contract award
24 and a detailed explanation on why the growth work was
25 not included in original contract proposal.

1 **(b) SENSE OF CONGRESS.**—*It is the sense of Congress*
2 *that it is important to create and maintain a stable work*
3 *load for the defense industrial base at ship repair yards.*

4 **SEC. 5307. REPORT ON AIR FORCE AIRFIELD OPERATIONAL**
5 **REQUIREMENTS.**

6 **(a) IN GENERAL.**—*Not later than February 1, 2019,*
7 *the Secretary of the Air Force shall conduct an assessment*
8 *and submit to the congressional defense committees a report*
9 *detailing the operational requirements for Air Force air-*
10 *fields.*

11 **(b) ELEMENTS.**—*The report required under subsection*
12 *(a) shall include the following elements:*

13 (1) *An assessment of the state of airfields where*
14 *runway degradation currently poses a threat to oper-*
15 *ations and airfields where such degradation threatens*
16 *operations in the next five and ten years.*

17 (2) *A description of the operational requirements*
18 *for airfields, including an assessment of the impact to*
19 *operations, cost to repair, cost to replace, remaining*
20 *useful life, and the required daily maintenance to en-*
21 *sure runways are acceptable for full operations.*

22 (3) *A description of any challenges with infra-*
23 *structure acquisition methods and processes.*

24 (4) *An assessment of the operational impact in*
25 *the event a runway were to become inoperable due to*

1 *a major degradation incident, such as a crack or frac-*
2 *ture resulting from lack of maintenance and repair.*

3 *(5) A plan to address any shortfalls associated*
4 *with the Air Force's runway infrastructure.*

5 *(c) FORM.—The report required under subsection (a)*
6 *shall be in unclassified form but may contain a classified*
7 *annex as necessary.*

8 ***TITLE LV—MILITARY***
9 ***PERSONNEL POLICY***

10 ***SEC. 5501. REPORT ON PARTICIPATION IN THE TRANSITION***
11 ***ASSISTANCE PROGRAM.***

12 *(a) REPORT REQUIRED.—Not later than February 28,*
13 *2019, the Secretary of Defense shall submit to the Commit-*
14 *tees on Armed Services of the Senate and the House of Rep-*
15 *resentatives a report on participation in the Transition As-*
16 *sistance Program under section 1144 of title 10, United*
17 *States Code, by members of the Armed Forces.*

18 *(b) ELEMENTS.—The report required by subsection (a)*
19 *shall include the following:*

20 *(1) Information on the participation of members*
21 *of the Armed Forces in the Transition Assistance Pro-*
22 *gram during 2018, including the following:*

23 *(A) The number of members who were eligi-*
24 *ble for participation in the Program during*

1 2018, in aggregate and by component of the
2 Armed Forces.

3 (B) The number of members who partici-
4 pated in the Program during 2018, in aggregate
5 and by component of the Armed Forces, for each
6 service as follows:

7 (i) Preseparation counseling provided
8 by the Department of Defense.

9 (ii) Briefings provided by the Depart-
10 ment of Veterans Affairs.

11 (iii) Employment workshops provided
12 by the Department of Labor.

13 (C) The number of members who did not
14 participate in the Program during 2018 due to
15 a waiver of the participation requirement under
16 section 114(c)(2) of title 10, United States Code,
17 for each service set forth in subparagraph (B).

18 (2) Such recommendations for legislative or ad-
19 ministrative action as the Secretary of Defense, in
20 consultation with the Secretary of Labor, the Sec-
21 retary of Veterans Affairs, and the Secretary of
22 Homeland Security, considers appropriate to increase
23 participation of members of the Armed Forces in each
24 service set forth in paragraph (1)(B).

1 (3) *Assessments of the Transition Assistance Pro-*
2 *gram by members of the Armed Forces who partici-*
3 *ipated in the Program during 2018, including the fol-*
4 *lowing:*

5 (A) *A summary of the data obtained by the*
6 *Department of Defense through assessments of the*
7 *Program by participants in the Program during*
8 *2018, including data obtained through the assess-*
9 *ments as follows:*

10 (i) *The Transition Goals Plans Success*
11 *(GPS) Participant Assessment.*

12 (ii) *Status of Forces Surveys (SOFS).*

13 (B) *A summary of the conclusions derived*
14 *by the Secretary of Defense from the data de-*
15 *scribed in subparagraph (A).*

16 (4) *Such recommendations for improvements to*
17 *the Transition Assistance Program as the Secretary of*
18 *Defense considers appropriate in light of the data de-*
19 *scribed by paragraph (3)(A) and the conclusions de-*
20 *scribed by paragraph (3)(B), including recommenda-*
21 *tions for such legislative or administrative action as*
22 *the Secretary considers appropriate to carry out such*
23 *improvements.*

1 **SEC. 5502. BRIEFING ON THE STATUS OF THE PLAN OF THE**
2 **ARMY TO TRANSITION TO NEW INSECTICIDE**
3 **PRETREATMENTS ON COMBAT UNIFORMS.**

4 *Not later than 60 days after the date of the enactment*
5 *of this Act, the Secretary of the Army shall provide to the*
6 *Committees on Armed Services of the Senate and the House*
7 *of Representatives a briefing the status of approval of, and*
8 *any plan to transition to, the use of new insecticide*
9 *pretreatments on combat uniforms.*

10 **TITLE LVIII—ACQUISITION POL-**
11 **ICY, ACQUISITION MANAGE-**
12 **MENT, AND RELATED MAT-**
13 **TERS**

14 **SEC. 5801. INSTRUCTION ON PILOT PROGRAM REGARDING**
15 **EMPLOYMENT OF PERSONS WITH DISABIL-**
16 **ITIES.**

17 *Not later than 180 days after the date of the enactment*
18 *of this Act, the Secretary of Defense shall update the Defense*
19 *Federal Acquisition Regulatory Supplement to include an*
20 *instruction on the pilot program regarding employment of*
21 *persons with disabilities authorized under section 853 of the*
22 *National Defense Authorization Act for Fiscal Year 2004*
23 *(Public Law 108–136; 10 U.S.C. 2302 note).*

24 **SEC. 5802. DEVELOPING INNOVATION AND GROWING THE**
25 **INTERNET OF THINGS.**

26 *(a) FINDINGS; SENSE OF CONGRESS.—*

1 (1) *FINDINGS.*—Congress finds that—

2 (A) *the Internet of Things refers to the*
3 *growing number of connected and interconnected*
4 *devices;*

5 (B) *estimates indicate that more than*
6 *50,000,000,000 devices will be connected to the*
7 *internet by 2020;*

8 (C) *the Internet of Things has the potential*
9 *to generate trillions of dollars in new economic*
10 *activity around the world;*

11 (D) *businesses across the United States can*
12 *develop new services and products, improve oper-*
13 *ations, simplify logistics, cut costs, and pass sav-*
14 *ings on to consumers by utilizing the Internet of*
15 *Things and related innovations;*

16 (E) *the United States leads the world in the*
17 *development of technologies that support the*
18 *internet and the United States technology sector*
19 *is well-positioned to lead in the development of*
20 *technologies for the Internet of Things;*

21 (F) *the United States Government can im-*
22 *plement this technology to better deliver services*
23 *to the public; and*

24 (G) *the Senate unanimously passed Senate*
25 *Resolution 110, 114th Congress, agreed to March*

1 24, 2015, calling for a national strategy for the
2 development of the Internet of Things.

3 (2) *SENSE OF CONGRESS.*—*It is the sense of*
4 *Congress that policies governing the Internet of*
5 *Things should maximize the potential and develop-*
6 *ment of the Internet of Things to benefit all stake-*
7 *holders, including businesses, governments, and con-*
8 *sumers.*

9 (b) *DEFINITIONS.*—*In this section:*

10 (1) *COMMISSION.*—*The term “Commission”*
11 *means the Federal Communications Commission.*

12 (2) *SECRETARY.*—*The term “Secretary” means*
13 *the Secretary of Commerce.*

14 (3) *STEERING COMMITTEE.*—*The term “steering*
15 *committee” means the steering committee established*
16 *under subsection (c)(5).*

17 (4) *WORKING GROUP.*—*The term “working*
18 *group” means the working group convened under sub-*
19 *section (c)(1).*

20 (c) *FEDERAL WORKING GROUP.*—

21 (1) *IN GENERAL.*—*The Secretary shall convene a*
22 *working group of Federal stakeholders for the purpose*
23 *of providing recommendations and a report to Con-*
24 *gress relating to the aspects of the Internet of Things*
25 *described in paragraph (2).*

1 (2) *DUTIES.*—*The working group shall—*

2 (A) *identify any Federal regulations, stat-*
3 *utes, grant practices, budgetary or jurisdictional*
4 *challenges, and other sector-specific policies that*
5 *are inhibiting, or could inhibit, the development*
6 *of the Internet of Things;*

7 (B) *consider policies or programs that en-*
8 *courage and improve coordination among Fed-*
9 *eral agencies with jurisdiction over the Internet*
10 *of Things;*

11 (C) *consider any findings or recommenda-*
12 *tions made by the steering committee and, where*
13 *appropriate, act to implement those rec-*
14 *ommendations; and*

15 (D) *examine—*

16 (i) *how Federal agencies can benefit*
17 *from utilizing the Internet of Things;*

18 (ii) *the use of Internet of Things tech-*
19 *nology by Federal agencies as of the date on*
20 *which the working group performs the ex-*
21 *amination;*

22 (iii) *the preparedness and ability of*
23 *Federal agencies to adopt Internet of Things*
24 *technology in the future; and*

1 (iv) any additional security measures
2 that Federal agencies may need to take to—

3 (I) safely and securely use the
4 Internet of Things, including measures
5 that ensure the security of critical in-
6 frastructure; and

7 (II) enhance the resiliency of Fed-
8 eral systems against cyber threats to
9 the Internet of Things.

10 (3) AGENCY REPRESENTATIVES.—In convening
11 the working group under paragraph (1), the Secretary
12 may appoint representatives, and shall specifically
13 consider seeking representation, from—

14 (A) the Department of Commerce, includ-
15 ing—

16 (i) the National Telecommunications
17 and Information Administration;

18 (ii) the National Institute of Stand-
19 ards and Technology; and

20 (iii) the National Oceanic and Atmos-
21 pheric Administration;

22 (B) the Department of Transportation;

23 (C) the Department of Homeland Security;

24 (D) the Office of Management and Budget;

25 (E) the National Science Foundation;

- 1 (F) the Commission;
- 2 (G) the Federal Trade Commission;
- 3 (H) the Office of Science and Technology
- 4 Policy;
- 5 (I) the Department of Energy; and
- 6 (J) the Federal Energy Regulatory Commis-
- 7 sion.
- 8 (4) *NONGOVERNMENTAL STAKEHOLDERS.*—*The*
- 9 *working group shall consult with nongovernmental*
- 10 *stakeholders, including—*
- 11 (A) the steering committee;
- 12 (B) information and communications tech-
- 13 nology manufacturers, suppliers, service pro-
- 14 viders, and vendors;
- 15 (C) subject matter experts representing in-
- 16 dustrial sectors other than the technology sector
- 17 that can benefit from the Internet of Things, in-
- 18 cluding the energy, agriculture, and health care
- 19 sectors;
- 20 (D) small, medium, and large businesses;
- 21 (E) think tanks and academia;
- 22 (F) nonprofit organizations and consumer
- 23 groups;
- 24 (G) rural stakeholders; and

1 (H) other stakeholders with relevant exper-
2 tise, as determined by the Secretary.

3 (5) *STEERING COMMITTEE.*—

4 (A) *ESTABLISHMENT.*—There is established
5 within the Department of Commerce a steering
6 committee to advise the working group.

7 (B) *DUTIES.*—The steering committee shall
8 advise the working group with respect to—

9 (i) the identification of any Federal
10 regulations, statutes, grant practices, pro-
11 grams, budgetary or jurisdictional chal-
12 lenges, and other sector-specific policies that
13 are inhibiting, or could inhibit, the develop-
14 ment of the Internet of Things;

15 (ii) whether adequate spectrum is
16 available to support the growing Internet of
17 Things and what legal or regulatory bar-
18 riers may exist to providing any spectrum
19 needed in the future;

20 (iii) policies or programs that—

21 (I) promote or are related to the
22 privacy of individuals who use or are
23 affected by the Internet of Things;

1 (II) may enhance the security of
2 the Internet of Things, including the
3 security of critical infrastructure;

4 (III) may protect users of the
5 Internet of Things; and

6 (IV) may encourage coordination
7 among Federal agencies with jurisdic-
8 tion over the Internet of Things;

9 (iv) the opportunities and challenges
10 associated with the use of Internet of Things
11 technology by small businesses; and

12 (v) any international proceeding,
13 international negotiation, or other inter-
14 national matter affecting the Internet of
15 Things to which the United States is or
16 should be a party.

17 (C) MEMBERSHIP.—The Secretary shall ap-
18 point to the steering committee members rep-
19 resenting a wide range of stakeholders outside of
20 the Federal Government with expertise relating
21 to the Internet of Things, including—

22 (i) information and communications
23 technology manufacturers, suppliers, service
24 providers, and vendors;

1 (ii) *subject matter experts representing*
2 *industrial sectors other than the technology*
3 *sector that can benefit from the Internet of*
4 *Things, including the energy, agriculture,*
5 *and health care sectors;*

6 (iii) *small, medium, and large busi-*
7 *nesses;*

8 (iv) *think tanks and academia;*

9 (v) *nonprofit organizations and con-*
10 *sumer groups;*

11 (vi) *rural stakeholders; and*

12 (vii) *other stakeholders with relevant*
13 *expertise, as determined by the Secretary.*

14 (D) *REPORT.*—*Not later than 1 year after*
15 *the date of enactment of this Act, the steering*
16 *committee shall submit to the working group a*
17 *report that includes any findings made by, or*
18 *recommendations of, the steering committee.*

19 (E) *INDEPENDENT ADVICE.*—

20 (i) *IN GENERAL.*—*The steering com-*
21 *mittee shall set the agenda of the steering*
22 *committee in carrying out the duties of the*
23 *steering committee under subparagraph (B).*

24 (ii) *SUGGESTIONS.*—*The working*
25 *group may suggest topics or items for the*

1 *steering committee to study and the steering*
2 *committee shall take those suggestions into*
3 *consideration in carrying out the duties of*
4 *the steering committee.*

5 (iii) *REPORT.—The steering committee*
6 *shall ensure that the report submitted under*
7 *subparagraph (D) is the result of the inde-*
8 *pendent judgment of the steering committee.*

9 (F) *TERMINATION.—The steering committee*
10 *shall terminate on the date on which the working*
11 *group submits the report under paragraph (6)*
12 *unless, on or before that date, the Secretary files*
13 *a new charter for the steering committee under*
14 *section 9(c) of the Federal Advisory Committee*
15 *Act (5 U.S.C. App.).*

16 (6) *REPORT TO CONGRESS.—*

17 (A) *IN GENERAL.—Not later than 18*
18 *months after the date of enactment of this Act,*
19 *the working group shall submit to Congress a re-*
20 *port that includes—*

21 (i) *the findings and recommendations*
22 *of the working group with respect to the du-*
23 *ties of the working group under paragraph*
24 *(2);*

1 (ii) the report submitted by the steer-
2 ing committee under paragraph (5)(D), as
3 the report was received by the working
4 group;

5 (iii) recommendations for action or
6 reasons for inaction, as applicable, with re-
7 spect to each recommendation made by the
8 steering committee in the report submitted
9 under paragraph (5)(D); and

10 (iv) an accounting of any progress
11 made by Federal agencies to implement rec-
12 ommendations made by the working group
13 or the steering committee.

14 (B) COPY OF REPORT.—The working group
15 shall submit a copy of the report described in
16 subparagraph (A) to—

17 (i) the Committee on Commerce,
18 Science, and Transportation and the Com-
19 mittee on Energy and Natural Resources of
20 the Senate;

21 (ii) the Committee on Energy and
22 Commerce of the House of Representatives;
23 and

24 (iii) any other committee of Congress,
25 upon request to the working group.

1 (d) *ASSESSING SPECTRUM NEEDS.*—

2 (1) *IN GENERAL.*—*The Commission, in consulta-*
3 *tion with the National Telecommunications and In-*
4 *formation Administration, shall issue a notice of in-*
5 *quiry seeking public comment on the current, as of*
6 *the date of enactment of this Act, and future spectrum*
7 *needs of the Internet of Things.*

8 (2) *REQUIREMENTS.*—*In issuing the notice of in-*
9 *quiry under paragraph (1), the Commission shall seek*
10 *comments that consider and evaluate—*

11 (A) *whether adequate spectrum is available*
12 *to support the growing Internet of Things;*

13 (B) *what regulatory barriers may exist to*
14 *providing any needed spectrum for the Internet*
15 *of Things; and*

16 (C) *what the role of licensed and unlicensed*
17 *spectrum is and will be in the growth of the*
18 *Internet of Things.*

19 (3) *REPORT.*—*Not later than 1 year after the*
20 *date of enactment of this Act, the Commission shall*
21 *submit to the Committee on Commerce, Science, and*
22 *Transportation of the Senate and the Committee on*
23 *Energy and Commerce of the House of Representa-*
24 *tives a report summarizing the comments submitted*

1 *in response to the notice of inquiry issued under*
2 *paragraph (1).*

3 **TITLE LIX—DEPARTMENT OF DE-**
4 **FENSE ORGANIZATION AND**
5 **MANAGEMENT**

6 **SEC. 5901. CLARIFICATION OF CERTAIN RISK ASSESSMENT**
7 **REQUIREMENTS OF THE CHAIRMAN OF THE**
8 **JOINT CHIEFS OF STAFF IN CONNECTION**
9 **WITH THE NATIONAL MILITARY STRATEGY.**

10 *Section 153(b) of title 10, United States Code, is*
11 *amended—*

12 *(1) in paragraph (1)(D)(iii), by striking “mili-*
13 *tary strategic and operational risks” and inserting*
14 *“military risk”; and*

15 *(2) in paragraph (2)(B)(ii), by striking “mili-*
16 *tary strategic and operational risks to United States*
17 *interests and the military strategic and operational*
18 *risks in executing the National Military Strategy (or*
19 *update)” and inserting “military strategic risks to*
20 *United States interests and military risks in exe-*
21 *cuting the National Military Strategy (or update)”.*

1 **TITLE LX—GENERAL**
2 **PROVISIONS**

3 **SEC. 6001. BUSINESS CASE ANALYSIS OF READY RESERVE**
4 **FORCE RECAPITALIZATION OPTIONS.**

5 (a) *BUSINESS CASE ANALYSIS REQUIRED.*—Not later
6 than 120 days after the date of the enactment of this Act,
7 the Secretary of the Navy shall, in consultation with the
8 Administrator of the Maritime Administration and the
9 Commander of United States Transportation Command,
10 submit to the congressional defense committees a report set-
11 ting forth a business case analysis of recapitalization op-
12 tions for the Ready Reserve Force (RRF).

13 (b) *ELEMENTS.*—The business case analysis required
14 by subsection (a) shall include the following:

15 (1) *Each sealift capability area, and the associ-*
16 *ated capacity, for which Ready Reserve Force vessels*
17 *are required to be recapitalized through fiscal year*
18 *2048.*

19 (2) *The categories of vessels being considered in*
20 *each area specified pursuant to paragraph (1), in-*
21 *cluding the following:*

22 (A) *United States purpose-built vessels*
23 *(such as Common Hull Auxiliary Multi-mission*
24 *Platform).*

1 (B) *United States non-purpose built vessels*
2 *(such as vessels formerly engaged in Jones Act*
3 *trade).*

4 (C) *Foreign-built vessels that participated*
5 *in the Maritime Security Program.*

6 (D) *Foreign-built vessels that did not par-*
7 *ticipate in the Maritime Security Program.*

8 (3) *For each category of vessel specified pursuant*
9 *to paragraph (2), the following:*

10 (A) *Anticipated availability of vessels with-*
11 *in such category in the timeframe needed to meet*
12 *United States Transportation Command sealift*
13 *requirements.*

14 (B) *Anticipated purchase price, if applica-*
15 *ble.*

16 (C) *Anticipated cost and scope of mod-*
17 *ernization.*

18 (D) *Anticipated duration of modernization*
19 *period.*

20 (E) *Anticipated service life as a Ready Re-*
21 *serve Force vessel.*

22 (F) *Anticipated military utility.*

23 (G) *Ability of one such vessel to replace*
24 *more than one existing Ready Reserve Force ves-*
25 *sel.*

1 (4) *A cost-benefit determination on the mix of*
2 *capabilities and vessels identified pursuant to para-*
3 *graphs (1) through (3) that could ensure United*
4 *States Transportation Command sealift requirements*
5 *are met through fiscal year 2048, which determina-*
6 *tion shall include a comparison of the useful service*
7 *life of each category of vessels specified pursuant to*
8 *paragraph (2) with the costs of such category of ves-*
9 *sels.*

10 **SEC. 6002. TRANSFER OF EXCESS NAVAL VESSEL TO BAH-**
11 **RAIN.**

12 (a) *TRANSFER BY GRANT.—The President is author-*
13 *ized to transfer to the Government of Bahrain the OLIVER*
14 *HAZARD PERRY class guided missile frigate ex-USS*
15 *ROBERT G. BRADLEY (FFG-49) on a grant basis under*
16 *section 516 of the Foreign Assistance Act of 1961 (22 U.S.C.*
17 *2321j).*

18 (b) *GRANT NOT COUNTED IN ANNUAL TOTAL OF*
19 *TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of*
20 *the vessel transferred to the Government of Bahrain on a*
21 *grant basis pursuant to authority provided by subsection*
22 *(a) shall not be counted against the aggregate value of excess*
23 *defense articles transferred in any fiscal year under section*
24 *516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).*

1 (c) *COSTS OF TRANSFER.*—Any expense incurred by
2 the United States in connection with the transfer authorized
3 by this section shall be charged to the Government of Bah-
4 rain notwithstanding section 516(e) of the Foreign Assist-
5 ance Act of 1961 (22 U.S.C. 2321j(e)).

6 (d) *REPAIR AND REFURBISHMENT IN UNITED STATES*
7 *SHIPYARDS.*—To the maximum extent practicable, the
8 President shall require, as a condition of the transfer of a
9 vessel under this section, that the Government of Bahrain
10 have such repair or refurbishment of the vessel as is needed,
11 before the vessel joins the naval forces of that country, per-
12 formed at a shipyard located in the United States, includ-
13 ing a United States Navy shipyard.

14 (e) *EXPIRATION OF AUTHORITY.*—The authority to
15 transfer a vessel under this section shall expire at the end
16 of the three-year period beginning on the date of the enact-
17 ment of this Act.

18 **SEC. 6003. MEMBERS OF PANEL CONDUCTING REVIEW OF**
19 **MILITARY AVIATION READINESS IN SUPPORT**
20 **OF THE NATIONAL DEFENSE STRATEGY.**

21 Notwithstanding subparagraph (C) of section
22 1044(b)(2), the official who shall be referred to in that sub-
23 paragraph is the Commander, Naval Air Forces.

1 **SEC. 6004. STUDY ON PHASING OUT OPEN BURN PITS.**

2 (a) *REPORT.*—Not later than 180 days after the date
3 of the enactment of this Act, the Secretary of Defense shall
4 submit to Congress a report that includes—

5 (1) details of any ongoing use of open burn pits;

6 and

7 (2) the feasibility of phasing out the use of open
8 burn pits by using technology incinerators.

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

11 (1) that is designated by the Secretary of Defense
12 to be used for disposing solid waste by burning in the
13 outdoor air; and

14 (2) does not contain a commercially manufac-
15 tured incinerator or other equipment specifically de-
16 signed and manufactured for the burning of solid
17 waste.

18 **SEC. 6005. AIRBORNE HAZARDS AND OPEN BURN PIT REG-**
19 **ISTRY.**

20 Beginning not later than one year after the date of
21 the enactment of this Act, the Secretary of Defense shall
22 carry out an annual education campaign to inform indi-
23 viduals who may be eligible to enroll in the Airborne Haz-
24 ards and Open Burn Pit Registry of such eligibility. Each
25 such campaign shall include at least one electronic method

1 *and one physical mailing method to provide such informa-*
2 *tion.*

3 **SEC. 6006. IMPROVING SMALL BUSINESS LOAN PROGRAMS**
4 **FOR EMPLOYEE-OWNED BUSINESS CON-**
5 **CERNS.**

6 *(a) DEFINITIONS.—In this section—*

7 *(1) the terms “Administration” and “Adminis-*
8 *trator” mean the Small Business Administration and*
9 *the Administrator thereof, respectively;*

10 *(2) the term “cooperative” has the meaning*
11 *given the term in section 7(a)(35) of the Small Busi-*
12 *ness Act, as added by subsection (b);*

13 *(3) the term “employee-owned business concern”*
14 *means—*

15 *(A) a cooperative; and*

16 *(B) a qualified employee trust;*

17 *(4) the terms “qualified employee trust” and*
18 *“small business concern” have the meanings given*
19 *those terms in section 3 of the Small Business Act (15*
20 *U.S.C. 632); and*

21 *(5) the term “small business development center”*
22 *means a small business development center described*
23 *in section 21 of the Small Business Act (15 U.S.C.*
24 *648).*

25 *(b) EXPANSION OF 7(A) LOANS.—*

1 (1) *IN GENERAL.*—Section 7(a) of the Small
2 *Business Act (15 U.S.C. 636(a)) is amended—*

3 (A) *in paragraph (15)—*

4 (i) *in subparagraph (A)—*

5 (I) *by striking “this subsection to*
6 *qualified employee trusts” and insert-*
7 *ing “this subsection—*

8 *“(i) to qualified employee trusts”;*

9 (II) *in clause (i), as so des-*
10 *ignated—*

11 (aa) *by inserting “, and for*
12 *any transaction costs associated*
13 *with purchasing,” after “pur-*
14 *chasing”;*

15 (bb) *by striking the period at*
16 *the end and inserting “; and”;*
17 *and*

18 (III) *by adding at the end the fol-*
19 *lowing:*

20 *“(i) to a small business concern under a*
21 *plan approved by the Administrator, if the pro-*
22 *ceeds from the loan are only used to make a loan*
23 *to a qualified employee trust, and for any trans-*
24 *action costs associated with making that loan,*
25 *that results in the qualified employee trust own-*

1 *ing at least 51 percent of the small business con-*
2 *cern.”;*

3 *(ii) in subparagraph (B)—*

4 *(I) in the matter preceding clause*
5 *(i), by inserting “or by the small busi-*
6 *ness concern” after “the trustee of such*
7 *trust”;*

8 *(II) in clause (ii), by striking*
9 *“and” at the end;*

10 *(III) in clause (iii), by striking*
11 *the period at the end and inserting “,*
12 *and”;* and

13 *(IV) by adding at the end the fol-*
14 *lowing:*

15 *“(iv) with respect to a loan made to a trust,*
16 *or to a cooperative in accordance with para-*
17 *graph (35)—*

18 *“(I) a seller of the small business con-*
19 *cern may remain involved as an officer, di-*
20 *rector, or key employee of the small business*
21 *concern when a qualified employee trust or*
22 *cooperative has acquired 100 percent of*
23 *ownership of the small business concern;*
24 *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 re-
5 quired to provide a personal guarantee by
6 the Administration.”; and

7 (iii) by adding at the end the fol-
8 lowing:

9 “(F) A small business concern that makes a loan
10 to a qualified employee trust under subparagraph
11 (A)(ii) is not required to contain the same terms and
12 conditions as the loan made to the small business con-
13 cern that is guaranteed by the Administration under
14 such subparagraph.

15 “(G) With respect to a loan made to a qualified
16 employee trust under this paragraph, or to a coopera-
17 tive in accordance with paragraph (35), the Adminis-
18 trator may, as determined appropriate by the Adminis-
19 trator, elect to not require any mandatory equity to
20 be provided by the qualified employee trust or coopera-
21 tive to make the 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 deter-

1 *mined to be a cooperative by the Administrator,*
2 *in accordance with applicable Federal and State*
3 *laws and regulations.*

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 PREFERRED*
8 *LENDERS.—Section 5(b)(7) of the Small Business Act*
9 *(15 U.S.C. 634(b)(7)) is amended by inserting “, in-*
10 *cluding loans guaranteed under paragraph (15) or*
11 *(35) of section 7(a)” after “deferred participation*
12 *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 Act*
17 *of 1958 (15 U.S.C. 681(c)) to increase the use of funds to*
18 *make investments in company transitions to employee-*
19 *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 business*

1 *concerns, including transitions to employee-owned business*
2 *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 CENTERS.—*

12 *(A) IN GENERAL.—In carrying out the pro-*
13 *gram established under paragraph (1), the Ad-*
14 *ministrator shall enter into agreements with*
15 *small business development centers under which*
16 *the centers shall—*

17 *(i) provide access to information and*
18 *resources on employee ownership through*
19 *cooperatives or qualified employee trusts as*
20 *a business succession strategy;*

21 *(ii) conduct training and educational*
22 *activities; and*

23 *(iii) carry out the activities described*
24 *in subparagraph (U) of section 21(c)(3) of*

1 *the Small Business Act (15 U.S.C.*
2 *648(c)(3)), as added by subparagraph (B).*

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 “; and”;*
10 *and*

11 *(iii) by adding at the end the fol-*
12 *lowing:*

13 *“(U) encouraging and assisting the provi-*
14 *sion of succession planning to small business*
15 *concerns with a focus on transitioning to co-*
16 *operatives, as defined in section 7(a)(35), and*
17 *qualified employee trusts (collectively referred to*
18 *in this subparagraph as ‘employee-owned busi-*
19 *ness concerns’), including by—*

20 *“(i) providing training to individuals*
21 *to promote the successful management, gov-*
22 *ernance, or operation of a business pur-*
23 *chased by those individuals in the forma-*
24 *tion of an employee-owned business concern;*

1 “(ii) assisting employee-owned business
2 concerns that meet applicable size standards
3 established under section 3(a) with edu-
4 cation and technical assistance with respect
5 to financing and contracting programs ad-
6 ministered by the Administration;

7 “(iii) coordinating with lenders on
8 conducting outreach on financing through
9 programs administered by the Administra-
10 tion that may be used to support the transi-
11 tion of ownership to employees;

12 “(iv) supporting small business con-
13 cerns in exploring or assessing the possi-
14 bility of transitioning to an employee-
15 owned business concern; and

16 “(v) coordinating with the cooperative
17 development centers of the Department of
18 Agriculture, the land grant extension net-
19 work, the Manufacturing Extension Part-
20 nership, community development financial
21 institutions, employee ownership associa-
22 tions and service providers, and local, re-
23 gional and national cooperative associa-
24 tions.”.

25 (f) *INTERAGENCY WORKING GROUP.*—

1 (1) *IN GENERAL.*—Not later than 90 days after
2 the date of enactment of this Act, the Administrator
3 or a designee of the Administrator shall coordinate
4 and chair an interagency working group, which
5 shall—

6 (A) develop recommendations on how Fed-
7 eral programs can promote, support, and in-
8 crease the number of employee-owned business
9 concerns;

10 (B) ensure coordination with Federal agen-
11 cies and national and local employee ownership,
12 cooperative, and small business organizations;
13 and

14 (C) publish a report on the activities of the
15 interagency working group that is indexed and
16 maintained for public review.

17 (2) *MEETINGS.*—The interagency working group
18 described in paragraph (1) shall meet in person or
19 via electronic resources at such times as determined
20 necessary by the Administrator, but not less fre-
21 quently than biannually.

22 (g) *AMENDMENT TO REPORT TO CONGRESS ON STATUS*
23 *OF EMPLOYEE-OWNED FIRMS.*—Section 7(a)(15) of the
24 *Small Business Act (15 U.S.C. 636(a)(15)), as amended by*
25 *this section, is amended—*

1 (1) in subparagraph (E), by striking “Adminis-
2 tration.” and inserting “Administration, which shall
3 include—

4 “(i) the total number of loans made to co-
5 operatives and qualified employee trusts (collec-
6 tively referred to in this subparagraph as ‘em-
7 ployee-owned business concerns’) that were guar-
8 anteed by the Administrator under this section
9 or section 502 of the Small Business Investment
10 Act of 1958 (15 U.S.C. 696), including the num-
11 ber of loans made—

12 “(I) to small business concerns owned
13 and controlled by socially and economically
14 disadvantaged individuals; and

15 “(II) to cooperatives;

16 “(ii) the total number of financings made to
17 employee-owned business concerns by companies
18 licensed under section 301(c) of the Small Busi-
19 ness Investment Act of 1958 (15 U.S.C. 696(c)),
20 including the number of financings made—

21 “(I) to small business concerns owned
22 and controlled by socially and economically
23 disadvantaged individuals; and

24 “(II) to cooperatives; and

1 “(iii) any outreach and educational activi-
2 ties conducted by the Administration with re-
3 spect to employee-owned business concerns.”; and

4 (A) by adding at the end the following:

5 “(H) In this paragraph—

6 “(i) the term ‘cooperative’ has the meaning
7 given the term in paragraph (35); and

8 “(ii) the term ‘small business concern owned
9 and controlled by socially and economically dis-
10 advantaged individuals’ has the meaning given
11 the term in section 8(d)(3)(C).”.

12 (h) *REPORT ON COOPERATIVE LENDING.*—

13 (1) *SENSE OF CONGRESS.*—It is the sense of
14 Congress that cooperatives have a unique business
15 structure and are unable to access the lending pro-
16 grams of the Administration effectively due to loan
17 guarantee requirements that are incompatible with
18 the business structure of cooperatives.

19 (2) *STUDY AND REPORT.*—

20 (A) *STUDY.*—The Administrator, in coordi-
21 nation with lenders, stakeholders, and Federal
22 agencies, shall study and recommend practical
23 alternatives for cooperatives that will satisfy the
24 loan guarantee requirements of the Administra-
25 tion.

1 (B) *REPORT.*—Not later than 120 days
2 after the date of enactment of this Act, the Ad-
3 ministrators shall submit to Congress the rec-
4 ommendations developed under paragraph (1)
5 and a plan to implement those recommendations.

6 **SEC. 6007. COMPTROLLER GENERAL OF THE UNITED**
7 **STATES REVIEW OF EFFECT OF OTHER-THAN-**
8 **HONORABLE DISCHARGES ON VETERAN EM-**
9 **PLOYMENT OUTCOMES.**

10 (a) *REVIEW REQUIRED.*—Not later than one year after
11 the date of the enactment of this Act, the Comptroller Gen-
12 eral of the United States shall, in consultation with the Sec-
13 retary of Defense, the Secretary of Veterans Affairs, and the
14 Secretary of Labor, complete a review of the effect of dis-
15 charges and releases from service in the active military,
16 naval, or air service under conditions other than honorable
17 on employment outcomes for veterans who were so dis-
18 charged or released.

19 (b) *ELEMENTS.*—The review required by subsection (a)
20 shall include the following:

21 (1) *An assessment of the effect of a discharge or*
22 *release described in subsection (a) on a veteran's em-*
23 *ployment outcomes.*

24 (2) *Development of recommendations for legisla-*
25 *tive or administrative action to reduce the negative*

1 *effect of such a discharge or release on employment*
2 *outcomes, including potential educational campaigns.*

3 (3) *An assessment of agency outreach or other*
4 *relevant efforts to inform veterans of their ability to*
5 *seek a change to their character of discharge through*
6 *a discharge review board.*

7 (4) *An assessment of the progress of the Sec-*
8 *retary of Defense in implementing the recommenda-*
9 *tions of the Comptroller General published in the*
10 *Government Accountability Office report GAO-17-*
11 *260 in May of 2017 on actions needed to ensure post-*
12 *traumatic stress disorder and traumatic brain injury*
13 *are considered in misconduct separations.*

14 (5) *A review and development of recommended*
15 *areas for improvement in the implementation by the*
16 *Department of Defense of its August 25, 2017, clari-*
17 *fying guidance to Military Discharge Review Boards*
18 *and Board for Correction of Military/Naval Records*
19 *related to mental health conditions, sexual assault, or*
20 *sexual harassment. Such review shall include identi-*
21 *fying statistics on the number of upgrades and dis-*
22 *charge reliefs requested and granted and the average*
23 *timeframe for review of such requests.*

24 (c) *REPORT.—Not later than 90 days after the date*
25 *on which the Comptroller General completes the review re-*

1 *quired by subsection (a), the Comptroller General shall sub-*
2 *mit to Congress a report on the results of the review.*

3 *(d) DEFINITIONS.—In this section, the terms “active*
4 *military, naval, or air service”, “discharge or release”, and*
5 *“veteran” have the meaning given such terms in section 101*
6 *of title 38, United States Code.*

7 **SEC. 6008. COMPTROLLER GENERAL STUDY ON AVAIL-**
8 **ABILITY OF LONG-TERM CARE OPTIONS FOR**
9 **VETERANS FROM DEPARTMENT OF VETERANS**
10 **AFFAIRS.**

11 *(a) IN GENERAL.—The Comptroller General of the*
12 *United States shall conduct a study on the availability of*
13 *long-term care options from the Department of Veterans Af-*
14 *fairs for veterans with combat-related disabilities, including*
15 *veterans who served in the Armed Forces after September*
16 *11, 2001.*

17 *(b) ELEMENTS.—The study required by subsection (a)*
18 *shall—*

19 *(1) determine the potential demand for long-term*
20 *care by veterans eligible for health care from the De-*
21 *partment;*

22 *(2) determine the capacity of the Department for*
23 *providing all four levels of long-term care, which are*
24 *independent living, assisted living, nursing home*
25 *care, and memory care;*

1 (3) *identify the number of veterans with combat-*
2 *related disabilities who require a personal care assist-*
3 *ant and which facilities of the Department provide*
4 *this service; and*

5 (4) *examine the value of long-term care benefits*
6 *provided by the Department, including personal care*
7 *assistant services, to identify the potential elements of*
8 *a pilot program that affords aging veterans the choice*
9 *of receiving long-term care benefits at nonprofit con-*
10 *tinuing care retirement communities.*

11 (c) *REPORT.*—*Not later than January 1, 2020, the*
12 *Comptroller General shall submit to the Committee on*
13 *Armed Services and the Committee on Veterans' Affairs of*
14 *the Senate and the Committee on Armed Services and the*
15 *Committee on Veterans' Affairs of the House of Representa-*
16 *tives a report on the study conducted under this section.*

17 **SEC. 6009. SENSE OF CONGRESS RELATING TO SOO LOCKS,**
18 **SAULT SAINTE MARIE, MICHIGAN.**

19 *It is the sense of Congress that—*

20 (1) *the Soo Locks in Sault Ste. Marie, Michigan,*
21 *are of critical importance to the national security of*
22 *the United States;*

23 (2) *the Soo Locks are the only waterway connec-*
24 *tion from Lake Superior to the Lower Great Lakes*
25 *and the St. Lawrence Seaway;*

1 (3) *only the Poe Lock is of sufficient size to allow*
2 *for the passage of the largest cargo vessels that trans-*
3 *port well over 90 percent of all iron ore mined in the*
4 *United States, and this lock is nearing the end of its*
5 *50-year useful lifespan;*

6 (4) *a report issued by the Office of Cyber and In-*
7 *frastructure Analysis of the Department of Homeland*
8 *Security concluded that an unscheduled 6-month out-*
9 *age of the Poe Lock would cause—*

10 (A) *a dramatic increase in national and re-*
11 *gional unemployment; and*

12 (B) *75 percent of Great Lakes steel produc-*
13 *tion, and nearly all North American appliance,*
14 *automobile, railcar, and construction, farm, and*
15 *mining equipment production to cease;*

16 (5) *the Corps of Engineers is reevaluating a past*
17 *economic evaluation report to update the benefit-to-*
18 *cost ratio for building a new lock at the Soo Locks;*
19 *and*

20 (6) *the Secretary of the Army and all relevant*
21 *Federal agencies should—*

22 (A) *expedite the completion of the report de-*
23 *scribed in paragraph (5) and ensure the analysis*
24 *adequately reflects the critical importance of the*

1 *Soo Locks infrastructure to the national security*
2 *and economy of the United States; and*

3 *(B) expedite all other necessary reviews,*
4 *analysis, and approvals needed to speed the re-*
5 *quired upgrades at the Soo Locks.*

6 **TITLE LXI—CIVILIAN**
7 **PERSONNEL MATTERS**

8 **SEC. 6101. DEPARTMENT OF DEFENSE CYBER SCHOLARSHIP**
9 **PROGRAM SCHOLARSHIPS AND GRANTS.**

10 *(a) ADDITIONAL CONSIDERATIONS.—Section 2200c of*
11 *title 10, United States Code, is amended—*

12 *(1) by inserting before “In the selection” the fol-*
13 *lowing:*

14 *“(a) CENTERS OF ACADEMIC EXCELLENCE IN CYBER*
15 *EDUCATION.—”; and*

16 *(2) by adding at the end the following new sub-*
17 *section:*

18 *“(b) CERTAIN INSTITUTIONS OF HIGHER EDU-*
19 *CATION.—In the selection of a recipient for the award of*
20 *a scholarship or grant under this chapter, consideration*
21 *shall be given to whether—*

22 *“(1) in the case of a scholarship, the institution*
23 *of higher education at which the recipient pursues a*
24 *degree is an institution described in section 371(a) of*

1 *the Higher Education Act of 1965 (20 U.S.C.*
 2 *1067q(a)); and*

3 *“(2) in the case of a grant, the recipient is an*
 4 *institution described in such section.”.*

5 *(b) CLERICAL AMENDMENTS.—*

6 *(1) SECTION HEADING.—The heading of section*
 7 *2200c of title 10, United States Code, is amended to*
 8 *read as follows:*

9 **“§ 2200c. Special considerations in awarding scholar-**
 10 **ships and grants”.**

11 *(2) TABLE OF SECTIONS.—The table of sections*
 12 *at the beginning of chapter 112 of title 10, United*
 13 *States Code, is amended by striking the item relating*
 14 *to section 2200c and inserting the following new item:*

“2200c. Special considerations in awarding scholarships and grants.”.

15 ***Subtitle LXII—Matters Relating to***
 16 ***Foreign Nations***

17 ***SEC. 6201. COORDINATION OF EFFORTS TO NEGOTIATE***
 18 ***FREE TRADE AGREEMENTS WITH CERTAIN***
 19 ***SUB-SAHARAN AFRICAN COUNTRIES.***

20 *(a) IN GENERAL.—The Chief Executive Officer of the*
 21 *Millennium Challenge Corporation shall consult and co-*
 22 *ordinate with the United States Trade Representative and*
 23 *the Administrator of the United States Agency for Inter-*
 24 *national Development with respect to countries described in*
 25 *subsection (b) for the purpose of developing and carrying*

1 *out the plan required by section 116(b) of the African*
 2 *Growth and Opportunity Act (19 U.S.C. 3723(b)).*

3 *(b) COUNTRIES DESCRIBED.—A country is described*
 4 *in this paragraph if the country—*

5 *(1) is identified under section 110(b)(1) of the*
 6 *Trade Preferences Extension Act of 2015 (Public Law*
 7 *114–27; 19 U.S.C. 3705 note); and*

8 *(2)(A) has entered into a Millennium Challenge*
 9 *Compact pursuant to section 609 of the Millennium*
 10 *Challenge Act of 2003 (22 U.S.C. 7708); or*

11 *(B) is selected by the Board of Directors of the*
 12 *Millennium Challenge Corporation under subsection*
 13 *(c) of section 607 of that Act (22 U.S.C. 7706) from*
 14 *among the countries determined to be eligible coun-*
 15 *tries under subsection (a) of that section.*

16 **SEC. 6202. TREATMENT OF RWANDAN PATRIOTIC FRONT**
 17 **AND RWANDAN PATRIOTIC ARMY UNDER IM-**
 18 **MIGRATION AND NATIONALITY ACT.**

19 *(a) REMOVAL OF TREATMENT AS TERRORIST ORGANI-*
 20 *ZATIONS.—*

21 *(1) IN GENERAL.—Except as provided in para-*
 22 *graph (2), the Rwandan Patriotic Front and the*
 23 *Rwandan Patriotic Army shall be excluded from the*
 24 *definition of terrorist organization (as defined in sec-*
 25 *tion 212(a)(3)(B)(vi)(III) of the Immigration and*

1 *Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi)(III))) for*
2 *purposes of such section 212(a)(3)(B) for any period*
3 *before August 1, 1994.*

4 (2) *EXCEPTION.—*

5 (A) *IN GENERAL.—The Secretary of State,*
6 *in consultation with the Secretary of Homeland*
7 *Security and the Attorney General, or the Sec-*
8 *retary of Homeland Security, in consultation*
9 *with the Secretary of State and the Attorney*
10 *General, as applicable, may suspend the applica-*
11 *tion of paragraph (1) for the Rwandan Patriotic*
12 *Front or the Rwandan Patriotic Army in the*
13 *sole and unreviewable discretion of such applica-*
14 *ble Secretary.*

15 (B) *REPORT.—Not later than, or contem-*
16 *poraneously with, a suspension of paragraph (1)*
17 *under subparagraph (A), the Secretary of State*
18 *or the Secretary of Homeland Security, as appli-*
19 *cable, shall submit to the appropriate committees*
20 *of Congress a report on the justification for such*
21 *suspension.*

22 (b) *RELIEF FROM INADMISSIBILITY.—*

23 (1) *ACTIVITIES BEFORE AUGUST 1, 1994.—Sec-*
24 *tion 212(a)(3)(B) of the Immigration and Nation-*
25 *ality Act (8 U.S.C. 1182(a)(3)(B)) shall not apply to*

1 *an alien with respect to any activity undertaken by*
2 *the alien in association with the Rwandan Patriotic*
3 *Front or the Rwandan Patriotic Army before August*
4 *1, 1994.*

5 (2) *EXCEPTION.—*

6 (A) *IN GENERAL.—Paragraph (1) shall not*
7 *apply if the Secretary of State or the Secretary*
8 *of Homeland Security, as applicable, determines*
9 *in the sole unreviewable discretion of such appli-*
10 *cable Secretary that, in the totality of the cir-*
11 *cumstances, such alien—*

12 (i) *poses a threat to the safety and se-*
13 *curity of the United States; or*

14 (ii) *does not merit a visa, admission to*
15 *the United States, or a grant of an immi-*
16 *gration benefit or protection.*

17 (B) *IMPLEMENTATION.—Subparagraph (A)*
18 *shall be implemented by the Secretary of State*
19 *and the Secretary of Homeland Security, in con-*
20 *sultation with the Attorney General.*

21 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
22 *FINED.—In this section, the term “appropriate committees*
23 *of Congress” means—*

24 (1) *the Committee on the Judiciary, the Com-*
25 *mittee on Foreign Relations, the Committee on Home-*

1 *land Security and Governmental Affairs, and the*
2 *Committee on Appropriations of the Senate; and*

3 *(2) the Committee on the Judiciary, the Com-*
4 *mittee on Foreign Affairs, the Committee on Home-*
5 *land Security, and the Committee on Appropriations*
6 *of the House of Representatives.*

7 **SEC. 6203. SYRIAN WAR CRIMES ACCOUNTABILITY.**

8 *(a) FINDINGS.—Congress makes the following findings:*

9 *(1) March 2017 marks the sixth year of the ongo-*
10 *ing conflict in Syria.*

11 *(2) As of February 2017—*

12 *(A) more than 13,000,000 people are in*
13 *need of humanitarian assistance in Syria;*

14 *(B) approximately 6,600,000 people are dis-*
15 *placed from their homes inside Syria; and*

16 *(C) approximately 5,600,000 Syrians have*
17 *fled to neighboring countries as refugees.*

18 *(3) Since the conflict in Syria began, the United*
19 *States has provided more than \$8,000,000,000 to meet*
20 *humanitarian needs in Syria, making the United*
21 *States the world's single largest donor by far to the*
22 *Syrian humanitarian response.*

23 *(4) In response to growing concerns over sys-*
24 *temic human rights violations in Syria, the Inde-*
25 *pendent International Commission of Inquiry on the*

1 *Syrian Arab Republic (referred to in this subsection*
2 *as “COI”) was established on August 22, 2011. The*
3 *purpose of COI is to “investigate all alleged violations*
4 *of international human rights law since March 2011*
5 *in the Syrian Arab Republic, to establish the facts*
6 *and circumstances that may amount to such viola-*
7 *tions and of the crimes perpetrated and, where pos-*
8 *sible, to identify those responsible with a view to en-*
9 *sureing that perpetrators of violations, including those*
10 *that may constitute crimes against humanity, are*
11 *held accountable”.*

12 (5) *On December 21, 2016, the United Nations*
13 *General Assembly adopted a resolution to establish the*
14 *International, Impartial and Independent Mechanism*
15 *to Assist in the Investigation and Prosecution of*
16 *Those Responsible for the Most Serious Crimes under*
17 *International Law Committed in the Syrian Arab*
18 *Republic since March 2011.*

19 (6) *In 2017, then Secretary of State Rex*
20 *Tillerson stated “ISIS is clearly responsible for geno-*
21 *cide against Yezidis, Christians, and Shia Muslims in*
22 *areas it controls or has controlled. ISIS is also re-*
23 *sponsible for crimes against humanity and ethnic*
24 *cleansing directed at these same groups, and in some*
25 *cases against Sunni Muslims, Kurds, and other mi-*

1 *norities The protection of these groups, and oth-*
2 *ers subject to violent extremism, is a human rights*
3 *priority for the Trump administration.”.*

4 (7) *On February 7, 2017, Amnesty International*
5 *reported that between 5,000 and 13,000 people were*
6 *extrajudicially executed in the Saydnaya Military*
7 *Prison between September 2011 and December 2015.*

8 (8) *In February 2017, COI released a report—*

9 (A) *stating that a joint United Nations-*
10 *Syrian Arab Red Crescent convoy in Orum al-*
11 *Kubra, Syria, was attacked by air on September*
12 *19, 2016;*

13 (B) *explaining that the attack killed at least*
14 *14 civilian aid workers, injured at least 15 oth-*
15 *ers, and destroyed trucks, food, medicine, clothes,*
16 *and other supplies; and*

17 (C) *concluding that “the attack was meticu-*
18 *lously planned and ruthlessly carried out by the*
19 *Syrian air force to purposefully hinder the deliv-*
20 *ery of humanitarian aid and target aid workers,*
21 *constituting the war crimes of deliberately at-*
22 *tacking humanitarian relief personnel, denial of*
23 *humanitarian aid and targeting civilians.”.*

24 (9) *On October 26, 2017, the Organization for*
25 *the Prohibition of Chemical Weapons-United Nations*

1 *Joint Investigative Mechanism transmitted its sixth*
2 *report, which concluded that the Syrian Arab Armed*
3 *Forces and the Islamic State in Iraq and Syria*
4 *(ISIS) have both used chemical weapons against vil-*
5 *lages in Syria, including the use of sarin by the forces*
6 *of the Government of Syria in Khan Sheikhoun in*
7 *April 2017.*

8 (10) *On August 8, 2017, COI released a report*
9 *stating that certain offenses, including deliberately at-*
10 *tacking hospitals, holding back humanitarian aid as*
11 *a tactic to control civilian populations, and the con-*
12 *tinued use of chemical weapons against civilians, con-*
13 *stitute war crimes and crimes against humanity.*

14 (11) *Physicians for Human Rights reported that,*
15 *between March 2011 and the end of December 2017,*
16 *Syrian government and allied forces—*

17 (A) *had committed 446 attacks on 330 sepa-*
18 *rate medical facilities (including through the use*
19 *of indiscriminate barrel bombs on at least 80 oc-*
20 *casions); and*

21 (B) *had killed 847 medical personnel.*

22 (12) *The Department of State’s 2017 Country*
23 *Reports on Human Rights Practices—*

24 (A) *states that President Bashar al-Assad*
25 *“engaged in frequent violations and abuses, in-*

1 *cluding massacres, indiscriminate killings, kid-*
2 *napping of civilians, arbitrary detentions, and*
3 *rape as a war tactic.”;*

4 (B) *explains that “these attacks included*
5 *bombardment with improvised explosive devices,*
6 *commonly referred to as ‘barrel bombs’ . . .”;*
7 *and*

8 (C) *reports that “[t]he government [of*
9 *Syria] continued the use of torture and rape, in-*
10 *cluding of children”.*

11 (13) *In February 2016, COI reported that—*

12 (A) *“crimes against humanity continue to*
13 *be committed by [Syrian] Government forces and*
14 *by ISIS”;*

15 (B) *the Syrian government has “committed*
16 *the crimes against humanity of extermination,*
17 *murder, rape or other forms of sexual violence,*
18 *torture, imprisonment, enforce disappearance*
19 *and other inhuman acts”;* and

20 (C) *“[a]ccountability for these and other*
21 *crimes must form part of any political solution”.*

22 (14) *Credible civil society organizations col-*
23 *lecting evidence of war crimes, crimes against human-*
24 *ity, and genocide in Syria report that at least 12*

1 *countries in western Europe and North America have*
2 *requested assistance on investigating such crimes.*

3 *(15) In April 2018, the COI—*

4 *(A) reported at least 34 chemical attacks*
5 *during the period beginning in 2013 and ending*
6 *in January 2018, many of which—*

7 *(i) used chlorine or sarin, a nerve*
8 *agent; and*

9 *(ii) were conducted by the Government*
10 *of Syria.*

11 *(16) According to the World Health Organiza-*
12 *tion, following the April 7, 2018, chemical weapons*
13 *attack in Douma, Eastern Ghouta, an estimated 500*
14 *people were treated for “signs and symptoms con-*
15 *sistent with exposure to toxic chemicals”.*

16 *(17) On April 13, 2018, United States Amba-*
17 *sador to the United States Nikki Haley stated: “The*
18 *United States estimates that Assad has used chemical*
19 *weapons in the Syrian war at least 50 times. Public*
20 *estimates are as high as 200.”*

21 *(b) SENSE OF CONGRESS.—Congress—*

22 *(1) strongly condemns—*

23 *(A) the ongoing violence, use of chemical*
24 *weapons, targeting of civilian populations with*
25 *barrel, incendiary, and cluster bombs and SCUD*

1 *missiles, and systematic gross human rights vio-*
2 *lations carried out by the Government of Syria*
3 *and pro-government forces under the direction of*
4 *President Bashar al-Assad; and*

5 *(B) all abuses committed by violent extrem-*
6 *ist groups and other combatants involved in the*
7 *civil war in Syria;*

8 *(2) expresses its support for the people of Syria*
9 *seeking democratic change;*

10 *(3) urges all parties to the conflict—*

11 *(A) to immediately halt indiscriminate at-*
12 *tacks on civilians;*

13 *(B) to allow for the delivery of humani-*
14 *tarian and medical assistance; and*

15 *(C) to end sieges of civilian populations;*

16 *(4) calls on the President to support efforts in*
17 *Syria, and on the part of the international commu-*
18 *nity, to ensure accountability for war crimes, crimes*
19 *against humanity, and genocide committed during*
20 *the conflict; and*

21 *(5) supports the request in United Nations Secu-*
22 *rity Council Resolutions 2139 (2014), 2165 (2014),*
23 *and 2191 (2014) for the Secretary-General to regu-*
24 *larly report to the Security Council on implementa-*
25 *tion on the resolutions, including of paragraph 2 of*

1 *Resolution 2139, which “demands that all parties im-*
2 *mediately put an end to all forms of violence [and]*
3 *cease and desist from all violations of international*
4 *humanitarian law and violations and abuses of*
5 *human rights”.*

6 *(c) REPORT ON ACCOUNTABILITY FOR WAR CRIMES,*
7 *CRIMES AGAINST HUMANITY, AND GENOCIDE IN SYRIA.—*

8 *(1) IN GENERAL.—The Secretary of State shall*
9 *submit a report on war crimes, crimes against hu-*
10 *manity, and genocide in Syria to the appropriate*
11 *congressional committees not later than 90 days after*
12 *the date of the enactment of this Act and another such*
13 *report not later than 180 days after the Secretary of*
14 *State determines that the violence in Syria has*
15 *ceased.*

16 *(2) ELEMENTS.—The reports required under*
17 *paragraph (1) shall include—*

18 *(A) a description of alleged war crimes,*
19 *crimes against humanity, and genocide per-*
20 *petrated during the civil war in Syria, includ-*
21 *ing—*

22 *(i) incidents that may constitute war*
23 *crimes, crimes against humanity, or geno-*
24 *cide committed by the regime of President*

1 *Bashar al-Assad and all forces fighting on*
2 *its behalf;*

3 *(ii) incidents that may constitute war*
4 *crimes, crimes against humanity, or geno-*
5 *cide committed by violent extremist groups,*
6 *anti-government forces, and any other com-*
7 *batants in the conflict;*

8 *(iii) any incidents that may violate the*
9 *principle of medical neutrality and, if pos-*
10 *sible, the identification of the individual or*
11 *individuals who engaged in or organized*
12 *such incidents; and*

13 *(iv) if possible, a description of the*
14 *conventional and unconventional weapons*
15 *used for such crimes and the origins of such*
16 *weapons; and*

17 *(B) a description and assessment by the De-*
18 *partment of State Office of Global Criminal Jus-*
19 *tice, the United States Agency for International*
20 *Development, the Department of Justice, and*
21 *other appropriate agencies of programs that the*
22 *United States Government has undertaken to en-*
23 *sure accountability for war crimes, crimes*
24 *against humanity, and genocide perpetrated*
25 *against the people of Syria by the regime of*

1 *President Bashar al-Assad, violent extremist*
2 *groups, and other combatants involved in the*
3 *conflict, including programs—*

4 *(i) to train investigators within and*
5 *outside of Syria on how to document, inves-*
6 *tigate, develop findings of, and identify and*
7 *locate alleged perpetrators of war crimes,*
8 *crimes against humanity, or genocide, in-*
9 *cluding—*

10 *(I) the number of United States*
11 *Government or contract personnel cur-*
12 *rently designated to work full-time on*
13 *these issues; and*

14 *(II) the identification of the au-*
15 *thorities and appropriations being*
16 *used to support such training efforts;*

17 *(ii) to promote and prepare for a tran-*
18 *sitional justice process or processes for the*
19 *perpetrators of war crimes, crimes against*
20 *humanity, and genocide in Syria beginning*
21 *in March 2011;*

22 *(iii) to document, collect, preserve, and*
23 *protect evidence of war crimes, crimes*
24 *against humanity, and genocide in Syria,*
25 *including support for Syrian, foreign, and*

1 *international nongovernmental organiza-*
2 *tions, and other entities, including the*
3 *International, Impartial and Independent*
4 *Mechanism to Assist in the Investigation*
5 *and Prosecution of Persons Responsible for*
6 *the Most Serious Crimes under Inter-*
7 *national Law Committed in the Syrian*
8 *Arab Republic since March 2011 and the*
9 *Independent International Commission of*
10 *Inquiry on the Syrian Arab Republic; and*
11 *(iv) to assess the influence of account-*
12 *ability measures on efforts to reach a nego-*
13 *tiated settlement to the Syrian conflict dur-*
14 *ing the reporting period.*

15 (3) *FORM.*—*The report required under para-*
16 *graph (1) may be submitted in unclassified or classi-*
17 *fied form, but shall include a publicly available*
18 *annex.*

19 (4) *PROTECTION OF WITNESSES AND EVI-*
20 *DENCE.*—*The Secretary shall take due care to ensure*
21 *that the identification of witnesses and physical evi-*
22 *dence are not publicly disclosed in a manner that*
23 *might place such persons at risk of harm or encourage*
24 *the destruction of evidence by the Government of*
25 *Syria, violent extremist groups, anti-government*

1 *forces, or any other combatants or participants in the*
2 *conflict.*

3 *(d) TRANSITIONAL JUSTICE STUDY.—Not later than*
4 *180 days after the date of the enactment of this Act, the*
5 *Secretary of State (acting through appropriate officials and*
6 *offices, which may include the Office of Global Criminal*
7 *Justice), after consultation with the Department of Justice,*
8 *the United States Agency for International Development,*
9 *and other appropriate Federal agencies, shall—*

10 *(1) complete a study of the feasibility and desir-*
11 *ability of potential transitional justice mechanisms*
12 *for Syria, including a hybrid tribunal, to address*
13 *war crimes, crimes against humanity, and genocide*
14 *perpetrated in Syria beginning in March 2011; and*

15 *(2) submit a detailed report of the results of the*
16 *study conducted under paragraph (1), including rec-*
17 *ommendations on which transitional justice mecha-*
18 *nisms the United States Government should support,*
19 *why such mechanisms should be supported, and what*
20 *type of support should be offered, to—*

21 *(A) the Committee on Foreign Relations of*
22 *the Senate;*

23 *(B) the Committee on Foreign Affairs of the*
24 *House of Representatives;*

1 (C) the Committee on Appropriations of the
2 Senate; and

3 (D) the Committee on Appropriations of the
4 House of Representatives.

5 (e) *TECHNICAL ASSISTANCE AUTHORIZED.*—

6 (1) *IN GENERAL.*—*The Secretary of State (acting*
7 *through appropriate officials and offices, which may*
8 *include the Office of Global Criminal Justice), after*
9 *consultation with the Department of Justice and other*
10 *appropriate Federal agencies, is authorized to provide*
11 *appropriate assistance to support entities that, with*
12 *respect to war crimes, crimes against humanity, and*
13 *genocide perpetrated by the regime of President*
14 *Bashar al-Assad, all forces fighting on its behalf, and*
15 *all non-state armed groups fighting in the country,*
16 *including violent extremist groups in Syria beginning*
17 *in March 2011—*

18 (A) *identify suspected perpetrators of war*
19 *crimes, crimes against humanity, and genocide;*

20 (B) *collect, document, and protect evidence*
21 *of crimes and preserve the chain of custody for*
22 *such evidence;*

23 (C) *conduct criminal investigations;*

24 (D) *build Syria's investigative and judicial*
25 *capacities and support prosecutions in the do-*

1 *mestic courts of Syria, provided that President*
2 *Bashar al-Assad is no longer in power;*

3 *(E) support investigations by third-party*
4 *states, as appropriate; or*

5 *(F) protect witnesses that may be helpful to*
6 *prosecutions or other transitional justice mecha-*
7 *nisms.*

8 (2) *ADDITIONAL ASSISTANCE.*—*The Secretary of*
9 *State, after consultation with appropriate Federal*
10 *agencies and the appropriate congressional commit-*
11 *tees, and taking into account the findings of the tran-*
12 *sitional justice study required under subsection (e), is*
13 *authorized to provide assistance to support the cre-*
14 *ation and operation of transitional justice mecha-*
15 *nisms, including a potential hybrid tribunal, to pros-*
16 *ecute individuals suspected of committing war crimes,*
17 *crimes against humanity, or genocide in Syria begin-*
18 *ning in March 2011.*

19 (3) *BRIEFING.*—*The Secretary of State shall pro-*
20 *vide detailed, biannual briefings to the appropriate*
21 *congressional committees describing the assistance*
22 *provided to entities described in paragraph (1).*

23 (f) *STATE DEPARTMENT REWARDS FOR JUSTICE PRO-*
24 *GRAM.*—*Section 36(b)(10) of the State Department Basic*
25 *Authorities Act of 1956 (22 U.S.C. 2708(b)(10)) is amended*

1 by inserting “(including war crimes, crimes against hu-
2 manity, or genocide committed in Syria beginning in
3 March 2011)” after “genocide”.

4 (g) *INDEPENDENT INTERNATIONAL COMMISSION OF*
5 *INQUIRY ON THE SYRIAN ARAB REPUBLIC.*—*The Secretary*
6 *of State, acting through the United States Permanent Rep-*
7 *resentative to the United Nations, should use the voice, vote,*
8 *and influence of the United States at the United Nations*
9 *to advocate that the United Nations Human Rights Coun-*
10 *cil, while the United States remains a member, annually*
11 *extend the mandate of the Independent International Com-*
12 *mission of Inquiry on the Syrian Arab Republic until the*
13 *Commission has completed its investigation of all alleged*
14 *violations of international human rights laws beginning in*
15 *March 2011 in the Syrian Arab Republic.*

16 (h) *DEFINITIONS.*—*In this section:*

17 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
18 *TEES.*—*The term “appropriate congressional commit-*
19 *tees” means—*

20 (A) *the Committee on Foreign Relations of*
21 *the Senate;*

22 (B) *the Committee on Armed Services of the*
23 *Senate;*

24 (C) *the Committee on Foreign Affairs of the*
25 *House of Representatives; and*

1 (D) *the Committee on Armed Services of the*
2 *House of Representatives.*

3 (2) *GENOCIDE.*—*The term “genocide” means any*
4 *offense described in section 1091(a) of title 18, United*
5 *States Code.*

6 (3) *HYBRID TRIBUNAL.*—*The term “hybrid tri-*
7 *bunal” means a temporary criminal tribunal that in-*
8 *volves a combination of domestic and international*
9 *lawyers, judges, and other professionals to prosecute*
10 *individuals suspected of committing war crimes,*
11 *crimes against humanity, or genocide.*

12 (4) *TRANSITIONAL JUSTICE.*—*The term “transi-*
13 *tional justice” means the range of judicial, non-*
14 *judicial, formal, informal, retributive, and restorative*
15 *measures employed by countries transitioning out of*
16 *armed conflict or repressive regimes—*

17 (A) *to redress legacies of atrocities; and*

18 (B) *to promote long-term, sustainable peace.*

19 (5) *WAR CRIME.*—*The term “war crime” has the*
20 *meaning given the term in section 2441(c) of title 18,*
21 *United States Code.*

22 **SEC. 6204. CLARIFICATION OF LIMITATION ON THE TRANS-**
23 **FER OF THE F-35 TO TURKEY.**

24 *The limitation on the transfer of the F-35 to Turkey*
25 *in section 1269(c) shall apply to the transfer or delivery*

1 *of that aircraft to Turkey rather than to the transfer of title*
2 *for that aircraft to Turkey.*

3 **SEC. 6205. REPORT ON HONDURAS, GUATEMALA, AND EL**
4 **SALVADOR.**

5 (a) *IN GENERAL.*—*Not later than 180 days after the*
6 *date of the enactment of this Act, the Secretary of Defense,*
7 *in coordination with the Director of National Intelligence,*
8 *shall submit to the congressional defense committees, the*
9 *Committee on Foreign Relations of the Senate, and the*
10 *Committee on Foreign Affairs of the House of Representa-*
11 *tives a report regarding narcotics trafficking corruption*
12 *and illicit campaign finance in Honduras, Guatemala, and*
13 *El Salvador.*

14 (b) *MATTERS TO BE INCLUDED.*—*The report required*
15 *under subsection (a) shall include—*

16 (1) *the names of senior government officials in*
17 *Honduras, Guatemala, and El Salvador who are*
18 *known to have committed or facilitated acts of grand*
19 *corruption or narcotics trafficking;*

20 (2) *the names of elected officials in Honduras,*
21 *Guatemala, and El Salvador who are known to have*
22 *received campaign funds that are the proceeds of*
23 *narco-trafficking or other illicit activities in the last*
24 *2 years; and*

1 (3) *the names of individuals in Honduras, Gua-*
2 *temala, and El Salvador who are known to have fa-*
3 *cilitated the financing of political campaigns in any*
4 *of the Northern Triangle countries with the proceeds*
5 *of narco-trafficking or other illicit activities in the*
6 *last 2 years.*

7 (c) *FORM.—The report submitted under subsection (a)*
8 *shall be submitted in unclassified form, but may include*
9 *a classified annex.*

10 **SEC. 6206. REPORT ON ARMS EMBARGO ON CYPRUS.**

11 (a) *IN GENERAL.—Not later than 180 days after the*
12 *date of the enactment of this Act, the Secretary of Defense*
13 *and the Secretary of State shall jointly submit to the appro-*
14 *priate congressional committees a report on the current im-*
15 *pect of the United States arms embargo on the Republic*
16 *of Cyprus.*

17 (b) *MATTERS TO BE INCLUDED.—The report required*
18 *under subsection (a) shall include the following:*

19 (1) *A list of items that have been requested by*
20 *Cyprus from the United States, but have been denied*
21 *under the arms embargo referred to in such sub-*
22 *section.*

23 (2) *An analysis of the impact that lifting the*
24 *arms embargo would have on United States interests*

1 *related to the island of Cyprus and the Eastern Medi-*
2 *terranean region.*

3 (3) *An analysis of how the arms embargo is*
4 *being complied with in areas controlled by Cyprus,*
5 *and in occupied northern Cyprus, and whether any*
6 *party has violated the letter or spirit of the arms em-*
7 *bargo.*

8 (4) *An analysis of how the arms embargo*
9 *against Cyprus impacts the ability of the United*
10 *States and its partners to combat threats in the Medi-*
11 *terranean region.*

12 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
13 *FINED.*—*In this section, the term “appropriate congres-*
14 *sional committees” means—*

15 (1) *the Committee on Armed Services and the*
16 *Committee on Foreign Affairs of the House of Rep-*
17 *resentatives; and*

18 (2) *the Committee on Armed Services and the*
19 *Committee on Foreign Relations of the Senate.*

1 **TITLE LXVI—STRATEGIC PRO-**
2 **GRAMS, CYBER, AND INTEL-**
3 **LIGENCE MATTERS**

4 **SEC. 6601. TECHNICAL CORRECTIONS TO CERTAIN CYBER-**
5 **SPACE MATTERS.**

6 (a) *SCOPE OF POLICY OF THE UNITED STATES ON*
7 *CYBERSPACE, CYBERSECURITY, CYBER WARFARE, AND*
8 *CYBER DETERRENCE.*—*The policy of the United States on*
9 *cyberspace, cybersecurity, cyber warfare, and cyber deter-*
10 *rence under section 1621(a) shall apply to cyber attacks and*
11 *malicious cyber activities described in that section by a for-*
12 *ign power rather than to any cyber attacks and malicious*
13 *cyber activities described in that section.*

14 (b) *SCOPE OF AUTHORITY TO DISRUPT, DEFEAT, AND*
15 *DETER CYBER ATTACKS OF THE RUSSIAN FEDERATION.*—
16 *The authority to disrupt, defeat, and deter cyber attacks*
17 *of the Russian Federation in section 1623(a)(1) shall apply*
18 *to authority to take appropriate and proportional action*
19 *described in that section in foreign cyberspace rather than*
20 *in any cyberspace.*

21 **SEC. 6602. TIER 1 EXERCISE OF SUPPORT TO CIVIL AU-**
22 **THORITIES FOR A CYBER INCIDENT.**

23 (a) *IN GENERAL.*—*The Commander of the United*
24 *States Cyber Command, the Commander of United States*
25 *Northern Command, and such other commands or compo-*

1 nents of the Department of Defense as the Secretary of De-
2 fense considers appropriate, shall, consistent with the rec-
3 ommendations made by the Comptroller General of the
4 United States in the Government Accountability Office re-
5 port GAO–16–574, conduct a tier 1 exercise of support to
6 civil authorities for a cyber incident.

7 (b) *ELEMENTS.*—The exercise required by subsection
8 (a) shall include the following:

9 (1) *Department level leadership and decision-*
10 *making for providing cyber support to civil authori-*
11 *ties.*

12 (2) *Testing of the policy, guidance, doctrine and*
13 *other elements in the Department of Defense Cyber*
14 *Incident Coordinating Procedure.*

15 (3) *Operational planning and execution by the*
16 *Joint Staff and supported and supporting combatant*
17 *commands.*

18 (4) *Coordination with, and incorporation of, as*
19 *appropriate, the Department of Homeland Security,*
20 *the Federal Bureau of Investigation, and elements*
21 *across Federal and State governments and the private*
22 *sector.*

1 **SEC. 6603. REPORT ON STRENGTHENING NATO CYBER DE-**
2 **FENSE.**

3 (a) *SENSE OF SENATE.*—*It is the sense of the Senate*
4 *that the Department of Defense should continue to cooperate*
5 *with the North Atlantic Treaty Organization (NATO) and*
6 *key Organization allies in order to promote the common*
7 *defense in the cyberspace domain as well as to deter*
8 *cyberattacks.*

9 (b) *REPORT REQUIRED.*—

10 (1) *IN GENERAL.*—*Not later than March 31,*
11 *2019, the Secretary of Defense shall submit to the con-*
12 *gressional defense committees a report detailing the*
13 *Department’s efforts to enhance the United States’*
14 *leadership and collaboration with the North Atlantic*
15 *Treaty Organization with respect to the development*
16 *of a comprehensive, cross-domain strategy to build*
17 *cyber-defense capacity and deter cyber attacks among*
18 *Organization member countries.*

19 (2) *CONTENTS.*—*The report required by para-*
20 *graph (1) shall address the following:*

21 (A) *Improving cyber situational awareness*
22 *among Organization member countries.*

23 (B) *Implementation of the cyber oper-*
24 *ational-domain roadmap of the Organization*
25 *with respect to doctrine, political oversight and*

1 *governance, planning, rules of engagement, and*
2 *integration across member countries.*

3 (C) *Planned cooperative efforts to combat*
4 *information warfare across Organization mem-*
5 *ber countries.*

6 (D) *The development of cyber capabilities,*
7 *including cooperative development efforts and*
8 *technology transfer.*

9 (E) *Supporting stronger cyber partnerships*
10 *with non-Organization member countries as ap-*
11 *propriate.*

12 **SEC. 6604. BRIEFING ON CYBER EDUCATION AND TRAINING.**

13 (a) *SENSE OF THE SENATE.—It is the sense of the Sen-*
14 *ate that—*

15 (1) *traditional approaches to cyber training fo-*
16 *cused solely on tactics, techniques, and procedures*
17 *that hackers have used in the past may be inadequate*
18 *for the challenges facing the cyber workforce of the De-*
19 *partment of Defense because they fail to focus on fu-*
20 *ture threats;*

21 (2) *such workforce encounters an information*
22 *gap when conducting training derived from events*
23 *that have already occurred rather than training de-*
24 *veloped for the evolving nature of cyber threats in real*
25 *time, and cyber certifications such as Security + and*

1 *CISSP are based on preventing vulnerabilities, ex-*
2 *ploits, and gaps identified in the past and lose rel-*
3 *evance depending on when the courseware was up-*
4 *dated;*

5 *(3) bridging the gap in cyber training between*
6 *curriculum that has been built on legacy data versus*
7 *training built on current real world cyberattacks is a*
8 *meaningful area of cyber training research, cur-*
9 *riculum development, and instruction delivery that*
10 *should be addressed; and*

11 *(4) universities and private industry are, and*
12 *will continue to be, critical partners in the education*
13 *and training of our future cyber force, and developing*
14 *partnerships with such universities and industry will*
15 *be crucial in staying informed of the latest best prac-*
16 *tices in the cyber domain.*

17 *(b) BRIEFING REQUIRED.—Not later than 180 days*
18 *after the date of the enactment of this Act, the Secretary*
19 *of Defense shall brief the Committee on Armed Services of*
20 *the Senate and the Committee on Armed Services of the*
21 *House of Representatives on how the Department of Defense*
22 *can leverage and partner with universities and industry on*
23 *cyber education and training.*

24 *(c) ELEMENTS.—The briefing required by subsection*
25 *(a) shall include discussion of the following:*

1 (1) *Current partnerships and ability to expand*
2 *and leverage such partnerships to improve cyber edu-*
3 *cation and training.*

4 (2) *Existing curriculum relating to cyber edu-*
5 *cation and training and recommendations for changes*
6 *to ensure relevance of such education and training to*
7 *future threats.*

8 (3) *Joint development of curriculum, courseware,*
9 *and research projects.*

10 (4) *Joint use of instructors and of facilities.*

11 (5) *Recommendations for legislative or adminis-*
12 *trative action to improve cyber education and train-*
13 *ing partnerships.*

14 **SEC. 6605. REPORT ON DEVELOPMENT OF LONG-RANGE**
15 **STAND-OFF WEAPON.**

16 (a) *REPORT REQUIRED.*—*Not later than 90 days after*
17 *the date of the enactment of this Act, and every 180 days*
18 *thereafter until December 31, 2024, the Secretary of the Air*
19 *Force shall, in coordination with the Administrator for Nu-*
20 *clear Security, submit to the congressional defense commit-*
21 *tees a report describing the joint development of the long-*
22 *range stand-off weapon, including the missile developed by*
23 *the Air Force and the W80–4 warhead life extension pro-*
24 *gram conducted by the National Nuclear Security Adminis-*
25 *tration.*

1 **(b) ELEMENTS.**—*The report required by subsection (a)*
2 *shall include the following:*

3 (1) *An estimate of the date on which the long-*
4 *range stand-off weapon will reach initial operating*
5 *capability.*

6 (2) *A description of any development milestones*
7 *for the missile developed by the Air Force or the war-*
8 *head developed by the National Nuclear Security Ad-*
9 *ministration that depend on corresponding progress*
10 *at the other agency.*

11 (3) *A description of coordination efforts between*
12 *the Air Force and the National Nuclear Security Ad-*
13 *ministration during the 180 days preceding submis-*
14 *sion of the report.*

15 (4) *A description of any schedule delays pro-*
16 *jected by the Air Force or the National Nuclear Secu-*
17 *rity Administration and the anticipated effect such*
18 *delays would have on the other agency's schedule of*
19 *work.*

20 (5) *Plans to mitigate the effects of any delays de-*
21 *scribed in paragraph (4).*

22 (6) *A description of any ways, including through*
23 *the availability of additional funding or authorities,*
24 *in which the development milestones described in*
25 *paragraph (2) or the estimated date of initial oper-*

1 *ating capability referred to in paragraph (1), could*
2 *be achieved more quickly.*

3 *(c) FORM.—The report required by subsection (a) shall*
4 *be submitted in unclassified form but may include a classi-*
5 *fied annex.*

6 **TITLE LXVII—COMMITTEE ON**
7 **FOREIGN INVESTMENT IN**
8 **THE UNITED STATES**

9 **SEC. 6701. INEFFECTIVENESS OF SECTION 1727.**

10 *Section 1727, relating to a prohibition on modification*
11 *of civil penalties under export control and sanctions laws,*
12 *shall have no force or effect.*

13 **SEC. 6702. PROHIBITION ON MODIFICATION OF CIVIL PEN-**
14 **ALTIES UNDER EXPORT CONTROL AND SANC-**
15 **TIONS LAWS AND PROHIBITION ON CERTAIN**
16 **TELECOMMUNICATIONS EQUIPMENT.**

17 *(a) PROHIBITION ON MODIFICATION OF PENALTIES.—*

18 *(1) IN GENERAL.—Notwithstanding any other*
19 *provision of law, no Federal official may modify any*
20 *penalty, including a penalty imposed pursuant to a*
21 *denial order, implemented by the Government of the*
22 *United States with respect to a Chinese telecommuni-*
23 *cations company pursuant to a determination that*
24 *the company has violated an export control or sanc-*
25 *tions law of the United States until the date that is*

1 30 days after the President certifies to the appro-
2 priate congressional committees that the company—

3 (A) has not, for a period of one year, con-
4 ducted activities in violation of the laws of the
5 United States; and

6 (B) is fully cooperating with investigations
7 into the activities of the company conducted by
8 the Government of the United States, if any.

9 (2) *REINSTATEMENT OF PENALTIES OR SUS-*
10 *PENDED ORDER.*—

11 (A) *IN GENERAL.*—If, before the date of the
12 enactment of this Act, any penalty imposed pur-
13 suant to the order of the Acting Assistant Sec-
14 retary of Commerce for Export Enforcement en-
15 titled “Order Activating Suspended Denial
16 Order Relating to Zhongxing Telecommuni-
17 cations Equipment Corporation and ZTE
18 Kangxun Telecommunications Ltd.” (83 Fed.
19 Reg. 17644), and dated April 15, 2018, is re-
20 duced or eliminated, or that order is suspended,
21 on such date of enactment, that penalty shall be
22 reinstated to the penalty in place before such re-
23 duction or elimination, or that order shall be re-
24 instated, as the case may be.

1 (B) *ADDITIONAL MODIFICATIONS.*—Any
2 modification to a penalty imposed pursuant to
3 the order described in subparagraph (A) on or
4 after the date of the enactment of this Act shall
5 be subject to the requirements of paragraph (1).

6 (b) *PROHIBITION ON USE OR PROCUREMENT.*—The
7 head of an executive agency may not—

8 (1) procure or obtain or extend or renew a con-
9 tract to procure or obtain any equipment, system, or
10 service that uses covered telecommunications equip-
11 ment or services as a substantial or essential compo-
12 nent of any system, or as critical technology as part
13 of any system; or

14 (2) enter into a contract (or extend or renew a
15 contract) with an entity that uses any equipment,
16 system, or service that uses covered telecommuni-
17 cations equipment or services as a substantial or es-
18 sential component of any system, or as critical tech-
19 nology as part of any system.

20 (c) *PROHIBITION ON LOAN AND GRANT FUNDS.*—The
21 head of an executive agency may not obligate or expend loan
22 or grant funds to procure or obtain, extend or renew a con-
23 tract to procure or obtain, or enter into a contract (or ex-
24 tend or renew a contract) to procure or obtain the equip-
25 ment, services, or systems described in subsection (b).

1 (d) *EFFECTIVE DATES.*—*The prohibitions under sub-*
2 *section (b)(1) and subsection (c) shall take effect 180 days*
3 *after the date of the enactment of this Act and the prohibi-*
4 *tion under subsection (b)(2) shall take effect three years*
5 *after the date of the enactment of this Act.*

6 (e) *RULE OF CONSTRUCTION.*—*Nothing in subsection*
7 *(b) or (c) shall be construed to—*

8 (1) *prohibit the head of an executive agency from*
9 *procuring with an entity to provide a service that*
10 *connects to the facilities of a third-party, such as*
11 *backhaul, roaming, or interconnection arrangements;*
12 *or*

13 (2) *cover telecommunications equipment that*
14 *cannot route or redirect user data traffic or permit*
15 *visibility into any user data or packets that such*
16 *equipment transmits or otherwise handles.*

17 (f) *DEFINITIONS.*—*In this section:*

18 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
19 *TEES.*—*The term “appropriate congressional commit-*
20 *tees’” means—*

21 (A) *the Committee on Banking, Housing,*
22 *and Urban Affairs and the Committee on For-*
23 *oreign Relations of the Senate; and*

1 (B) *the Committee on Financial Services*
2 *and the Committee on Foreign Affairs of the*
3 *House of Representatives.*

4 (2) *COVERED FOREIGN COUNTRY.—The term*
5 *“covered foreign country” means the People’s Repub-*
6 *lic of China.*

7 (3) *COVERED TELECOMMUNICATIONS EQUIPMENT*
8 *OR SERVICES.—The term “covered telecommuni-*
9 *cations equipment or services” means any of the fol-*
10 *lowing:*

11 (A) *Telecommunications equipment pro-*
12 *duced by Huawei Technologies Company or ZTE*
13 *Corporation (or any subsidiary or affiliate of*
14 *such entities).*

15 (B) *Telecommunications services provided*
16 *by such entities or using such equipment.*

17 (C) *Telecommunications equipment or serv-*
18 *ices produced or provided by an entity that the*
19 *Secretary of Defense, in consultation with the*
20 *Director of the National Intelligence or the Di-*
21 *rector of the Federal Bureau of Investigation,*
22 *reasonably believes to be an entity owned or con-*
23 *trolled by, or otherwise connected to, the govern-*
24 *ment of a covered foreign country.*

1 (4) *EXECUTIVE AGENCY.*—*The term “executive*
2 *agency” has the meaning given the term in section*
3 *133 of title 41, United States Code.*

4 (g) *TREATMENT OF PROVISION RELATING TO PROHI-*
5 *BITION ON CERTAIN TELECOMMUNICATIONS EQUIPMENT.*—
6 *Section 891, relating to a prohibition on certain tele-*
7 *communications equipment, shall have no force or effect.*

8 **TITLE LXXVIII—MILITARY CON-**
9 **STRUCTION AND GENERAL**
10 **PROVISIONS**

11 **SEC. 6801. CLARIFICATION TO INCLUDE NATIONAL GUARD**
12 **INSTALLATIONS IN READINESS AND ENVI-**
13 **RONMENTAL PROTECTION INTEGRATION**
14 **PROGRAM.**

15 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
16 *that—*

17 (1) *State-owned National Guard installations*
18 *have always qualified as military installations under*
19 *section 2684a of title 10, United States Code; and*

20 (2) *State-owned National Guard installations*
21 *should continue to qualify as military installations*
22 *under section 2684a of that section.*

23 (b) *CLARIFICATION.*—

24 (1) *IN GENERAL.*—*Section 2684a(a) of title 10,*
25 *United States Code, is amended by inserting “, as*

1 *well as a State-owned National Guard installation,”*
2 *after “military installation”.*

3 (2) *RETROACTIVE EFFECT.—The amendment*
4 *made by paragraph (1) shall take effect as of Decem-*
5 *ber 2, 2002.*

6 **SEC. 6802. RELEASE OF RESTRICTIONS, UNIVERSITY OF**
7 **CALIFORNIA, SAN DIEGO.**

8 (a) *RELEASE.—The Secretary of the Navy may, upon*
9 *receipt of full consideration as provided in subsection (b),*
10 *release to the Regents of the University of California (in*
11 *this section referred to as the “University of California”)*
12 *all remaining right, title, and interest of the United States,*
13 *including restrictions on use imposed by deed or otherwise*
14 *and reversionary rights, in and to a parcel of real property*
15 *consisting of approximately 495 acres that comprises part*
16 *of the San Diego campus of the University of California.*

17 (b) *CONSIDERATION.—*

18 (1) *CONSIDERATION REQUIRED.—As consider-*
19 *ation for the release under subsection (a), the Univer-*
20 *sity of California shall provide an amount that is ac-*
21 *ceptable to the Secretary of the Navy, whether by cash*
22 *payment, in-kind consideration as described under*
23 *paragraph (2), or a combination thereof, at such time*
24 *as the Secretary may require. The consideration*
25 *under this paragraph shall be based on an appraisal*

1 *approved by the Secretary of the value to the Depart-*
2 *ment of the Navy of the restrictions released under*
3 *subsection (a), except that in determining the value of*
4 *such restrictions, there shall be excluded the value of*
5 *any existing improvements to the property made by*
6 *or on behalf of the University of California and the*
7 *value of the University of California's existing rights*
8 *to the property.*

9 (2) *IN-KIND CONSIDERATION.—In-kind consider-*
10 *ation provided by the University of California under*
11 *paragraph (1) may include goods or services that ben-*
12 *efit the Department of the Navy and may take into*
13 *consideration the value which has accrued to the De-*
14 *partment of the Navy from the San Diego campus of*
15 *the University of California's research, education, and*
16 *clinical care activities, as well as the contracts,*
17 *grants, and other collaborations between the Depart-*
18 *ment of the Navy and the San Diego campus of the*
19 *University of California.*

20 (3) *TREATMENT OF CONSIDERATION RE-*
21 *CEIVED.—Consideration in the form of cash payment*
22 *received by the Secretary under paragraph (1) shall*
23 *be deposited in the separate fund in the Treasury de-*
24 *scribed in section 572(a)(1) of title 40, United States*
25 *Code.*

1 (c) *PAYMENT OF COSTS OF RELEASE.*—

2 (1) *PAYMENT REQUIRED.*—*The Secretary of the*
3 *Navy shall require the University of California to*
4 *cover costs to be incurred by the Secretary, or to re-*
5 *imburse the Secretary for such costs incurred by the*
6 *Secretary, to carry out the release under subsection*
7 *(a), including survey costs, costs for environmental*
8 *documentation related to the release, and any other*
9 *administrative costs related to the release. If amounts*
10 *are collected from the University of California in ad-*
11 *vance of the Secretary incurring the actual costs, and*
12 *the amount collected exceeds the costs actually in-*
13 *curring by the Secretary to carry out the release, the*
14 *Secretary shall refund the excess amount to the Uni-*
15 *versity of California.*

16 (2) *TREATMENT OF AMOUNTS RECEIVED.*—
17 *Amounts received as reimbursement under paragraph*
18 *(1) shall be credited to the fund or account that was*
19 *used to cover the costs incurred by the Secretary in*
20 *carrying out the release under subsection (a) or, if the*
21 *period of availability of obligations for that appro-*
22 *propriation has expired, to the appropriations of a fund*
23 *that is currently available to the Secretary for the*
24 *same purpose. Amounts so credited shall be merged*
25 *with amounts in such fund or account and shall be*

1 *available for the same purposes, and subject to the*
2 *same conditions and limitations, as amounts in such*
3 *fund or account.*

4 *(d) DESCRIPTION OF PROPERTY.—The exact acreage*
5 *and legal description of the real property that is the subject*
6 *of the release under subsection (a) shall be determined by*
7 *a survey or other documentation satisfactory to both the*
8 *Secretary of the Navy and the University of California.*

9 *(e) REVERSIONARY INTEREST.—The Secretary may*
10 *amend the conveyance instrument to establish a period of*
11 *applicability of a reversionary interest consistent with con-*
12 *veyances for educational purposes with the period com-*
13 *mencing with the date of the original conveyance.*

14 *(f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
15 *retary of the Navy may require such additional terms and*
16 *conditions in connection with the release under subsection*
17 *(a) as the Secretary considers appropriate to protect the*
18 *interests of the United States.*

19 **SEC. 6803. PLAN TO ALLOW INCREASED PUBLIC ACCESS TO**
20 **THE NATIONAL NAVAL AVIATION MUSEUM**
21 **AND BARRANCAS NATIONAL CEMETERY,**
22 **NAVAL AIR STATION PENSACOLA.**

23 *Not later than 90 days after the date of the enactment*
24 *of this Act, the Secretary of the Navy shall submit to the*
25 *congressional defense committees a plan to allow increased*

1 *public access to the National Naval Aviation Museum and*
2 *Barrancas National Cemetery at Naval Air Station Pensa-*
3 *cola.*

4 ***TITLE LXXXI—DEPARTMENT OF***
5 ***ENERGY NATIONAL SECURITY***
6 ***PROGRAMS***

7 ***SEC. 7101. ADDITIONAL AMOUNTS FOR INERTIAL CONFINE-***
8 ***MENT FUSION AND HIGH YIELD PROGRAM.***

9 *(a) IN GENERAL.—Notwithstanding the amounts spec-*
10 *ified in the funding table in section 4701, the total amount*
11 *authorized to be appropriated to the Department of Energy*
12 *for fiscal year 2019 for research, development, test and eval-*
13 *uation and available for the inertial confinement fusion*
14 *and high yield program shall be \$518,927,000, to be allo-*
15 *cated as follows:*

16 *(1) Ignition, \$69,575,000.*

17 *(2) Support of other stockpile programs,*
18 *\$22,565,000.*

19 *(3) Diagnostics, cryogenics, and experimental*
20 *support, \$74,194,000.*

21 *(4) Pulsed power inertial confinement fusion,*
22 *\$8,310,000.*

23 *(5) Joint program in high energy density labora-*
24 *tory plasmas, \$9,492,000.*

1 (6) *Facility operations and target production,*
2 *\$334,791,000.*

3 (b) *OFFSET.—The amount authorized to be appro-*
4 *priated to the Department of Energy for fiscal year 2019*
5 *by section 3102 and available as specified in the funding*
6 *table in section 4701 for defense environmental cleanup for*
7 *excess facilities is hereby reduced by \$100,000,000.*

8 **TITLE LXXXV—MARITIME**
9 **ADMINISTRATION**

10 **SEC. 7501. INEFFECTIVENESS OF TITLE XXXV.**

11 *Title XXXV shall have no force or effect.*

12 **SEC. 7502. AUTHORIZATION OF THE MARITIME ADMINIS-**
13 **TRATION.**

14 (a) *AUTHORIZATION OF APPROPRIATIONS.—There are*
15 *authorized to be appropriated to the Department of Trans-*
16 *portation for fiscal year 2019, to be available without fiscal*
17 *year limitation if so provided in appropriations Acts, the*
18 *following amounts for programs associated with maintain-*
19 *ing the United States merchant marine:*

20 (1) *For expenses necessary for operations of the*
21 *United States Merchant Marine Academy,*
22 *\$69,000,000 for Academy operations.*

23 (2) *For expenses necessary to support the State*
24 *maritime academies, \$32,200,000, of which—*

1 (A) \$2,400,000 shall remain available until
2 September 30, 2020, for the Student Incentive
3 Program;

4 (B) \$6,000,000 shall remain available until
5 expended for direct payments to such academies;

6 (C) \$22,000,000 shall remain available
7 until expended for maintenance and repair of
8 State maritime academy training vessels; and

9 (D) \$1,800,000 shall remain available until
10 expended for training ship fuel assistance.

11 (3) For expenses necessary to support the Na-
12 tional Security Multi-Mission Vessel Program,
13 \$300,000,000, which shall remain available until ex-
14 pended.

15 (4) For expenses necessary to support Maritime
16 Administration operations and programs,
17 \$60,442,000, of which \$5,000,000 shall remain avail-
18 able until expended for port infrastructure develop-
19 ment under section 50302 of title 46, United States
20 Code.

21 (5) For expenses necessary to dispose of vessels in
22 the National Defense Reserve Fleet, \$6,000,000, which
23 shall remain available until expended.

24 (6) For expenses necessary to maintain and pre-
25 serve a United States flag merchant marine to serve

1 *the national security needs of the United States under*
2 *chapter 531 of title 46, United States Code,*
3 *\$300,000,000.*

4 *(7) For expenses necessary for the loan guarantee*
5 *program authorized under chapter 537 of title 46,*
6 *United States Code, \$33,000,000, of which—*

7 *(A) \$30,000,000 may be used for the cost*
8 *(as defined in section 502(5) of the Federal Cred-*
9 *it Reform Act of 1990 (2 U.S.C. 661a(5))) of*
10 *loan guarantees under the program; and*

11 *(B) \$3,000,000 may be used for administra-*
12 *tive expenses relating to loan guarantee commit-*
13 *ments under the program.*

14 *(b) CAPITAL ASSET MANAGEMENT PROGRAM RE-*
15 *PORT.—Not later than 180 days after the date of the enact-*
16 *ment of this Act, the Maritime Administrator shall submit*
17 *to the Committee on Commerce, Science, and Transpor-*
18 *tation of the Senate and the Committee on Armed Services*
19 *and the Committee on Transportation and Infrastructure*
20 *of the House of Representatives a report on the status of*
21 *unexpended appropriations for capital asset management*
22 *at the United States Merchant Marine Academy, and the*
23 *plan for expending such appropriations.*

1 **SEC. 7503. CONCURRENT JURISDICTION.**

2 *Notwithstanding any other law, the Secretary of*
 3 *Transportation may relinquish, at the Secretary's discre-*
 4 *tion, to the State of New York, such measure of legislative*
 5 *jurisdiction over the lands constituting the United States*
 6 *Merchant Marine Academy in King's Point, New York, as*
 7 *is necessary to establish concurrent jurisdiction between the*
 8 *Federal Government and the State of New York. Such par-*
 9 *tial relinquishment of legislative jurisdiction shall be ac-*
 10 *complished—*

11 *(1) by filing with the Governor of New York a*
 12 *notice of relinquishment to take effect upon acceptance*
 13 *thereof; or*

14 *(2) as the laws of that State may provide.*

15 **SEC. 7504. UNITED STATES MERCHANT MARINE ACADEMY**
 16 **POLICY ON SEXUAL HARASSMENT, DATING VI-**
 17 **OLENCE, DOMESTIC VIOLENCE, SEXUAL AS-**
 18 **SAULT, AND STALKING.**

19 *(a) POLICY ON SEXUAL HARASSMENT, DATING VIO-*
 20 *LENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND*
 21 *STALKING.—Section 51318 of title 46, United States Code,*
 22 *is amended—*

23 *(1) in subsection (a)(2)—*

24 *(A) in subparagraph (A), by inserting “and*
 25 *prevention” after “awareness”;*

1 (B) by redesignating subparagraph (B) as
2 subparagraph (C), and subparagraphs (C)
3 through (F) as subparagraphs (E) through (H),
4 respectively;

5 (C) by inserting after subparagraph (A) the
6 following:

7 “(B) procedures for documenting, tracking,
8 and maintaining the data required to conduct
9 the annual assessments to determine the effective-
10 ness of the policies, procedures, and training
11 program of the Academy with respect to sexual
12 harassment, dating violence, domestic violence,
13 sexual assault, and stalking involving cadets or
14 other Academy personnel, as required by sub-
15 section (c);” and

16 (D) by inserting after subparagraph (C), as
17 redesignated by subparagraph (B), the following:

18 “(D) procedures for investigating sexual
19 harassment, dating violence, domestic violence,
20 sexual assault, or stalking involving a cadet or
21 other Academy personnel to determine whether
22 disciplinary action is necessary;”;

23 (2) in subsection (b)(2)(A), by inserting “and
24 other Academy personnel” after “cadets at the Acad-
25 emy”; and

1 (3) *in subsection (d)—*

2 (A) *in paragraph (2)(A) by inserting “, in-*
3 *cluding sexual harassment,” after “sexual as-*
4 *saults, rapes, and other sexual offenses”; and*

5 (B) *in paragraph (4)(B), by striking “The*
6 *Secretary” and inserting “Not later than Janu-*
7 *ary 15 of each year, the Secretary”.*

8 (b) *IMPLEMENTATION.—The Superintendent of the*
9 *United States Merchant Marine Academy may implement*
10 *the amendment to subsection (b)(2)(A) of section 51318 of*
11 *title 46, United States Code, made by subsection (a)(2), by*
12 *updating an existing plan issued pursuant to the National*
13 *Defense Authorization Act for Fiscal Year 2018 (Public*
14 *Law 115–91).*

15 **SEC. 7505. REPORT ON IMPLEMENTATION OF REC-**
16 **COMMENDATIONS FOR THE UNITED STATES**
17 **MERCHANT MARINE ACADEMY SEXUAL AS-**
18 **SAULT PREVENTION AND RESPONSE PRO-**
19 **GRAM.**

20 *Not later than April 1, 2019, the Maritime Adminis-*
21 *trator shall submit to the Committee on Commerce, Science,*
22 *and Transportation of the Senate and the Committee on*
23 *Armed Services and the Committee on Transportation and*
24 *Infrastructure of the House of Representatives a report de-*
25 *scribing the progress of the Maritime Administration in im-*

1 *plementing and closing each of the recommendations made*
2 *in the Office of Inspector General's Report issued March*
3 *28, 2018 (ST-2018-039) identifying gaps in the United*
4 *States Merchant Marine Academy's Sexual Assault Preven-*
5 *tion and Response Program.*

6 **SEC. 7506. REPORT ON THE APPLICATION OF THE UNIFORM**
7 **CODE OF MILITARY JUSTICE TO THE UNITED**
8 **STATES MERCHANT MARINE ACADEMY.**

9 (a) *REPORT.*—*Not later than 180 days after the date*
10 *of the enactment of this Act, the Maritime Administrator*
11 *shall submit a report to the Committee on Commerce,*
12 *Science, and Transportation of the Senate and the Com-*
13 *mittee on Armed Services and the Committee on Transpor-*
14 *tation and Infrastructure of the House of Representatives*
15 *on the impediments to the application of the Uniform Code*
16 *of Military Justice at the United States Merchant Marine*
17 *Academy.*

18 (b) *CONSULTATION.*—*The Maritime Administrator*
19 *may, in preparing the report under subsection (a), consult*
20 *with the Department of Defense, other Federal agencies, and*
21 *non-Federal entities, as appropriate.*

1 **SEC. 7507. ELECTRONIC RECORDS ON MARINER AVAIL-**
2 **ABILITY TO MEET NATIONAL SECURITY**
3 **NEEDS.**

4 *Section 7502 of title 46, United States Code, is amend-*
5 *ed—*

6 *(1) by redesignating subsection (c) as subsection*
7 *(d); and*

8 *(2) by inserting after subsection (b) the fol-*
9 *lowing:*

10 *“(c) The Secretary shall coordinate with the Secretary*
11 *of Transportation to ensure that, to the extent feasible, elec-*
12 *tronic records provide information on mariner availability*
13 *and respective credentials to meet national security needs*
14 *for credentialed mariners crewing strategic sealift vessels.”.*

15 **SEC. 7508. SMALL SHIPYARD GRANTS.**

16 *Section 54101(b) of title 46, United States Code, is*
17 *amended—*

18 *(1) by redesignating paragraphs (2) and (3) as*
19 *paragraphs (3) and (4), respectively;*

20 *(2) by inserting after paragraph (1) the fol-*
21 *lowing:*

22 *“(2) TIMING OF GRANT NOTICE.—The Adminis-*
23 *trator shall post a Notice of Funding Opportunity re-*
24 *garding grants awarded under this section not more*
25 *than 15 days after the date of enactment of the appro-*
26 *priations Act for the fiscal year concerned.”; and*

1 (3) in paragraph (4), as redesignated by para-
2 graph (1), by striking “paragraph (2)” and inserting
3 “paragraph (3)”.

4 **SEC. 7509. DOMESTIC SHIP RECYCLING FACILITIES.**

5 Section 3502 of the Floyd D. Spence National Defense
6 Authorization Act for Fiscal Year 2001 (Public Law 106–
7 398; 54 U.S.C. 308704 note) is amended—

8 (1) by redesignating subsections (c) through (f)
9 as subsections (d) through (g), respectively; and

10 (2) by inserting after subsection (b) the fol-
11 lowing:

12 “(c) *SCRAPPING OF IMPORTED VESSELS.*—

13 “(1) *IN GENERAL.*—Notwithstanding any other
14 provision of law, domestic ship scrapping facilities se-
15 lected by the Secretary of Transportation in accord-
16 ance with subsection (b) may import into the United
17 States, for the purpose of dismantling, marine vessels
18 that contain regulated levels of polychlorinated
19 biphenyls that are integral to a vessel’s structure,
20 equipment, or systems necessary for its operation.

21 “(2) *NO TSCA PRIOR AUTHORIZATION RE-*
22 *QUIRED.*—In lieu of rulemaking by the Administrator
23 of the Environmental Protection Agency under section
24 6(e) of the Toxic Substances Control Act (15 U.S.C.
25 2605(e)), imports of vessels containing regulated levels

1 *of polychlorinated biphenyls shall be subject to prior*
2 *notification and consent in accordance with this sub-*
3 *section.*

4 “(3) NOTIFICATION.—

5 “(A) CONTENTS.—*An importer of 1 or more*
6 *vessels containing regulated levels of poly-*
7 *chlorinated biphenyls shall submit a notification*
8 *to the Environmental Protection Agency not less*
9 *than 75 days before a vessel is imported into the*
10 *United States under this subsection. The import*
11 *notification may cover up to one year of ship-*
12 *ments of vessels containing regulated levels of*
13 *polychlorinated biphenyls being sent to the same*
14 *ship scrapping facility, and shall contain, at a*
15 *minimum, the following items:*

16 “(i) *The name, contact name, address,*
17 *telephone number, email address, and EPA*
18 *Identification Number (if applicable) of the*
19 *ship scrapping facility and the recognized*
20 *trader, if the ship scrapping facility is not*
21 *the importer.*

22 “(ii) *The name, contact name, address,*
23 *telephone number, email address, and EPA*
24 *Identification Number (if applicable) of*
25 *each facility where polychlorinated*

1 *biphenyls or hazardous materials contained*
2 *on a vessel will be stored and disposed of,*
3 *including any polychlorinated biphenyls*
4 *storage or disposal facility approved under*
5 *the Toxic Substances Control Act (15 U.S.C.*
6 *2601 et seq.).*

7 *“(iii) The types of polychlorinated*
8 *biphenyls or polychlorinated biphenyls*
9 *items expected to be removed from the ves-*
10 *sels.*

11 *“(iv) The number of vessels proposed*
12 *for import and maximum tonnage.*

13 *“(v) The period of time covered by the*
14 *import notice (not to exceed one year) and*
15 *the start and end dates of shipment.*

16 *“(B) FORM.—Each notice under this para-*
17 *graph shall be clearly marked ‘PCB Waste Im-*
18 *port Notice’ and shall be submitted to the Envi-*
19 *ronmental Protection Agency in such form and*
20 *manner as the Environmental Protection Agency*
21 *may require.*

22 *“(C) REVISED NOTIFICATION.—If an im-*
23 *porter wishes to change any of the information*
24 *specified on the original notification, the im-*
25 *porter must submit a revised notification, con-*

1 *taining notification of the changes, to the Envi-*
2 *ronmental Protection Agency.*

3 “(4) CONSENT.—

4 “(A) *IN GENERAL.*—*An importer shall not*
5 *import vessels containing regulated levels of pol-*
6 *ychlorinated biphenyls until the importer has re-*
7 *ceived consent from the Administrator of the En-*
8 *vironmental Protection Agency.*

9 “(B) *TERMS.*—*Importers shall only import*
10 *vessels under the terms of the consent issued by*
11 *the Administrator of the Environmental Protec-*
12 *tion Agency under this paragraph and subject to*
13 *the condition that the facility shall establish a*
14 *valid written contract, chain of contracts, or*
15 *equivalent arrangements with other United*
16 *States facilities, where applicable, to manage the*
17 *polychlorinated biphenyls and hazardous waste*
18 *expected to be removed from the vessel or vessels.*

19 “(5) *REPORT TO THE ENVIRONMENTAL PROTEC-*
20 *TION AGENCY.*—*Any ship scrapping facility author-*
21 *ized by this subsection to import vessels containing*
22 *regulated levels of polychlorinated biphenyls shall file*
23 *with the Administrator of the Environmental Protec-*
24 *tion Agency, not later than April 1 of each year, a*

1 *report providing, for each vessel imported in accord-*
2 *ance with this subsection, the following information:*

3 *“(A) The vessel name and approximated*
4 *tonnage.*

5 *“(B) Registration number and flag of the*
6 *vessel.*

7 *“(C) The date of import.*

8 *“(D) The types, quantities, and final des-*
9 *tination of all polychlorinated biphenyls and*
10 *hazardous waste removed.*

11 *“(E) The EPA-issued consent number under*
12 *which the vessel was imported.*

13 *“(6) APPLICABLE LAWS.—Once a vessel has been*
14 *imported pursuant to this subsection, the manufac-*
15 *turing, processing, distribution in commerce, use, and*
16 *disposal of any polychlorinated biphenyls and haz-*
17 *ardous waste contained on the vessel shall be carried*
18 *out in accordance with applicable Federal, State, and*
19 *local laws and regulations.*

20 *“(7) AUTHORITY.—The Administrator of the En-*
21 *vironmental Protection Agency may promulgate addi-*
22 *tional standards or procedures for the import of ships*
23 *that contain regulated levels of polychlorinated*
24 *biphenyls and hazardous waste, for the purpose of re-*
25 *cycling, under this subsection, if—*

1 “(A) the benefits of such additional stand-
2 ards or procedures exceed the costs of those stand-
3 ards or procedures;

4 “(B) not later than 180 days prior to pro-
5 mulgating such additional standards or proce-
6 dures, the Administrator of the Environmental
7 Protection Agency submits a report to the Com-
8 mittee on Commerce, Science, and Transpor-
9 tation of the Senate and the Committee on
10 Transportation and Infrastructure of the House
11 of Representatives demonstrating compliance
12 with subparagraph (A) and the reasons such
13 standards or procedures are necessary; and

14 “(C) the Administrator of the Environ-
15 mental Protection Agency receives the concur-
16 rence of the Maritime Administrator on any
17 such additional standards or procedures.”.

18 **SEC. 7510. SEA YEAR ON CONTRACTED VESSELS.**

19 Section 51307 of title 46, United States Code, is
20 amended—

21 (1) by striking “The Secretary” and inserting
22 the following:

23 “(a) *IN GENERAL.*—The Secretary”;

1 (2) *in paragraph (1) of subsection (a), by strik-*
2 *ing “owned or subsidized by” and inserting “owned,*
3 *subsidized by, or contracted with”;* and

4 (3) *by adding at the end the following:*

5 “(b) *MARITIME SECURITY PROGRAM VESSELS.—The*
6 *Secretary shall require an operator of a vessel participating*
7 *in the Maritime Security Program under chapter 531 of*
8 *this title to carry on each Maritime Security Program ves-*
9 *sel 2 United States Merchant Marine Academy cadets, if*
10 *available, on each voyage.*

11 “(c) *MILITARY SEALIFT COMMAND VESSELS.—*

12 “(1) *IN GENERAL.—Except as provided in para-*
13 *graph (2), the Commander of the Military Sealift*
14 *Command shall require an operator of a vessel in the*
15 *United States Navy’s Military Sealift Command to*
16 *carry on each such vessel 2 United States Merchant*
17 *Marine Academy cadets, if available, on each voyage,*
18 *if the vessel—*

19 “(A) *is flagged in the United States; and*

20 “(B) *is rated at 10,000 gross tons or higher.*

21 “(2) *WAIVER.—The Commander of the Military*
22 *Sealift Command may waive the requirement under*
23 *paragraph (1) at any time if the Commander deter-*
24 *mines that carrying a cadet from the United States*

1 *Merchant Marine Academy would place an undue*
2 *burden on the vessel or the operator of the vessel.*

3 “(d) *DEFINITION OF OPERATOR.*—*In this section, the*
4 *term ‘operator’ includes a government operator and a non-*
5 *government operator.*

6 “(e) *SAVINGS CLAUSE.*—*Nothing in this section may*
7 *be construed as affecting—*

8 *“(1) the discretion of the Secretary to determine*
9 *whether to place a United States Merchant Marine*
10 *Academy cadet on a vessel;*

11 *“(2) the authority of the Coast Guard regarding*
12 *a vessel security plan approved under section 70103;*
13 *or*

14 *“(3) the discretion of the master of the vessel to*
15 *ensure the safety of all crew members.”.*

16 **SEC. 7511. GAO REPORT ON NATIONAL MARITIME STRAT-**
17 **EGY.**

18 *The Comptroller General of the United States shall*
19 *complete a study and submit to the Committee on Com-*
20 *merce, Science, and Transportation of the Senate, the Com-*
21 *mittee on Armed Services of the House of Representatives,*
22 *and the Committee on Transportation and Infrastructure*
23 *of the House of Representatives, a report on—*

24 *(1) the key challenges, if any, to ensuring that*
25 *the United States marine transportation system and*

1 *merchant marine are sufficient to support United*
2 *States economic and defense needs, as articulated by*
3 *the Maritime Administration, the Committee on the*
4 *Marine Transportation System, and other stake-*
5 *holders;*

6 (2) *the extent to which a national maritime*
7 *strategy incorporates desirable characteristics of suc-*
8 *cessful national strategies as identified by the Comp-*
9 *troller General, and any key obstacles (as identified*
10 *by stakeholders) to successfully implementing such*
11 *strategies; and*

12 (3) *the extent to which Federal efforts to establish*
13 *national maritime strategy are duplicative or frag-*
14 *mented, and if so, the impact on United States mari-*
15 *time policy for the future.*

16 **SEC. 7512. DEPARTMENT OF TRANSPORTATION INSPECTOR**
17 **GENERAL REPORT ON TITLE XI PROGRAM.**

18 *Not later than 180 days after the date of enactment*
19 *of this Act, the Department of Transportation Office of In-*
20 *spector General shall—*

21 (1) *initiate an audit of the financial controls*
22 *and protections included in the policies and proce-*
23 *dures of the Department of Transportation for ap-*
24 *proving loan applications for the loan guarantee pro-*

1 *gram authorized under chapter 537 of title 46, United*
2 *States Code; and*

3 *(2) submit to the Committee on Commerce,*
4 *Science, and Transportation of the Senate and the*
5 *Committee on Armed Services and the Committee on*
6 *Transportation and Infrastructure of the House of*
7 *Representatives a report containing the results of that*
8 *audit once the audit is completed.*

9 **SEC. 7513. MULTI-YEAR CONTRACTS.**

10 *Nothing in section 3505 of the National Defense Au-*
11 *thorization Act for Fiscal Year 2017 (Public Law 114–328)*
12 *may be construed to prohibit the Maritime Administration*
13 *from entering into a multi-year contract for the procure-*
14 *ment of up to 5 new vessels within the National Security*
15 *Multi-Mission Vessel Program and associated government-*
16 *furnished equipment, subject to the availability of appro-*
17 *priations.*

18 **SEC. 7514. USE OF STATE MARITIME ACADEMY TRAINING**
19 **VESSELS.**

20 *Section 51504(g) of title 46, United States Code, is*
21 *amended to read as follows:*

22 *“(g) VESSEL CAPACITY SHARING.—*

23 *“(1) IN GENERAL.—Not later than 90 days after*
24 *the date of enactment of the National Defense Author-*
25 *ization Act for Fiscal Year 2019, the Secretary, act-*

1 *ing through the Maritime Administrator, shall upon*
2 *consultation with the maritime academies, and to the*
3 *extent feasible with the consent of the maritime acad-*
4 *emies, implement a program of training vessel capac-*
5 *ity sharing, requiring maritime academies to share*
6 *training vessel capacity provided by the Secretary*
7 *among maritime academies, as necessary to ensure*
8 *that training needs of each academy are met.*

9 “(2) *PROGRAM OF VESSEL CAPACITY SHARING.—*

10 *For purposes of this subsection, a program of vessel*
11 *capacity sharing shall include—*

12 “(A) *ways to maximize the available under-*
13 *way training capacity available in the fleet of*
14 *training vessels;*

15 “(B) *coordinating the dates and duration of*
16 *training cruises with the academic calendars of*
17 *maritime academies;*

18 “(C) *coordinating academic programs de-*
19 *signed to be implemented aboard training vessels*
20 *among maritime academies; and*

21 “(D) *identifying ways to minimize costs.*

22 “(3) *EVALUATION.—Not later than 30 days after*
23 *the beginning of each fiscal year, the Secretary, acting*
24 *through the Maritime Administrator, shall evaluate*
25 *the vessel capacity sharing program under this sub-*

1 *section to determine the optimal utilization of State*
2 *maritime training vessels, and modify the program as*
3 *necessary to improve utilization.”.*

4 **SEC. 7515. PERMANENT AUTHORITY OF SECRETARY OF**
5 **TRANSPORTATION TO ISSUE VESSEL WAR**
6 **RISK INSURANCE.**

7 *(a) IN GENERAL.—Section 53912 of title 46, United*
8 *States Code, is repealed.*

9 *(b) CLERICAL AMENDMENT.—The table of sections at*
10 *the beginning of chapter 539 of title 46, United States Code,*
11 *is amended by striking the item relating to section 53912.*

12 **SEC. 7516. NAVIGATION SYSTEM STUDY AND REPORT.**

13 *(a) STUDY OF THE GREAT LAKES SYSTEM.—*

14 *(1) IN GENERAL.—The Comptroller General of*
15 *the United States shall conduct a comprehensive*
16 *study of the Great Lakes-Saint Lawrence Seaway*
17 *navigation system (referred to in this section as the*
18 *“Great Lakes System”) that examines the current*
19 *state of the system and makes recommendations for*
20 *improvements.*

21 *(2) CONTENTS.—The study—*

22 *(A) shall examine, with respect to the Great*
23 *Lakes System—*

24 *(i) typical cargo routing options;*

- 1 (ii) the cost profile of each route and
2 alternative routes;
- 3 (iii) port infrastructure quality;
- 4 (iv) intermodal connections;
- 5 (v) competing transportation options,
6 including air, rail, and ground transpor-
7 tation and their relative market position;
- 8 (vi) taxes and fees imposed on vessels;
- 9 (vii) marketing efforts to increase ship-
10 ments;
- 11 (viii) subsidies provided to the Great
12 Lakes System and to competing cargo
13 transportation systems;
- 14 (ix) the condition of the docks at each
15 port;
- 16 (x) United States and Canadian Gov-
17 ernment icebreaking capabilities to facili-
18 tate commercial shipping;
- 19 (xi) the maritime safety and marine
20 casualty statistics for commercial vessels
21 transiting the Great Lakes System; and
- 22 (xii) the condition of vessel navigation
23 infrastructure (such as channels, locks, jet-
24 ties, and breakwaters) and efforts to main-

1 tain, upgrade, or replace that infrastruc-
2 ture; and

3 (B) shall make recommendations on—

4 (i) the level of additional investment
5 needed to improve the Great Lakes System;

6 (ii) any benefits of increased Federal
7 or State investment in the Great Lakes Sys-
8 tem; and

9 (iii) any regulatory or competitive
10 burdens impeding growth of the Great Lakes
11 System.

12 (b) *REPORT.*—Not later than 1 year after the date of
13 the enactment of this Act, the Comptroller General shall
14 submit to the Committee on Commerce, Science, and Trans-
15 portation of the Senate, the Committee on Transportation
16 and Infrastructure of the House of Representatives, and the
17 Co-Chairs of the Great Lakes Task Force of the Senate and
18 of the House of Representatives a report containing the re-
19 sults of the study conducted under this section.

20 **SEC. 7517. MISCELLANEOUS.**

21 (a) *NONCOMMERCIAL VESSELS.*—Section 3514(a) of
22 the National Defense Authorization Act for Fiscal Year
23 2017 (Public Law 114–328; 46 U.S.C. 51318 note) is
24 amended—

1 (1) by striking “Not later than” and inserting
2 the following:

3 “(1) *IN GENERAL*.—Not later than”; and

4 (2) by redesignating paragraphs (1) and (2) as
5 subparagraphs (A) and (B), respectively, and adjust-
6 ing the margins accordingly; and

7 (3) by adding at the end the following:

8 “(2) *NONCOMMERCIAL VESSELS*.—For the pur-
9 poses of this section, vessels operated by any of the fol-
10 lowing entities shall not be considered commercial
11 vessels:

12 “(A) Any entity or agency of the United
13 States.

14 “(B) The government of a State or terri-
15 tory.

16 “(C) Any political subdivision of a State or
17 territory.

18 “(D) Any other municipal organization.”.

19 (b) *PASSENGER RECORDS*.—Section 51322(c) of title
20 46, United States Code, is amended to read as follows:

21 “(c) *MAINTENANCE OF SEXUAL ASSAULT TRAINING*
22 *RECORDS*.—The Maritime Administrator shall require the
23 owner or operator of a commercial vessel, or the seafarer
24 union for a commercial vessel, to maintain records of sexual

1 *assault training for any person required to have such train-*
 2 *ing.”.*

3 (c) *NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-*
 4 *TRATION.—Section 3134 of title 40, United States Code, is*
 5 *amended by adding at the end the following:*

6 “(c) *NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-*
 7 *TRATION.—The Secretary of Commerce may waive this sub-*
 8 *chapter with respect to contracts for the construction, alter-*
 9 *ation, or repair of vessels, regardless of the terms of the con-*
 10 *tracts as to payment or title, when the contract is made*
 11 *under the Act entitled ‘An Act to define the functions and*
 12 *duties of the Coast and Geodetic Survey, and for other pur-*
 13 *poses’, approved August 6, 1947 (33 U.S.C. 883a et seq.).”.*

14 (d) *ANNUAL PAYMENTS FOR MAINTENANCE AND SUP-*
 15 *PORT.—Section 51505(b)(2) of title 46 is amended to read*
 16 *as follows:*

17 “(2) *MAXIMUM.—The amount under paragraph*
 18 *(1) may not be more than \$25,000, unless the acad-*
 19 *emy satisfies section 51506(b) of this title.”.*

20 **SEC. 7518. SUPERIOR NATIONAL FOREST LAND EXCHANGE.**

21 (a) *PURPOSE AND NEED FOR NORTHMET LAND EX-*
 22 *CHANGE.—*

23 (1) *PURPOSE.—It is the purpose of this section*
 24 *to further the public interest by consummating the*

1 *NorthMet Land Exchange as specifically set forth in*
2 *this section.*

3 (2) *NEED.*—*According to the Final Record of*
4 *Decision, the NorthMet Land Exchange is advisable*
5 *and needed because the NorthMet Land Exchange*
6 *will—*

7 (A) *result in a 40-acre net gain in National*
8 *Forest System lands;*

9 (B) *improve the spatial arrangement of Na-*
10 *tional Forest System lands by reducing the*
11 *amount of ownership boundaries to be managed*
12 *by 33 miles;*

13 (C) *improve management effectiveness by*
14 *exchanging isolated Federal lands with no public*
15 *overland access for non-Federal lands that will*
16 *have public overland access and be accessible and*
17 *open to public use and enjoyment;*

18 (D) *result in Federal cost savings by elimi-*
19 *nating certain easements and their associated*
20 *administration costs;*

21 (E) *meet several of the priorities identified*
22 *in the land and resource management plan for*
23 *Superior National Forest to protect and manage*
24 *administratively or congressionally designated,*
25 *unique, proposed, or recommended areas, includ-*

1 *ing acquisition of 307 acres of land to the ad-*
2 *ministratively proposed candidate Research Nat-*
3 *ural Areas, which are managed by preserving*
4 *and maintaining areas for ecological research,*
5 *observation, genetic conservation, monitoring,*
6 *and educational activities;*

7 *(F) promote more effective land manage-*
8 *ment that would meet specific National Forest*
9 *needs for management, including acquisition of*
10 *over 6,500 acres of land for new public access,*
11 *watershed protection, ecologically rare habitats,*
12 *wetlands, water frontage, and improved owner-*
13 *ship patterns;*

14 *(G) convey Federal land generally not need-*
15 *ed for other Forest resource management objec-*
16 *tives, because such land is adjacent to intensively*
17 *developed private land including ferrous mining*
18 *areas, where abundant mining infrastructure*
19 *and transportation are already in place, includ-*
20 *ing—*

21 *(i) a large, intensively developed open*
22 *pit mine lying directly to the north of the*
23 *Federal land;*

1 (ii) a private mine railroad,
2 powerlines, and roads lying directly to the
3 south of the Federal land; and

4 (iii) already existing ore processing,
5 milling, and tailings facilities located ap-
6 proximately 5 miles to the west of the Fed-
7 eral land; and

8 (H) provide a practical resolution to com-
9 plex issues pertaining to the development of pri-
10 vate mineral rights underlying the Federal land
11 surface, and thereby avoid potential litigation
12 which could adversely impact the status and
13 management of the Federal land and other Na-
14 tional Forest System land acquired under the
15 authority of section 6 of the Act of March 1,
16 1911 (commonly known as the Weeks Law; 16
17 U.S.C. 515).

18 (b) *DEFINITIONS.*—*In this section:*

19 (1) *COLLECTION AGREEMENTS.*—*The term “Col-*
20 *lection Agreements” means the following agreements*
21 *between the Secretary and Poly Met pertaining to the*
22 *NorthMet Land Exchange:*

23 (A) *The agreement dated August 25, 2015.*

24 (B) *The agreement dated January 15, 2016.*

1 (2) *FEDERAL LAND PARCEL*.—The term “Federal
2 *land parcel*” means all right, title, and interest of the
3 United States in and to approximately 6,650 acres of
4 National Forest System land, as identified in the
5 Final Record of Decision, within the Superior Na-
6 tional Forest in St. Louis County, Minnesota, as gen-
7 erally depicted on the map entitled “Federal Land
8 Parcel–NorthMet Land Exchange”, and dated June
9 2017.

10 (3) *NON-FEDERAL LAND*.—The term “non-Fed-
11 *eral land*” means all right, title, and interest of Poly
12 Met in and to approximately 6,690 acres of land in
13 four separate tracts (comprising 10 separate land
14 parcels in total) within the Superior National Forest
15 to be conveyed to the United States by Poly Met in
16 the land exchange as generally depicted on an over-
17 view map entitled “Non-Federal Land Parcels–
18 NorthMet Land Exchange” and dated June 2017, and
19 further depicted on separate tract maps as follows:

20 (A) *TRACT 1*.—Approximately 4,650 acres
21 of land in St. Louis County, Minnesota, gen-
22 erally depicted on the map entitled “Non-Federal
23 Land Parcels–NorthMet Land Exchange–Hay
24 Lake Tract”, and dated June 2017.

1 (B) *TRACT 2.*—Approximately 320 acres of
2 land in 4 separate parcels in Lake County, Min-
3 nesota, generally depicted on the map entitled
4 “Non-Federal Land Parcels–NorthMet Land Ex-
5 change–Lake County Lands”, and dated June
6 2017.

7 (C) *TRACT 3.*—Approximately 1,560 acres
8 of land in 4 separate parcels in Lake County,
9 Minnesota, generally depicted on the map enti-
10 tled “Non-Federal Land Parcels–NorthMet Land
11 Exchange–Wolf Lands”, and dated June 2017.

12 (D) *TRACT 4.*—Approximately 160 acres of
13 land in St. Louis County, Minnesota, generally
14 depicted on the map entitled “Non-Federal Land
15 Parcel–NorthMet Land Exchange–Hunting Club
16 Lands”, dated June 2017.

17 (4) *NORTHMET LAND EXCHANGE.*—The term
18 “NorthMet Land Exchange” means the land exchange
19 specifically authorized and directed by subsection (c).

20 (5) *POLY MET.*—The term “Poly Met” means
21 Poly Met Mining Corporation, Inc., a Minnesota Cor-
22 poration with executive offices in St. Paul, Min-
23 nesota, and headquarters in Hoyt Lakes, Minnesota.

24 (6) *RECORD OF DECISION.*—The term “Record of
25 Decision” means the Final Record of Decision of the

1 *Forest Service issued on January 9, 2017, approving*
2 *the NorthMet Land exchange between the United*
3 *States and PolyMet Mining, Inc., a Minnesota Cor-*
4 *poration, involving National Forest System land in*
5 *the Superior National Forest in Minnesota.*

6 (7) *SECRETARY.*—*The term “Secretary” means*
7 *the Secretary of Agriculture.*

8 (8) *STATE.*—*The term “State” means the State*
9 *of Minnesota.*

10 (c) *NORTHMET LAND EXCHANGE.*—

11 (1) *EXCHANGE AUTHORIZED AND DIRECTED.*—

12 (A) *IN GENERAL.*—*Subject to subsection*
13 *(d)(3)(A) and other conditions imposed by this*
14 *section, if Poly Met offers to convey to the United*
15 *States all right, title, and interest of Poly Met in*
16 *and to the non-Federal land, the Secretary shall*
17 *accept the offer and convey to Poly Met all right,*
18 *title, and interest of the United States in and to*
19 *the Federal land parcel.*

20 (B) *LAND EXCHANGE EXPEDITED.*—*Subject*
21 *to the conditions imposed by this section, the*
22 *NorthMet Land Exchange directed by this section*
23 *shall be consummated not later than 90 days*
24 *after the date of enactment of this Act.*

25 (2) *FORM OF CONVEYANCE.*—

1 (A) *NON-FEDERAL LAND.*—*Title to the non-*
2 *Federal land conveyed by Poly Met to the United*
3 *States shall be by general warranty deed subject*
4 *to existing rights of record, and otherwise con-*
5 *form to the title approval regulations of the At-*
6 *torney General of the United States.*

7 (B) *FEDERAL LAND PARCEL.*—*The Federal*
8 *land parcel shall be quitclaimed by the Secretary*
9 *to Poly Met by an exchange deed.*

10 (3) *EXCHANGE COSTS.*—

11 (A) *REIMBURSEMENT REQUIRED.*—*Poly*
12 *Met shall pay or reimburse the Secretary, either*
13 *directly or through the Collection Agreements, for*
14 *all land survey, appraisal, land title, deed prep-*
15 *aration, and other costs incurred by the Sec-*
16 *retary in processing and consummating the*
17 *NorthMet Land Exchange. The Collection Agree-*
18 *ments, as in effect on the date of the enactment*
19 *of this Act, may be modified through the mutual*
20 *consent of the parties.*

21 (B) *DEPOSIT OF FUNDS.*—*All funds paid or*
22 *reimbursed to the Secretary under subparagraph*

23 (A)—

1 (i) shall be deposited and credited to
2 the accounts in accordance with the Collec-
3 tion Agreements;

4 (ii) shall be used for the purposes spec-
5 ified for the accounts; and

6 (iii) shall remain available to the Sec-
7 retary until expended without further ap-
8 propriation.

9 (4) *CONDITIONS ON LAND EXCHANGE.*—

10 (A) *RESERVATION OF CERTAIN MINERAL*
11 *RIGHTS.*—Notwithstanding paragraph (1), the
12 United States shall reserve the mineral rights on
13 approximately 181 acres of the Federal land
14 parcel as generally identified on the map entitled
15 “Federal Land Parcel–NorthMet Land Ex-
16 change”, and dated June 2017.

17 (B) *THIRD-PARTY AUTHORIZATIONS.*—As
18 set forth in the Final Record of Decision, Poly
19 Met shall honor existing road and transmission
20 line authorizations on the Federal land parcel.
21 Upon relinquishment of the authorizations by the
22 holders or upon revocation of the authorizations
23 by the Forest Service, Poly Met shall offer re-
24 placement authorizations to the holders on at
25 least equivalent terms.

1 (d) *VALUATION OF NORTHMET LAND EXCHANGE.*—

2 (1) *APPRAISALS.*—*The Congress makes the fol-*
3 *lowing new findings:*

4 (A) *Appraisals of the Federal and non-Fed-*
5 *eral lands to be exchanged in the NorthMet Land*
6 *Exchange were formally prepared in accordance*
7 *with the Uniform Appraisal Standards for Fed-*
8 *eral Land Acquisitions, and were approved by*
9 *the Secretary in conjunction with preparation of*
10 *the November 2015 Draft Record of Decision on*
11 *the NorthMet Land Exchange.*

12 (B) *The appraisals referred to in subpara-*
13 *graph (A) determined that the value of the non-*
14 *Federal lands exceeded the value of the Federal*
15 *land parcel by approximately \$425,000.*

16 (C) *Based on the appraisals referred to in*
17 *subparagraph (A), the United States would ordi-*
18 *narily be required to make a \$425,000 cash*
19 *equalization payment to Poly Met to equalize ex-*
20 *change values under the Federal Land Policy*
21 *and Management Act of 1976 (43 U.S.C. 1701 et*
22 *seq.), unless such an equalization payment is*
23 *waived by Poly Met.*

24 (2) *VALUES FOR CONSUMMATION OF LAND EX-*
25 *CHANGE.*—*The appraised values of the Federal and*

1 *non-Federal land determined and approved by the*
2 *Secretary in November 2015, and referenced in para-*
3 *graph (1)—*

4 *(A) shall be the values utilized to consum-*
5 *mate the NorthMet Land Exchange; and*

6 *(B) shall not be subject to reappraisal.*

7 *(3) WAIVER OF EQUALIZATION PAYMENT.—*

8 *(A) CONDITION ON LAND EXCHANGE.—Not-*
9 *withstanding section 206(b) of the Federal Land*
10 *Policy and Management Act (43 U.S.C.*
11 *1716(b)), and as part of its offer to exchange the*
12 *non-Federal lands as provided in subsection*
13 *(c)(1)(A), Poly Met shall waive any payment to*
14 *it of any monies owed by the United States to*
15 *equalize land values.*

16 *(B) TREATMENT OF WAIVER.—A waiver of*
17 *the equalization payment under subparagraph*
18 *(A) shall be considered as a voluntary donation*
19 *to the United States by Poly Met for all purposes*
20 *of law.*

21 *(e) MAPS AND LEGAL DESCRIPTIONS.—*

22 *(1) MINOR ADJUSTMENTS.—By mutual agree-*
23 *ment, the Secretary and Poly Met may correct minor*
24 *or typographical errors in any map, acreage estimate,*
25 *or description of the Federal land parcel or non-Fed-*

1 *eral land to be exchanged in the NorthMet Land Ex-*
2 *change.*

3 (2) *CONFLICT.—If there is a conflict between a*
4 *map, an acreage estimate, or a description of land*
5 *under this section, the map shall control unless the*
6 *Secretary and Poly Met mutually agree otherwise.*

7 (3) *EXCHANGE MAPS.—The maps referred to in*
8 *subsection (b) depicting the Federal and non-Federal*
9 *lands to be exchanged in the NorthMet Land Ex-*
10 *change, and dated June 2017, depict the identical*
11 *lands identified in the Final Record of Decision,*
12 *which are on file in the Office of the Supervisor, Su-*
13 *perior National Forest.*

14 (f) *POST-EXCHANGE LAND MANAGEMENT.—*

15 (1) *NON-FEDERAL LAND.—Upon conveyance of*
16 *the non-Federal land to the United States in the*
17 *NorthMet Land Exchange, the non-Federal land shall*
18 *become part of the Superior National Forest and be*
19 *managed in accordance with—*

20 (A) *the Act of March 1, 1911 (commonly*
21 *known as the Weeks Law; 16 U.S.C. 500 et seq.);*
22 *and*

23 (B) *the laws and regulations applicable to*
24 *the Superior National Forest and the National*
25 *Forest System.*

1 (2) *PLANNING.*—Upon acquisition by the United
2 States in the NorthMet Land Exchange, the non-Fed-
3 eral lands shall be managed in a manner consistent
4 with the land and resource management plan appli-
5 cable to adjacent federally owned lands in the Supe-
6 rior National Forest. An amendment or supplement
7 to the land and resource management plan shall not
8 be required solely because of the acquisition of the
9 non-Federal lands.

10 (3) *FEDERAL LAND.*—Upon conveyance of the
11 Federal land parcel to Poly Met in the NorthMet
12 Land Exchange, the Federal land parcel shall become
13 private land and available for any lawful use in ac-
14 cordance with applicable Federal, State, and local
15 laws and regulations pertaining to mining and other
16 uses of land in private ownership.

17 (g) *MISCELLANEOUS PROVISIONS.*—

18 (1) *WITHDRAWAL OF ACQUIRED NON-FEDERAL*
19 *LAND.*—The non-Federal lands acquired by the
20 United States in the NorthMet Land Exchange shall
21 be withdrawn, without further action by the Sec-
22 retary, from appropriation and disposal under public
23 land laws and under laws relating to mineral and
24 geothermal leasing.

1 (2) *WITHDRAWAL REVOCATION.*—*Any public*
2 *land order that withdraws the Federal land parcel*
3 *from appropriation or disposal under a public land*
4 *law shall be revoked without further action by the*
5 *Secretary to the extent necessary to permit convey-*
6 *ance of the Federal land parcel to Poly Met.*

7 (3) *WITHDRAWAL OF FEDERAL LAND PENDING*
8 *CONVEYANCE.*—*The Federal land parcel to be con-*
9 *veyed to Poly Met in the NorthMet Land Exchange,*
10 *if not already withdrawn or segregated from appro-*
11 *priation or disposal under the mineral leasing and*
12 *geothermal or other public land laws upon enactment*
13 *of this Act, is hereby so withdrawn, subject to valid*
14 *existing rights, until the date of conveyance of the*
15 *Federal land parcel to Poly Met.*

16 (4) *ACT CONTROLS.*—*In the event any provision*
17 *of the Record of Decision conflicts with a provision of*
18 *this section, the provision of this section shall control.*

Attest:

Secretary.

115TH CONGRESS
2^D SESSION

H.R. 5515

AMENDMENT

JUNE 19, 2018

Ordered to be printed as passed