

A BILL

To authorize appropriations for fiscal year 2020 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2020”.

5 **SEC. 2. TABLE OF CONTENTS.**

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TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement for the Army as follows:

(1) For aircraft, \$3,696,429,000.

(2) For weapons and tracked combat vehicles, \$4,715,566,000.

(3) For other procurement, \$7,443,101,000.

SEC. 102. NAVY AND MARINE CORPS.

Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement for the Navy and Marine Corps as follows:

(1) For aircraft, \$18,522,204,000.

(2) For shipbuilding and conversion, \$23,783,710,000.

(3) For other procurement, \$9,652,956,000.

(4) For procurement, Marine Corps, \$3,090,449,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement for the Air Force as follows:

(1) For aircraft, \$16,784,279,000.

(2) For missiles, \$2,889,187,000.

(3) For space procurement, \$2,414,383,000.

(4) For other procurement, \$20,687,857,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2020 for Defense-wide procurement in the amount of \$5,109,416,000.

SEC. 105. DEFENSE PRODUCTION ACT PURCHASES.

Funds are hereby authorized to be appropriated for fiscal year 2020 for purchases under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) in the amount of \$34,393,000.

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

SEC. 111. ECONOMIC ORDER QUANTITY CONTRACTING AUTHORITY F-35

JOINT STRIKE FIGHTER PROGRAM.

(a) IN GENERAL.—Subject to subsections (b) through (e), from amounts made available for obligation under the F-35 aircraft program, the Secretary of Defense may enter into one or more contracts, beginning with the fiscal year 2020 program year, for the procurement of economic order quantities of material and equipment that have completed formal hardware

1 qualification testing for the F-35 aircraft program for use in procurement contracts to be awarded
2 for such program during fiscal years 2021 through 2023.

3 (b) LIMITATION.—The total amount obligated under all contracts entered into under
4 subsection (a) shall not exceed \$574,000,000.

5 (c) PRELIMINARY FINDINGS.—Before entering into a contract under subsection (a), the
6 Secretary shall make each of the following findings with respect to such contract:

7 (1) The use of such a contract will result in significant savings of the total
8 anticipated costs of carrying out the program through annual contract.

9 (2) The minimum need for the property to be procured is expected to remain
10 substantially unchanged during the contemplated contract period in terms of production
11 rate, procurement rate, and total quantities.

12 (3) There is a reasonable expectation that, throughout the contemplated contract
13 period, the Secretary will request funding for the contract at the level required to avoid
14 contract cancellation.

15 (4) There is a stable design for the property to be procured and the technical risks
16 associated with such property are not excessive.

17 (5) The estimates of both the cost of the contract and the anticipated cost
18 avoidance through the use of an economic order quantity contract are realistic.

19 (6) Entering into the contract will promote the national security interests of the
20 United States.

21 (d) CERTIFICATION REQUIREMENT.--Except as provided in subsection (e), the Secretary of
22 Defense may not enter into a contract under subsection (a) until a period of 30 days has elapsed

1 following the date on which the Secretary certifies to the congressional defense committees, in
2 writing, that each of the following conditions is satisfied:

3 (1) A sufficient number of end items of the system being acquired under such
4 contract have been delivered at or within the most recently available estimates of the
5 program acquisition unit cost or procurement unit cost for such system to determine that
6 the estimates of the unit costs are realistic.

7 (2) During the fiscal year in which such contract is to be awarded, sufficient
8 funds will be available to perform the contract in such fiscal year, and the future-years
9 defense program submitted to Congress under section 221 of title 10, United States Code,
10 for that fiscal year will include the funding required to execute the program without
11 cancellation.

12 (3) The contract is a fixed-price type contract.

13 (4) The proposed contract provides for production at not less than minimum
14 economic rates given the existing tooling and facilities.

15 (5) The Secretary has determined that each of the conditions described in
16 paragraphs (1) through (6) of subsection (c) will be met by such contract and has
17 provided the basis for such determination to the congressional defense committees.

18 (6) The determination under paragraph (5) was made after the completion of a
19 cost analysis performed by the Director of Cost Assessment and Program Evaluation for
20 the purpose of section 2334(f)(2) of title 10, United States Code, and the analysis
21 supports that determination.

22 (e) EXCEPTION.--Notwithstanding subsection (d), the Secretary of Defense may enter
23 into a contract under subsection (a) on or after December 1, 2019, if—

1 (1) the Director of Cost Assessment and Program Evaluation has not completed a
2 cost analysis of the preliminary findings made by the Secretary under subsection (c) with
3 respect to the contract;

4 (2) the Secretary certifies to the congressional defense committees, in writing, that
5 each of the conditions described in paragraphs (1) through (5) of subsection (d) is
6 satisfied; and

7 (3) a period of 30 days has elapsed following the date on which the Secretary
8 submits the certification under paragraph (2).

9 **TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

10 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

11 Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the
12 Department of Defense for research, development, test, and evaluation as follows:

13 (1) For the Army, \$12,192,771,000.

14 (2) For the Navy, \$20,270,499,000.

15 (3) For the Air Force, \$45,616,122,000.

16 (4) For Defense-wide activities, \$24,346,953,000.

17 (5) For the Director of Operational Test and Evaluation, \$221,200,000.

18 **TITLE III—OPERATION AND MAINTENANCE**

19 **Subtitle A—Authorization of Appropriations**

20 **SEC. 301. OPERATION AND MAINTENANCE FUNDING.**

21 Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the
22 Armed Forces and other activities and agencies of the Department of Defense for expenses, not
23 otherwise provided for, for operation and maintenance, in amounts as follows:

- 1 (1) For the Army, \$22,797,873,000.
- 2 (2) For the Navy, \$25,952,718,000.
- 3 (3) For the Marine Corps, \$3,928,045,000.
- 4 (4) For the Air Force, \$21,278,499,000.
- 5 (5) For the Space Force, \$72,436,000.
- 6 (6) For Defense-wide activities, \$37,399,341,000.
- 7 (7) For the Army Reserve, \$1,080,103,000.
- 8 (8) For the Navy Reserve, \$261,284,000.
- 9 (9) For the Marine Corps Reserve, \$61,090,000.
- 10 (10) For the Air Force Reserve, \$2,231,445,000.
- 11 (11) For the Army National Guard, \$3,335,755,000.
- 12 (12) For the Air National Guard, \$3,612,156,000.
- 13 (13) For the United States Court of Appeals for the Armed Forces, \$14,771,000.
- 14 (14) For Environmental Restoration, Army, \$207,518,000.
- 15 (15) For Environmental Restoration, Navy, \$335,932,000.
- 16 (16) For Environmental Restoration, Air Force, \$302,744,000.
- 17 (17) For Environmental Restoration, Defense-wide, \$9,105,000.
- 18 (18) For Environmental Restoration, Formerly Used Defense Sites, \$216,499,000.
- 19 (19) For Overseas Humanitarian, Disaster, and Civic Aid programs,
- 20 \$108,600,000.
- 21 (20) For Cooperative Threat Reduction programs, \$338,700,000.
- 22 (21) For Department of Defense Acquisition Workforce Development Fund,
- 23 \$400,000,000.

1 **Subtitle B—Energy and Environment**

2 **SEC. 311. EXPEDITING FEDERAL AGENCY ENVIRONMENTAL REVIEWS.**

3 (a) DEFINITION OF SERVICE. —In this section the term “Service” means the National
4 Marine Fisheries Service or the United States Fish and Wildlife Service, as appropriate.

5 (b) AGREEMENTS AUTHORIZED. —

6 (1) IN GENERAL. —The Secretary of a military department is authorized to enter
7 into an agreement with a Service to expedite an environmental review, planning,
8 consultation, permitting, or approval process under the Marine Mammal Protection Act
9 of 1972 (16 U.S.C. 1361 et seq.) or the Endangered Species Act of 1973 (16 U.S.C. 1531
10 et seq.) for a project or program undertaken by the military department.

11 (2) AGREEMENT CONTENTS. —Each such agreement shall—

12 (A) provide for a payment to a Service for the estimated or actual
13 expenses of undertaking an expedited environmental review, planning,
14 consultation, permitting, or approval process for a project or program undertaken
15 by the military, including payment for—

16 (i) support of or participation in military planning activities that
17 precede the initiation of the environmental review process;

18 (ii) activities directly related to the environmental review process,
19 including any associated permitting, authorization, consultation or
20 approval process;

21 (iii) dedicated staffing of agency personnel;

22 (iv) information gathering or mapping; or

23 (v) development of programmatic agreements;

1 (B) specify the amount of and basis for the payment the Secretary will
2 provide to the Service pursuant to the agreement; and

3 (C) require the Director of the Service to use the payment received
4 pursuant to the agreement only to contribute toward undertaking the
5 environmental review, planning, consultation, permitting, or approval process
6 within the time period described in subsection (c)(1).

7 (c) PAYMENT CONDITIONS. —The Secretary of a military department may provide a
8 payment pursuant to an agreement under this section only if—

9 (1) the Secretary determines that it is in the interest of national defense to
10 complete an environmental review, planning, consultation, permitting, or approval
11 process by a Service under an Act described in subsection (b) for a project or program
12 undertaken by the military department within a particular time period; and

13 (2) the Director of a Service provides to the Secretary notice that the Service does
14 not have sufficient funds or adequate personnel to complete such environmental review,
15 planning, consultation, permitting, or approval process within such time period.

16 (d) PAYMENT FUNDING. — The Secretary of a military department may use funds
17 available for operations and maintenance to make payments pursuant to an agreement under this
18 section.

19 (e) CREDITING OF PAYMENTS. —Payments to a Service under this section, including any
20 payments provided in advance, may be credited to the appropriations of such agency for salaries
21 and expenses. Subject to satisfaction of the requirements of subparagraphs (B) and (C) of
22 subsection (b)(2), on use of payments by the Director of a Service, amounts so paid shall be

merged with and shall be available for the same purposes and for the same time period as the appropriations so credited.

(f) GUIDANCE. —Not later than 180 days after the date of enactment of this section, the Secretary of Defense shall issue guidance to implement this section.

SEC. 312. NATIVE AMERICAN LANDS ENVIRONMENTAL MITIGATION PROGRAM.

(a) IN GENERAL.—Chapter 160 of title 10, United States Code, is amended by adding at the end the following new section:

“§2712. Native American lands environmental mitigation program

“(a) ESTABLISHMENT.—The Secretary of Defense may establish and carry out a program to mitigate the environmental effects of Department of Defense actions on Indian lands and culturally connected locations.

“(b) PROGRAM ACTIVITIES.—The activities that may be carried out under the program established under subsection (a) are the following:

“(1) Identification, investigation, and documentation of suspected environmental effects attributable to past Department of Defense actions.

“(2) Development of mitigation options for such environmental effects, including development of cost-to-complete estimates and a system for prioritizing mitigation actions.

“(3) Direct mitigation actions that the Secretary determines are necessary and appropriate to mitigate the adverse environmental effects of past Department of Defense actions.

1 “(4) Demolition and removal of unsafe buildings and structures used by, under the
2 jurisdiction of, or formerly used by or under the jurisdiction of the Department of
3 Defense.

4 “(5) Training, technical assistance, and administrative support to facilitate the
5 meaningful participation of Indian tribes in mitigation actions under the program.

6 “(6) Development and execution of a policy governing consultation with Indian
7 tribes that have been or may be affected by Department of Defense actions, including
8 training Department of Defense personnel to ensure compliance with the policy.

9 “(c) COOPERATIVE AGREEMENTS.—(1) In carrying out the program established under
10 subsection (a), the Secretary of Defense may enter into a cooperative agreement with an Indian
11 tribe or an instrumentality of tribal government.

12 “(2) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section
13 may be used to acquire property or services for the direct benefit of the United States
14 Government.

15 “(3) Any cooperative agreement under this section for the procurement of severable
16 services may begin in one fiscal year and end in another fiscal year provided the total period of
17 performance does not exceed two calendar years.

18 “(d) DEFINITIONS.—In this section:

19 “(1) The term ‘Indian land’ includes—

20 “(A) any land located within the boundaries and a part of an Indian
21 reservation, pueblo, or rancheria;

22 “(B) any land that has been allotted to an individual Indian but has not
23 been conveyed to such Indian with full power of alienation;

1 “(C) Alaska Native village and regional corporation lands; and

2 “(D) lands and waters upon which any federally recognized Indian tribe

3 has rights reserved by treaty, act of Congress, or action by the President.

4 “(2) The term ‘Indian tribe’ has the meaning given such term in section

5 2701(d)(4)(A) of this title.

6 “(3) The term ‘culturally connected location’ means a location or place that has

7 demonstrable significance to Indians or Alaska Natives based on its association with the

8 traditional beliefs, customs, and practices of a living community, including locations or

9 places where religious, ceremonial, subsistence, medicinal, economic, or other lifeways

10 practices have historically taken place.”.

11 (b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such

12 chapter is amended by inserting after the item relating to section 2711 the following new item:

“2712. Native American lands environmental mitigation program.”.

13 **Subtitle C—Logistics and Sustainment**

14 **SEC. 321. INCLUSION OF PRODUCT SUPPORT PROVIDERS IN PUBLIC-PRIVATE**

15 **PARTNERSHIPS WITH RESPECT TO CENTERS OF INDUSTRIAL AND**

16 **TECHNICAL EXCELLENCE.**

17 (a) IN GENERAL.—Subsection (b) of section 2474 of title 10, United States Code, is

18 amended—

19 (1) in paragraph (1)—

20 (A) in the matter preceding subparagraph (A), by inserting “or the head of

21 a component that provides product support to the Center (in this section referred

22 to as a ‘product support provider’)” after “the head of the Center”;

1 (B) in subparagraph (A), by inserting “a product support provider,” after
2 “employees of the Center,”;

3 (C) in subparagraph (B), by inserting “or a product support provider” after
4 “the Center”; and

5 (2) in paragraph (2)—

6 (A) in subparagraph (A), by inserting “and product support providers”
7 after “Center of Industrial and Technical Excellence”;

8 (B) in subparagraph (B), by inserting “or a facility of a product support
9 provider” after “Center”;

10 (C) in subparagraph (C), by inserting “or a facility of a product support
11 provider” after “Center”; and

12 (D) in subparagraph (D)—

13 (i) in clause (i), by inserting “or a product support provider” after
14 “Center”; and

15 (ii) in clause (ii), by striking “at a Center” and inserting “of a
16 Center or a product support provider”.

17 (b) PRIVATE SECTOR USE OF EXCESS CAPACITY.—Subsection (c) of such section is
18 amended by inserting “or a product support provider” after “Center of Industrial and Technical
19 Excellence”.

20 (c) CREDITING OF AMOUNTS FOR PERFORMANCE.—Subsection (d) of such section is
21 amended in the first sentence by inserting “or a product support provider” after “Center”.

22 (e) AVAILABILITY OF EXCESS EQUIPMENT TO PRIVATE-SECTOR PARTNERS.—
23 Subsection (e) of such section is amended—

(1) in the matter preceding paragraph (1), by inserting “or a product support provider” after “Center of Industrial and Technical Excellence”; and

(2) in paragraph (1), by inserting “or a product support provider” after “Center”.

SEC. 322. INCLUSION OF DEPOT SERVICES AS ELIGIBLE FOR SALES BY INDUSTRIAL FACILITIES.

(a) IN GENERAL.—Section 2563 of title 10, United States Code, is amended—

(1) in the heading, by striking “**facilities**” and inserting “**facilities or operations**”;

(2) in subsection (a)(2)—

(A) in subparagraph (A), by striking “working-capital funded industrial facility” and inserting “working-capital funded industrial facility or industrial operation”; and

(B) in subparagraph (B), by striking “a working-capital funded Army industrial facility” and inserting “a working-capital funded Army industrial facility or an Army industrial operation”;

(3) in subsection (b)—

(A) in the heading, by striking “FACILITIES” and inserting “FACILITIES OR OPERATIONS”; and

(B) by striking “facilities” each place it appears and inserting “facilities or operations”;

(4) in subsection (c), by striking “facility” each place it appears and inserting “facilities or operation”; and

(5) in subsection (g)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4),
respectively; and

(B) by inserting after paragraph (1) the following new paragraph:

“(2) The term ‘industrial operation’ means a working-capital funded organization,
a depot repair organization, or a product support activity supporting these organizations.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter
152 of title 10, United States Code, is amended by striking the item relating to section 2563 and
inserting the following new item:

“2563. Articles and services of industrial facilities or operations: sale to persons outside the Department of
Defense.”

Subtitle D—Other Matters

SEC. 331. UPDATING AND MODERNIZING THE DEPARTMENT OF DEFENSE

EXPLOSIVES SAFETY BOARD.

(a) IN GENERAL.—Section 172 of title 10, United States Code, is amended to read as
follows:

“§172. Explosives safety board

“(a) EXPLOSIVES SAFETY RISK MANAGEMENT.—The Secretary of Defense, acting through
a joint board composed of members as described in subsection (b), shall develop guidance for
oversight of the explosives safety munitions risk management life-cycle of the production,
storage, and transportation of supplies of military munitions for use of the organizations listed in
section 111(b) of this title, with particular regard to keeping those supplies properly dispersed
and stored and to preventing hazardous conditions from arising to endanger life and property
inside or outside of storage reservations.

“(b) COMPOSITION OF BOARD.—The joint board referred to in subsection (a) shall include members selected by the Secretaries of the military departments and be composed of military officers, civilian officers and employees of the Department of Defense, or both. The joint board may, under agreement with the Secretary of Homeland Security, include a member from the Coast Guard, when the Coast Guard is not operating as a service in the Department of the Navy.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by striking the item relating to section 172 and inserting the following new item:

“172. Explosives safety board.”.

SEC. 332. OFFICERS AUTHORIZED TO COMMAND ARMY DENTAL UNITS.

Section 3081(d) of title 10, United States Code, is amended by striking “Dental Corps Officer” and inserting “Army Medical Department Officer”.

SEC. 333. EXPANDED TRANSFER AND ADOPTION OF MILITARY ANIMALS.

Section 2583 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting “TRANSFER OR” before “ADOPTION”; and

(B) by striking “adoption” each place it appears and inserting “transfer or adoption”;

(2) in subsection (b)—

(A) in the subsection heading, by inserting “TRANSFER OR” before “ADOPTION”;

1 (B) in the first sentence, by striking “adoption” and inserting “transfer or
2 adoption”; and

3 (C) in the second sentence, striking “adoptability” and inserting
4 transferability or adoptability”;

5 (3) in subsection (c)(1)—

6 (A) in the matter preceding subparagraph (A), by inserting “transfer or”
7 before “adoption”;

8 (B) in subparagraphs (A) and (B), by inserting “adoption” before “by”;

9 (C) in subparagraph (B), by inserting “or organizations” after “persons”;
10 and

11 (D) in subparagraph (C), by striking “by” and inserting “transfer to”;

12 (4) in subsection (e)—

13 (A) in the subsection heading, by inserting “OR ADOPTED” after
14 “TRANSFERRED”;

15 (B) in paragraphs (1) and (2), by striking “transferred” each place it
16 appears and inserting “transferred or adopted”; and

17 (C) in paragraph (2), by striking “transfer” each place it appears and
18 inserting “transfer or adoption”;

19 (5) in subsection (f)—

20 (A) in the subsection heading, by striking “TRANSFER OF RETIRED” and
21 inserting “TRANSPORTATION OF RETIRING”; and

22 (B) in paragraph (1), by striking “transfer” and inserting “transport”;

1 (6) in subsection (g)(3), by striking “adoption of military working dogs” and all
2 that follows through the period at the end and inserting “transfer of military working dogs
3 to law enforcement agencies before the end of the dogs’ useful working lives.”; and

4 (7) in subsection (h)(2), by striking “A horse” and inserting “An equid (horse,
5 mule, or donkey)”.

6 **SEC. 334. REPEAL OF STATUTORY REQUIREMENT FOR COMMANDER OF THE**
7 **DEFENSE LOGISTICS AGENCY TO BE NOTIFIED THREE YEARS**
8 **PRIOR TO IMPLEMENTING CHANGES TO ANY UNIFORM OR**
9 **UNIFORM COMPONENT.**

10 Section 356 of the John S. McCain National Defense Authorization Act for Fiscal Year
11 2019 (Public Law 115-232; 132 Stat. 1636) is amended—

12 (1) by striking subsection (a);

13 (2) by redesignating subsections (b) and (c) as subsections (a) and (b),
14 respectively; and

15 (3) in subsections (a) and (b), as so redesignated, by striking “Commander” each
16 place it appears and inserting “Director”.

17 **TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS**

18 **Subtitle A—Active Forces**

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

20 The Armed Forces are authorized strengths for active duty personnel as of September 30,
21 2020, as follows:

22 (1) The Army, 480,000.

23 (2) The Navy, 340,500.

(3) The Marine Corps, 186,200.

(4) The Air Force, 332,800.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2020, as follows:

(1) The Army National Guard of the United States, 336,000.

(2) The Army Reserve, 189,500.

(3) The Navy Reserve, 59,000.

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

(5) The Air National Guard of the United States, 107,700.

(6) The Air Force Reserve, 70,100.

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

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve for any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2020, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 30,595.

(2) The Army Reserve, 16,511.

(3) The Navy Reserve, 10,155.

(4) The Marine Corps Reserve, 2,386.

(5) The Air National Guard of the United States, 22,637.

(6) The Air Force Reserve, 4,431.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2020 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 22,294.

1 (2) For the Army Reserve, 6,492.

2 (3) For the Air National Guard of the United States, 13,573.

3 (4) For the Air Force Reserve, 8,848.

4 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE**
5 **ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.**

6 During fiscal year 2020, the maximum number of members of the reserve components of
7 the Armed Forces who may be serving at any time on full-time operational support duty under
8 section 115(b) of title 10, United States Code, is the following:

9 (1) The Army National Guard of the United States, 17,000.

10 (2) The Army Reserve, 13,000.

11 (3) The Navy Reserve, 6,200.

12 (4) The Marine Corps Reserve, 3,000.

13 (5) The Air National Guard of the United States, 16,000.

14 (6) The Air Force Reserve, 14,000.

15 **Subtitle C—Authorization of Appropriations**

16 **SEC. 421. MILITARY PERSONNEL.**

17 There is hereby authorized to be appropriated for military personnel for fiscal year 2020 a
18 total of \$143,476,503,000.

19 **TITLE V—MILITARY PERSONNEL POLICY**

20 **Subtitle A—Officer Personnel Policy**

21 **SEC. 501. REVISION TO MANAGEMENT POLICIES FOR JOINT QUALIFIED**
22 **OFFICERS.**

1 Section 661(d)(3)(B) of title 10, United States Code, is amended in the third sentence by
2 inserting “or a designee of the Chairman who is a member of the armed forces in grade O-8 or
3 higher” before the period.

4 **SEC. 502. REPEAL OF REPORT ON END-OF-QUARTER STRENGTH LEVELS.**

5 Section 115(e) of title 10, United States Code, is amended by striking paragraph (3).

6 **Subtitle B—Reserve Component Management**

7 **SEC. 511. REPEAL OF REQUIREMENT FOR REVIEW OF CERTAIN ARMY**
8 **RESERVE OFFICER UNIT VACANCY PROMOTIONS BY**
9 **COMMANDERS OF ASSOCIATED ACTIVE DUTY UNITS.**

10 Section 1113 of the Army National Guard Combat Readiness Reform Act of 1992 (10
11 U.S.C. 10105 note) is repealed.

12 **Subtitle C—General Service Authorities and Correction Military Records**

13 **SEC. 521. REDUCTION IN REQUIRED NUMBER OF MEMBERS OF DISCHARGE**
14 **REVIEW BOARDS.**

15 Section 1553(a) of title 10, United States Code, is amended by striking “five” and
16 inserting “not less than three”.

17 **SEC. 522. PRIVACY ACT EXCLUSION FOR COURTS-MARTIAL TO ALLOW FOR**
18 **PUBLIC ACCESS TO DOCKETS, FILINGS, AND COURT RECORDS.**

19 (a) IN GENERAL.—Section 940a of title 10, United States Code (article 140a of the
20 Uniform Code of Military Justice), is amended—

21 (1) by striking “The Secretary of Defense” and inserting “(a) The Secretary of
22 Defense, in consultation with the Secretary of Homeland Security,”;

1 (2) in subsection (a) (as designated by paragraph (1) of this section) in the matter
2 preceding paragraph (1), by inserting “(including with respect to the Coast Guard)” after
3 “military justice system”;

4 (3) in paragraph (4) of subsection (a) (as so designated), by inserting “public”
5 before “access to docket information”; and

6 (4) by adding at the end the following new subsections:

7 “(b) Section 552a of title 5 shall not apply to records of trial produced or distributed
8 within the military justice system or docket information, filings, and records made publicly
9 accessible in accordance with the uniform standards and criteria for conduct established by the
10 Secretary under subsection (a).

11 “(c) Nothing in this section shall be construed to provide public access to docket
12 information, filings, or records that are classified, subject to a judicial protective order, or
13 ordered sealed.”.

14 (b) EXISTING STANDARDS AND CRITERIA.—The Secretary of Homeland Security shall
15 apply to the Coast Guard the standards and criteria for conduct established by the Secretary of
16 Defense under section 940a of title 10, United States Code (article 140a of the Uniform Code of
17 Military Justice), in effect on the date of the enactment of this Act until such time as the
18 Secretary of Defense, in consultation with the Secretary of Homeland Security, prescribes
19 revised standards and criteria for conduct under such section that implement the amendments
20 made by subsection (a) of this section.

21 **Subtitle D—Military Justice**

22 **SEC. 531. REVISIONS TO REQUIREMENTS RELATING TO DEPARTMENT OF** 23 **DEFENSE POLICY ON EVIDENCE RETENTION TO REFLECT THE**

1 **LENGTH OF TIME A SEXUAL ASSAULT FORENSIC EXAMINATION**
2 **(SAFE) KIT MUST BE RETAINED.**

3 Section 586 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law
4 112-81; 10 U.S.C. 1561 note) is amended—

5 (1) by redesignating subsection (f) as subsection (e);

6 (2) in subsection (e), as so redesignated, in the subsection heading, by inserting
7 “IN UNRESTRICTED REPORTING CASES” after “PROCEEDINGS”; and

8 (3) by adding at the end the following new subsection:

9 “(f) RETURN OF PERSONAL PROPERTY IN RESTRICTED REPORTING CASES.—(1) The
10 Secretary of Defense shall prescribe procedures under which a victim who files a restricted
11 report on an incident of sexual assault may request, at any time, the return of any personal
12 property of the victim obtained as part of the sexual assault forensic examination.

13 “(2) The procedures shall ensure that—

14 “(A) a request of a victim under paragraph (1) may be made on a confidential
15 basis and without affecting the restricted nature of the restricted report; and

16 “(B) at the time of the filing of the restricted report, a Sexual Assault Response
17 Coordinator or Sexual Assault Prevention and Response Victim Advocate—

18 “(i) informs the victim that the victim may request the return of personal
19 property as described in paragraph (1); and

20 “(ii) advises the victim that such a request for the return of personal
21 property may negatively impact a subsequent case adjudication, if the victim later
22 decides to convert the restricted report to an unrestricted report.

1 “(3) Except with respect to personal property returned to a victim under this subsection,
2 nothing in this subsection shall affect the requirement to retain a sexual assault forensic
3 examination (SAFE) kit for the period specified in subsection (c)(4)(A).”.

4 **SEC. 532. COMMAND INFLUENCE UNDER THE UNIFORM CODE OF MILITARY**
5 **JUSTICE.**

6 (a) ARTICLE 37.—Section 837 of title 10, United States Code (article 37 of the Uniform
7 Code of Military Justice), is amended—

8 (1) in the heading, by striking “**Unlawfully influencing action of court**” and
9 inserting “**Command influence**”;

10 (2) in subsection (a)—

11 (A) by striking “(a) No authority convening a general, special, or summary
12 court-martial” and inserting “(a)(1) No court-martial convening authority”;

13 (B) in paragraph (1) (as designated by subparagraph (A) of this
14 paragraph), by striking “proceeding. No person” and inserting the following:
15 “proceeding.

16 “(3) No person”;

17 (C) by inserting before paragraph (3) (as designated by subparagraph (B)
18 of this paragraph) the following new paragraph:

19 “(2) No court-martial convening authority, nor any other commanding officer, may deter
20 or attempt to deter a potential witness from participating in the investigatory process or testifying
21 at a court-martial. The denial of a request to travel at government expense or refusal to make a
22 witness available shall not by itself constitute unlawful command influence.”;

23 (D) in paragraph (3) (as so designated)—

1 (i) by inserting “attempt to” before “influence”;

2 (ii) by striking “with respect to his judicial acts” and inserting “or
3 preliminary hearing officer with respect to such acts taken pursuant to this
4 chapter as prescribed by the President”; and

5 (iii) by striking the second sentence; and

6 (E) by adding at the end the following new paragraphs:

7 “(4) Paragraphs (1) through (3) shall not apply with respect to—

8 “(A) general instructional or informational courses in military justice if such
9 courses are designed solely for the purpose of instructing members of a command in the
10 substantive and procedural aspects of courts-martial;

11 “(B) statements regarding criminal activity or a particular criminal offense that do
12 not advocate a particular disposition, or a particular court-martial finding, or sentence; or

13 “(C) statements and instructions given in open court by the military judge or
14 counsel.

15 “(5)(A) Notwithstanding paragraphs (1) through (3), but subject to subparagraph (B)—

16 “(i) a superior convening authority or officer may generally discuss matters to
17 consider regarding the disposition of alleged violations of this chapter with a subordinate
18 convening authority or officer; and

19 “(ii) a subordinate convening authority or officer may seek advice from a superior
20 convening authority or officer regarding the disposition of an alleged offense under this
21 chapter.

22 “(B) No superior convening authority or officer may direct a subordinate convening
23 authority or officer to make a particular disposition in a specific case or otherwise substitute the

1 discretion of such authority or such officer for that of the subordinate convening authority or
2 officer.”;

3 (3) in subsection (b)—

4 (A) by striking “to be advanced, in grade” and inserting “to be advanced in
5 grade”; and

6 (B) by striking “accused before a court-martial” and inserting “person in a
7 court-martial proceeding”; and

8 (4) by adding at the end the following new subsections:

9 “(c) No finding or sentence of a court-martial may be held incorrect on the ground of a
10 violation of this section, or the doctrine of apparent unlawful command influence, unless the
11 violation materially prejudices the substantial rights of the accused.

12 “(d)(1) A superior convening authority or commanding officer may withhold the
13 authority of a subordinate convening authority or officer to dispose of offenses in individual
14 cases, types of cases, or generally.

15 “(2) Except as otherwise authorized by this chapter, a superior convening authority or
16 commanding officer may not limit the discretion of a subordinate convening authority or officer
17 to act with respect to a case for which the subordinate convening authority or officer has
18 authority to dispose of the offenses.”.

19 (b) ARTICLE 53a.—Section 853a(b)(5) of title 10, United States Code (article 53a of the
20 Uniform Code of Military Justice), is amended by striking “the President” and inserting “the
21 President, the Secretary of Defense, or the Secretary concerned.”.

22 (c) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of
23 subchapter VII of chapter 47 of title 10, United States Code, is amended by striking the item

relating to section 837 (article 37 of the Uniform Code of Military Justice) and inserting the following new item:

“837. Art. 37. Command influence.”.

Subtitle E—Member Education, Training, Resilience, and Transition

SEC. 541. ENHANCING JOINT PROFESSIONAL MILITARY EDUCATION.

Section 2154(a)(2)(A) of title 10, United States Code is amended by striking “the Joint Forces Staff College or a” and inserting “a joint or”.

SEC. 542. ELIGIBILITY OF ADDITIONAL ENLISTED MEMBERS FOR ASSOCIATE DEGREE PROGRAMS OF THE COMMUNITY COLLEGE OF THE AIR FORCE.

Section 9415(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) Enlisted members of the armed forces other than the Air Force who are participating in Community College of the Air Force affiliated joint-service training and education courses.”.

SEC. 543. DEGREE GRANTING AUTHORITY FOR UNITED STATES ARMY ARMAMENT GRADUATE SCHOOL.

(a) IN GENERAL.—Chapter 401 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 4322. Degree granting authority for United States Army Armament Graduate School

“(a) AUTHORITY.—Under regulations prescribed by the Secretary of the Army, the Chancellor of the United States Army Armament Graduate School may, upon the

1 recommendation of the faculty and provost of the college, confer appropriate degrees upon
2 graduates who meet the degree requirements.

3 “(b) LIMITATION.—A degree may not be conferred under this section unless—

4 “(1) the Secretary of Education has recommended approval of the degree in
5 accordance with the Federal Policy Governing Granting of Academic Degrees by Federal
6 Agencies; and

7 “(2) the United States Army Armament Graduate School is accredited by the
8 appropriate civilian academic accrediting agency or organization to award the degree, as
9 determined by the Secretary of Education.

10 “(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish
11 degree granting authority under this section, the Secretary of Defense shall submit to the
12 Committees on Armed Services of the Senate and the House of Representatives—

13 “(A) a copy of the self-assessment questionnaire required by the Federal Policy
14 Governing Granting of Academic Degrees by Federal Agencies, at the time the
15 assessment is submitted to the Department of Education’s National Advisory Committee
16 on Institutional Quality and Integrity; and

17 “(B) the subsequent recommendations and rationale of the Secretary of Education
18 regarding the establishment of the degree granting authority.

19 “(2) Upon any modification or redesignation of existing degree granting authority, the
20 Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House
21 of Representatives a report containing the rationale for the proposed modification or
22 redesignation and any subsequent recommendation of the Secretary of Education on the
23 proposed modification or redesignation.

1 “(3) The Secretary of Defense shall submit to the Committees on Armed Services of the
2 Senate and House of Representatives a report containing an explanation of any action by the
3 appropriate academic accrediting agency or organization not to accredit the United States Army
4 Armament Graduate School to award any new or existing degree.”.

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

“4322. Degree granting authority for United States Army Armament Graduate School.”.

7 **SEC. 544. AUTHORITY FOR THE MILITARY DEPARTMENTS’ ACCREDITED**
8 **INSTITUTIONS TO ACCEPT RESEARCH GRANTS.**

9 (a) ARMY INSTITUTIONS.—

10 (1) IN GENERAL.—Section 7487 of title 10, United States Code, is amended—

11 (A) by striking subsection (a) and inserting the following new subsection:

12 “(a) ACCEPTANCE OF RESEARCH GRANTS.—(1) The Secretary of the Army may authorize
13 the Commandant of the United States Army War College or the head of any other accredited
14 institution of the Army to accept qualifying research grants. Any such grant may only be
15 accepted if the work under the grant is to be carried out by a professor or instructor of the
16 College or institution, as appropriate, for a scientific, literary, or educational purpose.

17 “(2) A civilian member of the faculty of the Army War College or any other accredited
18 institution of the Army may accept a grant to conduct research in the civilian faculty member’s
19 personal capacity, but such research may not be accomplished in direct support of lectures,
20 instruction, curriculum development, or special duties as assigned at the College or institution, as
21 appropriate. For the purpose of determining rights with respect to any invention made under such
22 a grant, the civilian faculty member shall be deemed a Government employee.”;

1 (B) in the second sentence of subsection (d), by inserting “or the head of any other
2 accredited institution of the Army, as appropriate,” after “The Commandant”; and

3 (C) in subsection (e), by striking “Army War College” and all that follows
4 through the period and inserting “Army War College or any other accredited
5 institution of the Army may be used to pay expenses incurred by the College or
6 institution, as appropriate, in applying for, and otherwise pursuing, the award of
7 qualifying research grants.”.

8 (2) CLERICAL AMENDMENTS.—

9 (A) SECTION HEADING.—The heading of such section is amended by
10 inserting “**and other accredited institutions of the Army**” after “**United States**
11 **Army War College**”.

12 (B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter
13 757 of such title is amended by striking the item relating to section 7487 and
14 inserting the following new item:

“7487. United States Army War College and other accredited institutions of the Army: acceptance of grants for
faculty research for scientific, literary, and educational purposes.”.

15 (b) NAVY INSTITUTIONS.—

16 (1) IN GENERAL.—Section 8593 of such title is amended—

17 (A) by striking subsection (a) and inserting the following new subsection:

18 “(a) ACCEPTANCE OF RESEARCH GRANTS.—(1) The Secretary of the Navy may authorize
19 the President of the Naval War College or the head of any other accredited institution of the
20 Navy to accept qualifying research grants. Any such grant may only be accepted if the work
21 under the grant is to be carried out by a professor or instructor of the College or institution, as
22 appropriate, for a scientific, literary, or educational purpose.

1 “(2) A civilian member of the faculty of the Naval War College or any other accredited
2 institution of the Navy may accept a grant to conduct research in the civilian faculty member’s
3 personal capacity, but such research may not be accomplished in direct support of lectures,
4 instruction, curriculum development, or special duties as assigned at the College or institution, as
5 appropriate. For the purpose of determining rights with respect to any invention made under such
6 a grant, the civilian faculty member shall be deemed a Government employee.”;

7 (B) in the second sentence of subsection (d), by inserting “or the head of
8 any other accredited institution of the Navy, as appropriate,” after “Naval War
9 College”; and

10 (C) in subsection (e), by striking “Naval War College” and all that follows
11 through the period and inserting “Naval War College or any other accredited
12 institution of the Navy may be used to pay expenses incurred by the College or
13 institution, as appropriate, in applying for, and otherwise pursuing, the award of
14 qualifying research grants.”.

15 (2) CLERICAL AMENDMENTS.—

16 (A) SECTION HEADING.—The heading of such section is amended by
17 inserting “**and other accredited institutions of the Navy**” after “**Naval War**
18 **College**”.

19 (B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter
20 859 of such title is amended by striking the item relating to section 8593 and
21 inserting the following new item:

 “8593. Naval War College and other accredited institutions of the Navy: acceptance of grants for faculty research
 for scientific, literary, and educational purposes.”.

22 (c) MARINE CORPS INSTITUTIONS.—

1 (1) IN GENERAL.— Section 8594 of such title is amended—

2 (A) by striking subsection (a) and inserting the following new subsection:

3 “(a) ACCEPTANCE OF RESEARCH GRANTS.—(1) The Secretary of the Navy may authorize
4 the President of the Marine Corps University or the head of any other accredited institution of the
5 Marine Corps to accept qualifying research grants. Any such grant may only be accepted if the
6 work under the grant is to be carried out by a professor or instructor of the University or
7 institution, as appropriate, for a scientific, literary, or educational purpose.

8 “(2) A civilian member of the faculty of the Marine Corps University or any other
9 accredited institution of the Marine Corps may accept a grant to conduct research in the civilian
10 faculty member’s personal capacity, but such research may not be accomplished in direct support
11 of lectures, instruction, curriculum development, or special duties as assigned at the University
12 or institution, as appropriate. For the purpose of determining rights with respect to any invention
13 made under such a grant, the civilian faculty member shall be deemed a Government
14 employee.”;

15 (B) in the second sentence of subsection (d), by inserting “or the head of
16 any other accredited institution of the Marine Corps, as appropriate,” after
17 “Marine Corps University”; and

18 (C) in subsection (e), by striking “Marine Corps University” and all that
19 follows through the period and inserting “Marine Corps University or any other
20 accredited institution of the Marine Corps may be used to pay expenses incurred
21 by the University or institution, as appropriate, in applying for, and otherwise
22 pursuing, the award of qualifying research grants.”.

23 (2) CLERICAL AMENDMENTS.—

1 (A) SECTION HEADING.—The heading of such section is amended by
2 inserting “**and other accredited institutions of the Marine Corps**” after
3 “**Marine Corps University**”.

4 (B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter
5 859 of such title is amended by striking the item relating to section 8594 and
6 inserting the following:

“8594. Marine Corps University and other accredited institutions of the Marine Corps: acceptance of grants for
faculty research for scientific, literary, and educational purposes.”.

7 (c) AIR FORCE INSTITUTIONS.—

8 (1) IN GENERAL.—Section 9487 of title 10, United States Code, is amended—

9 (A) by striking subsection (a) and inserting the following:

10 “(a) ACCEPTANCE OF RESEARCH GRANTS.—(1) The Secretary of the Air Force may
11 authorize the Commandant of the Air War College or the head of any other accredited institution
12 of the Air Force to accept qualifying research grants. Any such grant may only be accepted if the
13 work under the grant is to be carried out by a professor or instructor of the College or institution,
14 as appropriate, for a scientific, literary, or educational purpose.

15 “(2) A civilian member of the faculty of the Air War College or any other accredited
16 institution of the Air Force may accept a grant to conduct research in the civilian faculty
17 member’s personal capacity, but such research may not be accomplished in direct support of
18 lectures, instruction, curriculum development, or special duties as assigned at the College or
19 institution, as appropriate. For the purpose of determining rights with respect to any invention
20 made under such a grant, the civilian faculty member shall be deemed a Government
21 employee.”;

1 (B) in subsection (d), by inserting “or the head of any other accredited
2 institution of the Air Force, as appropriate,” after “Commandant”; and

3 (C) in subsection (e), by striking “Air War College” and all that follows
4 through the period and inserting “Air War College or any other accredited
5 institution of the Air Force may be used to pay expenses incurred by the College
6 or institution, as appropriate, in applying for, and otherwise pursuing, the award
7 of qualifying research grants.”.

8 (2) CLERICAL AMENDMENTS.—

9 (A) SECTION HEADING.—The heading of such section is amended by
10 inserting “**and other accredited institutions of the Air Force**” after “**Air War**
11 **College**”.

12 (B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter
13 957 of such title is amended by striking the item relating to section 9487 and
14 inserting the following new item:

“9487. Air War College and other accredited institutions of the Air Force: acceptance of grants for faculty
research for scientific, literary, and educational purposes.”.

15 **SEC. 545. PREPARATION OF BUDGET REQUESTS FOR OPERATION OF**
16 **PROFESSIONAL MILITARY EDUCATION SCHOOLS.**

17 Section 2162(b)(2) of title 10, United States Code, is amended in the first sentence by
18 striking “as a separate budget request” and inserting “as part of the budget request for the Joint
19 Staff”.

20 **Subtitle F—Decorations and Awards**

21 **SEC. 551. EXPANSION OF GOLD STAR LAPEL BUTTON ELIGIBILITY TO**
22 **STEPBROTHERS AND STEPSISTERS.**

1 Section 1126 of title 10, United States Code, is amended—

2 (1) in subsection (b), by striking “and next of kin” and inserting “, next of kin,
3 stepbrother, and stepsister”;

4 (2) in subsection (c), by striking “may be replaced” and all that follows before the
5 period at the end and inserting “may be replaced upon application and without cost”; and

6 (3) in subsection (d), by adding at the end the following:

7 “(9) The terms ‘stepbrother’ and ‘stepsister’ shall be defined in regulations
8 prescribed by the Secretary of Defense under subsection (b).”.

9 **SEC. 552. AUTHORITY TO AWARD OR PRESENT A DECORATION FOLLOWING A**
10 **CONGRESSIONALLY REQUESTED REVIEW.**

11 (a) IN GENERAL.—Section 1130 of title 10, United States Code, is amended—

12 (1) in the section heading, by inserting “**and award or presentation**” after “**for**
13 **review**”;

14 (2) in subsection (a), by striking “shall” each place it appears and inserting “may”;

15 (3) by redesignating subsection (d) as subsection (e); and

16 (4) by inserting after subsection (c) the following:

17 “(d)(1) A decoration may be awarded or presented following submission of a favorable
18 recommendation for the award or presentation under subsection (b).

19 “(2) An award or presentation under paragraph (1) may not occur before the expiration of
20 a 60-day period for congressional review beginning on the date of submission of the favorable
21 recommendation under subsection (b) regarding the award or presentation.

22 “(3) The authority to make an award or presentation under this subsection shall apply
23 notwithstanding any limitation described in subsection (a).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of title 10, United States Code, is amended by striking the item relating to section 1130 and inserting the following:

“1130. Consideration of proposals for decorations not previously submitted in timely fashion: procedures for review and award or presentation.”.

Subtitle G—Other Matters

SEC. 561. EXPANSION OF PERSONAL PROPERTY TAX RELIEF FOR SERVICEMEMBERS.

Paragraph (1) of section 511(d) of the Servicemembers Civil Relief Act (50 U.S.C. 4001(d)) is amended—

(1) by inserting “, whether leased or owned,” after “spouse of a servicemember”;

and

(2) by adding at the end the following: “The relief from personal property taxes extends to a servicemember or the spouse of a servicemember who leases a motor vehicle, as well as to a lessor who leases a motor vehicle to the servicemember or spouse. When a servicemember or the spouse of the servicemember leases a motor vehicle, the leased motor vehicle shall not be deemed to be located or present in, or have a situs for taxation in, the tax jurisdiction in which the servicemember is serving in compliance with military orders unless the servicemember or spouse has adopted that tax jurisdiction as the legal residence of the servicemember or spouse, respectively.”.

SEC. 562. CLARIFICATION REGARDING MILITARY ORDERS REQUIRED FOR TERMINATION OF LEASES PURSUANT TO THE SERVICEMEMBERS CIVIL RELIEF ACT.

Section 305(i) of the Servicemembers Civil Relief Act (50 U.S.C. 3955) is amended—

1 (1) in paragraph (1), by inserting “including orders for separation or retirement,”
2 after “official military orders,”; and

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

4 “(3) PERMANENT CHANGE OF STATION.—The term ‘permanent change of station’
5 includes separation or retirement from military service.”.

6 **SEC. 563. CLARIFICATION OF REQUIREMENTS FOR RESIDENCE AND**
7 **DOMICILE TAX RELIEF UNDER THE SERVICEMEMBERS CIVIL**
8 **RELIEF ACT.**

9 (a) IN GENERAL.—Section 511 of the Servicemembers Civil Relief Act (50 U.S.C. 4001)
10 is amended by adding at the end the following new subsection:

11 “(h) DETERMINATION OF SERVICEMEMBER’S TAX JURISDICTION.—For purposes of this
12 section, the State or political subdivision where a servicemember is serving in compliance with
13 military orders includes any State or political subdivision within 150 miles of the
14 servicemember’s assigned duty location.”.

15 (b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to
16 a State or local income tax return filed for any taxable year beginning on or after January 1,
17 2016.

18 **SEC. 564. DETERMINATION OF RESIDENCE OR DOMICILE FOR TAX PURPOSES**
19 **OF SPOUSES OF MILITARY PERSONNEL.**

20 Section 511(a)(2) of the Servicemembers Civil Relief Act (50 U.S.C. 4001(a)(2)) is
21 amended by striking “if the residence or domicile, as the case may be, is the same for the
22 servicemember and the spouse”.

23 **TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS**

1 **SEC. 601. INCLUSION OF ACTIVE DUTY SERVICE FOR A PREPLANNED MISSION**
2 **AS ELIGIBLE SERVICE FOR REDUCTION OF ELIGIBILITY AGE FOR**
3 **A NON-REGULAR RETIREMENT.**

4 Section 12731(f)(2)(B)(i) of title 10, United States Code, is amended by inserting “or
5 12304b” after “section 12301(d).”

6 **SEC. 602. AUTHORITY TO WAIVE RECOUPMENT OF SEPARATION PAY,**
7 **SEVERANCE PAY, OR READJUSTMENT PAY FOR INVOLUNTARY**
8 **DISCHARGE FOR MEMBERS WHO SUBSEQUENTLY BECOME**
9 **ENTITLED TO RETIRED OR RETAINER PAY.**

10 Section 1174(h) of title 10, United States Code, is amended by adding at the end the
11 following new paragraph:

12 “(3)(A) The Secretary of Defense, or the Secretary of Homeland Security with respect to
13 the Coast Guard when it is not operating as a service in the Navy, may waive the requirement to
14 repay separation pay, severance pay, or readjustment pay under paragraph (1) if such Secretary
15 determines that repayment would be against equity and good conscience or would be contrary to
16 the best interests of the United States.

17 “(B) The authority of the Secretary of Defense in this paragraph may be delegated to the
18 Undersecretary of Defense for Personnel and Readiness and the Principal Deputy Undersecretary
19 of Defense for Personnel and Readiness.”.

20 **SEC. 603. AUTHORITY FOR PAYMENT OF DEATH GRATUITY TO TRUSTS.**

21 Section 1477(a) of title 10, United States Code, is amended by adding at the end the
22 following new paragraph—

23 “(3) In this subsection, the term ‘person’ includes—

1 “(A) the estate of the member; or
2 “(B) a trust legally established under any Federal, State, or territorial law,
3 including a supplemental or special needs trust established under subparagraph (A) or (C)
4 of section 1917(d)(4) of the Social Security Act (42 U.S.C. 1396p(d)(4)) for the sole
5 benefit of a dependent child considered disabled under section 1614(a)(3) of that Act (42
6 U.S.C. 1382c(a)(3)) who is incapable of self-support because of mental or physical
7 incapacity.”.

8 **SEC. 604. PAYMENT OF TRANSITIONAL COMPENSATION FOR CERTAIN**
9 **DEPENDENTS.**

10 Section 1059(m) of title 10, United States Code, is amended—

11 (1) in the subsection heading, by inserting “MEMBERS OR” after “DEPENDENTS
12 OF”;

13 (2) by inserting “member or” before “former member” each place it appears; and

14 (3) by amending paragraph (3) to read as follows:

15 “(3) For the purposes of this subsection, a member is considered separated from active
16 duty upon the earliest of—

17 “(A) the date an administrative separation is initiated by a commander of the
18 member;

19 “(B) the date the court-martial sentence is adjudged if the sentence, as adjudged,
20 includes a dismissal, dishonorable discharge, bad conduct discharge, or forfeiture of all
21 pay and allowances; or

22 “(C) the date the member’s term of service expires.”.

23 **SEC. 605. TREATMENT OF COMMISSARY USER FEES.**

1 Section 2483(c) of title 10, United States Code, is amended by inserting “fees on services
2 provided,” after “handling fees for tobacco products,”.

3 **TITLE VII—HEALTH CARE PROVISIONS**

4 **SEC. 701. REAUTHORIZATION OF DEMONSTRATION PROJECT FOR HEALTH** 5 **CARE COVERAGE THROUGH THE FEDERAL EMPLOYEES HEALTH** 6 **BENEFITS PROGRAM.**

7 Section 1108 of title 10, United States Code, is amended—

8 (1) in subsection (a), by striking the last sentence;

9 (2) in subsection (b)—

10 (A) by striking paragraph (1) and inserting the following new paragraph:

11 “(1) An eligible beneficiary under this subsection is a beneficiary under section
12 1074(a) of this title or a covered beneficiary under this chapter, but does not
13 include a person who is entitled to hospital insurance benefits under part A of title
14 XVIII of the Social Security Act (42 U.S.C. 1395c et seq.).”;

15 (B) in paragraph (2), by striking “who is a family member for purposes of
16 such chapter”;

17 (C) in paragraph (3), by striking “(except as provided in paragraph (1)(C)
18 or (1)(D))”; and

19 (D) by striking paragraphs (4) and (5);

20 (3) in subsection (c), by striking “In establishing the areas” and all that follows
21 through the end of the subsection;

22 (4) in subsection (d)(2)—

23 (A) by striking “2000” and inserting “2021”;

1 (B) by striking “1999” and inserting “2020”; and

2 (C) by striking “2002” and inserting “2023”;

3 (5) in subsection (f), by striking paragraphs (1) and (2) and the paragraph
4 designation for paragraph (3);

5 (6) by striking subsection (g);

6 (7) by redesignating subsections (h) and (i) and subsections (g) and (h),
7 respectively;

8 (8) by striking subsection (j); and

9 (9) by adding at the end the following new subsections:

10 “(i) HEALTH ALLOWANCE.—The Secretary of Defense may make additional payments to
11 a beneficiary under section 1074(a) of this title as a health allowance for payment of health and
12 medical services (including premium and cost sharing) in the demonstration project under this
13 section.

14 “(j) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of Defense and the Director
15 of the Office of Personnel and Management are authorized to establish such other terms and
16 conditions for the operation of the demonstration authorized by this section as they determine
17 appropriate.”.

18 **SEC. 702. REVISION OF AUTHORITY FOR SOLE SOURCE CONTRACTS WITH**
19 **DESIGNATED PROVIDERS.**

20 Subtitle C of title VII of the National Defense Authorization Act for Fiscal Year 1997
21 (Public Law 104-201; 110 Stat. 2586 et seq.) is amended—

22 (1) in section 721—

23 (A) by amending paragraph (7) to read as follows:

1 “(7) The term ‘health care services’ means the health care services referred to in
2 section 723(a).”; and

3 (B) by adding at the end the following new paragraph:

4 “(10) The term ‘TRICARE Select program’ means the program required by
5 section 1075 of title 10, United States Code.”;

6 (2) in section 723, by amending subsections (a) and (b) to read as follows:

7 “(a) UNIFORM BENEFIT REQUIRED.—A **designated provider** shall offer to enrollees a
8 uniform benefit that—

9 “(1) covers the services covered under the programs authorized by sections
10 1074g, 1075, and 1086(d) of title 10, United States Code, and parts A and B of the
11 Medicare program; and

12 “(2) does not exceed the accompanying enrollment fee and cost-sharing
13 requirements, except that the benefit may include a special rule for amounts without
14 referrals comparable to that under section 1075a(c) of title 10, United States Code.

15 “(b) TIME FOR IMPLEMENTATION OF BENEFIT.—A **designated provider** shall offer the
16 health benefit option described in subsection (a) to enrollees beginning on January 1, 2020.”;

17 (3) in section 724, by striking subsection (g); and

18 (4) in section 726(b), by striking “TRICARE program” and inserting “TRICARE
19 Select program”.

20 **SEC. 703. FIVE-YEAR EXTENSION OF AUTHORITY TO CONTINUE THE DOD-VA**
21 **HEALTH CARE INCENTIVE FUND.**

22 Section 8111(d)(3) of title 38, United States Code, is amended by striking “September 30,
23 2020” and inserting, “September 30, 2025”.

1 **SEC. 704. CLARIFICATION OF OFFICE OF SPECIAL NEEDS POLICY FOR**
2 **INDIVIDUALIZED SERVICES PLANS.**

3 Section 1781c(d)(4) of title 10, United States Code, is amended by striking subparagraph
4 (F) and inserting the following new subparagraph:

5 “(F) Procedures for the development of an individualized services plan for those
6 military family members with special needs who have requested support and have a
7 completed family needs assessment.”.

8 **SEC. 705. MILITARY HEALTH SYSTEM FRAUD AND ABUSE PREVENTION**
9 **PROGRAM.**

10 (a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting
11 after section 1073d the following new section:

12 **“§1073e. Health care fraud and abuse prevention**

13 “(a) AUTHORITY.—(1) The Secretary of Defense is authorized to conduct a program to
14 prevent and remedy fraud and abuse in health care programs of the Department of Defense,
15 including all programs carried out under this chapter.

16 “(2) At the discretion of the Secretary, the program may be administered jointly by the
17 Inspector General of the Department of Defense and the Director of the Defense Health Agency.

18 “(b) CIVIL MONETARY PENALTIES.—(1) The authorities granted to the Secretary of
19 Defense and the Inspector General of the Department of Defense under section 1128A(m) of the
20 Social Security Act (42 U.S.C. 1320a-7a(m)) shall be available to the Secretary and the Inspector
21 General in carrying out the program authorized by subsection (a).

22 “(2) Except to the extent inconsistent with this section, the provisions of such section
23 1128A apply to civil monetary penalties under this subsection.

1 “(c) TREATMENT OF AMOUNTS COLLECTED.—(1) Amounts collected under subsection (b)
2 shall be credited to appropriations currently available at the time of collection for expenses of the
3 affected Department of Defense health care program.

4 “(2) Any such amounts may be used to support the administration of the program
5 authorized by subsection (a), including support for interagency agreements entered into under
6 subsection (d).

7 “(3) The authority provided under this subsection shall be in addition to the authority
8 provided under section 1079a of this title.

9 “(d) INTERAGENCY AGREEMENTS.—The Secretary of Defense is authorized to enter into
10 agreements with the Secretary of Health and Human Services, the Attorney General, and heads
11 of other Federal agencies for the effective and efficient implementation of the program
12 authorized by subsection (a).

13 “(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed as limiting any
14 authority of the Inspector General of the Department of Defense under any other provision of
15 law.

16 “(f) DEFINITIONS.—In this section:

17 “(1) The term ‘fraud and abuse’ means any conduct for which a civil monetary
18 penalty may be assessed under subsection (b).

19 “(2) The term ‘Defense Health Agency’ means the organizational entity
20 established by the Secretary of Defense under section 191 of this title for the
21 administration of programs under this chapter.”.

22 “(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is
23 amended by inserting after the item relating to section 1073d the following new item:

 “1073e. Health care fraud and abuse prevention.”.

**SEC. 706. EXTENSION AND CLARIFICATION OF AUTHORITY FOR THE JOINT
DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS
MEDICAL FACILITY DEMONSTRATION PROJECT.**

Title XVII of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2567) is amended—

(1) in section 1701(a)—

(A) by striking “Subject to subsection (b), the” and inserting “The”;

(B) by striking subsection (b); and

(C) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively;

(2) in section 1702(a)(1), by striking “hereafter in this title” and inserting “hereafter in this section”;

(3) in subsections (a) and (c) of section 1703, by striking “the facility” and inserting “the James A. Lovell Federal Health Care Center”;

(4) in section 1704—

(A) in subsections (a)(3), (a)(4)(A) and (b)(1), by striking “the facility” and inserting “the James A. Lovell Federal Health Care Center”; and

(B) in subsection (e), as amended by section 722 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3417), section 723 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 869), section 741 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 129 Stat. 2237), section 719 of the National Defense

1 Authorization Act for Fiscal Year 2018 (Public Law 115-91; 131 Stat. 1283), and
2 section 731 of the John S. McCain National Defense Authorization Act for Fiscal
3 Year 2019 (Public Law 115-232) by striking “September 30, 2020” and inserting
4 “September 30, 2023”; and
5 (5) in section 1705—

6 (A) in subsection (a), by striking “the facility” and inserting “the James A.
7 Lovell Federal Health Care Center (hereafter in this section referred to as the
8 ‘JALFHCC’)”;

9 (B) in the matter preceding paragraph (1) of subsection (b), by striking
10 “the facility” and inserting “the JALFHCC”; and

11 (C) in subsection (c)—

12 (i) by striking “the facility” each place it appears and inserting “the
13 JALFHCC”; and

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

15 “(4) To permit the JALFHCC to enter into personal services contracts to carry out
16 health care responsibilities in the JALFHCC to the same extent and subject to the same
17 conditions and limitations as apply under section 1091 of title 10, United States Code, to
18 the Secretary of Defense in relation to health care responsibilities in medical treatment
19 facilities of the Department of Defense.”.

20 **SEC. 707. STRENGTHENING THE DEPARTMENT OF DEFENSE ACADEMIC**
21 **HEALTH SYSTEM IN THE NATIONAL CAPITAL REGION.**

22 (a) IN GENERAL.—Chapter 104 of title 10, United States Code, is amended by inserting
23 after section 2113a the following new section:

1 **“§2113b. Department of Defense Academic Health System**

2 “(a) IN GENERAL.—The Secretary of Defense may establish an Academic Health
3 System to integrate the health care, health professions education, and health research
4 activities of the Military Health System in the National Capital Region.

5 “(b) LEADERSHIP.—The Secretary may, under the authority of this chapter, appoint
6 employees to leadership positions in the Academic Health System. Such positions may
7 include responsibilities for management of the health care, health professions education, and
8 health research activities of the Military Health System in the National Capital Region.
9 Such positions are in addition to similar leadership positions for members of the armed
10 forces.

11 “(c) ADMINISTRATION.—The Secretary may use other authorities under this chapter
12 for the administration of the Academic Health System authorized by this section.

13 “(d) NATIONAL CAPITAL REGION DEFINED.—In this section, the term “National
14 Capital Region” means the area, or portion thereof, as determined by the Secretary, in the
15 vicinity of Washington, D.C.”.

16 (b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 104 of
17 such title is amended by inserting after the item relating to section 2113a the following new
18 item:

 “2113b. Department of Defense Academic Health System.”.

19 **SEC. 708. ENDOWMENTS AT THE UNIFORMED SERVICES UNIVERSITY OF THE**
20 **HEALTH SCIENCES.**

21 Section 2113(g)(1) of title 10, United States Code, is amended—

22 (1) in subparagraph (E), by striking “and” at the end;

23 (2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following new subparagraph:

“(F) to establish endowments, under agreement with the Henry M. Jackson Foundation for the Advancement of Military Medicine, including with funding from gifts and bequests received under this section or royalties received under chapter 63 of title 15, to carry out medical research, medical consultation, and medical education, with such endowment funds available to the University until expended; and”.

**SEC. 709. AUTHORITY TO PLAN, DESIGN, AND CONSTRUCT, OR LEASE,
SHARED MEDICAL FACILITIES WITH DEPARTMENT OF
VETERANS AFFAIRS.**

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1104 the following new section:

“§1104a. Shared medical facilities with Department of Veterans Affairs

“(a) AGREEMENTS.—The Secretary of Defense may enter into agreements with the Secretary of Veterans Affairs for the planning, design, and construction, or the leasing, of facilities to be operated as shared medical facilities.

“(b) TRANSFER OF FUNDS BY SECRETARY OF DEFENSE.—(1) The Secretary of Defense may transfer to the Secretary of Veterans Affairs amounts as follows:

“(A) Amounts, not in excess of the amount authorized by law for an unspecified minor military construction project, for the construction of a shared medical facility if—

“(i) the amount of the share of the Department of Defense for the estimated cost of the project does not exceed the amount authorized under section 2805(a)(2) of this title; and

1 “(ii) the other requirements of such section have been met with respect to
2 funds identified for transfer.

3 “(B) Amounts appropriated for the Defense Health Program for the purpose of the
4 planning, design, and construction, or the leasing of space, for a shared medical facility.

5 “(2) The authority to transfer funds under this section is in addition to any other authority
6 to transfer funds available to the Secretary of Defense.

7 “(3) Section 2215 of this title does not apply to a transfer of funds under this subsection.

8 “(c) TRANSFER OF FUNDS TO SECRETARY OF DEFENSE.—(1) Any amount transferred
9 under title 38 to the Secretary of Defense by the Secretary of Veterans Affairs for necessary
10 expenses for the planning, design, and construction of a shared medical facility, where the
11 amount of the share of the Department of Defense for the cost of such project does not exceed
12 the amount specified in section 2805(a)(2) of this title, may be credited to accounts of the
13 Department of Defense available for the construction of a shared medical facility.

14 “(2) Amounts transferred under title 38 to the Secretary of Defense by the Secretary of
15 Veterans Affairs for the purpose of the planning and design, or the leasing of space, for a shared
16 medical facility may be credited to accounts of the Department of Defense available for such
17 purposes, and may be used for such purposes.

18 “(3) Using accounts credited with transfers from the Secretary of Veterans Affairs under
19 paragraph (1), the Secretary of Defense may carry out unspecified minor military construction
20 projects, if the share of the Department of Defense for the cost of such project does not exceed
21 the amount specified in section 2805(a)(2) of this title.

22 “(d) MERGER OF AMOUNTS TRANSFERRED.—Any amount transferred to the Secretary of
23 Veterans Affairs pursuant to subsection (b), and any amount transferred to the Secretary of

Defense as described in subsection (c), shall be merged with, and be available for the same purposes and the same time period as, the appropriation or fund to which transferred.

“(e) SHARED MEDICAL FACILITY DEFINED.—In this section, the term ‘shared medical facility’ means a building or buildings, or a campus, intended to be used by both the Department of Defense and the Department of Veterans Affairs for the provision of health-care services, whether under the jurisdiction of the Secretary of Defense or the Secretary of Veterans Affairs, and whether or not located on a military installation or on real property under the jurisdiction of the Secretary of Veterans Affairs. Such term includes any necessary building and auxiliary structure, garage, parking facility, mechanical equipment, abutting sidewalks, and accommodations for attending personnel.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1104 the following new item:

“1104a. Shared medical facilities with Department of Veterans Affairs.”.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

SEC. 801. SENIOR MILITARY ACQUISITION ADVISOR ELIGIBILITY.

Section 1725(d)(2) of title 10, United States Code, is amended in the second sentence by striking “30 years” and inserting “26 years”.

SEC. 802. REESTABLISHMENT OF AUTHORITY FOR JOINT URGENT OPERATIONAL NEEDS FUND.

Section 2216a(e) of title 10, United States Code, is amended by striking “September 30, 2018” and inserting “September 30, 2025”.

1 **SEC. 803. AUTHORITY FOR LIFE-OF-TYPE BUYS TO PREVENT MATERIEL**
2 **SHORTAGES ASSOCIATED WITH DIMINISHING MANUFACTURING**
3 **SOURCES AND OBSOLESCENCE.**

4 (a) AUTHORIZATION.—Chapter 141 of title 10, United States Code, is amended by
5 inserting before section 2389 the following new section:

6 **“§ 2388. Life-of-type buys**

7 “(a) AUTHORIZATION.—Notwithstanding section 1502 of title 31, the Secretary of
8 Defense may authorize the use of life-of-type buys to prevent weapon systems materiel shortages
9 associated with diminishing manufacturing sources and obsolescence in such quantities that do
10 not exceed the quantity reasonably expected to be required by the Department of Defense before
11 a replacement item is identified.

12 “(b) GUIDANCE.—The Secretary shall issue guidance, as necessary, to ensure appropriate
13 use of the authorization in this section. The guidance, at a minimum, shall require the
14 Department—

15 “(1) to establish that either the original manufacturer and all alternative sources
16 intend to stop production on repair parts that are used on Government weapon systems, or
17 all commercial sources are expected to stop production on commercial items that use
18 older technology and are expected to become obsolete;

19 “(2) to perform an analysis of alternatives before buying spares for more than two
20 years; and

21 “(3) to require approval of the Secretary (without redelegation) if the procurement
22 is to cover requirements for a period exceeding seven years.

1 “(c) LIFE-OF-TYPE BUY DEFINED.—In this section, the term “life-of-type buy” means a
2 one-time procurement for the total future requirement of an item that the Secretary determines is
3 no longer expected to be produced.”.

4 (b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is
5 amended by inserting before the item relating to section 2389 the following new item:

“2388. Life-of-type buys.”.

6 **Subtitle B—Amendments to General Contracting Authorities, Procedures,**
7 **and Limitations**

8 **SEC. 811. USE OF TECHNICAL DATA DURING CHALLENGES.**

9 Section 2321(i) of title 10, United States Code, is amended—

10 (1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4),
11 respectively; and

12 (2) by striking paragraph (1) and adding at the end the following new paragraphs:

13 “(1)(A) Upon issuance of a decision by a contracting officer under subsection (g) that an
14 asserted use or release restriction is not justified, the Secretary of Defense or the Secretary of a
15 military department may, after providing notice to the contractor or subcontractor, authorize
16 release, disclosure, or use of the technical data in dispute if the Secretary of Defense or the
17 Secretary of a military department, respectively, determines in writing that it is in the national
18 security interests of the United States to authorize such release, disclosure, or use before—

19 “(i) the filing of an appeal with the agency Board of Contract Appeals;

20 “(ii) the provision to the contracting officer of a written notice of intent to file suit
21 in the United States Court of Federal Claims;

22 “(iii) the filing of a suit in the United States Court of Federal Claims; or

1 “(iv) the final decision by the agency Board of Contract Appeals or the United
2 States Court of Federal Claims.

3 “(B) The authority in subparagraph (A) may be delegated only to the senior procurement
4 executive of the agency designated pursuant to section 1702(c) of title 41.

5 “(C) A determination under subparagraph (A) shall not affect the right of a contractor or
6 subcontractor to damages against the United States where an asserted use or release restriction is
7 sustained or to pursue other relief, if any, as may be provided by law.

8 “(2) If a contractor or subcontractor does not, not later than 90 days after the issuance of a
9 decision under subsection (g), appeal to an agency Board of Contract Appeals, provide notice to
10 the contracting officer of intent to file suit in the United States Court of Federal Claims, or file
11 suit in the United States Court of Federal Claims pursuant to chapter 71 of title 41, the United
12 States may cancel or ignore the asserted use or release restriction and the contractor or
13 subcontractor shall be deemed to have agreed to such action by the United States.”.

14 **SEC. 812. CODIFICATION AND PERMANENT AUTHORIZATION OF THE**
15 **MENTOR-PROTÉGÉ PROGRAM.**

16 (a) CODIFICATION.—Chapter 137 of title 10, United States Code, is amended by adding at
17 the end a new section 2339a consisting of—

18 (1) a heading as follows:

19 “**§2339a. Mentor-Protégé Program**”; and

20 (2) the text of subsections (a) through (n) of section 831 of the National Defense
21 Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note).

22 (b) PERMANENT AUTHORIZATION.—Section 2339a of title 10, United States Code, as
23 added by subsection (a) of this section, is amended—

1 (1) in subsection (a)—

2 (A) in the heading, by striking “PILOT”; and

3 (B) by striking “pilot program” and inserting “program”;

4 (2) in subsection (c)(1), by striking “pilot” each place it appears;

5 (3) by striking subsection (j);

6 (4) by redesignating subsections (k) through (n) as subsections (j) through (m),
7 respectively;

8 (5) in subsection (j) (as so redesignated)—

9 (1) by striking “pilot” each place it appears; and

10 (2) by striking the third and fourth sentences; and

11 (6) in subsection (m) (as so redesignated), by striking “has less than half” in
12 paragraph (2) and inserting “is not more than”.

13 (c) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter
14 137 of title 10, United States Code, is amended by adding at the end the following new item:

“2339a. Mentor-Protégé Program.”.

15 (d) REPEAL OF EXISTING PROVISION.—Section 831 of the National Defense Authorization
16 Act for Fiscal Year 1991 (10 U.S.C. 2302 note) is hereby repealed.

17 (e) APPLICABILITY OF EXISTING REGULATIONS.—Regulations prescribed by the Secretary
18 of Defense under section 831 of the National Defense Authorization Act for Fiscal Year 1991
19 (10 U.S.C. 2302 note), as in effect the day before the date of the enactment of this Act, shall
20 continue to apply to section 2339a of title 10, United States Code, as added by subsection (a) of
21 this section, until such time as the Secretary of Defense prescribes regulations under such section
22 2339a.

1 **SEC. 813. REMOVAL OF PROHIBITION ON DELEGATION OF DETERMINATIONS**
2 **FOR IMPROVED CONVENTIONAL DEFENSE CAPABILITIES IN**
3 **COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.**

4 Section 2350a(b) of title 10, United States Code, is amended—

5 (1) by striking “(1)”; and

6 (2) by striking paragraph (2).

7 **SEC. 814. AUTHORITY TO CEASE SELECTED ACQUISITION REPORTING ON**
8 **CERTAIN MAJOR DEFENSE ACQUISITION PROGRAMS.**

9 Section 2432(g) of title 10, United States Code, is amended—

10 (1) by striking “shall cease to apply after 90 percent” and inserting the following:

11 “shall cease to apply—

12 “(1) after 90 percent”;

13 (2) in paragraph (1), as designated by paragraph (1) of this section, by striking the
14 period and inserting “; or”; and

15 (3) by adding at the end the following new paragraph:

16 “(2) if—

17 “(A) the procurement unit cost for a fully configured end item is less than
18 \$500,000 in fiscal year 2019 constant dollars;

19 “(B) more than five years have passed since the full-rate production
20 decision for the program; and

21 “(C) the program is stable and the procurement unit cost has not increased
22 by a percentage equal to or greater than the significant cost threshold or the
23 critical cost threshold (as those terms are defined in section 2433 of this title).”.

1 **SEC. 815. PILOT PROGRAM TO ACCELERATE CONTRACTING AND PRICING**
2 **PROCESSES.**

3 Section 890 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law
4 115–232) is amended—

5 (1) by striking subsection (b);

6 (2) by redesignating subsection (c) as subsection (b);

7 (3) in subsection (b) (as so redesignated), by striking “and an assessment of
8 whether the program should be continued or expanded”;

9 (4) by inserting after subsection (b) (as so redesignated) the following new
10 subsection:

11 “(c) EXCEPTION TO PAPERWORK REDUCTION ACT.—For purposes of developing and
12 submitting the report required by subsection (b), the Department of Defense shall not be subject
13 to the requirements of section 3507 of title 44, United States Code.”; and

14 (5) in subsection (d), by striking “January 2, 2021” and inserting “January 2,
15 2023”.

16 **SEC. 816. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES**
17 **PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY**
18 **TO AFGHANISTAN.**

19 Section 801(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public
20 Law 111-84; 123 Stat. 2399), as most recently amended by section 1214 of the National Defense
21 Authorization Act for Fiscal Year 2018 (Public Law 115-91; 131 Stat. 1649), is further amended
22 by striking “December 31, 2019” and inserting “December 31, 2021”.

**SEC. 817. EXTENSION AND REVISION OF DIRECT HIRE AUTHORITY FOR
TECHNICAL EXPERTS INTO THE DEFENSE ACQUISITION
WORKFORCE.**

Section 1113 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 1701 note) is amended—

(1) in subsection (a)—

(A) by striking “Each” and inserting “The Secretary of Defense and each”;

(B) by striking “possessing a scientific or engineering degree”; and

(C) by striking “for that military department” and inserting “for the
Department of Defense or for that military department, respectively,”;

(2) in subsection (b), by striking “scientific and engineering positions” and
inserting “scientific, technical, engineering, and mathematics positions, including
technicians,”;

(3) by amending subsection (c) to read as follows:

“(c) LIMITATION.—The total number of persons appointed by the Secretary of Defense or
the Secretary of a military department under subsection (a) during a fiscal year may not exceed
the number equal to 5 percent of the number of hires made into scientific, technical, engineering,
and mathematics positions, including technicians, within the acquisition workforce of the
Department of Defense or that military department, respectively.”;

(4) by striking subsection (e);

(5) by redesignating subsection (f) as subsection (e); and

(6) in subsection (e) (as so redesignated), by striking “December 31, 2020” and
inserting “December 31, 2023”.

1 **Subtitle C—Matters Relating to Small Business**

2 **SEC. 821. CHANGE OF BASIS FOR CALCULATING REQUIRED EXPENDITURE**
3 **AMOUNT FOR SBIR AND STTR.**

4 Section 9(e)(1) of the Small Business Act (15 U.S.C. 638(e)(1)) is amended—

5 (1) by striking “except that for the Agency” and inserting the following: “except
6 that—

7 “(A) for the Agency”; and

8 (2) in subparagraph (A), as designated by paragraph (1) of this section, by striking
9 “foreign countries, and except that for” and inserting the following: “foreign countries;

10 “(B) for the Department of Defense, the Secretary of Defense shall
11 determine the amount not later than 120 days after the date of the enactment of an
12 appropriations Act or continuing resolution that appropriates funds for the
13 Department of Defense through the end of the fiscal year concerned; and

14 “(C) for”.

15 **SEC. 822. PHASE FLEXIBILITY PERMANENCY FOR SMALL BUSINESS**
16 **INNOVATION RESEARCH AND SMALL BUSINESS TECHNOLOGY**
17 **TRANSFER PROGRAMS.**

18 Section 9(cc) of the Small Business Act (15 U.S.C. 638(cc)) is amended by striking
19 “During fiscal years 2012 through 2022, the” and inserting “The”.

20 **SEC. 823. PERMANENCY OF ADMINISTRATIVE FUNDS PILOT PROGRAM.**

21 Section 9(mm)(1) of the Small Business Act (15 U.S.C. 638(mm)(1)) is amended by
22 striking “and until September 30, 2022”.

1 **SEC. 824. CLARIFICATION OF ELIGIBILITY FOR SEQUENTIAL PHASE II**
2 **AWARDS.**

3 Section 9(ff) of the Small Business Act (15 U.S.C. 638(ff)) is amended by adding at the
4 end the following new paragraphs:

5 “(3) CLARIFICATION OF SEQUENTIAL PHASE II AWARDS.—The head of a Federal
6 agency shall ensure that any sequential Phase II award is made in accordance with the
7 limitations on award sizes under subsection (aa).

8 “(4) CROSS-AGENCY SEQUENTIAL PHASE II AWARDS.—

9 “(A) IN GENERAL.—A small business concern that receives a sequential
10 Phase II SBIR or Phase II STTR award for a project from a Federal agency is
11 eligible to receive an additional sequential Phase II award that continues, or
12 logically extends to other applications, the work on that project from another
13 Federal agency.

14 “(B) DEPARTMENT OF DEFENSE.—In applying subparagraph (A), each
15 component of the Department of Defense shall be considered a separate Federal
16 agency.”.

17 **Subtitle D—Other Matters**

18 **SEC. 831. TIMELINESS RULES FOR FILING BID PROTESTS AT THE UNITED**
19 **STATES COURT OF FEDERAL CLAIMS.**

20 (a) JURISDICTION.—Paragraph (1) of section 1491(b) of title 28, United States Code, is
21 amended—

22 (1) in the first sentence, by striking “Both the” and all that follows through “shall
23 have” and inserting “The United States Court of Federal Claims shall have”; and

1 (2) in the second sentence—

2 (A) by striking “Both the” and all that follows through “shall have” and
3 inserting “The United States Court of Federal Claims shall have”; and

4 (B) by striking “is awarded.” and inserting “is awarded, but such
5 jurisdiction is subject to time limits as follows:

6 “(A) A protest based upon alleged improprieties in a solicitation that are apparent
7 before bid opening or the time set for receipt of initial proposals shall be filed before bid
8 opening or the time set for receipt of initial proposals. In the case of a procurement where
9 proposals are requested, alleged improprieties that do not exist in the initial solicitation
10 but that are subsequently incorporated into the solicitation shall be protested not later
11 than the next closing time for receipt of proposals following the incorporation. A protest
12 that meets these time limitations that was previously filed with the Comptroller General
13 may not be reviewed.

14 “(B) A protest other than one covered by subparagraph (A) shall be filed not later
15 than 10 days after the basis of the protest is known or should have been known
16 (whichever is earlier), with the exception of a protest challenging a procurement
17 conducted on the basis of competitive proposals under which a debriefing is requested
18 and, when requested, is required. In such a case, with respect to any protest the basis of
19 which is known or should have been known either before or as a result of the debriefing,
20 the initial protest shall not be filed before the debriefing date offered to the protester, but
21 shall be filed not later than 10 days after the date on which the debriefing is held.

22 “(C) If a timely agency-level protest was previously filed, any subsequent protest
23 to the United States Court of Federal Claims that is filed within 10 days of actual or

1 constructive knowledge of initial adverse agency action shall be considered, if the
2 agency-level protest was filed in accordance with subparagraphs (A) and (B), unless the
3 contracting agency imposes a more stringent time for filing the protest, in which case the
4 agency's time for filing shall control. In a case where an alleged impropriety in a
5 solicitation is timely protested to a contracting agency, any subsequent protest to the
6 United States Court of Federal Claims shall be considered timely if filed within the 10-
7 day period provided by this subparagraph, even if filed after bid opening or the closing
8 time for receipt of proposals.

9 “(D) Under no circumstances may the United States Court of Federal Claims
10 consider a protest that is untimely because it was first filed with the Comptroller
11 General.”.

12 (b) AVAILABLE RELIEF.—Paragraph (2) of such section is amended by inserting
13 “monetary relief shall not be available if injunctive relief is or has been granted, and” after
14 “except that”.

15 (c) AGENCY DECISIONS OVERRIDING STAY OF CONTRACT AWARD OR PERFORMANCE.—
16 Such section is further amended—

17 (1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7),
18 respectively; and

19 (2) by inserting after paragraph (4) the following new paragraph (5):

20 “(5) The United States Court of Federal Claims shall have jurisdiction to render judgment
21 on an action by an interested party challenging an agency’s decision to override a stay of contract
22 award or contract performance that would otherwise be required by section 3553 of title 31.

1 Such an action shall be filed within 10 days of actual or constructive notification of the agency’s
2 written determination to proceed with the award or performance of the contract.”.

3 (d) CONFORMING AMENDMENTS.—

4 (1) IN GENERAL.—Section 3556 of title 31, United States Code, is amended—

5 (A) by inserting “instead of with the Comptroller General” before the
6 period at the end of the first sentence; and

7 (B) by striking the second sentence.

8 (2) SECTION HEADING AMENDMENT.—The heading of such section is amended by
9 striking “; **matter included in agency record**”.

10 (e) EFFECTIVE DATE.—The amendments made by this section shall apply to any cause of
11 action filed 180 days or more after the date of the enactment of this Act.

12 **SEC. 832. REMOVING BARRIERS TO, AND EXTENSION OF, THE DEFENSE**
13 **PRODUCTION ACT.**

14 (a) LOANS TO PRIVATE BUSINESS ENTERPRISES.—Section 302 of the Defense Production
15 Act (50 U.S.C. 4532) is amended—

16 (1) in subsection (c)(1)—

17 (A) in the matter preceding subparagraph (A), by striking “or guaranteed”;

18 (B) in subparagraph (A), by striking “guarantees” and inserting “loans”;

19 and

20 (C) in subparagraph (B), by striking “that may be guaranteed” and
21 inserting “disbursed”; and

22 (2) in subsection (d)(2)(B), by striking “, on a nondelegable basis,”.

(b) PRESIDENTIAL ACTIONS.—Section 303(a) of the Defense Production Act (50 U.S.C. 4533(a)) is amended—

(1) in paragraph (5), in the matter preceding subparagraph (A), by striking “on a nondelegable basis” and inserting “or the Secretary of Defense if so delegated”; and

(2) in paragraph (6), by striking subparagraph (C).

(c) AUTHORIZATION OF APPROPRIATIONS—Section 711 of the Defense Production Act (50 U.S.C. 4561) is amended by striking “is authorized to be appropriated \$133,000,000 for fiscal year 2015 and each fiscal year thereafter” and inserting “are hereby authorized to be appropriated such sums as may be necessary and appropriate”.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

SEC. 901. UPDATE OF AUTHORITIES RELATING TO NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS.

(a) DUTIES AND POWERS OF UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT.—Section 133b(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (5), (6), (7), and (8), respectively;

(2) by inserting after paragraph (3) the following new paragraph (4):

“(4) establishing policies for, and providing oversight, guidance, and coordination for, nuclear command and control systems;”; and

(3) in paragraph (6), as so redesignated, by inserting after “overseeing the modernization of nuclear forces” the following: “, including the nuclear command, control, and communications system,”.

(b) CHIEF INFORMATION OFFICER.—Section 142(b)(1) of such title of title is amended—
(1) by striking subparagraph (G); and
(2) by redesignating subparagraphs (H) and (I) as subparagraphs (G) and (H),
respectively.

TITLE X—GENERAL PROVISIONS

SEC. 1001. REFUELING AND COMPLEX OVERHAUL OF USS JOHN C. STENNIS.

(a) REFUELING AND COMPLEX OVERHAUL.—The Secretary of the Navy may carry out the
nuclear refueling and complex overhaul of the U.S.S. John C. Stennis (CVN–74).

(b) USE OF INCREMENTAL FUNDING.—With respect to any contract entered into under
subsection (a) for the nuclear refueling and complex overhaul of the U.S.S. John C. Stennis, the
Secretary may use incremental funding for a period not to exceed six years after advance
procurement funds for such nuclear refueling and complex overhaul effort are first obligated.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—Any contract entered into under
subsection (a) shall provide that any obligation of the United States to make a payment under the
contract for a fiscal year after fiscal year 2020 is subject to the availability of appropriations for
that purpose for that later fiscal year.

SEC. 1002. REDUCTION IN THE MINIMUM NUMBER OF NAVY CARRIER AIR WINGS AND CARRIER AIR WING HEADQUARTERS REQUIRED TO BE MAINTAINED.

Section 5062(e) of title 10, United States Code, is amended by striking paragraphs (1)
and (2) and inserting the following new paragraphs:

1 “(1) the Navy maintains a minimum of 9 carrier air wings until the date on which
2 additional operationally deployable aircraft carriers can fully support a 10th carrier air
3 wing on a long-term sustainable basis;

4 “(2) after the date referred to in paragraph (1), the Navy maintains a minimum of
5 10 carrier air wings; and”.

6 **SEC. 1003. ENSURING OPERATIONAL READINESS OF LITTORAL COMBAT SHIPS**
7 **ON EXTENDED DEPLOYMENTS.**

8 Section 8680(a)(2) of title 10, United States Code, is amended by striking
9 subparagraph (D).

10 **SEC. 1004. REGULATION OF DISCHARGES INCIDENTAL TO THE NORMAL**
11 **OPERATIONS OF A VESSEL OF THE ARMED FORCES UNDER THE**
12 **FEDERAL WATER POLLUTION CONTROL ACT.**

13 Subparagraph (B) of section 312(n)(6) of the Federal Water Pollution Control Act (33
14 U.S.C. 1322(n)) is amended by adding at the end the following: “When conducted in compliance
15 with regulations promulgated pursuant to paragraph (4), any discharge incidental to the normal
16 operation of a vessel of the Armed Forces is considered a federally permitted release within the
17 meaning of paragraph (10) of section 101 of the Comprehensive Environmental Response,
18 Compensation, and Liability Act of 1980 (42 U.S.C. 9601(10)), and is excluded from the
19 definition of solid waste under paragraph (27) of section 1004 of the Solid Waste Disposal Act
20 (42 U.S.C. 6903(27)).”.

21 **SEC. 1005. PROVIDING PROTECTION TO THE NATIONAL MUSEUM OF THE**
22 **MARINE CORPS AND THE NATIONAL MUSEUM OF THE UNITED**
23 **STATES ARMY.**

1 Section 2465(b) of title 10, United States Code, is amended by adding at the end the
2 following new paragraph:

3 “(5) A contract for the performance of on-site armed security guard functions to
4 be performed—

5 “(A) at the Marine Corps Heritage Center at Marine Corps Base Quantico,
6 including the National Museum of the Marine Corps; or

7 “(B) at the Heritage Center for the National Museum of the United States
8 Army at Fort Belvoir, Virginia.”.

9 **SEC. 1006. REVISIONS TO WORKING-CAPITAL FUNDS STATUTE.**

10 Section 2208(l)(3) of title 10, United States Code, is amended by adding at the end the
11 following: “The dollar limitation in the preceding sentence on advance billing of a customer of a
12 working-capital fund shall not apply with respect to advance billing for humanitarian assistance
13 or for relief efforts following a declaration of a major disaster or emergency under the Robert T.
14 Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).”.

15 **SEC. 1007. ACCESS TO AND USE OF MILITARY POSTAL SERVICE BY U.S.**

16 **CITIZENS EMPLOYED OVERSEAS BY THE NORTH ATLANTIC**
17 **TREATY ORGANIZATION WHO PERFORM FUNCTIONS IN**
18 **SUPPORT OF MILITARY OPERATIONS OF THE ARMED FORCES OF**
19 **THE UNITED STATES.**

20 Section 406 of title 39, United States Code, is amended by adding at the end the
21 following new subsection:

22 “(c) The Secretary of Defense may authorize the use of Armed Forces post offices in
23 overseas locations by United States citizens who are employed by the North Atlantic Treaty

1 Organization when such citizens perform functions in support of the Armed Forces of the United
2 States and when the Secretary makes a written determination that it is in the best interests of the
3 Department of Defense and that such a grant is otherwise authorized by applicable host nation
4 law or agreement. No funds may be obligated or expended to establish, maintain, or expand an
5 Armed Forces post office for this purpose.”

6 **SEC. 1008. PERMANENT AUTHORITY OF SECRETARY OF TRANSPORTATION TO**
7 **ISSUE NON-PREMIUM AVIATION INSURANCE.**

8 (a) IN GENERAL.—Section 44310(b) of title 49, United States Code, is repealed.

9 (b) TECHNICAL AMENDMENT.—Section 44310(a) of title 49, United States Code, is
10 amended by striking “(a) IN GENERAL.—”.

11 **SEC. 1009. EXTENSION OF AUTHORITY FOR SECRETARY OF DEFENSE TO USE**
12 **DEPARTMENT OF DEFENSE REIMBURSEMENT RATE FOR**
13 **TRANSPORTATION SERVICES PROVIDED TO CERTAIN NON-**
14 **DEPARTMENT OF DEFENSE ENTITIES.**

15 Section 2642(b) of title 10, United States Code, is amended by striking “October 1, 2019”
16 and inserting “October 1, 2024”.

17 **SEC. 1010. INCREASE OF MINIMUM DOLLAR THRESHOLD FOR DEPARTMENT**
18 **OF DEFENSE INTEREST PENALTY PAYMENTS.**

19 (a) IN GENERAL.—Section 3902(c) of title 31, United States Code, is amended by adding
20 at the end the following:

21 “(4) In the case of payments due from the Department of Defense, paragraph (1) shall be
22 applied by substituting ‘\$20.00’ for ‘\$1.00’.”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to payments that first become due from the Department of Defense after the date of the enactment of this Act.

SEC. 1011. TECHNICAL AND GRAMMATICAL CORRECTIONS AND REPEAL OF OBSOLETE PROVISIONS RELATING TO ENERGY.

(a) TECHNICAL CORRECTIONS.—Title 10, United States Code, is amended—

(1) in section 2913(c), by striking “government” and inserting “government or”; and

(2) in section 2926(d)(1), in the second sentence, by striking “and Defense” and inserting “and the Defense”.

(b) GRAMMATICAL CORRECTIONS.—Such title is further amended—

(1) in section 2922a(d), by striking “resilience are prioritized and included” and inserting “energy resilience are included as critical factors”; and

(2) in section 2925(a)(3), by striking “impacting energy” and all that follows and inserting “degrading energy resilience at military installations (excluding planned outages for maintenance reasons), whether caused by on- or off-installation disruptions, including the total number of outages and their locations, the duration of each outage, the financial effect of each outage, whether or not the mission was affected, the downtimes (in minutes or hours) the mission can afford based on mission requirements and risk tolerances, the responsible authority managing the utility, and measures taken to mitigate the outage by the responsible authority.”.

(c) CLARIFICATION OF APPLICABILITY OF CONFLICTING AMENDMENTS MADE BY THE 2018 DEFENSE AUTHORIZATION ACT.—Section 2911(e) of such title is amended—

(1) by striking paragraphs (1) and (2) and inserting the following new paragraphs:

1 “(1) Opportunities to reduce the current rate of consumption of energy, the future
2 demand for energy, and the requirement for the use of energy.

3 “(2) Opportunities to enhance energy resilience to ensure the Department of
4 Defense has the ability to prepare for and recover from energy disruptions that affect
5 mission assurance on military installations.”; and

6 (2) by amending paragraph (13) to read as follows:

7 “(13) Opportunities to leverage financing provided by a non-Department entity to
8 address installation energy needs.”;

9 (d) UPDATED SECTION HEADING.—Section 2926 of such title is amended in the heading,
10 by striking “**activities**”;

11 (e) REPEAL OF OBSOLETE PROVISIONS.—Sections 2922b and 2922d of such title are
12 repealed.

13 (f) TABLE OF SECTIONS AMENDMENTS.—The table of sections—

14 (1) at the beginning of subchapter II of chapter 173 of such title is amended by
15 striking the items relating to sections 2922b and 2922d.

16 (2) at the beginning of subchapter III of chapter 173 of such title is amended by
17 striking the item relating to section 2926 and inserting the following new item:

18 “2926. Operational energy.”.

19 **SEC. 1012. INCLUSION OF VETERANS ON TEMPORARY DISABILITY OR**
20 **PERMANENT DISABLED RETIREMENT LISTS IN MILITARY**
21 **ADAPTIVE SPORTS PROGRAMS.**

1 (a) INCLUSION OF VETERANS.—Section 2564a(a)(1) of title 10, United States Code, is
2 amended by striking “for members of the armed forces who” and all that follows through the
3 period at the end and inserting the following: “for—

4 “(A) any member of the armed forces who is eligible to participate in adaptive
5 sports because of an injury, illness, or wound incurred in the line of duty in the armed
6 forces; and

7 “(B) any veteran (as defined in section 101 of title 38), during the one-year period
8 following the veteran’s date of separation, who—

9 “(i) is on the Temporary Disability Retirement List or Permanently
10 Disabled Retirement List;

11 “(ii) is eligible to participate in adaptive sports because of an injury,
12 illness, or wound incurred in the line of duty in the armed forces; and

13 “(iii) was enrolled in the program authorized under this section prior to the
14 veteran’s date of separation.”.

15 (b) CONFORMING AMENDMENT.—Section 2564a(b) of such title is amended by inserting
16 “and veterans” after “members”.

17 **SEC. 1013. REVISION TO AUTHORITIES RELATING TO MAIL SERVICE FOR**
18 **MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF**
19 **DEFENSE CIVILIANS OVERSEAS.**

20 (a) ELIGIBILITY FOR FREE MAIL.—Subsection (a) of section 3401 of title 39, United States
21 Code, is amended to read as follows:

22 “(a)(1) First Class letter mail correspondence shall be carried, at no cost to the sender, in
23 the manner provided by this section, when mailed by an eligible individual described in

paragraph (2) and addressed to a place within the delivery limits of a United States post office,
if—

“(A) such letter mail is mailed by the eligible individual at an Armed Forces post office established in an overseas area designated by the President, where the Armed Forces of the United States are deployed for a contingency operation as determined by the Secretary of Defense; or

“(B) the eligible individual is hospitalized as a result of disease or injury incurred as a result of service in an overseas area designated by the President under subparagraph (A).

“(2) An eligible individual referred to in paragraph (1) is—

“(A) a member of the Armed Forces of the United States on active duty, as defined in section 101 of title 10; or

“(B) a civilian employee of the Department of Defense or a military department who is providing support to military operations.”.

(b) SURFACE SHIPMENT OF MAIL AUTHORIZED.—Such section is further amended—

(1) by striking subsection (c);

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f), respectively; and

(3) by amending subsection (b) to read as follows:

“(b) There shall be transported by either surface or air, consistent with the service purchased by the mailer, between Armed Forces post offices or from an Armed Forces post office to a point of entry into the United States, the following categories of mail matter which are mailed at any such Armed Forces post office:

1 “(1) Letter mail communications having the character of personal correspondence.

2 “(2) Any parcel exceeding one pound in weight but less than 70 pounds in weight
3 and less than 130 linear inches (length plus girth).

4 “(3) Publications published once each week or more frequently and featuring
5 principally current news of interest to members of the Armed Forces and the general
6 public.”.

7 (c) CLERICAL AMENDMENT.—The heading for such section, and the item relating to such
8 section in the table of sections at the beginning of chapter 34 of such title, are each amended by
9 striking the last five words.

10 **SEC. 1014. CLARIFICATION OF INSPECTOR GENERAL AUTHORITIES**
11 **CONCERNING OVERSEAS CONTINGENCY OPERATIONS.**

12 Section 8L(d)(2) of the Inspector General Act of 1978 (5 U.S.C. App. 8L(d)(2)) is
13 amended—

14 (1) in subparagraph (D)—

15 (A) in clause (i), by striking “to exercise responsibility for discharging
16 oversight responsibilities in accordance with this Act with respect to such matter”
17 and inserting “to identify and coordinate with the Inspector General with primary
18 jurisdiction over the matter to ensure effective oversight”; and

19 (B) by adding at the end the following new clause:

20 “(iii) Upon the written request of an Inspector General with primary
21 jurisdiction over a matter with respect to the contingency operation, and with the
22 approval of the lead Inspector General, an Inspector General specified in
23 subsection (c) may provide investigative support or may conduct an independent

1 investigation of an allegation of criminal activity by United States personnel,
2 contractors, subcontractors, grantees, or vendors within the theater of operations
3 that relates to the matter. If the lead Inspector General determines that no
4 Inspector General has primary jurisdiction over the matter, the lead Inspector
5 General may conduct an independent investigation or may request that another
6 Inspector General specified in subsection (c) conduct an independent
7 investigation.”; and

8 (2) by adding at the end the following new subparagraph:

9 “(I) An Inspector General responsible for conducting oversight of any program or
10 operation performed in support of the contingency operation shall coordinate such
11 oversight activities with the lead Inspector General and shall provide information
12 requested by the lead Inspector General relating to the lead Inspector General’s
13 responsibilities specified in subparagraphs (B), (C), and (G).”.

14 **SEC. 1015. LICENSURE REQUIREMENTS FOR DEPARTMENT OF DEFENSE**

15 **VETERINARY PROFESSIONALS: EMERGENCIES AND DISASTERS.**

16 (a) LICENSURE REQUIREMENTS.—Chapter 55 of title 10, United States Code, is amended
17 by inserting after section 1094a the following new section:

18 **“§ 1094b. Licensure requirement for veterinary professionals: emergencies and disasters**

19 “(a) Notwithstanding any provision of law regarding the licensure of veterinary care and
20 service providers, a veterinary professional described in subsection (b) may practice the
21 veterinary profession of the veterinary professional at any location in any State, the District of
22 Columbia, or a territory or possession of the United States, without regard to where such

1 veterinary professional or the patient animal is located, if such practice is within the scope of the
2 authorized Federal duties of such veterinary professional.

3 “(b) A veterinary professional described in this subsection is a person who is—

4 “(1) certified as a veterinary professional by a certification recognized by the
5 Secretary of Defense;

6 “(2) currently licensed by a State, the District of Columbia, or a territory or
7 possession of the United States to practice veterinary care and services; and

8 “(3)(A) a member of the armed forces, a civilian employee of the Department of
9 Defense, or otherwise credentialed and privileged at a Federal veterinary institution or
10 location designated by the Secretary for purposes of this section and is performing
11 authorized duties for the Department of Defense for the purposes described in subsection
12 (c); or

13 “(B) a member of the National Guard who is performing authorized veterinary
14 care or services for the Department of Defense in a duty status pursuant to section 502(f)
15 of title 32 for the purposes described in subsection (c).

16 “(c) The purposes described in this subsection are veterinary practice related to—

17 “(1) a national emergency declared by the President pursuant to the National
18 Emergencies Act (50 U.S.C. 1601 et seq.);

19 “(2) a major disaster or emergency (as those terms are defined in section 102 of
20 the Robert T. Stafford Disaster and Emergency Assistance Act (42 U.S.C. 5122));

21 “(3) a public health emergency, as determined by the Secretary of Health and
22 Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d); or

1 “(4) an extraordinary emergency, as determined by the Secretary of Agriculture
2 under section 10407 of the Animal Health Protection Act (7 U.S.C. 8306).

3 (b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such
4 title is amended by inserting after the item relating to section 1094a the following new item:

“1094b. Licensure requirement for veterinary professionals: emergencies and disasters.”.

5 **SEC. 1016. ELIMINATION OF REQUIREMENT TO SUBMIT REPORTS TO**
6 **CONGRESS IN PAPER FORMAT.**

7 Section 480 of title 10, United States Code, is amended—

8 (1) in subsection (a), by striking “a copy of”;

9 (2) by redesignating subsection (c) as subsection (d); and

10 (3) by inserting after subsection (b) the following new subsection:

11 “(c) ELIMINATION OF PAPER SUBMISSION REQUIREMENT.—Whenever the Secretary (or
12 other official) provides a report to Congress (or any committee of either House of Congress) in
13 an electronic medium under subsection (a), the Secretary (or other official) shall not be required
14 to submit an additional copy of the report in a paper format.”.

15 **SEC. 1017. CLARIFICATION OF THE AUTHORITY OF MILITARY COMMISSIONS**
16 **ESTABLISHED UNDER CHAPTER 47A TO PUNISH CONTEMPT.**

17 (a) CLARIFICATION.—

18 (1) IN GENERAL.—Subchapter IV of chapter 47A of title 10, United States Code,
19 is amended by adding at the end the following new section:

20 **“§949o–1. Contempt**

21 “(a) AUTHORITY TO PUNISH.—(1) With respect to any proceeding under this chapter, a
22 judicial officer specified in paragraph (2) may punish for contempt any person who—

1 “(A) uses any menacing word, sign, or gesture in the presence of the judicial
2 officer during the proceeding;

3 “(B) disturbs the proceeding by any riot or disorder; or

4 “(C) willfully disobeys a lawful writ, process, order, rule, decree, or command
5 issued with respect to the proceeding.

6 “(2) A judicial officer referred to in paragraph (1) is any of the following:

7 “(A) Any judge of the United States Court of Military Commission Review.

8 “(B) Any military judge detailed to a military commission or any other
9 proceeding under this chapter.

10 “(b) PUNISHMENT.—The punishment for contempt under subsection (a) may not exceed
11 confinement for 30 days, a fine of \$1,000, or both.

12 “(c) REVIEW.—(1) A punishment under this section—

13 “(A) is not reviewable by the convening authority of a military commission under
14 this chapter;

15 “(B) if imposed by a military judge, shall constitute a judgment, subject to review
16 in the first instance only by the United States Court of Military Commission Review and
17 then only by the United States Court of Appeals for the District of Columbia Circuit; and

18 “(C) if imposed by a judge of the United States Court of Military Commission
19 Review, shall constitute a judgment of the court subject to review only by the United
20 States Court of Appeals for the District of Columbia Circuit.

21 “(2) In reviewing a punishment for contempt imposed under this section, the reviewing
22 court shall affirm such punishment unless the court finds that imposing such punishment was an
23 abuse of the discretion of the judicial officer who imposed such punishment.

1 “(3) A petition for review of punishment for contempt imposed under this section shall be
2 filed not later than 60 days after the date on which the authenticated record upon which the
3 contempt punishment is based and any contempt proceedings conducted by the judicial officer
4 are served on the person punished for contempt.

5 “(d) PUNISHMENT NOT CONVICTION.—Punishment for contempt is not a conviction or
6 sentence within the meaning of section 949m of this title. The imposition of punishment for
7 contempt is not governed by other provisions of this chapter applicable to military commissions,
8 except that the Secretary of Defense may prescribe procedures for contempt proceedings and
9 punishments, pursuant to the authority provided in section 949a of this title.”

10 (2) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of
11 such subchapter is amended by adding at the end the following new item:

“949o–1. Contempt.”.

12 (b) CONFORMING AMENDMENT.—Section 950t of title 10, United States Code, is
13 amended—

14 (1) by striking paragraph (31); and

15 (2) by redesignating paragraph (32) as paragraph (31).

16 (c) RULE OF CONSTRUCTION.—The amendments made by subsections (a) and (b) shall not
17 be construed to affect the lawfulness of any punishment for contempt adjudged prior to the
18 effective date of such amendments.

19 (d) APPLICABILITY.—The amendments made by subsections (a) and (b) shall take effect
20 on the date of the enactment of this Act and shall apply with respect to conduct by a person that
21 occurs on or after such date.

22 **SEC. 1018. TARIFFS ON AIRCRAFT TRAVELING THROUGH CHANNEL ROUTES.**

1 Section 2652 of title 10, United States Code, is amended by striking the period at the end
2 and inserting the following: “, except that such prohibition shall not apply if costs are incurred by
3 United States Transportation Command in supporting the passengers and cargo of that military
4 service transported in such aircraft, or in support of the aircraft itself.”.

5 **TITLE XI—CIVILIAN PERSONNEL MATTERS**

6 **SEC. 1101. ENHANCEMENT OF CAPABILITIES TO MANAGE CIVILIAN FACULTY** 7 **AT ARMY AND NAVY EDUCATIONAL INSTITUTIONS.**

8 (a) FACULTY MEMBERS AT ARMY INSTITUTIONS.—

9 (1) IN GENERAL.—Section 7371 of title 10, United States Code, is amended—

10 (A) in the heading, by striking “**and United States Army Command and**
11 **General Staff College**” and inserting “, **United States Army Command and**
12 **General Staff College, and Army University**”;

13 (B) in subsection (a), by striking “or the United States Army Command
14 and General Staff College” and inserting “, the United States Army Command
15 and General Staff College, or the Army University”; and

16 (C) by striking subsection (c) and inserting the following new subsections:

17 “(c) WORK SCHEDULE.—The Secretary of the Army may, notwithstanding the provisions
18 of subchapter V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons
19 employed under this section the work schedule, including hours of work and tours of duty, set
20 forth with such specificity and other characteristics as the Secretary determines appropriate.

21 “(d) AGENCY RIGHTS.—Notwithstanding chapter 71 of title 5, the authority conferred by
22 this section shall be exercised at the sole and exclusive discretion of the Secretary of the Army,
23 or the Secretary’s designee.”.

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 373 of such title is amended by striking the item relating to section 7371 and inserting the following new item:

“7371. Army War College, United States Army Command and General Staff College, and Army University: civilian faculty members.”.

(b) FACULTY MEMBERS AT NAVY AND MARINE CORPS INSTITUTIONS.—Section 8748 of such title is amended by striking subsection (c) and inserting the following new subsections:

“(c) WORK SCHEDULE.—The Secretary of the Navy may, notwithstanding the provisions of subchapter V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons employed under this section the work schedule, including hours of work and tours of duty, set forth with such specificity and other characteristics as the Secretary determines appropriate.

“(d) AGENCY RIGHTS.—Notwithstanding chapter 71 of title 5, the authority conferred by this section shall be exercised at the sole and exclusive discretion of the Secretary of the Navy, or the Secretary’s designee.”.

**SEC. 1102. EMPLOYMENT AUTHORITY FOR CIVILIAN FACULTY AT CERTAIN
MILITARY DEPARTMENT SCHOOLS.**

(a) ADDITION OF ARMY UNIVERSITY AND ADDITIONAL FACULTY.—

(1) IN GENERAL.—Section 7371 of title 10, United States Code, is amended—

(A) in subsection (a), by striking “the Army War College or the United States Army Command and General Staff College” and inserting “the Army War College, the United States Army Command and General Staff College, and the Army University”; and

(B) by striking subsection (c).

(2) CONFORMING AMENDMENTS.—

(A) SECTION HEADING.—Section 7371 of such title is amended by striking the section designation and heading and inserting the following:

“§7371. Army War College, United States Army Command and General Staff College, and Army University: civilian faculty members”.

(B) TABLE OF CONTENTS.—The table of sections at the beginning of chapter 747 of such title is amended by striking the item relating to section 7371 and inserting the following:

“7371. Army War College, United States Army Command and General Staff College, and Army University: civilian faculty members.”.

(b) NAVAL WAR COLLEGE AND MARINE CORPS UNIVERSITY—Section 8748 of such title is amended by striking subsection (c).

(c) AIR UNIVERSITY.—Section 9371 of such title is amended by striking subsection (c).

SEC. 1103. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

(a) EXTENSION OF AUTHORITY.—Section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4615), as most recently amended by section 1104 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232), is further amended by striking “through 2019” and inserting “through 2020”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2020.

1 **SEC. 1104. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT**
2 **ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN**
3 **PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.**

4 Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for
5 Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120
6 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act
7 for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4616) and as most recently amended by
8 section 1115 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019
9 (Public Law 115-232), is further amended by striking “2020” and inserting “2021”.

10 **TITLE XII—MATTERS RELATING TO FOREIGN NATIONS**

11 **SEC. 1201. EXTENSION OF CROSS-SERVICING AGREEMENTS FOR LOAN OF**
12 **PERSONNEL PROTECTION AND SURVIVABILITY EQUIPMENT IN**
13 **COALITION OPERATIONS.**

14 Section 1207(e) of the Carl Levin and Howard P. “Buck” McKeon National Defense
15 Authorization Act for Fiscal Year 2015 (Public Law 113-291; 10 U.S.C. 2342 note) is amended
16 by striking “2019” and inserting “2024”.

17 **SEC. 1202. EXTENSION OF COMMANDERS’ EMERGENCY RESPONSE PROGRAM.**

18 Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public
19 Law 112-81; 125 Stat. 1619) is amended—

20 (1) in subsection (a), by striking “December 31, 2019” and inserting “December
21 31, 2020”;

22 (2) in subsection (b)(1), by striking “2019” and inserting “2020”; and

(3) in subsection (f) in the first sentence, by striking “December 31, 2019” and inserting “December 31, 2020”.

**SEC. 1203. AUTHORITY TO REIMBURSE NATIONAL GUARD AND RESERVE
SALARIES FOR CERTAIN ACTIVITIES IN SUPPORT OF THE
DEPARTMENT OF STATE.**

Section 503(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2311(a)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(2) by striking “(a) The” and inserting “(a)(1) The”;

(3) in the matter following subparagraph (C) (as redesignated by paragraph (1) of this section), by striking “Sales which” and inserting the following:

“(2) Sales that”;

(4) in paragraph (2) (as designated by paragraph (3) of this section)—

(A) by striking “paragraph (3)” and inserting “paragraph (1)(C)”; and

(B) by striking “United States” and all that follows and inserting the following: “United States other than members of—

“(A) the Coast Guard; and

“(B) the reserve components of the Army, Navy, Air Force, or Marine Corps who are ordered to active duty pursuant to chapter 1209 of title 10, United States Code, and at the request of the Secretary of State.”.

**SEC. 1204. DEPARTMENT OF DEFENSE SUPPORT TO STABILIZATION
ACTIVITIES IN THE NATIONAL SECURITY INTEREST OF THE
UNITED STATES.**

1 (a) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary
2 of State and in consultation with the Administrator of the United States Agency for International
3 Development and the Director of the Office of Management and Budget, designate a foreign area
4 under subsection (b), provide support for the stabilization activities of other Federal agencies
5 under subsection (c), or carry out transitional stabilization activities under subsection (d).

6 (b) DESIGNATION OF FOREIGN AREAS.—Amounts authorized to be provided pursuant to
7 this section shall be available only for stabilization activities—

8 (1) in a foreign area designated by the Secretary of Defense as being necessary to
9 address conflict and instability; and

10 (2) that are in the national security interest of the United States.

11 (c) SUPPORT TO OTHER AGENCIES.—The Secretary of Defense may provide logistic
12 support, supplies, and services and training on a reimbursable or non-reimbursable basis to the
13 Department of State, the United States Agency for International Development, or other Federal
14 agencies to support stabilization in foreign areas designated under subsection (b).

15 (d) TRANSITIONAL STABILIZATION ACTIVITIES.—

16 (1) IN GENERAL.—The Secretary of Defense may carry out transitional
17 stabilization activities if such activities are in the national security interest of the United
18 States.

19 (2) COMPLEMENTARY ACTIVITIES.—Transitional stabilization activities carried out
20 under this section should complement, and should not duplicate, any other form of social
21 or economic assistance which may be provided to the country concerned by any other
22 department or agency of the United States.

1 (e) WAIVER AUTHORITY.—The Secretary of Defense may, with the concurrence of the
2 Secretary of State, waive sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780
3 and 2785) if the Secretary of Defense determines that such provision of law would prohibit,
4 restrict, delay, or otherwise limit the provision of assistance under this section and a notice of
5 and justification for such waiver is submitted to the appropriate committees of Congress.

6 (f) AUTHORITY IN ADDITION TO OTHER AUTHORITIES.—The authority to provide assistance
7 under this section is in addition to any other authority to provide assistance to foreign nations.

8 (g) USE OF FUNDS.—

9 (1) SOURCE OF FUNDS.—Amounts for activities carried out under this section in a
10 fiscal year shall be derived only from amounts authorized to be appropriated for such
11 fiscal year for the Department of Defense for Operation and Maintenance, Defense-wide.

12 (2) LIMITATION.—Not more than \$25,000,000 in each fiscal year is authorized to
13 be used to provide non-reimbursable logistic support, supplies, and services or training
14 under subsection (c) or to carry out transitional stabilization activities under subsection
15 (d) during the period in which this section is in effect.

16 (h) EXPIRATION.—The authority provided under this section may not be exercised after
17 September 30, 2021. Any program directed under this section before that date may be completed,
18 but only using funds available for fiscal years 2020 through 2021.

19 (i) DEFINITIONS.—In this section:

20 (1) APPROPRIATE COMMITTEES OF CONGRESS. — The term “appropriate
21 committees of Congress” means –

22 (A) the Committee on Armed Services and the Committee on Foreign
23 Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) LOGISTIC SUPPORT, SUPPLIES, AND SERVICES.—The term “logistic support, supplies, and services” has the meaning given the term in section 2350(1) of title 10 United States Code.

(3) TRANSITIONAL STABILIZATION ACTIVITIES.—The term “transitional stabilization activities” means transitional activities, excluding humanitarian assistance, conducted to create conditions where legitimate local authorities and systems can peaceably manage conflict and prevent a resurgence of violence, including—

(A) providing, maintaining, or re-establishing security and basic public order;

(B) providing or restoring essential basic services for the immediate needs of the population; and

(C) repairing, restoring, and protecting critical infrastructure.

**SEC. 1205. EXTENSION OF AUTHORITY FOR SUPPORT OF SPECIAL
OPERATIONS FOR IRREGULAR WARFARE.**

Section 1202(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1639) is amended by striking “2020” and inserting “2024”.

**SEC. 1206. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN
COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED
STATES MILITARY OPERATIONS.**

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), as most recently amended by

1 section 1225 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019
2 (Public Law 115–232), is further amended in the matter preceding paragraph (1) by striking
3 “October 1, 2018, and ending on December 31, 2019” and inserting “October 1, 2019, and
4 ending on December 31, 2020”.

5 (b) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (d)(1) of such section is amended
6 by striking “October 1, 2018, and ending on December 31, 2019, may not exceed \$350,000,000”
7 and inserting “October 1, 2019, and ending on December 31, 2020, may not exceed
8 \$450,000,000”.

9 **SEC. 1207. EXTENSION OF AFGHAN SPECIAL IMMIGRANT PROGRAM.**

10 Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (8 U.S.C.
11 1101 note) is amended—

12 (1) in the heading, by striking “2015, 2016, AND 2017” and inserting “2015
13 THROUGH 2020”;

14 (2) in the matter preceding clause (i), by striking “18,500” and inserting “22,500”;

15 (3) in clause (i), by striking “December 31, 2020” and inserting “December 31,
16 2021”; and

17 (4) in clause (ii), by striking “December 31, 2020” and inserting “December 31,
18 2021”.

19 **SEC. 1208. NATO SPECIAL OPERATIONS HEADQUARTERS.**

20 Section 1244 of the National Defense Authorization Act for Fiscal Year 2010 (Public
21 Law 111-84; 123 Stat. 2541), as most recently amended by section 1280 of the National Defense
22 Authorization Act of Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1080), is further
23 amended—

1 (1) in subsection (a), by striking “each of the fiscal years 2013 through 2020” and
2 inserting “each of the fiscal years 2013 through 2025”;

3 (2) by striking section (c); and

4 (3) by redesignating subsection (d) as subsection (c).

5 **SEC. 1209. AFGHANISTAN SECURITY FORCES FUND.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
7 appropriated for fiscal year 2020 for the Afghanistan Security Forces Fund, as established by
8 section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-
9 181; 122 Stat. 428), as most recently amended by section 1223(b) of the John S. McCain
10 National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), in the amount
11 of \$4,803,978,000.

12 (b) CONTINUATION OF PRIOR AUTHORITIES AND NOTICE AND REPORTING
13 REQUIREMENTS.—Funds available to the Department of Defense for the Afghanistan Security
14 Forces Fund for fiscal year 2020 shall be subject to the conditions contained in subsections (b)
15 through (f) of such section 1513.

16 (c) USE OF FUNDS.—

17 (1) IN GENERAL.—Subsection (b)(1) of such section 1513 is amended by striking
18 “security forces of the Ministry of Defense and the Ministry of the Interior of the
19 Government of the Islamic Republic of Afghanistan” and inserting “security forces of
20 Afghanistan.”

21 (2) TYPE OF ASSISTANCE.—Subsection (b)(2) of such section 1513 is amended by
22 inserting “(including program and security assistance management support)” after
23 “services”.

1 (d) EQUIPMENT DISPOSITION.—

2 (1) ACCEPTANCE OF CERTAIN EQUIPMENT.—Subject to paragraph (2), the
3 Secretary of Defense may accept equipment that is procured using amounts in the
4 Afghanistan Security Forces Fund authorized under this Act and is intended for transfer
5 to the security forces of Afghanistan, but is not accepted by such security forces.

6 (2) CONDITIONS ON ACCEPTANCE OF EQUIPMENT.—Before accepting any
7 equipment under the authority provided by paragraph (1), the Commander of United
8 States forces in Afghanistan shall make a determination that the equipment was procured
9 for the purpose of meeting requirements of the security forces of Afghanistan, as agreed
10 to by both the Government of Afghanistan and the United States, but is no longer
11 required by such security forces or was damaged before transfer to such security forces.

12 (3) ELEMENTS OF DETERMINATION.—In making a determination under paragraph
13 (2) regarding equipment, the Commander of United States forces in Afghanistan shall
14 consider alternatives to Secretary of Defense acceptance of the equipment. An
15 explanation of each determination, including the basis for the determination and the
16 alternatives considered, shall be included in the relevant quarterly report required under
17 paragraph (5).

18 (4) TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.—Equipment accepted
19 under the authority provided by paragraph (1) may be treated as stocks of the Department
20 of Defense upon notification to the congressional defense committees of such treatment.

21 (5) QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.—Not later than 90 days
22 after the date of the enactment of this Act and every 90-day period thereafter during
23 which the authority provided by paragraph (1) is exercised, the Secretary of Defense shall

1 submit to the congressional defense committees a report describing the equipment
2 accepted under this subsection, under section 1531(d) of the National Defense
3 Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 938; 10 U.S.C.
4 2302 note), and under section 1532(b) of the Carl Levin and Howard P. “Buck” McKeon
5 National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat.
6 3612) during the period covered by the report. Each report shall include a list of all
7 equipment that was accepted during the period covered by the report and treated as stocks
8 of the Department, and copies of the determinations made under paragraph (2), as
9 required by paragraph (3).

10 **SEC. 1210. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND**
11 **ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN**
12 **IRAQ.**

13 Subsections (c), (d), and (f)(1) of section 1215 of the National Defense Authorization
14 Act for Fiscal Year 2012 (10 U.S.C. 113 note), as most recently amended by section 1235 of
15 the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), are each
16 amended by striking “fiscal year 2019” and inserting “fiscal year 2020”.

17 **TITLE XIII—[RESERVED]**

18 **TITLE XIV—OTHER AUTHORIZATIONS**

19 **Subtitle A—Military Programs**

20 **SEC. 1401. WORKING CAPITAL FUNDS.**

21 Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the
22 Armed Forces and other activities and agencies of the Department of Defense for providing
23 capital for working capital and revolving funds in the amount of \$1,426,211,000.

1 **SEC. 1402. JOINT URGENT OPERATIONAL NEEDS FUND.**

2 Funds are hereby authorized to be appropriated for fiscal year 2020 for the Joint Urgent
3 Operational Needs Fund in the amount of \$99,200,000.

4 **SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be
6 appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise
7 provided for, for Chemical Agents and Munitions Destruction, Defense, in the amount of
8 \$985,499,000, of which—

9 (1) \$107,351,000 is for Operation and Maintenance;

10 (2) \$875,930,000 is for Research, Development, Test, and Evaluation; and

11 (3) \$2,218,000 is for Procurement.

12 (b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized
13 for—

14 (1) the destruction of lethal chemical agents and munitions in accordance with
15 section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521);
16 and

17 (2) the destruction of chemical warfare materiel of the United States that is not
18 covered by section 1412 of such Act.

19 **SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-**
20 **WIDE.**

21 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
22 year 2020 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug
23 Activities, Defense-wide, in the amount of \$799,402,000.

1 **SEC. 1405. DEFENSE INSPECTOR GENERAL.**

2 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
3 year 2020 for expenses, not otherwise provided for, for the Office of the Inspector General of the
4 Department of Defense, in the amount of \$363,499,000, of which—

5 (1) \$360,201,000 is for Operation and Maintenance;

6 (2) \$2,965,000 is for Research, Development, Test and Evaluation; and

7 (3) \$333,000 is for Procurement.

8 **SEC. 1406. DEFENSE HEALTH PROGRAM.**

9 Funds are hereby authorized to be appropriated for the Department of Defense for fiscal
10 year 2020 for expenses, not otherwise provided for, for the Defense Health Program, in the
11 amount of \$32,998,687,000, of which—

12 (1) \$31,812,090,000 is for Operation and Maintenance;

13 (2) \$732,273,000 is for Research, Development, Test, and Evaluation; and

14 (3) \$454,324,000 is for Procurement.

15 **Subtitle B—Other Matters**

16 **SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF**
17 **DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL**
18 **FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A.**
19 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

20 (a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the funds authorized to be appropriated
21 for section 1406 and available for the Defense Health Program for operation and maintenance,
22 \$127,000,000 may be transferred by the Secretary of Defense to the Joint Department of
23 Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by

subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES
RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2020 from the Armed Forces Retirement Home Trust Fund the sum of \$64,300,000 for the operation of the Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS
FOR OVERSEAS CONTINGENCY OPERATIONS

SEC. 1501. PURPOSE.

The purpose of this title is to authorize appropriations for the Department of Defense for fiscal year 2020 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. ARMY PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement for the Army in amounts as follows:

- (1) For aircraft procurement, \$381,541,000.
- (2) For missile procurement, \$4,645,755,000.
- (3) For weapons and tracked combat vehicles, \$353,454,000.
- (4) For ammunition procurement, \$2,843,230,000.
- (5) For other procurement, \$1,139,650,000.

SEC. 1503. NAVY AND MARINE CORPS PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement for the Navy and Marine Corps in amounts as follows:

- (1) For aircraft procurement, Navy, \$119,045,000.
- (2) For weapons procurement, Navy, \$4,332,710,000.
- (3) For ammunition procurement, Navy and Marine Corps, \$1,186,128,000.
- (4) For other procurement, Navy, \$357,600,000.
- (5) For procurement, Marine Corps, \$20,589,000.

SEC. 1504. AIR FORCE PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement for the Air Force in amounts as follows:

- (1) For aircraft procurement, \$309,110,000.
- (2) For missile procurement, \$201,671,000.
- (3) For ammunition procurement, \$2,607,394,000.
- (4) For other procurement, \$4,193,098,000.

SEC. 1505. DEFENSE-WIDE ACTIVITIES PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the procurement account for Defense-wide activities in the amount of \$452,047,000.

SEC. 1506. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Department of Defense for research, development, test, and evaluation as follows:

(1) For the Army, \$204,124,000.

(2) For the Navy, \$164,410,000.

(3) For the Air Force, \$450,248,000.

(4) For Defense-wide activities, \$827,950,000.

SEC. 1507. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, \$37,987,549,000.

(2) For the Navy, \$31,734,683,000.

(3) For the Marine Corps, \$5,123,470,000.

(4) For the Air Force, \$33,028,712,000.

(5) For Defense-wide activities, \$8,448,612,000.

(6) For the Army Reserve, \$1,986,599,000.

(7) For the Navy Reserve, \$886,868,000.

(8) For the Marine Corps Reserve, \$239,693,000.

(9) For the Air Force Reserve, \$1,195,131,000.

(10) For the Army National Guard, \$4,376,939,000.

(11) For the Air National Guard, \$3,291,982,000.

(12) For the Afghanistan Security Forces Fund, \$4,803,978,000.

(13) Counter-Islamic State of Iraq and Syria Train and Equip Fund,
\$1,045,000,000.

SEC. 1508. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2020 to the Department of Defense for military personnel accounts in the total amount of \$4,485,808,000.

SEC. 1509. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for Defense Working Capital Funds in the amount of \$20,100,000.

SEC. 1510. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise provided for, for the Defense Health Program in the amount of \$347,746,000 for operation and maintenance.

SEC. 1511. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide in the amount of \$163,596,000.

SEC. 1512. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense in the amount of \$24,254,000.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1601. DEMONSTRATION OF BACKUP AND COMPLEMENTARY POSITIONING, NAVIGATION, AND TIMING CAPABILITIES OF GLOBAL POSITIONING SYSTEM.

Effective on June 1, 2019, section 1606 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1725) is amended—

(1) in subsection (c)(2), by striking “the date that is 18 months after the date of the enactment of this Act” and inserting “December 31, 2020”; and

(2) in subsection (d), by striking “18 months after the date of the enactment of this Act” and inserting “December 31, 2020”.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

SEC. 1611. AUTHORITY TO PROVIDE ADDITIONAL ALLOWANCES AND BENEFITS FOR DEFENSE CLANDESTINE SERVICE EMPLOYEES.

Section 1603 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) **ADDITIONAL ALLOWANCES AND BENEFITS FOR EMPLOYEES OF THE DEFENSE CLANDESTINE SERVICE.**—In addition to the authority to provide compensation under subsection (a), the Secretary of Defense may provide an employee in a defense intelligence position who is

1 assigned to the Defense Clandestine Service allowances and benefits under paragraph (1) of
2 section 9904 of title 5 without regard to the limitations in that section—

3 “(1) that the employee be assigned to activities outside the United States; or

4 “(2) that the activities to which the employee is assigned be in support of
5 Department of Defense activities abroad.”.

6 **SEC. 1612. MODIFICATION OF INTEGRATION OF DEPARTMENT OF DEFENSE**
7 **INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE**
8 **CAPABILITIES.**

9 (a) REPEAL.—Section 426 of title 10, United States Code, is hereby repealed.

10 (b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of
11 subchapter I of chapter 21 of title 10, United States Code, is amended by striking the item
12 relating to section 426.

13 **SEC. 1613. RENAMING THE UNDER SECRETARY OF DEFENSE FOR**
14 **INTELLIGENCE TO UNDER SECRETARY OF DEFENSE FOR**
15 **INTELLIGENCE AND SECURITY.**

16 (a) IN GENERAL.—Section 137 of title 10, United States Code, is amended—

17 (1) in the heading, by inserting “**and Security**” after “**Intelligence**”; and

18 (2) in subsections (a), (b), and (c), by striking “Under Secretary of Defense for
19 Intelligence” each place it appears and inserting “Under Secretary of Defense for
20 Intelligence and Security”.

21 (b) CONFORMING AMENDMENTS.—

1 (1) TITLE 5.—Sections 5314 and 5315 of title 5, United States Code, are amended
2 by striking “Under Secretary of Defense for Intelligence” each place it appears and
3 inserting “Under Secretary of Defense for Intelligence and Security”.

4 (2) TITLE 10.—Title 10, United States Code, is amended by striking “Under
5 Secretary of Defense for Intelligence” each place it appears and inserting “Under
6 Secretary of Defense for Intelligence and Security” in the following provisions:

7 (A) The table of sections at the beginning of chapter 4.

8 (B) Section 131(b)(3)(F).

9 (C) Section 137a(c)(6).

10 (D) Section 139a(d)(6).

11 (E) Section 139b(c)(2)(E).

12 (F) Section 181(d)(1)(B).

13 (G) Section 393(b)(2)(C).

14 (H) Section 426.

15 (I) Section 430.

16 (c) OTHER REFERENCES IN LAW.—Any reference to the Under Secretary of Defense for
17 Intelligence in a provision of law in effect on the date of the enactment of this Act shall be
18 deemed to be a reference to the Under Secretary of Defense for Intelligence and Security.

19 **SEC. 1614. EXPENDITURE OF FUNDS FOR DEPARTMENT OF DEFENSE**

20 **INTELLIGENCE AND COUNTERINTELLIGENCE ACTIVITIES.**

21 (a) IN GENERAL.—Subchapter I of chapter 21 of title 10, United States Code, is amended
22 by inserting after section 423 the following new section:

23 **“§423a. Expenditure of funds by the Secretary of Defense**

1 “(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary of Defense may
2 expend covered funds for objects of a confidential, extraordinary, or emergency nature without
3 regard to the provisions of law relating to the expenditure of Government funds.

4 “(b) LIMITATION ON AMOUNT.—The Secretary of Defense may not expend more than five
5 percent of covered funds made available in a fiscal year for objects described in subsection (a)
6 unless—

7 “(1) the Secretary notifies the congressional defense committees and the
8 congressional intelligence committees of the intent to expend the amounts; and

9 “(2) 30 days have elapsed from the date on which the Secretary provides the
10 notice described in paragraph (1).

11 “(c) CERTIFICATION.—For each expenditure of funds under this section, the Secretary
12 shall certify that such expenditure was made for an object of a confidential, extraordinary, or
13 emergency nature.

14 “(d) REPORT.—Not later than December 31 of each year, the Secretary of Defense shall
15 submit to the congressional defense committees and the congressional intelligence committees a
16 report on expenditures made under this section during the preceding fiscal year

17 “(e) DEFINITIONS.—In this section:

18 “(1) The term ‘congressional intelligence committees’ has the meaning given the
19 term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

20 “(2) The term ‘covered funds’ means amounts made available to the Secretary of
21 Defense for the Military Intelligence Program for intelligence and counterintelligence
22 activities.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 423 the following new item:

“423a. Expenditure of funds by the Secretary of Defense.

Subtitle C—Cyberspace-Related Matters

**SEC. 1621. AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR
CYBER OPERATIONS-PECULIAR CAPABILITY DEVELOPMENT
PROJECTS.**

(a) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by inserting after section 2243 the following new section:

**“§2243a. Authority to use operation and maintenance funds for cyber operations-peculiar
capability development projects**

“(a) IN GENERAL.—The Secretary of Defense and each Secretary concerned may use \$3,000,000 of amounts authorized to be appropriated for operation and maintenance in each fiscal year to carry out cyber operations-peculiar capability development projects.

“(b) RELATIONSHIP TO OTHER LAWS.—The authority in subsection (a) may be used without regard to any provision of law establishing a limit on the unit cost of an investment item that may be purchased with funds made available for operation and maintenance.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2243 the following new item:

“2243a. Authority to use operation and maintenance funds for cyber operations-peculiar capability development projects.

**SEC. 1622. EXPANSION OF AUTHORITY FOR ACCESS AND INFORMATION
RELATING TO CYBERATTACKS ON DEPARTMENT OF DEFENSE
OPERATIONALLY CRITICAL CONTRACTORS.**

Section 391(c) of title 10, United States Code, is amended—

(1) in paragraph (3)—

(A) by amending subparagraph (A) to read as follows:

“(A) include mechanisms for Department personnel—

“(i) if requested by an operationally critical contractor, to assist
the contractor in detecting and mitigating penetrations; or

“(ii) at the request of the Department, to obtain access to equipment
or information of an operationally critical contractor necessary to conduct
a forensic analysis, in addition to any analysis conducted by the
contractor; and”; and

(B) in subparagraph (B)—

(i) by striking “to determine whether information” and inserting
the following: “to determine whether —

“(i) information”;

(ii) in clause (i), as so designated—

(I) by inserting “or compromised on” after “exfiltrated
from”; and

(II) by striking the period at the end and inserting “or
compromised; or”; and

(iii) by adding at the end the following new clause:

“(ii) the ability of the contractor to provide operationally critical support has been affected and, if so, how and to what extent it has been affected.”; and

(2) in paragraph (4), by inserting “, so as to minimize delays in or any curtailing of the Department’s cyber response and defensive actions” after “specific person”; and

(3) in paragraph (5)(C), by inserting “ or counterintelligence activities” after “investigations”.

TITLE XVII—SPACE FORCE

Subtitle A—United States Space Force

SEC. 1701. ESTABLISHMENT OF UNITED STATES SPACE FORCE IN THE DEPARTMENT OF THE AIR FORCE.

Part I of subtitle D of title 10, United States Code, is amended by adding at the end the following new chapter:

“CHAPTER 909—THE SPACE FORCE

“Sec.
“9091. Establishment of the Space Force.
“9092. The Space Staff: function; composition.
“9093. The Space Staff: general duties.
“9094. Chief of Staff of the Space Force.
“9095. Vice Chief of Staff of the Space Force.

“§9091. Establishment of the Space Force

“(a) ESTABLISHMENT.—There is established a United States Space Force as an armed force within the Department of the Air Force.

“(b) FUNCTIONS.—(1) The Space Force shall be organized, trained, and equipped—

“(A) to provide for freedom of operations in, from, and to the space domain for the United States;

1 “(B) to provide independent military options for joint and national leadership; and

2 “(C) to enable the lethality and effectiveness of the joint force.

3 “(2) The Space Force includes both combat and combat-support functions to enable
4 prompt and sustained offensive and defensive space operations and joint operations in all
5 domains.

6 “(c) COMPOSITION.—The Space Force consists of—

7 “(1) the Regular Space Force and associated reserve components;

8 “(2) all persons appointed or enlisted in, or conscripted into, the Space Force,
9 including those not assigned to units, necessary to form the basis for a complete and
10 immediate mobilization for the national defense in the event of a national emergency; and

11 “(3) all Space Force units and other Space Force organizations, including
12 installations and supporting and auxiliary combat, training, administrative, and logistic
13 elements.

14 “(d) DUTIES.—Except as otherwise specifically prescribed by law, the Space Force shall
15 be organized in such manner, and the members of the Space Force shall perform such duties and
16 have such titles, as the Secretary of the Air Force may prescribe.

17 **“§9092. The Space Staff: function; composition**

18 “(a) FUNCTION.—There is in the executive part of the Department of the Air Force a
19 Space Staff to assist the Secretary of the Air Force in carrying out the responsibilities of the
20 Secretary.

21 “(b) COMPOSITION.—The Space Staff is composed of the following:

22 “(1) The Chief of Staff of the Space Force.

23 “(2) The Vice Chief of Staff of the Space Force.

1 “(3) Such other offices and officials as may be established by law or as the
2 Secretary of the Air Force may establish or designate.

3 “(4) Other members of the Air Force and Space Force assigned or detailed to the
4 Space Staff.

5 “(5) Civilian employees in the Department of the Air Force assigned or detailed to
6 the Space Staff.

7 “(c) ORGANIZATION.—Except as otherwise specifically prescribed by law, the Space Staff
8 shall be organized in such manner, and the members of the Space Staff shall perform such duties
9 and have such titles, as the Secretary of the Air Force may prescribe.

10 **“§9093. The Space Staff: general duties**

11 “(a) PROFESSIONAL ASSISTANCE.—The Space Staff shall furnish professional assistance
12 to the Secretary of the Air Force, the Chief of Staff of the Space Force, and other personnel of
13 the Office of the Secretary of the Air Force or the Space Staff.

14 “(b) AUTHORITIES.—Under the authority, direction, and control of the Secretary of the
15 Air Force, the Space Staff shall—

16 “(1) subject to subsections (c) and (d) of section 9014 of this title, prepare for
17 such employment of the Space Force, and for such recruiting, organizing, supplying,
18 equipping (including research and development), training, servicing, mobilizing,
19 demobilizing, administering, and maintaining of the Space Force, as will assist in the
20 execution of any power, duty, or function of the Secretary of the Air Force or the Chief of
21 Staff of the Space Force;

22 “(2) investigate and report upon the efficiency of the Space Force and its
23 preparation to support military operations by commanders of the combatant commands;

1 “(3) prepare detailed instructions for the execution of approved plans and
2 supervise the execution of those plans and instructions;

3 “(4) as directed by the Secretary of the Air Force or the Chief Staff of the Space
4 Force, coordinate the action of organizations of the Space Force; and

5 “(5) perform such other duties, not otherwise assigned by law, as may be
6 prescribed by the Secretary of the Air Force.

7 **“§9094. Chief of Staff of the Space Force**

8 “(a) APPOINTMENT.— (1) There is a Chief of Staff of the Space Force, appointed by the
9 President, by and with the advice and consent of the Senate, from the general officers of the
10 Space Force. The Chief of Staff shall serve at the pleasure of the President.

11 “(2) The Chief of Staff shall be appointed for a term of four years. In time of war or
12 during a national emergency declared by Congress, the Chief of Staff may be reappointed for a
13 term of not more than four years.

14 “(3) The President may appoint an officer as Chief of Staff only if—

15 “(A) the officer has had significant experience in joint duty assignments; and

16 “(B) such experience includes at least one full tour of duty in a joint duty
17 assignment (as defined in section 664(d) of this title) as a general officer.

18 “(4) The President may waive paragraph (3) in the case of an officer if the President
19 determines such action is necessary in the national interest.

20 “(b) GRADE.—The Chief of Staff of the Space Force, while so serving, has the grade of
21 general without vacating the permanent grade of the officer.

22 “(c) RELATIONSHIP TO THE SECRETARY OF THE AIR FORCE.—Except as otherwise
23 prescribed by law and subject to section 9013(f) of this title, the Chief of Staff of the Space

Force performs the duties of such position under the authority, direction, and control of the Secretary of the Air Force and is directly responsible to the Secretary.

“(d) DUTIES.—Subject to the authority, direction, and control of the Secretary of the Air Force, the Chief of Staff of the Space Force shall—

“(1) preside over the Space Staff;

“(2) transmit the plans and recommendations of the Space Staff to the Secretary of the Air Force and advise the Secretary with regard to such plans and recommendations;

“(3) after approval of the plans or recommendations of the Space Staff by the Secretary of the Air Force, act as the agent of the Secretary in carrying them into effect;

“(4) exercise supervision, consistent with the authority assigned to commanders of unified or specified combatant commands under chapter 6 of this title, over such of the members and organizations of the Space Force and the Air Force as the Secretary of the Air Force determines;

“(5) perform the duties prescribed for the Chief of Staff by sections 171 and 2547 of this title and other provisions of law; and

“(6) perform such other military duties, not otherwise assigned by law, as are assigned to the Chief of Staff by the President, the Secretary of Defense, or the Secretary of the Air Force.

“(e) JOINT CHIEFS OF STAFF.— (1) The Chief of Staff of the Space Force shall also perform the duties prescribed for the Chief of Staff as a member of the Joint Chiefs of Staff under section 151 of this title.

1 “(2) To the extent that such action does not impair the independence of the Chief of Staff
2 in the performance of the duties of the Chief of Staff as a member of the Joint Chiefs of Staff, the
3 Chief of Staff shall inform the Secretary of the Air Force regarding military advice rendered by
4 members of the Joint Chiefs of Staff on matters affecting the Department of the Air Force.

5 “(3) Subject to the authority, direction, and control of the Secretary of Defense, the Chief
6 of Staff shall keep the Secretary of the Air Force fully informed of significant military operations
7 affecting the duties and responsibilities of the Secretary of the Air Force.

8 **“§9095. Vice Chief of Staff of the Space Force**

9 “(a) APPOINTMENT.—There is a Vice Chief of Staff of the Space Force, appointed by the
10 President, by and with the advice and consent of the Senate, from the general officers of the
11 Space Force.

12 “(b) GRADE.—The Vice Chief of Staff of the Space Force, while so serving, has the grade
13 of general without vacating the permanent grade of the officer so serving.

14 “(c) DUTIES.—The Vice Chief of Staff has such authority and duties with respect to the
15 Space Force as the Chief of Staff of the Space Force, with the approval of the Secretary of the
16 Air Force, may delegate to or prescribe for the Vice Chief of Staff. Orders issued by the Vice
17 Chief of Staff in performing such duties have the same effect as those issued by the Chief of
18 Staff.

19 “(d) VACANCY IN OFFICE OF CHIEF OF STAFF.—When there is a vacancy in the office of
20 Chief of Staff of the Space Force or during the absence or disability of the Chief of Staff—

21 “(1) the Vice Chief of Staff shall perform the duties of the Chief of Staff until a
22 successor is appointed or the absence or disability ceases; or

1 “(2) if there is a vacancy in the office of the Vice Chief of Staff or the Vice Chief
2 of Staff is absent or disabled, unless the President directs otherwise, the most senior
3 officer of the Space Force in the Space Staff who is not absent or disabled and who is not
4 restricted in performance of duty shall perform the duties of the Chief of Staff until a
5 successor to the Chief of Staff or the Vice Chief of Staff is appointed or until the absence
6 or disability of the Chief of Staff or Vice Chief of Staff ceases, whichever occurs first.”.

7 **SEC. 1702. UNDER SECRETARY OF THE AIR FORCE FOR SPACE.**

8 (a) ESTABLISHMENT.—Section 9015 of title 10, United States Code, is amended—

9 (1) in the heading, by striking “**Under Secretary**” and inserting “**Under**
10 **Secretaries**”;

11 (2) in subsection (a), by striking “is an Under Secretary of the Air Force” and
12 inserting “are two Under Secretaries of the Air Force”;

13 (3) by striking subsection (b) and inserting the following new subsections:

14 “(b)(1) One of the Under Secretaries shall be the Under Secretary of the Air Force.

15 “(2) The Under Secretary of the Air Force shall be the first assistant to the Secretary of
16 the Air Force and shall assist the Secretary in the performance of the duties of the Secretary and
17 shall act for, and exercise the powers of, the Secretary when the Secretary dies, resigns, or is
18 otherwise unable to perform the functions and duties of the office.

19 “(c)(1) One of the Under Secretaries shall be the Under Secretary of the Air Force for
20 Space, who shall also be known as the Under Secretary for Space.

21 “(2) The Under Secretary for Space shall be responsible for the overall supervision of
22 space matters.

1 “(d) In addition to the duties and powers described in subsections (b) and (c), the Under
2 Secretaries shall perform such duties and exercise such powers as the Secretary of the Air Force
3 may prescribe.”.

4 (b) CONFORMING AMENDMENTS.—

5 (1) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 903 of
6 such title is amended by striking the item relating to section 9015 and inserting the
7 following new item:

“9015. Under Secretaries of the Air Force.”.

8 (2) SECRETARY OF THE AIR FORCE.—Section 9013(f) of such title is amended—

9 (A) in the first sentence, by striking “Under Secretary” and inserting
10 “Under Secretaries”; and

11 (B) in the second sentence, by striking “the Under Secretary” and inserting
12 “either Under Secretary”.

13 (3) OFFICE OF THE SECRETARY OF THE AIR FORCE.—Section 9014(b)(1) of such
14 title is amended by striking “Under Secretary” and inserting “Under Secretaries”.

15 (4) SUCCESSOR TO DUTIES.—Section 9017 of such title is amended—

16 (A) by redesignating paragraphs (2) through (4) as paragraphs (3) through
17 (5), respectively; and

18 (B) by inserting after paragraph (1) the following new paragraph:

19 “(2) The Under Secretary of the Air Force for Space.”.

20 **SEC. 1703. INCLUSION OF THE SPACE FORCE ON THE JOINT CHIEFS OF STAFF**
21 **AND JOINT STAFF.**

22 (a) MEMBERSHIP OF THE CHIEF OF STAFF OF THE SPACE FORCE ON THE JOINT CHIEFS OF
23 STAFF.—Section 151(a) of title 10, United States Code, is amended—

(1) by redesignating paragraph (7) as paragraph (8); and

(2) by inserting after paragraph (6) the following new paragraph:

“(7) The Chief of Staff of the Space Force.”.

(b) APPOINTMENT OF CHAIRMAN.—Section 152(b)(1)(B) of such title is amended by striking “or the Commandant of the Marine Corps” and inserting “the Commandant of the Marine Corps, or the Chief of Staff of the Space Force”.

(c) INCLUSION OF THE SPACE FORCE ON THE JOINT STAFF.—Section 155(a)(2)(C) of such title is amended by inserting “and the Space Force” after “the Air Force”.

SEC. 1704. CIVILIAN PERSONNEL SUPPORTING THE SPACE FORCE.

(a) ORGANIZATION OF CHAPTER.—

(1) CHAPTER 947.—Chapter 947 of title 10, United States Code, is amended—

(A) by striking the table of sections and inserting the following:

“Subchapter	Sec.
“I. General Civilian Personnel Matters	9371
“II. Space Force Civilian Personnel Matters	9375

“SUBCHAPTER I—GENERAL CIVILIAN PERSONNEL MATTERS

“Sec.

“9371. Air University: civilian faculty members.

“9372. Production of supplies and munitions: hours and pay of laborers and mechanics.

“9373. Civilian special agents of the Office of Special Investigations: authority to execute warrants and make arrests.”; and

(B) by redesignating sections 9375 and 9377 as sections 9372 and 9373, respectively.

(2) CHAPTER 949.—Chapter 949 of title 10, United States Code, is amended—

(A) in the table of sections, by striking the item relating to section 9381 and inserting the following new item:

“9391. Fatality reviews.”; and

1 (B) by redesignating section 9381 as section 9391.

2 (b) CIVILIAN PERSONNEL SUPPORTING THE SPACE FORCE.—Chapter 947 of title 10,
3 United States Code, as amended by subsection (a) of this section, is further amended by adding
4 at the end the following new subchapter:

5 **“SUBCHAPTER II—SPACE FORCE CIVILIAN PERSONNEL MATTERS**

“Sec.

“9375. Definitions and implementation.

“9376. Space Force civilian personnel: general authority to establish excepted positions, appoint personnel, and
fix rates of pay.

“9377. Basic pay.

“9378. Additional compensation, allowances, and incentives.

“9379. Limitation on certain payments.

“9380. Benefits for certain employees assigned outside the United States.

“9381. Space Force Senior Executive Service.

“9382. Space Force Senior Level positions.

“9383. Time-limited appointments.

“9384. Termination of Space Force employees.

“9385. Reductions and other adjustments in force.

“9386. Postemployment assistance: certain terminated Space Force employees.

“9387. Appointment of Space Force employees to competitive service positions in the Department of Defense.

“9388. Merit system principles; civil service protections; right of appeal.

6 **“§9375. Definitions and implementation**

7 “(a) DEFINITIONS.—In this subchapter:

8 “(1) The term ‘competitive service’ has the meaning given such term in section
9 2102 of title 5.

10 “(2) The term ‘excepted service’ has the meaning given such term in section 2103
11 of title 5.

12 “(3) The term ‘preference eligible’ has the meaning given such term in section
13 2108(3) of title 5.

14 “(4) The term ‘Senior Executive Service position’ has the meaning given such
15 term in section 3132(a)(2) of title 5.

1 “(5) The term ‘Space Force position’ means a position as a civilian employee of
2 the Department of the Air Force supporting the Space Force or United States Space
3 Command, as determined by the Secretary of Defense.

4 “(b) IMPLEMENTATION.—The Secretary of Defense may implement this subchapter
5 without regard to any provision of chapter 71 of title 5.

6 **“§9376. Space Force civilian personnel: general authority to establish excepted positions,**
7 **appoint personnel, and fix rates of pay**

8 “(a) IN GENERAL.—The Secretary of Defense may—

9 “(1) establish, as positions in the excepted service, such positions in the
10 Department of the Air Force as the Secretary of Defense determines necessary to support
11 the Space Force, including—

12 “(A) Space Force Senior Level positions designated under section 9382 of
13 this title; and

14 “(B) positions in the Space Force Senior Executive Service;

15 “(2) after taking into consideration the availability of preference eligibles for
16 appointment to those positions (except with respect to positions referred to in
17 subparagraphs (A) and (B) of paragraph (1)), appoint individuals to those positions; and

18 “(3) fix the compensation of such individuals for service in those positions.

19 “(b) CONSTRUCTION WITH OTHER LAWS—The authority of the Secretary of Defense
20 under subsection (a) applies without regard to the provisions of any other law relating to the
21 appointment, number, classification, or compensation of employees.

22 **“§9377. Basic pay**

1 “(a) AUTHORITY TO FIX RATES OF BASIC PAY.—The Secretary of Defense shall fix the
2 rates of basic pay for positions established under section 9376 of this title in relation to the rates
3 of pay provided for comparable positions in the Department of Defense and subject to the same
4 limitations on maximum rates of pay established for employees of the Department of Defense by
5 law or regulation, or based upon compensation for similar positions in a labor market, as
6 necessary to recruit and retain employees in support of the Space Force. The rate of basic pay for
7 any position under the authority of this subchapter may not exceed the rate payable for a position
8 at Level II of the Executive Schedule.

9 “(b) PREVAILING RATE SYSTEMS.—Notwithstanding any other provision of law, the
10 Secretary of Defense may, consistent with section 5341 of title 5, adopt such provisions of that
11 title as to provide for prevailing rate systems of basic pay and may apply those provisions to
12 positions for civilian employees in or under which the Department of Defense may employ
13 individuals described by section 5342(a)(2)(A) of that title.

14 **“§9378. Additional compensation, allowances, and incentives**

15 “(a) ADDITIONAL COMPENSATION.—The Secretary of Defense may provide employees in
16 Space Force positions compensation in addition to basic pay, including benefits, incentives, and
17 allowances, consistent with and not in excess of the level authorized for comparable positions
18 authorized by title 5.

19 “(b) ALLOWANCES BASED ON LIVING COSTS AND ENVIRONMENT.—(1) In addition to
20 basic pay, employees in Space Force positions who are citizens or nationals of the United States
21 and are stationed outside the continental United States or in Alaska may be paid an allowance, in
22 accordance with regulations prescribed by the Secretary of Defense, while they are so stationed.

23 “(2) An allowance under this subsection shall be based on—

1 “(A) living costs substantially higher than in the District of Columbia; or

2 “(B) conditions of environment that—

3 “(i) differ substantially from conditions of environment in the continental

4 United States; and

5 “(ii) warrant an allowance as a recruitment incentive.

6 “(3) An allowance under this subsection may not exceed the allowance authorized to be
7 paid by section 5941(a) of title 5 for employees whose rates of basic pay are fixed by statute.

8 **“§9379. Limitation on certain payments**

9 “No allowance, differential, bonus, award, or other similar cash payment under this title
10 may be paid to an employee in a calendar year if, or to the extent that, when added to the total
11 basic pay paid or payable to such employee for service performed in such calendar year, such
12 payment would cause the total to exceed the total annual compensation payable to the Vice
13 President under section 104 of title 3 as of the end of such calendar year.

14 **“§9380. Benefits for certain employees assigned outside the United States**

15 “(a) IN GENERAL.—The Secretary of Defense may provide to civilian personnel described
16 in subsection (c) allowances and benefits comparable to those provided by the Secretary of State
17 to officers and employees of the Foreign Service under paragraphs (2) through (8) and (13) of
18 section 901 and sections 705 and 903 of the Foreign Service Act of 1980 (22 U.S.C. 4081(2), (3),
19 (4), (5), (6), (7), and (8), and (13), 4025, 4083) and under section 5924(4) of title 5.

20 “(b) APPLICABILITY.—Subsection (a) shall apply to civilian personnel of the Department
21 of Defense who—

22 “(1) are United States nationals;

23 “(2) are assigned to duty outside the United States; and

1 “(3) are designated by the Secretary of Defense for the purposes of subsection (a).

2 **“§9381. Space Force Senior Executive Service**

3 “(a) ESTABLISHMENT.—The Secretary of Defense may establish a Space Force Senior
4 Executive Service for Space Force positions established pursuant to section 9376(a) of this title
5 that are equivalent to Senior Executive Service positions.

6 “(b) REGULATIONS CONSISTENT WITH TITLE 5 PROVISIONS.—(1) The Secretary of
7 Defense shall prescribe regulations for the Space Force Senior Executive Service that are
8 consistent with the requirements set forth in sections 3131, 3132(a)(2), 3396(c), 3592, 3595(a),
9 5384, and 6304 of title 5, subsections (a), (b), and (c) of section 7543 of such title (except that
10 any hearing or appeal to which a member of the Space Force Senior Executive Service is entitled
11 shall be held or decided pursuant to those regulations), and subchapter II of chapter 43 of such
12 title.

13 “(2) To the extent that the Secretary determines it practicable to apply to members of, or
14 applicants for, the Space Force Senior Executive Service other provisions of title 5 that apply to
15 members of, or applicants for, the Senior Executive Service, the Secretary shall also prescribe
16 regulations to implement those provisions with respect to the Space Force Senior Executive
17 Service.

18 “(c) AWARD OF RANK TO MEMBERS OF THE SPACE FORCE SENIOR EXECUTIVE SERVICE.—
19 The President, based on the recommendation of the Secretary of Defense, may award a rank
20 referred to in section 4507 of title 5 to a member of the Space Force Senior Executive Service.
21 The award of such rank shall be made in a manner consistent with the provisions of that section.

22 “(d) PERFORMANCE APPRAISALS.—(1) The Space Force Senior Executive Service shall
23 be subject to a performance appraisal system that, as designed and applied, is certified by the

Secretary of Defense under section 5307 of title 5 as making meaningful distinctions based on relative performance.

“(2) The performance appraisal system applicable to the Space Force Senior Executive Service under paragraph (1) may be the same performance appraisal system that is established and implemented within the Department of Defense for members of the Senior Executive Service.

“§9382. Space Force Senior Level positions

“(a) DESIGNATION OF POSITIONS.—The Secretary of Defense may designate as a Space Force Senior Level position any Space Force position that, as determined by the Secretary—

“(1) is classifiable above grade GS-15 of the General Schedule;

“(2) does not satisfy functional or program management criteria for being designated a Space Force Senior Executive Service position; and

“(3) has no more than minimal supervisory responsibilities.

“(b) REGULATIONS.—Subsection (a) shall be carried out in accordance with regulations prescribed by the Secretary of Defense.

“(c) AWARD OF RANK TO EMPLOYEES IN SPACE FORCE SENIOR LEVEL POSITIONS.—The President, based on the recommendation of the Secretary of Defense, may award a rank referred to in section 4507a of title 5 to an employee in a Space Force Senior Level position designated under subsection (a). The award of such rank shall be made in a manner consistent with the provisions of that section.

“§9383. Time-limited appointments

“(a) AUTHORITY FOR TIME-LIMITED APPOINTMENTS.—The Secretary of Defense may authorize time-limited appointments to Space Force positions.

1 “(b) REVIEW OF USE OF AUTHORITY.—The Secretary of Defense shall review each time-
2 limited appointment in a Space Force position at the end of the first year of the period of the
3 appointment and determine whether the appointment should be continued for the remainder of
4 the period.

5 “(c) CONDITION ON PERMANENT APPOINTMENT TO SPACE FORCE SENIOR EXECUTIVE
6 SERVICE.—An employee serving in a Space Force position pursuant to a time-limited
7 appointment is not eligible for a permanent appointment to a Space Force Senior Executive
8 Service position (including a position in which the employee is serving) unless the employee is
9 selected for the permanent appointment on a competitive basis.

10 “(d) TIME-LIMITED APPOINTMENT DEFINED.—In this section, the term ‘time-limited
11 appointment’ means an appointment for a period not to exceed three years.

12 **“§9384. Termination of Space Force employees**

13 “(a) TERMINATION AUTHORITY.—Notwithstanding any other provision of law, the
14 Secretary of Defense may terminate the employment of any employee in a Space Force position
15 if the Secretary—

16 “(1) considers that action to be in the interests of the United States; and

17 “(2) determines that the procedures prescribed in other provisions of law that
18 authorize the termination of the employment of such employee cannot be invoked in a
19 manner consistent with the national security.

20 “(b) FINALITY.—A decision by the Secretary of Defense to terminate the employment of
21 an employee under this section is final and may not be appealed or reviewed outside the
22 Department of Defense.

1 “(c) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.--Whenever the Secretary
2 of Defense terminates the employment of an employee under the authority of this section, the
3 Secretary shall promptly notify the congressional defense committees of such termination.

4 “(d) PRESERVATION OF RIGHT TO SEEK OTHER EMPLOYMENT.—Any termination of
5 employment under this section shall not affect the right of the terminated employee to seek or
6 accept employment with any other department or agency of the United States if that employee is
7 declared eligible for such employment by the Director of the Office of Personnel Management.

8 “(e) LIMITATION ON DELEGATION.--The authority of the Secretary of Defense under this
9 section may be delegated only to the Deputy Secretary of Defense or the Secretary of the Air
10 Force. An action to terminate employment of an employee by the Deputy Secretary of Defense
11 or the Secretary of the Air Force may be appealed to the Secretary of Defense.

12 **“§9385. Reductions and other adjustments in force**

13 “(a) IN GENERAL.—The Secretary of Defense shall prescribe regulations for the
14 separation of employees in Space Force positions, including members of the Space Force Senior
15 Executive Service and employees in Space Force Senior Level positions, during a reduction in
16 force or other adjustment in force. Such regulations shall apply to such a reduction in force or
17 other adjustment in force notwithstanding sections 3501(b) and 3502 of title 5.

18 “(b) DETERMINATIONS.—The determination of which employees shall be separated from
19 employment in Space Force positions during a reduction in force or other adjustment in force
20 shall be made primarily on the basis of performance.

21 “(c) REGULATIONS RELATING TO SPACE FORCE SES.—The regulations prescribed under
22 this section relating to removal from the Space Force Senior Executive Service in a reduction in
23 force or other adjustment in force shall be consistent with section 3595(a) of title 5.

1 **“§9386. Postemployment assistance: certain terminated Space Force employees**

2 “(a) **AUTHORITY.**—Subject to subsections (b) and (c), the Secretary of Defense may, in
3 the case of any individual who is a qualified former Space Force employee, use appropriated
4 funds to—

5 “(1) assist that individual in finding and qualifying for employment other than in a
6 Space Force position;

7 “(2) assist that individual in meeting the expenses of treatment of medical or
8 psychological disabilities of that individual; and

9 “(3) provide financial support to that individual during periods of unemployment.

10 “(b) **CONDITIONS.**—Assistance may be provided to a qualified former Space Force
11 employee under subsection (a) only if the Secretary determines that such assistance is essential
12 to—

13 “(1) maintain the judgment and emotional stability of the qualified former Space
14 Force employee; and

15 “(2) avoid circumstances that might lead to the unlawful disclosure of classified
16 information to which the qualified former Space Force employee had access.

17 “(c) **DURATION OF ASSISTANCE.**—Assistance may not be provided under this section in
18 the case of any individual after the end of the five-year period beginning on the date of the
19 termination of the employment of the individual in a Space Force position.

20 “(d) **QUALIFIED FORMER SPACE FORCE EMPLOYEE DEFINED.**—In this section, the term
21 ‘qualified former Space Force employee’ means an individual who was employed in a Space
22 Force position—

1 “(1) who has been found to be ineligible for continued access to information
2 designated as ‘Sensitive Compartmented Information’ and employment in the Space
3 Force; or

4 “(2) whose employment in a Space Force position has been terminated.

5 **“§9387. Appointment of Space Force employees to competitive service positions in the**
6 **Department of Defense**

7 “(a) AUTHORITY.—Subject to subsection (b), the Secretary of Defense may appoint an
8 employee serving in a Space Force position in the excepted service to a position in the
9 Department of Defense in the competitive service without competition.

10 “(b) CONDITIONS—The Secretary may only exercise the authority under subsection (a)
11 if—

12 “(1) the employee concerned has served continuously for at least two years in a
13 Space Force position that is not time-limited under an excepted appointment or has been
14 involuntarily separated from such position without personal cause within the preceding
15 12 months;

16 “(2) the employee concerned meets the qualification standards and requirements
17 for the competitive service position in accordance with Office of Personnel Management
18 standards; and

19 “(3) the employee concerned is considered for selection to competitive service
20 positions in the same manner that other individuals are considered for appointments
21 without competition.

22 **“§9388. Merit system principles; civil service protections; right of appeal**

1 “(a) MERIT SYSTEM PRINCIPLES.—Section 2301 of title 5 shall apply to the exercise of
2 authority under this subchapter (other than sections 9380 and 9386).

3 “(b) CIVIL SERVICE PROTECTIONS.—(1) If, in the case of a position established under
4 authority other than section 9376(a)(1) of this title that is reestablished as an excepted service
5 position under that section, the provisions of law referred to in paragraph (2) applied to the
6 person serving in that position immediately before the position is so reestablished and such
7 provisions of law would not otherwise apply to the person while serving in the position as so
8 reestablished, then such provisions of law shall, subject to paragraph (3), continue to apply to the
9 person with respect to service in that position for as long as the person continues to serve in the
10 position without a break in service.

11 “(2) The provisions of law referred to in paragraph (1) are the following provisions of
12 title 5:

13 “(A) Section 2302, relating to prohibited personnel practices.

14 “(B) Chapter 75, relating to adverse actions.

15 “(3)(A) Notwithstanding any provision of chapter 75 of title 5, an appeal of an adverse
16 action by an individual employee covered by paragraph (1) shall be determined within the
17 Department of Defense if the employee so elects.

18 “(B) The Secretary of Defense shall prescribe the procedures for initiating and
19 determining appeals of adverse actions pursuant to elections made under subparagraph (A).

20 “(c) RIGHT OF APPEAL.—The Secretary of Defense shall prescribe regulations to provide
21 a right of appeal regarding a personnel action under this subchapter. The appeal shall be
22 determined within the Department of Defense. An appeal determined at the highest level
23 provided in the regulations shall be final and not subject to review outside the Department of

1 Defense. A personnel action covered by the regulations is not subject to any other provision of
2 law that provides appellate rights or procedures.”.

3 **SEC. 1705. DECORATIONS AND AWARDS.**

4 (a) IN GENERAL.—Chapter 937 of title 10, United States Code, is amended by adding at
5 the end the following new section:

6 **“§9287. General authority to provide Space Force decorations and awards**

7 “In addition to the decorations and awards available to all personnel of the Department of
8 the Air Force pursuant to the other sections of this chapter, the Secretary of the Air Force may
9 provide such awards and decorations as the Secretary considers appropriate to any person who,
10 while serving in any capacity with the Space Force, distinguished himself or herself.”.

11 (b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such
12 chapter is amended by adding at the end the following new item:

“9287. General authority to provide Space Force decorations and awards.”.

13 **SEC. 1706. REPEAL OF PROVISION RELATED TO AIR FORCE SPACE COMMAND.**

14 (a) REPEAL.—

15 (1) IN GENERAL.—Section 2279c of title 10, United States Code, is repealed.

16 (2) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of
17 chapter 135 of title 10, United States Code, is amended by striking the item relating to
18 section 2279c.

19 (b) CONTINUATION OF PROCUREMENT AUTHORITY.—

20 (1) IN GENERAL.—Chapter 963 of title 10, United States Code, is amended by
21 inserting before section 9532 the following new section:

22 **“§9531. Procurement of commercial satellite communications services**

1 “The Secretary of the Air Force, in consultation with the Chief Information Officer of the
2 Department of Defense, shall be responsible for the procurement of commercial satellite
3 communications services for the Department of Defense.”.

4 (2) APPLICABILITY.—Section 9531 of title 10, United States Code, as added by
5 paragraph (1) of this subsection, shall apply with respect to services procured after the
6 date of the enactment of this Act.

7 (3) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of
8 chapter 963 of such title is amended by inserting before the item relating to section 9532
9 the following new item:

“9531. Procurement of commercial satellite communications services.”.

10 **SEC. 1707. TRANSFER OF PERSONNEL, PROPERTY, AND RESOURCES AND**
11 **OTHER TRANSITION MATTERS.**

12 (a) TRANSITION PERIOD.—

13 (1) IN GENERAL.—Subject to paragraph (2), for purposes of this section, the
14 transition period is the period that ends on the date that is five years after the date of the
15 enactment of this Act.

16 (2) EXTENSION.—The Secretary of Defense may extend the transition period
17 described in paragraph (1) for not more than two years if the Secretary—

18 (A) determines an extension is necessary to accomplish the initial
19 establishment of the United States Space Force; and

20 (B) submits to the congressional defense committees notice of the
21 Secretary’s intent to extend the transition period.

22 (b) TRANSFER OF MILITARY MEMBERS.—

1 (1) TRANSFER AUTHORITY.—Notwithstanding any other provision of law, the
2 Secretary of Defense, in the sole and exclusive discretion of the Secretary, may, during
3 the transition period, transfer officers and enlisted members of the Armed Forces within
4 the Department of Defense to become officers and enlisted members of the United States
5 Space Force.

6 (2) BASIS.—A transfer under paragraph (1) may be made on a voluntary or
7 involuntary basis.

8 (3) STATUS OF PERSONNEL.—

9 (A) RETENTION OF GRADE AND STATUS.—Military personnel transferred to
10 the Space Force from another Armed Force within the Department of Defense
11 pursuant to this subsection shall retain the grade and date of obtaining such grade
12 that the individual person had before the date of the transfer unless otherwise
13 altered or terminated in accordance with law. For all purposes under law, the
14 length, character, and type of service of such personnel transferred to the Space
15 Force shall be calculated to include the same length, character, and type of service
16 in the Armed Force from which such personnel are transferred as if there was no
17 break in service.

18 (B) RIGHTS AND BENEFITS.—No transfer under this subsection shall alter
19 or prejudice the status of any individual so transferred, so as to deprive the
20 individual of any right, benefit, or privilege to which the individual may be
21 entitled under law due to the service of the individual in an Armed Force within
22 the Department of Defense other than the Space Force.

1 (C) BONUSES.—No funds previously paid to a military member as a valid
2 pay or bonus provided pursuant to chapter 5 of title 37, United States Code, may
3 be recouped if a member's disqualification for the pay or bonus is solely due to a
4 transfer under this subsection.

5 (c) TRANSFER OF CIVILIAN EMPLOYEES.—

6 (1) AUTHORITY.—Notwithstanding any other provision of law, the Secretary of
7 Defense, in the sole and exclusive discretion of the Secretary, may, during the transition
8 period—

9 (A) establish regulations to effectuate any necessary transfers of civilian
10 personnel among the military departments and other components of the
11 Department of Defense, and any necessary reductions or adjustments in force; and

12 (B) effectuate such transfers (on a voluntary or involuntary basis) and
13 reductions or adjustments in force pursuant to the regulations established in
14 subparagraph (A).

15 (2) NO REDUCTION IN PAY.—No employee transferred in accordance with this
16 subsection shall suffer any loss of or decrease in pay as a result of that transfer.

17 (3) EFFECT OF TRANSFER.—A personnel action taken pursuant to this subsection is
18 final and is not subject to any other provision of law that provides appellate rights or
19 procedures for civilian employees of the Department of Defense.

20 (d) TRANSFER OF EQUIPMENT, SUPPLIES, OTHER PROPERTY, AND RECORDS.—

21 Notwithstanding any other provision of law, the Secretary of Defense, in the sole and exclusive
22 discretion of the Secretary, may, during the transition period, direct the transfer of equipment,

1 supplies, other property not deemed to be real property, and records from a military department
2 or other Department of Defense component to the Department of the Air Force.

3 (e) TRANSFER OF FUNCTIONS.—Notwithstanding any other provision of law, the Secretary
4 of Defense, in the sole and exclusive discretion of the Secretary, may, during the transition
5 period, transfer organizations or functions within the Department of Defense to the Space Force,
6 including civilian personnel, assets, equipment, and obligations of those organizations or
7 functions.

8 (f) TRANSFER OF FUNDS DURING TRANSITION PERIOD.—

9 (1) AUTHORITY.—Notwithstanding any other provision of law, the Secretary of
10 Defense, in the sole and exclusive discretion of the Secretary, may, during the transition
11 period—

12 (A) transfer to the Department of the Air Force balances from
13 appropriations or funds currently available for obligation by the military
14 departments and other components of the Department of Defense from which
15 personnel, equipment, supplies, property, or records have been transferred
16 pursuant to sections (b), (c) and (d), to be used for a purpose for which the
17 appropriations or funds were originally available; and

18 (B) credit amounts transferred to an applicable existing or new
19 appropriation account or fund, to be merged with and to be available for the same
20 time period as the appropriation or fund, to which transferred.

21 (2) RELATIONSHIP TO OTHER LAWS.—The authority under this subsection is in
22 addition to any other transfer authority provided by law.

1 (g) MISSION ASSURANCE DURING TRANSITION PERIOD.—Notwithstanding any other
2 provision of law, the Secretary of Defense may, during the transition period, authorize space
3 forces, organizations, functions, personnel, installations, or facilities transferred to the
4 Department of the Air Force to be funded, operated, or controlled by another Department of
5 Defense component, including a military department, without compensation or reimbursement, if
6 the Secretary determines that action is essential to maintain space mission integrity and
7 readiness.

8 (h) EXCLUSION OF SPACE ORGANIZATIONS FROM FISCAL YEAR 2020 AND 2021
9 HEADQUARTERS COSTS CEILINGS.—

10 (1) EXCLUSION.—The amounts expended on space organizations shall be
11 excluded from the calculation of the amounts that may be obligated and expended on
12 major headquarters activities pursuant to section 931 of the John S. McCain National
13 Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) and major
14 Department of Defense headquarters activities pursuant to section 346(b) of the National
15 Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 111 note).

16 (2) DEFINITIONS.—In this subsection, the term “space organizations” means the
17 following:

18 (A) The office of the Under Secretary of the Air Force for Space.

19 (B) The Space Staff.

20 (i) SUSPENSION OF MANPOWER LIMITATIONS DURING TRANSITION PERIOD.—
21 Notwithstanding any other provision of law, during the transition period, members of the Armed
22 Forces appointed, assigned, or transferred to the Space Force and civilian employees appointed,
23 assigned, or transferred to or within the Department of the Air Force to support the Space Force

shall not count against any limitation on manpower that may apply to the Department of the Air Force, including—

(1) sections 517, 523, 525, 526, 526a, 9014, and 9110 of title 10, United States Code;

(2) section 3133 of title 5, United States Code; and

(3) sections 501 and 1109 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 525 note; 5 U.S.C. 3133 note).

Subtitle B—Conforming Amendments

SEC. 1711. DEPARTMENT OF THE AIR FORCE PROVISIONS IN TITLE 10, UNITED STATES CODE.

(a) ORGANIZATION.—

(1) SECRETARY OF THE AIR FORCE.—Section 9013 of title 10, United States Code, is amended—

(A) in subsection (f), by inserting “and Space Force” after “Officers of the Air Force”; and

(B) in subsection (g)(1), by inserting “and Space Force” after “members of the Air Force”.

(2) OFFICE OF THE SECRETARY OF THE AIR FORCE.—Section 9014 of such title is amended—

(A) in subsection (c)—

(i) in paragraph (1), by striking “and the Air Staff” and inserting “, the Air Staff, and the Space Staff”;

1 (ii) in paragraph (2), by inserting “or the Space Staff” after “the
2 Air Staff”;

3 (iii) in paragraph (3), by striking “to the Chief of Staff and to the
4 Air Staff” and all that follows through the period and inserting “to the
5 Chief of Staff of the Air Force and the Air Staff, and to the Chief of Staff
6 of the Space Force and the Space Staff, and shall ensure that each such
7 office or entity provides each Chief of Staff such staff support as the Chief
8 of Staff concerned considers necessary to perform the Chief’s duties and
9 responsibilities.”; and

10 (iv) in paragraph (4)—

11 (I) by inserting “and the Space Staff” after “the Air Staff”;

12 and

13 (II) by striking “Chief” and inserting “Chiefs”;

14 (B) in subsection (d)—

15 (i) in paragraph (1), by striking “and the Air Staff” and inserting “,
16 the Air Staff, and the Space Staff”;

17 (ii) in paragraph (2), by inserting “and the Space Staff” after “the
18 Air Staff”; and

19 (iii) in paragraph (4), by striking “to the Chief of Staff of the Air
20 Force and to the Air Staff” and all that follows through the period and
21 inserting “to the Chief of Staff of the Air Force and the Air Staff, and to
22 the Chief of Staff of the Space Force and the Space Staff, and shall ensure
23 that such office or entity provides each Chief of Staff such staff support as

1 the Chief of Staff concerned considers necessary to perform the Chief's
2 duties and responsibilities.”; and

3 (C) in subsection (e)—

4 (i) by striking “and the Air Staff” and inserting “, the Air Staff, and
5 the Space Staff”; and

6 (ii) by striking “to the other” and inserting “to any of the others”.

7 (3) SECRETARY OF THE AIR FORCE: SUCCESSORS TO DUTIES.—Section 9017(5) of
8 such title, as redesignated by section 1702 of this Act, is amended by inserting before the
9 period the following: “of the Air Force and the Chief of Staff of the Space Force, in the
10 order prescribed by the Secretary of the Air Force and approved by the Secretary of
11 Defense”.

12 (4) INSPECTOR GENERAL.—Section 9020 of such title is amended—

13 (A) in subsection (a)—

14 (i) by inserting “Department of the” after “Inspector General of
15 the”; and

16 (ii) by inserting “or the Space Force” after “general officers of the
17 Air Force”;

18 (B) in subsection (b)—

19 (i) in the matter preceding paragraph (1), by striking “or the Chief
20 of Staff” and inserting “, the Chief of Staff of the Air Force, or the Chief
21 of Staff of the Space Force”;

22 (ii) in paragraph (1), by inserting “Department of the” before “Air
23 Force”; and

1 (iii) in paragraph (2), by striking “the Chief” and inserting “either

2 Chief”; and

3 (C) in subsection (e), by inserting “or the Space Force” before “for a tour
4 of duty”.

5 (5) THE AIR STAFF: FUNCTION; COMPOSITION.—Section 9031(b) of such title is
6 amended—

7 (A) in each of paragraphs (1), (2), (3), and (4), by inserting “of the Air
8 Force” before the period; and

9 (B) in paragraph (8), by inserting “or the Space Force” after “of the Air
10 Force”.

11 (6) CHIEF OF STAFF—

12 (A) IN GENERAL.—The heading of section 9033 of such title is amended
13 by inserting “**of the Air Force**” after “**Staff**”.

14 (B) TABLE OF SECTIONS.—The item relating to section 9033 in the table of
15 sections at the beginning of chapter 905 of such title is amended to read as
16 follows:

“9033. Chief of Staff of the Air Force.”.

17 (7) VICE CHIEF OF STAFF.—

18 (A) IN GENERAL.—The heading of section 9034 of such title is amended
19 by inserting “**of the Air Force**” after “**Staff**”.

20 (B) TABLE OF SECTIONS.—The item relating to section 9034 in the table of
21 sections at the beginning of chapter 905 of such title is amended to read as
22 follows:

“9034. Vice Chief of Staff of the Air Force.”.

1 (8) DEPUTY CHIEFS OF STAFF AND ASSISTANT CHIEFS OF STAFF.—

2 (A) IN GENERAL.—Section 9035 of such title is amended—

3 (i) in the heading, by inserting “**of the Air Force**” after “**Staff**”

4 both places it appears; and

5 (ii) in subsection (a), by inserting “of the Air Force” after “Staff”

6 both places it appears.

7 (B) TABLE OF SECTIONS.—The item relating to section 9035 in the table of
8 sections at the beginning of chapter 905 of such title is amended to read as
9 follows:

“9034. Deputy Chiefs of Staff of the Air Force and Assistant Chiefs of Staff of the Air Force.”.

10 (9) SURGEON GENERAL: APPOINTMENT; DUTIES.—Section 9036 of such title is
11 amended—

12 (A) in paragraph (1), by striking “Secretary of the Air Force and the Chief
13 of Staff of the Air Force on all health and medical matters of the Air Force” and
14 inserting “Secretary of the Air Force, the Chief of Staff of the Air Force, and the
15 Chief of Staff of the Space Force on all health and medical matters of the Air
16 Force and the Space Force”; and

17 (B) in paragraph (2), by inserting “and the Space Force” after “of the Air
18 Force” both places it appears.

19 (10) JUDGE ADVOCATE GENERAL, DEPUTY JUDGE ADVOCATE GENERAL:
20 APPOINTMENT; DUTIES.—Section 9037 of such title is amended—

21 (A) in subsection (e)(2)(B), by inserting “or the Space Force” after “of the
22 Air Force”; and

1 (B) in subsection (f)(1), by striking “the Secretary of the Air Force or the
2 Chief of Staff of the Air Force” and inserting “the Secretary of the Air Force, the
3 Chief of Staff of the Air Force, or the Chief of Staff of the Space Force”.

4 (11) CHIEF OF CHAPLAINS: APPOINTMENT; DUTIES.—Section 9039(a) of such title
5 is amended by striking “in the Air Force” and inserting “for the Air Force and the Space
6 Force”.

7 (12) PROVISION OF CERTAIN PROFESSIONAL FUNCTIONS FOR THE SPACE FORCE.—
8 Section 9067 of title 10, United States Code, is amended—

9 (A) in subsections (a) through (i), by striking “in the Air Force” each place
10 it appears and inserting “in the Air Force and the Space Force”; and

11 (B) in subsection (i), as amended by subparagraph (A) of this paragraph,
12 by inserting “or the Space Force” after “members of the Air Force”.

13 (13) COMMANDS: TERRITORIAL ORGANIZATION.—

14 (A) IN GENERAL.—Chapter 909 of such title, as added by section 1701 of
15 this Act, is amended by adding at the end the following new section:

16 **“§ 9096. Commands: territorial organization**

17 “(a) Except as otherwise prescribed by law or by the Secretary of Defense, the Space
18 Force shall be divided into such organizations as the Secretary of the Air Force may prescribe.

19 “(b) For Space Force purposes, the United States, its possessions, and other places in
20 which the Space Force is stationed or is operating, may be divided into such areas as directed by
21 the Secretary. Officers of the Space Force may be assigned to command Space Force activities,
22 installations, and personnel in those areas. In the discharge of the Space Force's functions or

1 other functions authorized by law, officers so assigned have the duties and powers prescribed by
2 the Secretary.”.

3 (B) TABLE OF SECTIONS.—The table of sections at the beginning of such
4 chapter is amended by adding at the end the following new item:

“9096. Commands: territorial organization.”.

5 (14) OFFICER CAREER FIELD FOR SPACE.—Section 9084 of such title is repealed.

6 The table of sections at the beginning of chapter 907 of such title is amended by striking
7 the item relating to such section.

8 (15) REGULAR SPACE FORCE.—

9 (A) IN GENERAL.—Chapter 909 of such title, as added by section 1701 of
10 this Act, is further amended by adding at the end the following new section:

11 **“§ 9097. Regular Space Force: composition**

12 “(a) The Regular Space Force is the component of the Space Force that consists of
13 persons whose continuous service on active duty in both peace and war is contemplated by law,
14 and of retired members of the Regular Space Force.

15 “(b) The Regular Space Force includes—

16 “(1) the officers and enlisted members of the Regular Space Force; and

17 “(2) the retired officers and enlisted members of the Regular Space Force.”.

18 (B) TABLE OF SECTIONS.—The table of sections at the beginning of such
19 chapter is amended by adding at the end the following new item:

“9097. Regular Space Force: composition.”.

20 (16) TABLE OF CHAPTERS.— The table of chapters for part I of subtitle D of title 10,
21 United States Code, is amended by adding at the end the following new item:

22 **“909. The Space Force 9091”.**

1 (b) PERSONNEL.—

2 (1) GENDER-FREE BASIS FOR ACCEPTANCE OF ORIGINAL ENLISTMENTS.—

3 (A) IN GENERAL.—Section 9132 of such title is amended—

4 (i) in the heading, by inserting “**and Regular Space Force**” before
5 the colon; and

6 (ii) by inserting “or the Regular Space Force” after “Regular Air
7 Force”.

8 (B) TABLE OF SECTIONS.—The item relating to section 9132 in the table of
9 sections at the beginning of chapter 913 of such title is amended to read as
10 follows:

“9132. Regular Air Force and Regular Space Force: gender-free basis for acceptance of original enlistments.”.

11 (2) REENLISTMENT AFTER SERVICE AS AN OFFICER.—

12 (A) IN GENERAL.—Section 9138 of such title is amended—

13 (i) in the heading, by inserting “**and Regular Space Force**” before
14 the colon; and

15 (ii) in subsection (a)—

16 (I) by inserting “or the Regular Space Force” after “Regular
17 Air Force” both places it appears; and

18 (II) by inserting “or the Space Force” after “officer of the
19 Air Force” both places it appears.

20 (B) TABLE OF SECTIONS.—The item relating to section 9138 in the table of
21 sections at the beginning of chapter 913 of such title is amended to read as
22 follows:

“9138. Regular Air Force and Regular Space Force: reenlistment after service as an officer.”.

1 (3) APPOINTMENTS IN THE REGULAR AIR FORCE AND THE REGULAR SPACE FORCE.—

2 (A) The heading of chapter 915 of such title is amended by adding “**AND**
3 **REGULAR SPACE FORCE**” after “**AIR FORCE**”, and the item relating to
4 such chapter in the table of chapters at the beginning of part II of subtitle D of
5 such title is amended by inserting “**and Regular Space Force**” after “**Air Force**”.

6 (B) Section 9151 of such title is amended by inserting ‘and the Regular
7 Space Force’ after “Regular Air Force”.

8 (C) Section 9160 of such title is amended—

9 (i) by inserting “or the Regular Space Force” after “Regular Air
10 Force”; and

11 (ii) by inserting “or the Space Force” before the period.

12 (4) RETIRED COMMISSIONED OFFICERS: STATUS.—Section 9203 of such title is
13 amended by inserting “or the Space Force” after “the Air Force”.

14 (5) DUTIES: CHAPLAINS; ASSISTANCE REQUIRED OF COMMANDING OFFICERS.—
15 Section 9217(a) of such title is amended by inserting “or the Space Force” after “the Air
16 Force”.

17 (6) RANK: COMMISSIONED OFFICERS SERVING UNDER TEMPORARY
18 APPOINTMENTS.—Section 9222 of such title is amended by inserting “or the Space Force”
19 after “the Air Force” both places it appears.

20 (7) REQUIREMENT OF EXEMPLARY CONDUCT.—Section 9233 of such title is
21 amended by inserting “and the Space Force” after “the Air Force” each place it appears.

1 (8) ENLISTED MEMBERS: OFFICERS NOT TO USE AS SERVANTS.—Section 9239 of
2 such title is amended by inserting “or the Space Force” after “Air Force” both places it
3 appears.

4 (9) PRESENTATION OF UNITED STATES FLAG UPON RETIREMENT.—Section 9251(a)
5 of such title is amended by inserting “or the Space Force” after “member of the Air
6 Force”.

7 (10) SERVICE CREDIT: REGULAR ENLISTED MEMBERS; SERVICE AS AN OFFICER TO BE
8 COUNTED AS ENLISTED SERVICE.—Section 9252 of such title is amended—

9 (A) by inserting “or the Regular Space Force” after “Regular Air Force”;

10 and

11 (B) by inserting “in the Space Force,” after “in the Air Force,”.

12 (11) WHEN SECRETARY MAY REQUIRE HOSPITALIZATION.—Section 9263 of such
13 title is amended by inserting “or the Space Force” after “member of the Air Force”.

14 (12) DECORATIONS AND AWARDS.—(A) Chapter 937 of such title is amended by
15 inserting “or the Space Force” after “the Air Force” each place it appears in the following
16 provisions:

17 (i) Section 9271.

18 (ii) Section 9273.

19 (iii) Section 9281 other than the first reference in subsection (a).

20 (iv) Section 9286(a) other than the first reference.

21 (B) Section 9272 of such title is amended by inserting “or the Space Force” after
22 “with the Air Force”.

1 (C) Section 9275 of such title is amended by inserting “or space” after “separate
2 air”.

3 (D) Section 9276 of such title is amended by inserting “or the Space Force” after
4 “with the Air Force”.

5 (E)(i) Such chapter is further amended by inserting after section 9280 the
6 following new section:

7 **“§ 9280a. Space Force Medal: award; limitations**

8 “(a) The President may award a decoration called the "Space Force Medal", of
9 appropriate design with accompanying ribbon, to any person who, while serving in any capacity
10 with the Space Force, distinguishes himself or herself by heroism not involving actual conflict
11 with an enemy.

12 “(b) Not more than one Space Force Medal may be awarded to a person. However, for
13 each succeeding act that would otherwise justify award of such a medal, the President may award
14 a suitable bar or other device to be worn as the President directs.”.

15 (ii) The table of sections at the beginning of such title is amended by inserting
16 after the item relating to section 9280 the following new item:

“9280a. Space Force Medal: award; limitations.”.

17 (13) TWENTY YEARS OR MORE: REGULAR OR RESERVE COMMISSIONED OFFICERS.—
18 Section 9311(a) of such title is amended by inserting “or the Space Force” after “officer
19 of the Air Force”.

20 (14) TWENTY TO THIRTY YEARS: ENLISTED MEMBERS.—Section 9314 of such title
21 is amended by inserting “or the Space Force” after “member of the Air Force”.

22 (15) THIRTY YEARS OR MORE: REGULAR ENLISTED MEMBERS.—Section 9317 of
23 such title is amended by inserting “or the Space Force” after “Air Force”.

1 (16) THIRTY YEARS OR MORE: REGULAR COMMISSIONED OFFICERS.—Section 9318
2 of such title is amended by inserting “or the Space Force” after “Air Force”.

3 (17) FORTY YEARS OR MORE: AIR FORCE OFFICERS.—

4 (A) IN GENERAL.—Section 9324 of such title is amended—

5 (i) in the heading, by inserting “**and Space Force**” after “**Air**
6 **Force**”; and

7 (ii) in subsections (a) and (b), by inserting “or the Space Force”
8 after “Air Force”.

9 (B) TABLE OF SECTIONS.—The item relating to section 9324 in the table of
10 sections at the beginning of chapter 941 of such title is amended to read as
11 follows:

“9124. Forty years or more: Air Force and Space Force officers.”.

12 (18) COMPUTATION OF YEARS OF SERVICE: VOLUNTARY RETIREMENT; ENLISTED
13 MEMBERS.—Section 9325(a) of such title is amended by inserting “or the Space Force”
14 after “Air Force”.

15 (19) COMPUTATION OF YEARS OF SERVICE: VOLUNTARY RETIREMENT; REGULAR
16 AND RESERVE COMMISSIONED OFFICERS.—Section 9326(a) of such title is amended by
17 inserting “or the Space Force” after “Air Force” both places it appears.

18 (20) COMPUTATION OF RETIRED PAY: LAW APPLICABLE.—Section 9329 of such
19 title is amended by inserting “or the Space Force” after “Air Force”.

20 (21) RETIRED GRADE.—

21 (A) Section 9341 of such title is amended—

22 (i) in subsection (a), by inserting “or the Space Force” after
23 “regular commissioned officer of the Air Force”; and

1 (ii) in subsection (b), by inserting “or a Regular of the Space
2 Force” after “Air Force”.

3 (B) Section 9344 of such title is amended—

4 (i) in subsection (a), by inserting “or the Space Force” after
5 “member of the Air Force”;

6 (ii) in subsection (b)(1), by inserting “or the Space Force” after
7 “Air Force”; and

8 (iii) in subsection (b)(2), by inserting “or the Regular Space Force”
9 after “Regular Air Force”.

10 (C) Section 9345 of such title is amended by inserting “or the Space
11 Force” after “member of the Air Force”.

12 (D) Section 9346 of such title is amended—

13 (i) in subsections (a) and (d), by inserting “or the Regular Space
14 Force” after “Regular Air Force”;

15 (ii) in subsection (b)(1), by inserting before the semicolon the
16 following: “, or for commissioned officers of the Space Force other than
17 of the Regular Space Force”; and

18 (iii) in subsections (b)(2) and (c), by inserting “or the Space Force”
19 after “Air Force”.

20 (22) RECOMPUTATION OF RETIRED PAY TO REFLECT ADVANCEMENT ON RETIRED
21 LIST.—Section 9362(a) of such title is amended by inserting “or the Space Force” after
22 “Air Force”.

1 (23) FATALITY REVIEWS.—Section 9391(a) of such title, as redesignated by
2 section 1704(a)(2) of this title, is amended by inserting “or the Space Force” after “Air
3 Force” in each of paragraphs (1), (2), and (3).

4 (c) TRAINING.—

5 (1) MEMBERS OF AIR FORCE: DETAIL AS STUDENTS, OBSERVERS, AND
6 INVESTIGATORS AT EDUCATIONAL INSTITUTIONS, INDUSTRIAL PLANTS, AND HOSPITALS.—

7 (A) IN GENERAL.—Section 9401 of title 10, United States Code, is
8 amended—

9 (i) in the heading, by inserting “**and Space Force**” after “**Air**
10 **Force**”;

11 (ii) in subsection (a), by inserting “and the Space Force” after
12 “members of the Air Force”;

13 (iii) in subsection (b), by inserting “or the Regular Space Force”
14 after “Regular Air Force”;

15 (iv) in subsection (e), by inserting “or the Space Force” after “Air
16 Force”; and

17 (v) in subsection (f)—

18 (I) by inserting “or the Regular Space Force” after “Regular
19 Air Force”; and

20 (II) by inserting “or the Space Force” after “the Air Force”.

21 (B) TABLE OF SECTIONS.—The item relating to section 9401 in the table of
22 sections at the beginning of chapter 951 of such title is amended to read as
23 follows:

“9401. Members of Air Force and Space Force: detail as students, observers, and investigators at educational institutions, industrial plants, and hospitals.”.

(2) ENLISTED MEMBERS OF AIR FORCE: SCHOOLS.—

(A) IN GENERAL.—Section 9402 of such title is amended—

(i) in the heading, by inserting “**or Space Force**” after “**Air Force**”;

(ii) in subsection (a)—

(I) in the first sentence, by inserting “and the Space Force” after “members of the Air Force”; and

(II) in the third sentence, by inserting “and Space Force officers” after “Air Force officers”; and

(iii) in subsection (b), by inserting “or the Space Force” after “Air Force” each place it appears.

(B) TABLE OF SECTIONS.—The item relating to section 9402 in the table of sections at the beginning of chapter 951 of such title is amended to read as follows:

“9402. Enlisted members of Air Force or Space Force: schools.”.

(3) AVIATION STUDENTS: DETAIL OF ENLISTED MEMBERS OF AIR FORCE.—

(A) IN GENERAL.—Section 9404 of such title is amended—

(i) in the heading, by inserting “**or Space Force**” after “**Air Force**”; and

(ii) by inserting “or the Space Force” after “Regulars of the Air Force”.

(B) TABLE OF SECTIONS.—The item relating to section 9404 in the table of sections at the beginning of chapter 951 of such title is amended to read as follows:

“9402. Aviation students: detail of enlisted members of Air Force or Space Force.”.

(4) SERVICE SCHOOLS: LEAVES OF ABSENCE FOR INSTRUCTORS.—Section 9406 of such title is amended by inserting “or Space Force” after “Air Force”.

(5) DEGREE GRANTING AUTHORITY FOR UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.—Section 9414(d)(1) of such title is amended by inserting “and the Space Force” after “needs of the Air Force”.

(6) UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY: ADMINISTRATION.—Section 9414b(a)(2) is amended by inserting “or the Space Force” after “the Air Force” each place it appears.

(7) COMMUNITY COLLEGE OF THE AIR FORCE: ASSOCIATE DEGREES.—Section 9415 of such title is amended—

(A) in subsection (a) in the matter preceding paragraph (1), by striking “in the Air Force” and inserting “in the Department of the Air Force”;

(B) in subsection (b)(1), by inserting “or the Space Force” after “Air Force”; and

(C) in subsection (b)(2), by striking “other than” and all that follows through “schools” and inserting “other than the Air Force or the Space Force who are serving as instructors at Department of the Air Force training schools”.

(8) AIR FORCE ACADEMY ESTABLISHMENT; SUPERINTENDENT; FACULTY.—Section 9431(a) of such title is amended by striking “Air Force cadets” and inserting “cadets”.

1 (9) AIR FORCE ACADEMY SUPERINTENDENT; FACULTY: APPOINTMENT AND
2 DETAIL.—Section 9433(a) of such title is amended by inserting “or the Space Force” after
3 “Air Force”.

4 (10) AIR FORCE ACADEMY PERMANENT PROFESSORS; DIRECTOR OF ADMISSIONS.—
5 Section 9436 of such title is amended by inserting “or the Regular Space Force” after
6 “Regular Air Force” each place it appears.

7 (11) CADETS: APPOINTMENT; NUMBERS, TERRITORIAL DISTRIBUTION.—Section
8 9442 of such title is amended—

9 (A) by striking “Air Force Cadets” each place it appears and inserting
10 “cadets”; and

11 (B) in subsection (b)—

12 (i) in paragraph (2), by inserting “or the Regular Space Force” after
13 “Regular Air Force”; and

14 (ii) in paragraph (3), by inserting “or the Space Force” after “Air
15 Force.

16 (12) CADETS: AGREEMENT TO SERVE AS OFFICER.—Section 9448(a)(2)(A) of such
17 title is amended by inserting “or the Regular Space Force” after “Regular Air Force”.

18 (13) CADETS: ORGANIZATION; SERVICE; INSTRUCTION.—Section 9449 of such title
19 is amended by striking subsection (d).

20 (14) CADETS: HAZING.—Section 9452(c) of such title is amended—

21 (A) by striking “Air Force cadet” and inserting “cadet”; and

22 (B) by striking “or Marine Corps” and inserting “Marine Corps, or Space
23 Force”.

1 (15) CADETS: DEGREE AND COMMISSION ON GRADUATION.—Section 9453(b) of
2 such title is amended by inserting “or the Regular Space Force” after “Regular Air
3 Force”.

4 (16) SUPPORT OF ATHLETIC PROGRAMS.—Section 9462(c)(2) of such title is
5 amended by striking “personnel of the Air Force” and inserting “personnel of the
6 Department of the Air Force”.

7 (17) SCHOOLS AND CAMPS: ESTABLISHMENT: PURPOSE.—Section 9481 of such title
8 is amended by inserting “, the Space Force,” after “members of the Air Force,”.

9 (18) SCHOOLS AND CAMPS: OPERATION.—Section 9482 of such title is amended—

10 (A) in paragraph (4), by inserting “or the Regular Space Force” after
11 “Regular Air Force”; and

12 (B) in paragraph (7) in the matter preceding subparagraph (A), by
13 inserting “or Space Force” after “Air Force”.

14 (d) SERVICE, SUPPLY, AND PROCUREMENT.—

15 (1) EQUIPMENT: BAKERIES, SCHOOLS, KITCHENS, AND MESS HALLS.—Section 9536
16 of title 10, United States Code, is amended in the matter preceding paragraph (1) by
17 inserting “or the Space Force” after “the Air Force”.

18 (2) RATION.—Section 9561 of such title is amended—

19 (A) in subsection (a)—

20 (i) in the first sentence, by inserting “and the Space Force ration”
21 after “the Air Force ration”; and

22 (ii) in the second sentence, by inserting “or the Space Force” after
23 “the Air Force”; and

(B) in subsection (b), by inserting “or the Space Force” after “the Air Force”.

(3) CLOTHING.—Section 9562 of such title is amended by inserting “and the Space Force” after “the Air Force”.

(4) CLOTHING: REPLACEMENT WHEN DESTROYED TO PREVENT CONTAGION.—Section 9563 of such title is amended by inserting “or the Space Force” after “member of the Air Force”.

(5) COLORS, STANDARDS, AND GUIDONS OF DEMOBILIZED ORGANIZATIONS: DISPOSITION.—Section 9565 of such title is amended—

(A) in subsection (a) in the matter preceding paragraph (1), by inserting “or the Space Force” after “organizations of the Air Force”; and

(B) in subsection (b), by inserting “or the Space Force” after “the Air Force”.

(6) UTILITIES: PROCEEDS FROM OVERSEAS OPERATIONS.—Section 9591 of such title is amended by inserting “or the Space Force” after “the Air Force”.

(7) QUARTERS: HEAT AND LIGHT.—Section 9593 of such title is amended by inserting “and the Space Force” after “the Air Force”.

(8) AIR FORCE MILITARY HISTORY INSTITUTE: FEE FOR PROVIDING HISTORICAL INFORMATION TO THE PUBLIC.—

(A) IN GENERAL.—Section 9594 of such title is amended—

(i) in the heading, by inserting “**Department of the**” before “**Air Force**”;

(ii) in subsections (a) and (d), by inserting “Department of the” before “Air Force Military History” each place it appears; and

(iii) in subsection (e)(1)—

(I) by inserting “Department of the” before “Air Force Military History”; and

(II) by inserting “and the Space Force” after “materials of the Air Force”.

(B) TABLE OF SECTIONS.—The item relating to section 9594 in the table of sections at the beginning of chapter 9657 of such title is amended to read as follows:

“9594. Department of the Air Force Military History Institute: fee for providing historical information to the public.”.

(9) SUBSISTENCE AND OTHER SUPPLIES; MEMBERS OF ARMED FORCES; VETERANS; EXECUTIVE OR MILITARY DEPARTMENTS AND EMPLOYEES; PRICES.—Section 9621 of such title is amended—

(A) in subsection (a)—

(i) in paragraph (1), by inserting “and the Space Force” after “the Air Force”; and

(ii) in paragraph (2) , by inserting “and the Space Force” after “the Air Force”;

(B) in subsection (b), by inserting “or the Space Force” after “the Air Force”;

(C) in subsection (c), by inserting “or the Space Force” after “the Air Force”;

1 (D) in subsection (d), by striking “or Marine Corps” and inserting “Marine
2 Corps, or Space Force”;

3 (E) in subsection (e), by inserting “or the Space Force” after “the Air
4 Force” each place it appears;

5 (F) in subsection (f), by inserting “or the Space Force” after “the Air
6 Force”; and

7 (G) in subsection (h), by inserting “or the Space Force” after “the Air
8 Force” each place it appears.

9 (10) RATIONS: COMMISSIONED OFFICERS IN FIELD.—Section 9622 of such title is
10 amended by inserting “and the Space Force” after “officers of the Air Force”.

11 (11) MEDICAL SUPPLIES: CIVILIAN EMPLOYEES OF THE AIR FORCE.—Section
12 9624(a) of such title is amended—

13 (A) by striking “air base” and inserting “Air Force or Space Force military
14 installation”; and

15 (B) by striking “Air Force when” and inserting “Department of the Air
16 Force when”.

17 (12) ORDNANCE PROPERTY: OFFICERS OF ARMED FORCES; CIVILIAN EMPLOYEES OF
18 AIR FORCE.—Section 9625 of such title is amended—

19 (A) in subsection (a), by inserting “or the Space Force” after “officers of
20 the Air Force”; and

21 (B) in subsection (c), by striking “Air Force” and inserting “Department of
22 the Air Force”.

1 (13) SUPPLIES: EDUCATIONAL INSTITUTIONS.—Section 9627 of such title is
2 amended—

3 (A) by inserting “or the Space Force” after “for the Air Force”;

4 (B) by inserting “or the Space Force” after “officer of the Air Force”; and

5 (C) by inserting “and space” after “professor of air”

6 (14) AIRPLANE PARTS AND ACCESSORIES: CIVILIAN FLYING SCHOOLS.—Section
7 9628 of such title is amended by inserting “or the Space Force” after “airplanes of the Air
8 Force”.

9 (15) SUPPLIES: MILITARY INSTRUCTION CAMPS.—Section 9654 of such title is
10 amended by inserting “or Space Force” after “an Air Force”.

11 (16) DISPOSITION OF EFFECTS OF DECEASED PERSONS BY SUMMARY COURT-
12 MARTIAL.—Section 9712(a) of such title is amended—

13 (A) in paragraph (1), by inserting “or the Space Force” after “the Air
14 Force”; and

15 (B) in paragraph (2), by inserting “or Space Force” after “Air Force”.

16 (17) ACCEPTANCE OF DONATIONS: LAND FOR MOBILIZATION, TRAINING, SUPPLY
17 BASE, OR AVIATION FIELD.—

18 (A) IN GENERAL.—Section 9771 of such title is amended—

19 (i) in the heading, by striking “**or aviation field**” and inserting
20 “**aviation field, or space-related facility**”; and

21 (ii) in paragraph (2), by inserting “or space-related facility” after
22 “aviation field”.

1 (B) TABLE OF SECTIONS.—The item relating to section 9771 in the table of
2 sections at the beginning of chapter 979 of such title is amended to read as
3 follows:

“9771. Acceptance of donations: land for mobilization, training, supply base, aviation field, or space-related facility.”.

4 (18) ACQUISITION AND CONSTRUCTION: AIR BASES AND DEPOTS.—

5 (A) IN GENERAL.—Section 9773 of such title is amended—

6 (i) in subsection (a)—

7 (I) by striking “permanent air bases” and inserting
8 “permanent Air Force and Space Force military installations”;

9 (II) by striking “existing air bases” and inserting “existing
10 installations”; and

11 (III) by inserting “or the Space Force” after “training of the
12 Air Force”;

13 (ii) in the heading and in subsections (b) and (c), by striking “air
14 bases” each place it appears and inserting “installations”; and

15 (iii) in subsection (c)—

16 (I) in paragraph (1), by inserting “or Space Force” after
17 “Air Force”; and

18 (II) in paragraphs (3) and (4), by inserting “or the Space
19 Force” after “Air Force” both places it appears.

20 (B) TABLE OF SECTIONS.—The item relating to section 9773 in the table of
21 sections at the beginning of chapter 979 of such title is amended to read as
22 follows:

“9773. Acquisition and construction: installations and depots.”.

1 (19) EMERGENCY CONSTRUCTION: FORTIFICATIONS.—Section 9776 of such title is
2 amended by striking “air base” and inserting “installation”.

3 (20) USE OF PUBLIC PROPERTY.—Section 9779(a) of such title is amended by
4 inserting “or the Space Force” after “economy of the Air Force”.

5 (21) DISPOSITION OF REAL PROPERTY AT MISSILE SITES.—Section 9781(a)(2) of
6 such title is amended—

7 (A) in the matter preceding subparagraph (A), by striking “Air Force” and
8 inserting “Department of the Air Force”;

9 (B) in subparagraph (A), by striking “Air Force” the first two places it
10 appears and inserting “Department of the Air Force”; and

11 (C) in subparagraph (C), by striking “Air Force” and inserting
12 “Department of the Air Force”.

13 (22) MAINTENANCE AND REPAIR OF REAL PROPERTY.—Section 9782 of such title is
14 amended in subsections (c) and (d) by inserting “or the Space Force” after “the Air
15 Force” both places it appears.

16 (23) SETTLEMENT OF ACCOUNTS: REMISSION OR CANCELLATION OF INDEBTEDNESS
17 OF MEMBERS.—Section 9837(a) of such title is amended by inserting “or the Space
18 Force” after “member of the Air Force”.

19 (24) FINAL SETTLEMENT OF OFFICER’S ACCOUNTS.—Section 9840 of such title is
20 amended by inserting “or the Space Force” after “Air Force”.

21 (25) PAYMENT OF SMALL AMOUNTS TO PUBLIC CREDITORS.—Section 9841 of such
22 title is amended by inserting “or Space Force” after “official of Air Force”.

(26) SETTLEMENT OF ACCOUNTS OF LINE OFFICERS.—Section 9842 of such title is amended—

(A) by inserting “or the Space Force” after “Air Force”; and

(B) by striking “Comptroller General” both places it appears and inserting “Secretary of the Air Force”.

SEC. 1712. OTHER PROVISIONS OF TITLE 10, UNITED STATES CODE.

(a) TABLE OF SUBTITLES.—The table of subtitles at the beginning of title 10, United States Code, is amended by striking the item relating to subtitle D and inserting the following new item:

“D. Air Force and Space Force 9011”.

(b) DEFINITIONS.—Section 101 of such title is amended—

(1) in subsection (a)—

(A) in paragraph (4), by inserting “Space Force,” after “Marine Corps,”; and

(B) in paragraph (9)(C), by inserting “and the Space Force” after “concerning the Air Force”; and

(2) in subsection (b)—

(A) in paragraph (4), by striking “or Marine Corps” and inserting “Marine Corps, or Space Force”; and

(B) in paragraph (13), by striking “or Marine Corps” and inserting “Marine Corps, or Space Force”.

(c) OTHER PROVISIONS OF SUBTITLE A.—

1 (1) SPACE FORCE I.—Subtitle A of such title is further amended by striking “and
2 Marine Corps” each place it appears and inserting “Marine Corps, and Space Force” in
3 the following provisions:

4 (A) Section 116(a)(1) in the matter preceding subparagraph (A).

5 (B) Section 533(a)(2).

6 (C) The item relating to section 632 in the table of sections at the
7 beginning of subchapter III of chapter 36.

8 (D) The heading of section 632.

9 (E) Section 645(1)(A).

10 (F) Section 646.

11 (G) Section 661(a).

12 (H) Section 712(a).

13 (I) Section 717(c)(1).

14 (J) Section 741 (including the table in subsection (a)).

15 (K) Section 1111(b)(4).

16 (L) Subsections (a)(2)(A) and (c)(2)(A)(ii) of section 1143.

17 (M) Section 1174(j).

18 (N) Subparagraphs (F) and (G) of section 1370(a)(2).

19 (O) Section 1463(a).

20 (P) Section 1566.

21 (Q) Section 2217(c).

22 (R) Section 2259(a).

23 (S) Section 2640(j).

1 (2) SPACE FORCE II.—Such subtitle is further amended by striking “Marine
2 Corps,” each place it appears and inserting “Marine Corps, Space Force,” in the
3 following provisions:

4 (A) Section 123(a).

5 (B) Section 172(a).

6 (C) Section 518.

7 (D) The item relating to section 747 in the table of sections at the
8 beginning of chapter 43.

9 (E) Section 747 (including the heading).

10 (F) Section 749.

11 (G) Section 1552(c).

12 (H) Section 2632(c).

13 (I) Section 2686(a).

14 (J) Section 2733(a).

15 (3) SPACE FORCE III.—Such subtitle is further amended by striking “or Marine
16 Corps” each place it appears and inserting “Marine Corps, or Space Force” in the
17 following provisions:

18 (A) Section 125(b).

19 (B) Section 275.

20 (C) Subsection (b)(2) and the first place it appears in subsection (e) of
21 section 533.

22 (D) Section 541(a).

23 (E) Section 601(a).

1 (F) Section 603(a).
2 (G) Section 605.
3 (H) Section 611(a).
4 (I) Section 619(a).
5 (J) Section 619a(a).
6 (K) Section 623(c).
7 (L) Section 625(b).
8 (M) Section 631.
9 (N) Section 632(a).
10 (O) Section 637(a)(2).
11 (P) Section 638(a).
12 (Q) Section 741.
13 (R) Section 771.
14 (S) Section 772.
15 (T) Section 773.
16 (U) Section 1123.
17 (V) Section 1143(d).
18 (W) Section 1174(a)(2).
19 (X) Section 1251(a).
20 (Y) Section 1252(a).
21 (Z) Section 1253(a).
22 (AA) Paragraphs (1) and (2)(A) of section 1370(a).
23 (BB) Section 1375.

1 (CC) Section 1413a(h).
2 (DD) Section 1551.
3 (EE) Section 1561(a).
4 (FF) Section 1733(b)(1)(A)(ii).
5 (GG) Section 2102(a).
6 (HH) Section 2103a(a).
7 (II) Section 2104.
8 (JJ) Section 2107.
9 (KK) Section 2421.
10 (LL) Section 2631(a).
11 (MM) Section 2787(a).

12 (4) REGULAR SPACE FORCE I.—Such subtitle is further amended by striking “or
13 Regular Marine Corps” each place it appears and inserting “Regular Marine Corps, or
14 Regular Space Force” in the following provisions:

15 (A) Section 531(c).
16 (B) Section 532(a) in the matter preceding paragraph (1).
17 (C) Subsections (a)(1), (b)(1), and (f) of section 533.
18 (D) Section 633(a).
19 (E) Section 634(a).
20 (F) Section 635.
21 (G) Section 636(a).
22 (H) Section 647(c).
23 (I) Section 688(b)(1).

1 (J) Section 1181.

2 (5) REGULAR SPACE FORCE II.—Such subtitle is further amended by striking
3 “Regular Marine Corps,” each place it appears and inserting “Regular Marine Corps,
4 Regular Space Force,” in the following provisions:

5 (A) Section 505.

6 (B) Section 506.

7 (C) Section 508.

8 (6) ARMED FORCES POLICY COUNCIL.—Section 171 of such title is amended—

9 (A) in paragraph (12), by striking “and”;

10 (B) in paragraph (13), by striking the period and inserting “; and”; and

11 (C) by adding at the end the following new paragraph:

12 “(14) the Chief of Staff of the Space Force.”.

13 (7) JOINT REQUIREMENTS OVERSIGHT COUNCIL.—Section 181(c)(1) of such title is
14 amended by adding at the end the following new subparagraph:

15 “(F) A Space Force officer in the grade of general.”.

16 (8) UNFUNDED PRIORITIES.—Section 222a(b) of such title is amended—

17 (A) by redesignating paragraph (5) as paragraph (6); and

18 (B) by inserting after paragraph (4) the following new paragraph:

19 “(5) The Chief of Staff of the Space Force.”.

20 (9) THEATER SECURITY COOPERATION EXPENSES.—Section 312(b)(3) of such title
21 is amended by inserting “the Chief of Staff of the Space Force,” after “the Commandant
22 of the Marine Corps,”.

1 (10) WESTERN HEMISPHERE INSTITUTE.—Section 343(e)(1)(E) of such title is
2 amended by inserting “or Space Force” after “for the Air Force”.

3 (11) ORIGINAL APPOINTMENTS OF COMMISSIONED OFFICERS.—Section 531(a) of
4 such title is amended by striking “and Regular Marine Corps” each place it appears and
5 inserting “Regular Marine Corps, and Regular Space Force”.

6 (12) SERVICE CREDIT.—Section 533(e) of such title is further amended by striking
7 “Air Force or Marine Corps” and inserting “Air Force, Marine Corps, or Space Force”.

8 (13) SENIOR MEMBERS OF MILITARY STAFF COMMITTEE OF UNITED NATIONS.—
9 Section 711 of such title is amended by inserting “or Space Force” after “Air Force”.

10 (14) RANK: CHIEF OF STAFF.—Chapter 43 of such title is amended—

11 (A) in the table of sections at the beginning by striking the item relating to
12 section 743 and inserting the following new item:

“743. Rank: Chief of Staff of the Army; Chief of Naval Operations; Chief of Staff of the Air
Force; Commandant of the Marine Corps; Chief of Staff of the Space Force.”; and

13 (B) in section 743—

14 (i) in the heading, by inserting “; **Chief of Staff of the Space**
15 **Force**” after “**Commandant of the Marine Corps**”;

16 (ii) by striking “and the Commandant of the Marine Corps” and
17 inserting “the Commandant of the Marine Corps, and the Chief of Staff of
18 the Space Force”; and

19 (iii) by striking “and Marine Corps” and inserting “Marine Corps,
20 and Space Force”.

21 (15) UNIFORM CODE OF MILITARY JUSTICE.—Chapter 47 of such title (Uniform
22 Code of Military Justice) is amended—

1 (A) in section 822(a) (article 22)—

2 (i) in paragraph (5), by striking “or Marine Corps” and inserting
3 “Marine Corps, or Space Force”; and

4 (ii) in paragraph (7), by striking “or Marine Corps” and inserting “,
5 Marine Corps, or Space Force”;

6 (B) in section 823(a) (article 23)—

7 (i) in paragraph (2)—

8 (I) by striking “Air Force base” and inserting “Air Force or
9 Space Force military installation”; and

10 (II) by striking “or the Air Force” and inserting “the Air
11 Force, or the Space Force”; and

12 (ii) in paragraph (4), by inserting “or a corresponding unit of the
13 Space Force” after “Air Force”; and

14 (C) in section 824(a)(3) (article 24), by inserting “or a corresponding unit
15 of the Space Force” after “Air Force”.

16 (16) SERVICE AS CADET OR MIDSHIPMAN NOT COUNTED FOR LENGTH OF SERVICE.—

17 Section 971(b)(2) of such title is amended by striking “or Air Force” and inserting “, Air
18 Force, or Space Force”.

19 (17) REFERRAL BONUS.—Section 1030(h)(3) of such title is amended by inserting
20 “and the Space Force” after “concerning the Air Force”.

21 (18) RETURN TO ACTIVE DUTY FROM TEMPORARY DISABILITY.—Section 1211(a) of
22 such title is amended—

1 (A) in the matter preceding paragraph (1), by striking “or the Air Force”
2 and inserting “, the Air Force, or the Space Force”; and

3 (B) in paragraph (6)—

4 (i) by striking “or the Air Force, who” and inserting “the Air Force,
5 or the Space Force who”; and

6 (ii) by striking “or the Air Force, as” and inserting “the Air Force,
7 or the Space Force, as”.

8 (19) YEARS OF SERVICE.—Section 1405(c) of such title is amended by striking “or
9 Air Force” and inserting “, Air Force, or Space Force”.

10 (20) RETIRED PAY BASE FOR PERSONS WHO BECAME MEMBERS BEFORE SEPTEMBER
11 8, 1980.—Section 1406 of such title is amended—

12 (A) in the heading of subsection (e), by inserting “AND SPACE FORCE”
13 after “AIR FORCE”; and

14 (B) in subsection (i)(3)—

15 (i) in subparagraph (A)—

16 (I) by redesignating clause (v) as clause (vi); and

17 (II) by inserting after clause (iv) the following new clause:

18 “(v) Chief of Staff of the Space Force.”; and

19 (ii) in subparagraph (B)—

20 (I) by redesignating clause (v) as clause (vi); and

21 (II) by inserting after clause (iv) the following new clause:

22 “(v) Chief Master Sergeant of the Space Force.”.

1 (21) SPECIAL REQUIREMENTS FOR MILITARY PERSONNEL IN ACQUISITION FIELD.—

2 Section 1722a(a) of such title is amended by striking “and the Commandant of the
3 Marine Corps (with respect to the Army, Navy, Air Force, and Marine Corps,
4 respectively)” and inserting “, the Commandant of the Marine Corps, and the Chief of
5 Staff of the Space Force (with respect to the Army, Navy, Air Force, Marine Corps, and
6 Space Force, respectively)”.

7 (22) SENIOR MILITARY ACQUISITION ADVISORS.—Section 1725(e)(1)(C) of such
8 title is amended by inserting “and Space Force” before the period.

9 (23) MILITARY FAMILY READINESS COUNCIL.—Section 1781a(b)(1) of such title is
10 amended by striking “Marine Corps, and Air Force” each place it appears and inserting
11 “Air Force, Marine Corps, and Space Force”.

12 (24) ACQUISITION-RELATED FUNCTIONS OF CHIEFS OF THE ARMED FORCES.—

13 Section 2547(a) of such title is amended by striking “and the Commandant of the Marine
14 Corps” and inserting “the Commandant of the Marine Corps, and the Chief of Staff of the
15 Space Force”.

16 (25) AGREEMENTS RELATED TO MILITARY TRAINING, TESTING, AND OPERATIONS.—

17 Section 2684a(i) of such title is amended by inserting “Space Force,” before “or
18 Defense-wide activities” each place it appears.

19 (d) PROVISIONS OF SUBTITLE B.—

20 (1) IN GENERAL.—Subtitle B of such title is amended by striking “or Marine
21 Corps” each place it appears and inserting “Marine Corps, or Space Force” in the
22 following provisions:

23 (A) Section 7452(c).

1 (B) Section 7621(d).

2 (2) COMPUTATION OF YEARS OF SERVICE.—Section 7326(a)(1) of such title is
3 amended by striking “or the Air Force” and inserting “, the Air Force, or the Space
4 Force”.

5 (e) PROVISIONS OF SUBTITLE C.—

6 (1) IN GENERAL.—Subtitle C of such title is amended by striking “or Marine
7 Corps” each place it appears and inserting “Marine Corps, or Space Force” in the
8 following provisions:

9 (A) Section 8464(f).

10 (B) Section 8806(d).

11 (2) SALES PRICES.—Chapter 879 of such title is amended—

12 (A) in the table of sections at the beginning by striking the item relating to
13 section 8802 and inserting the following:

“8802. Sales: members of Army, Air Force, and Space Force; prices.”; and

14 (B) in section 8802—

15 (i) in the heading, by striking “**and Air Force**” and inserting “, **Air**
16 **Force, and Space Force**”; and

17 (ii) by striking “or the Air Force” and inserting “, the Air Force, or
18 the Space Force”.

19 (3) SALES TO CERTAIN VETERANS.—Section 8803 of such title is amended by
20 striking “or the Marine Corps” and inserting “the Marine Corps, or the Space Force”.

21 (4) SCOPE OF CHAPTER ON PRIZE.—Section 8851 of such title is amended by
22 striking “or the Air Force” and inserting “, the Air Force, or the Space Force”.

23 **SEC. 1713. TITLE 5, UNITED STATES CODE.**

(a) ARMED FORCES DEFINITION.—Section 2101(2) of title 5, United States Code, is amended by inserting after “Marine Corps,” the following: “Space Force,”.

(b) POSITION AT LEVEL III.—Section 5314 of such title is amended by striking “Under Secretary of the Air Force” and inserting “Under Secretaries of the Air Force.”.

SEC. 1714. TITLE 14, UNITED STATES CODE.

(a) VOLUNTARY RETIREMENT.—Section 291 of title 14, United States Code, is amended by striking “or Marine Corps” and inserting “Marine Corps, or Space Force”.

(b) COMPUTATION OF LENGTH OF SERVICE.—Section 467 of such title is amended by inserting after “Air Force,” the following: “Space Force,”.

SEC. 1715. TITLE 18, UNITED STATES CODE.

(a) POSSE COMITATUS.—Section 1385 of title 18, United States Code, is amended by striking “or the Air Force” and inserting “, the Air Force, or the Space Force”.

(b) FIREARMS AS NONMAILABLE.—Section 1715 of such title is amended by inserting “Space Force,” after “Marine Corps,”.

SEC. 1716. TITLE 31, UNITED STATES CODE.

(a) DEFINITIONS RELATING TO CLAIMS.—Section 3701(a)(7) of title 31, United States Code, is amended by inserting “Space Force,” after “Marine Corps,”.

(b) COLLECTION AND COMPROMISE.—Section 3711(f) of such title is amended in paragraphs (1) and (3) by inserting “Space Force,” after “Marine Corps,” each place it appears.

SEC. 1717. TITLE 37, UNITED STATES CODE.

(a) DEFINITIONS.—Section 101 of title 37, United States Code, is amended—

(1) in paragraphs (3) and (4), by inserting “Space Force,” after “Marine Corps,” each place it appears; and

1 (2) in paragraph (5)(C), by inserting “and the Space Force” after “Air Force”.

2 (b) BASIC PAY RATES.—

3 (1) COMMISSIONED OFFICERS.—Footnote 2 of the table titled “COMMISSIONED
4 OFFICERS” in section 601(c) of the John Warner National Defense Authorization Act for
5 Fiscal Year 2007 (Public Law 109-364; 37 U.S.C. 1009 note) is amended by inserting
6 after “*Commandant of the Marine Corps*,” the following: “*Chief of Staff of the Space*
7 *Force*,”.

8 (2) ENLISTED MEMBERS.—Footnote 2 of the table titled “ENLISTED MEMBERS” in
9 section 601(c) of the John Warner National Defense Authorization Act for Fiscal Year
10 2007 (Public Law 109-364; 37 U.S.C. 1009 note) is amended by inserting after “*Sergeant*
11 *Major of the Marine Corps*,” the following: “*Chief Master Sergeant of the Space Force*,”.

12 (c) PAY GRADES: ASSIGNMENT TO; GENERAL RULES.—The table in section 201(a) of title
13 37, United States Code, is amended by striking “and Marine Corps” and inserting “Marine
14 Corps, and Space Force” in the heading for the second column.

15 (d) PAY OF SENIOR ENLISTED MEMBERS.—Section 210(c) of such title is amended—

16 (1) by redesignating paragraph (5) as paragraph (6); and

17 (2) by inserting after paragraph (4) the following new paragraph (5):

18 “(5) The Chief Master Sergeant of the Space Force.”.

19 (e) ALLOWANCES OTHER THAN TRAVEL AND TRANSPORTATION ALLOWANCES.—

20 (1) PERSONAL MONEY ALLOWANCE.—Section 414 of such title is amended—

21 (A) in subsection (a)(5), by inserting “Chief of Staff of the Space Force,”
22 after “Commandant of the Marines Corps,”; and

(B) in subsection (b), by inserting “the Chief Master Sergeant of the Space Force,” after “the Sergeant Major of the Marine Corps,”.

(2) CLOTHING ALLOWANCE: ENLISTED MEMBERS.—Section 418(d) of such title is amended—

(A) in paragraph (1), by inserting “Space Force,” after “Air Force,”; and

(B) in paragraph (4), by inserting “the Space Force,” after “the Air Force,”.

(f) TRAVEL AND TRANSPORTATION ALLOWANCES: PARKING EXPENSES.—Section 481i(b) of such title is amended by striking “or Marine Corps” and inserting “Marine Corps, or Space Force”.

(g) LEAVE.—

(1) ADDITION OF SPACE FORCE.—Chapter 9 of such title is amended by inserting “Space Force,” after “Marines Corps,” each place it appears in the following provisions:

(A) Subsections (b)(1) and (e)(1) of section 501.

(B) Section 502(a).

(C) Section 503(a).

(2) ADDITION OF REGULAR SPACE FORCE.—Section 501(b)(5)(C) of such title is amended by striking “or Regular Marine Corps” and inserting “Regular Marine Corps, or Regular Space Force”.

(h) CONTRACT SURGEONS.—Subsections (a), (c), and (d) of section 701 of such title are each amended by inserting “Space Force,” after “Air Force,”.

(i) FORFEITURE OF PAY—Chapter 15 of such title is amended—

1 (1) in section 802, by striking “or Marine Corps” and inserting “Marine Corps, or
2 Space Force”; and

3 (2) in section 803, by striking “or the Air Force” and inserting “the Air Force, or
4 the Space Force”.

5 (j) EFFECT ON PAY OF EXTENSION OF ENLISTMENT.—Section 906 of such title is amended
6 by inserting “Space Force,” after “Marine Corps,”.

7 (k) ADMINISTRATION OF PAY.—Chapter 19 of such title is amended—

8 (1) in section 1005, by striking “and of the Air Force” and inserting “the Air
9 Force, and the Space Force”; and

10 (2) in section 1007—

11 (A) in subsections (b), (d), (f), and (g), by striking “or the Air Force” and
12 inserting “, the Air Force, or the Space Force”; and

13 (B) in subsection (e), by striking “or Marine Corps” and inserting “Marine
14 Corps, or Space Force”.

15 **SEC. 1718. TITLE 38, UNITED STATES CODE.**

16 (a) REFERENCES TO MILITARY, NAVAL, OR AIR SERVICE AMENDED TO ADD SPACE
17 SERVICE.—Title 38, United States Code, is amended by striking “or air service” and
18 inserting “air, or space service” each place it appears in the following provisions:

19 (1) Paragraphs (2), (5), (12), (16), (17), (18), and (24) of section 101.

20 (2) Section 105.

21 (3) Section 106.

22 (4) Section 1101.

23 (5) Section 1103.

- 1 (6) Section 1110.
- 2 (7) Section 1112.
- 3 (8) Section 1113.
- 4 (9) Section 1131.
- 5 (10) Section 1132.
- 6 (11) Section 1133.
- 7 (12) Section 1137.
- 8 (13) Section 1141.
- 9 (14) Section 1153.
- 10 (15) Section 1154.
- 11 (16) Section 1301.
- 12 (17) Section 1302.
- 13 (18) Section 1310.
- 14 (19) Section 1521(j).
- 15 (20) Section 1541(h).
- 16 (21) Section 1703.
- 17 (22) Section 1710(a)(2)(B).
- 18 (23) Section 1712.
- 19 (24) Section 1712A.
- 20 (25) Section 1717.
- 21 (26) Section 1720A.
- 22 (27) Section 1720D.
- 23 (28) Section 1720E(a).

1	(29) Section 1720G.
2	(30) Section 1720I.
3	(31) Section 1781.
4	(32) Section 1783.
5	(33) Section 1922.
6	(34) Section 2002.
7	(35) Section 2101A.
8	(36) Section 2301.
9	(37) Section 2302.
10	(38) Section 2303.
11	(39) Section 2306.
12	(40) Section 2402(a)(1).
13	(41) Section 3018B.
14	(42) Section 3102.
15	(43) Section 3103.
16	(44) Section 3113.
17	(45) Section 3501.
18	(46) Section 3512.
19	(47) Section 3679.
20	(48) Section 3701.
21	(49) Section 3712.
22	(50) Section 3729.
23	(51) Section 3901.

1 (52) Section 5103A.

2 (53) Section 5110.

3 (54) Section 5111.

4 (55) Section 5113.

5 (56) Section 5303.

6 (57) Section 6104.

7 (58) Section 6105.

8 (59) Section 6301.

9 (60) Section 6303.

10 (61) Section 6304.

11 (62) Section 8301.

12 (b) DEFINITIONS.—

13 (1) ARMED FORCES.—Paragraph (10) of section 101 of such title is amended by
14 inserting “Space Force,” after “Air Force,”.

15 (2) SECRETARY CONCERNED.—Paragraph (25)(C) of such section is amended by
16 inserting “or the Space Force” before the semicolon.

17 (3) FORMER PRISONER OF WAR.—Paragraph (32) of such section is amended by
18 striking “naval or air service” and inserting “naval, air, or space service”.

19 (c) PLACEMENT OF EMPLOYEES IN MILITARY INSTALLATIONS.—Section 701 of such title is
20 amended—

21 (1) by striking “and Air Force” and inserting “Air Force, and Space Force”; and

22 (2) by striking “or air service” and inserting “air, or space service”.

23 (d) SPECIAL PROVISIONS RELATING TO PENSION.—

1 (1) IN GENERAL.—Section 1562(a) of such title is amended by inserting “Space
2 Force,” after “Air Force,” both places it appears.

3 (2) SUBCHAPTER HEADING.—The heading of subchapter IV of chapter 15 of such
4 title is amended by inserting “**SPACE FORCE**,” after “**AIR FORCE**,” and the item
5 relating to such subchapter in the table of sections at the beginning of chapter 15 of such
6 title is amended by inserting “SPACE FORCE,” after “AIR FORCE,”.

7 (e) PREMIUM PAYMENTS.—Section 1908 of such title is amended by inserting “Space
8 Force” after “Marine Corps,”.

9 (f) SECRETARY CONCERNED.—Section 3020(l)(3) of such title is amended by inserting
10 “or the Space Force” before the semicolon.

11 (g) DEFINITIONS.—Section 3301(2)(C) of such title is amended by inserting “or the Space
12 Force” after “Air Force”.

13 (h) PROVISION OF CREDIT PROTECTION AND OTHER SERVICES.—Section 5724(c)(2) of
14 such title is amended by striking “or Marine Corps” and inserting “Marine Corps, or Space
15 Force”.

16 **SEC. 1719. TITLE 41, UNITED STATES CODE.**

17 Section 6309 of title 41, United States Code, is amended by inserting “Space Force,”
18 after “Marine Corps,”.

19 **SEC. 1720. TITLE 51, UNITED STATES CODE.**

20 Section 20113(l) of title 51, United States Code, is amended by striking “and Marine
21 Corps” and inserting “, Marine Corps, and Space Force”.

22 **SEC. 1721. OTHER PROVISIONS OF LAW.**

1 (a) SECRETARY OF DEFENSE AUTHORITY.—The authority of the Secretary of Defense with
2 respect to the Air Force or members of the Air Force under any covered provision of law may be
3 exercised by the Secretary with respect to the Space Force or members of the Space Force.

4 (b) SECRETARY OF AIR FORCE AUTHORITY.—The authority of the Secretary of the Air
5 Force with respect to the Air Force or members of the Air Force under any covered provision of
6 law may be exercised with respect to the Space Force or members of the Space Force.

7 (c) BENEFITS FOR MEMBERS.—A member of the Space Force shall be eligible for any
8 benefit under a covered provision of law that is available to a member of the Air Force under the
9 same terms and conditions as the provision of law applies to members of the Air Force.

10 (d) COVERED PROVISION OF LAW DEFINED.—In this section, the term “covered provision
11 of law” means a provision of law other than a provision of title 5, 10, 14, 18, 31, 37, 38, 41, or
12 51, United States Code.

13 **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

14 **TITLE XXI—[RESERVED]**

15 **TITLE XXII—[RESERVED]**

16 **TITLE XXIII—[RESERVED]**

17 **TITLE XXIV—[RESERVED]**

18 **TITLE XXV—[RESERVED]**

19 **TITLE XXVI—[RESERVED]**

20 **TITLE XXVII—[RESERVED]**

21 **TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS**

1 **SEC. 2801. REVISION TO ARCHITECTURAL AND ENGINEERING SERVICES AND**
2 **CONSTRUCTION DESIGN AUTHORITY.**

3 Section 2807(b) of title 10, United States Code, is amended by striking “\$1,000,000”
4 and inserting “\$5,000,000”.

5 **SEC. 2802. EXPANSION OF TEMPORARY AUTHORITY FOR ACCEPTANCE AND**
6 **USE OF CONTRIBUTIONS FOR CERTAIN CONSTRUCTION,**
7 **MAINTENANCE, AND REPAIR PROJECTS MUTUALLY BENEFICIAL**
8 **TO THE DEPARTMENT OF DEFENSE AND THE MILITARY FORCES**
9 **OF KUWAIT AND THE REPUBLIC OF KOREA.**

10 Section 2804 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C.
11 2350j note) is amended—

12 (1) in the heading, by striking “**KUWAIT MILITARY FORCES**” and inserting
13 **“THE MILITARY FORCES OF KUWAIT AND THE REPUBLIC OF KOREA”**;

14 (2) in subsection (a)—

15 (A) by striking “government of Kuwait” and inserting “government of
16 Kuwait and the Republic of Korea”; and

17 (B) by striking “Kuwait military forces” and inserting “military forces of
18 the contributing country”;

19 (3) in subsection (b), by inserting “for contributions from the contributing
20 country” after “Secretary of Defense”;

21 (4) in subsection (c), by striking “government of Kuwait” and inserting
22 “government of the contributing country”; and

23 (5) in subsection (e)—

1 (A) in paragraph (1), by striking “government of Kuwait” and inserting
2 “government of the contributing country”; and

3 (B) in paragraph (2)—

4 (i) in subparagraph (A), by striking “Kuwait military forces” and
5 inserting “military forces of the contributing country”; and

6 (ii) in subparagraph (C), by striking “Kuwait military forces” and
7 inserting “military forces of the contributing country”.

8 **SEC. 2803. AUTHORIZED COST VARIATIONS FOR UNSPECIFIED MINOR**
9 **MILITARY CONSTRUCTION.**

10 Section 2853 of title 10, United States Code, is amended—

11 (a) in subsection (a)—

12 (1) by striking “the cost authorized for a military construction project” and all that
13 follows;

14 (2) by adding a new subsection (a)(1) as follows:

15 “(1) the cost authorized for a military construction project or for the construction,
16 improvement, and acquisition of a military family housing project may be increased or
17 decreased by not more than 25 percent of the amount appropriated for such project or 200
18 percent of the minor construction project ceiling specified in section 2805(a) of this title,
19 whichever is less, if the Secretary concerned determines that such revised cost is required
20 for the sole purpose of meeting unusual variations in cost and that such variations in cost
21 could not have reasonably been anticipated at the time the project was authorized by
22 Congress.”; and

23 (3) by adding a new subsection (a)(2) as follows:

1 “(2) the cost of an unspecified minor military construction project undertaken
2 pursuant to section 2805(b)(1) or section 2805(d) of this title may be increased above the
3 applicable ceiling in section 2805(a)(2) or section 2805(d)(1) of this title by not more
4 than 25 percent of such ceiling, if the Secretary concerned determines that such revised
5 cost is required for the sole purpose of meeting unusual and unanticipated variations in
6 cost occurring after award of the project.”.

7 (b) by redesignating subsection (c) as subsection (c)(1)

8 (c) in the newly redesignated subsection (c)(1)—

9 (1) by striking “The limitation on” and inserting “The limitations on the amount
10 of”

11 (2) by striking “or” and inserting “and”;

12 (3) by striking “does” and inserting “do”;

13 (4) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B)
14 respectively;

15 (5) in the redesignated subparagraph (A), by redesignating (A) and (B) as (i) and
16 (ii) respectively; and

17 (d) by adding a new subsection (c)(2) as follows:

18 “(2) An unspecified minor military construction project undertaken pursuant to
19 section 2805(b)(1) or section 2805(d) may be decreased in cost or reduced in scope at the
20 discretion of the Secretary concerned.”.

21 **SEC. 2804. MODIFICATION OF ALTERNATIVE AUTHORITY FOR ACQUISITION**
22 **AND IMPROVEMENT OF MILITARY HOUSING.**

1 Section 2872a(b) of title 10, United States Code, is amended by adding at the end the
2 following new paragraphs:

3 “(13) Street sweeping.

4 “(14) Tree trimming and removal.”.