H. R. 1735
[Report No. 114–102]

To authorize appropriations for fiscal year 2016 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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2015

Mr. THORNBERRY (for himself and Mr. SMITH of Washington) introduced the following bill; which was referred to the Committee on Armed Services

MAY 5, 2015

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 13, 2015]
To authorize appropriations for fiscal year 2016 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.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Au-
thorization Act for Fiscal Year 2016”.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF
CONTENTS.

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

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

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

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

(4) Division D—Funding Tables.

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

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Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees.

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Sec. 1664. Limitation on availability of funds for long-range discriminating radar.
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Sec. 1671. Development and deployment of multiple-object kill vehicle for missile defense of the United States homeland.
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TITLE XXII—NAVY MILITARY CONSTRUCTION

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TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Authorized energy conservation projects.
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TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.
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TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

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Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
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Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
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Subtitle B—Other Matters

Sec. 2611. Modification and extension of authority to carry out certain fiscal year 2013 project.
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TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

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Sec. 2803. Defense laboratory modernization pilot program.

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Sec. 2812. Consultation requirement in connection with Department of Defense major land acquisitions.
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Sec. 2831. Land exchange authority, Mare Island Army Reserve Center, Vallejo, California.
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Sec. 2851. Renaming site of the Dayton Aviation Heritage National Historical Park, Ohio.
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Subtitle G—Other Matters

Sec. 2861. Modification of Department of Defense guidance on use of airfield pavement markings.
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TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

Sec. 2901. Authorized Army construction and land acquisition project.
Sec. 2902. Authorized Navy construction and land acquisition projects.
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DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

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Sec. 3113. Improvement to accountability of Department of Energy employees and projects.
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Sec. 3115. Nuclear weapon design responsiveness program.
Sec. 3116. Disposition of weapons-usable plutonium.
Sec. 3117. Prohibition on availability of funds for fixed site radiological portal monitors in foreign countries.
Sec. 3118. Prohibition on availability of funds for provision of defense nuclear nonproliferation assistance to Russian Federation.
Sec. 3119. Limitation on authorization of production of special nuclear material outside the United States by foreign country with nuclear naval propulsion program.
Sec. 3120. Limitation on availability of funds for development of certain nuclear nonproliferation technologies.
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Sec. 3131. Root cause analyses for certain cost overruns.
Sec. 3132. Extension and modification of certain annual reports on nuclear nonproliferation.
Sec. 3133. Governance and management of nuclear security enterprise.
Sec. 3134. Assessments on nuclear proliferation risks and nuclear nonproliferation opportunities.
Sec. 3135. Independent review of laboratory-directed research and development programs.

Subtitle D—Other Matters

Sec. 3141. Transfer, decontamination, and decommissioning of nonoperational facilities.
Sec. 3142. Research and development of advanced naval nuclear fuel system based on low-enriched uranium.
Sec. 3143. Plutonium pit production capacity.
Sec. 3144. Analysis of alternatives for Mobile Guardian Transporter program.
Sec. 3145. Development of strategy on risks to nonproliferation caused by additive manufacturing.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.
Sec. 3202. Administration of Defense Nuclear Facilities Safety Board.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

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Sec. 3502. Sense of Congress regarding Maritime Security Fleet program.
Sec. 3503. Update of references to the Secretary of Transportation regarding unemployment insurance and vessel operators.
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Sec. 4001. Authorization of amounts in funding tables.

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Sec. 4101. Procurement.
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TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 4201. Research, development, test, and evaluation.
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TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.
Sec. 4302. Operation and maintenance for overseas contingency operations.
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TITLE XLIV—MILITARY PERSONNEL

Sec. 4401. Military personnel.
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TITLE XLV—OTHER AUTHORIZATIONS

Sec. 4501. Other authorizations.
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TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.
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TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4701. Department of Energy national security programs.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.
Subtitle B—Army Programs

SEC. 111. LIMITATION ON AVAILABILITY OF FUNDS FOR AN/TPQ–53 RADAR SYSTEMS.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for AN/TPQ–53 radar systems, not more than 75 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Assistant Secretary of the Army for Acquisition, Technology, and Logistics submits to the congressional defense committees the review under subsection (b).

(b) REVIEW.—The Assistant Secretary of the Army for Acquisition, Technology, and Logistics shall—

(1) review the appropriateness of the current delegation of milestone decision authority for the AN/TPQ–53 radar program to the Program Executive Officer for Missiles and Space; and

(2) submit to the congressional defense committees such review.

SEC. 112. PRIORITIZATION OF UPGRADED UH-60 BLACKHAWK HELICOPTERS WITHIN ARMY NATIONAL GUARD.

(a) PRIORITIZATION OF UPGRADES.—Not later than 180 days after the date of the enactment of this Act, the Chief of the National Guard Bureau shall issue guidance
regarding the fielding of upgraded UH–60 Blackhawk helicopters to units of the Army National Guard. Such guidance shall prioritize for such fielding the units of the Army National Guard with assigned UH–60 helicopters that have the most flight hours and the highest annual usage rates within the UH–60 fleet of the Army National Guard, consistent with the force generation unit readiness requirements of the Army.

(b) REPORT.—Not later than 30 days after which the Chief of the National Guard Bureau issues the guidance under subsection (a), the Chief shall submit to the congressional defense committees a report that details such guidance.

SEC. 113. REPORT ON OPTIONS TO ACCELERATE REPLACEMENT OF UH–60A BLACKHAWK HELICOPTERS OF ARMY NATIONAL GUARD.

Not later than March 1, 2016, the Secretary of the Army shall submit to the congressional defense committees a report containing detailed options for the potential acceleration of the replacement of all UH–60A helicopters of the Army National Guard by not later than September 30, 2020. The report shall include the following:

(1) The additional funding and quantities required, listed by each of fiscal years 2017 through 2020, for H–60M production, UH–60A-to-L RECAP,
and UH-60L-to-V RECAP that is necessary to achieve such replacement of all UH-60A helicopters by September 30, 2020.

(2) Any industrial base limitations that may affect such acceleration, including with respect to the production schedules for the other variants of the UH–60 helicopter.

(3) The potential effects of such acceleration on the planned replacement of all UH–60A helicopters of the regular components of the Armed Forces by September 30, 2025.

(4) Identification of any additional funding or resources required to train members of the National Guard to operate and maintain UH–60M aircraft in order to achieve such replacement of all UH-60A helicopters by September 30, 2020.

(5) Any other matters the Secretary determines appropriate.

Subtitle C—Navy Programs

SEC. 121. MODIFICATION TO MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE CLASS DESTROYERS AND ASSOCIATED SYSTEMS.

Section 123(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.
1655) is amended by inserting “or Flight III” after “Flight IIA”.

SEC. 122. PROCUREMENT AUTHORITY FOR AIRCRAFT CARRIER PROGRAMS.

(a) PROCUREMENT AUTHORITY IN SUPPORT OF CONSTRUCTION OF FORD CLASS AIRCRAFT CARRIERS.—

(1) AUTHORITY FOR ECONOMIC ORDER QUANTITY.—The Secretary of the Navy may procure material and equipment in support of the construction of the Ford class aircraft carriers designated CVN–80 and CVN–81 in economic order quantities when cost savings are achievable.

(2) LIABILITY.—Any contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.

(b) REFUELING AND COMPLEX OVERHAUL OF NIMITZ CLASS AIRCRAFT CARRIERS.—

(1) IN GENERAL.—The Secretary of the Navy may carry out the nuclear refueling and complex
overhaul of each of the following Nimitz class aircraft carriers:

(A) U.S.S. George Washington (CVN–73).
(B) U.S.S. John C. Stennis (CVN–74).
(C) U.S.S. Harry S. Truman (CVN–75).
(D) U.S.S. Ronald Reagan (CVN–76).

(2) USE OF INCREMENTAL FUNDING.—With respect to any contract entered into under paragraph (1) for the nuclear refueling and complex overhaul of a Nimitz class aircraft carrier, 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.

(3) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—Any contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2016 is subject to the availability of appropriations for that purpose for that later fiscal year.
Subtitle D—Air Force Programs

SEC. 131. LIMITATION ON AVAILABILITY OF FUNDS FOR EXECUTIVE COMMUNICATIONS UPGRADES FOR C–20 AND C–37 AIRCRAFT.

(a) LIMITATION.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to upgrade the executive communications of C–20 and C–37 aircraft until the date on which the Secretary of the Air Force certifies in writing to the congressional defense committees that such upgrades do not—

(1) cause such aircraft to exceed any weight limitation; or

(2) reduce the operational capability of such aircraft.

(b) WAIVER.—The Secretary may waive the limitation in subsection (a) if the Secretary—

(1) determines that such waiver is necessary for the national security interests of the United States; and

(2) notifies the congressional defense committees of such waiver.
SEC. 132. BACKUP INVENTORY STATUS OF A–10 AIRCRAFT.

(a) Maximum Number.—In carrying out section 133(b)(2)(A) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3315), the Secretary of the Air Force may not move more than 18 A–10 aircraft in the active component to backup flying status pursuant to an authorization made by the Secretary of Defense under such section.

(b) Conforming Amendment.—Such section 133(b)(2)(A) is amended by striking “36” and inserting “18”.

SEC. 133. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF A–10 AIRCRAFT.

(a) Prohibition on Availability of Funds for Retirement.—Except as provided by section 132, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup aircraft inventory status any A–10 aircraft.

(b) Additional Limitations on Retirement.—

(1) In general.—Except as provided by section 132, and in addition to the limitation in subsection (a), during the period before December 31, 2016, the Secretary of the Air Force may not retire, prepare to
retire, or place in storage or on backup flying status any A–10 aircraft.

(2) **Minimum inventory requirement.**—The Secretary of the Air Force shall ensure the Air Force maintains a minimum of 171 A–10 aircraft designated as primary mission aircraft inventory.

(c) **Prohibition on availability of funds for significant reductions in manning levels.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to make significant reductions to manning levels with respect to any A–10 aircraft squadrons or divisions.

(d) **Additional limitation on significant reductions in manning levels.**—In addition to the limitation in subsection (c), during the period before December 31, 2016, the Secretary of the Air Force may not make significant reductions to manning levels with respect to any A–10 aircraft squadrons or divisions.

(e) **Study on replacement capability requirements or mission platform for the A–10 aircraft.**—

(1) **Independent assessment required.**—

(A) **In general.**—The Secretary of the Air Force shall commission an appropriate entity
outside the Department of Defense to conduct an
assessment of the required capabilities or mission
platform to replace the A–10 aircraft. This as-

sessment would represent preparatory work to
inform an analysis of alternatives.

(B) ELEMENTS.—The assessment required
under subparagraph (A) shall include each of the
following:

(i) Future needs analysis for the cur-
rent A–10 aircraft mission set to include
troops-in-contact/close air support, air
interdiction, strike control and reconnais-
sance, and combat search and rescue sup-
port in both contested and uncontested bat-
tle environments. At a minimum, the needs
analysis should specifically address the fol-
lowing areas:

(I) The ability to safely and effec-
tively conduct troops-in-contact/danger
close missions or missions in close
proximity to civilians in the presence
of the air defenses found with enemy
ground maneuver units.
(II) The ability to effectively target and destroy moving, camouflaged, or dug-in troops, and artillery.

(III) The ability to engage, target, and destroy tanks and armored personnel carriers, including with respect to the carrying capacity of armor-piercing weaponry, including mounted cannons and missiles.

(IV) The ability to remain within visual range of friendly forces and targets to facilitate responsiveness to ground forces and minimize re-attack times.

(V) The ability to safely conduct close air support beneath low cloud ceilings and in reduced visibilities at low airspeeds in the presence of the air defenses found with enemy ground maneuver units.

(VI) The ability of the pilot and aircraft to survive direct hits from small arms, machine guns, MANPADs, and lower caliber anti-aircraft artillery.
lery organic or attached to enemy
ground forces and maneuver units.

(VII) The ability to communicate
effectively with ground forces and
downed pilots, including in commu-
ications jamming or satellite-denied
environments.

(VIII) The ability to execute the
missions described in subclauses (I),
(II), (III), and (IV) in a GPS- or sat-
ellite-denied environment with or with-
out sensors.

(IX) The ability to deliver mul-
tiple lethal firing passes and sustain
long loiter endurance to support
friendly forces throughout extended
ground engagements.

(X) The ability to operate from
unprepared dirt, grass, and narrow
road runways and to generate high
sortie rates under these austere condi-
tions.

(ii) Identification and assessment of
gaps in the ability of existing and pro-
grammed mission platforms in providing
required capabilities to conduct missions
specified in clause (i) in both contested and
uncontested battle environments.

(iii) Assessment of operational effec-
tiveness of existing and programmed mis-
sion platforms to conduct missions specified
in clause (i) in both contested and
uncontested battle environments.

(iv) Assessment of probability of likeli-
hood of conducting missions requiring
troops-in-contact/close air support oper-
ations specified in clause (i) in contested
environments as compared to uncontested
environments.

(v) Any other matters the independent
entity or the Secretary of the Air Force de-
termines to be appropriate.

(2) REPORT.—

(A) IN GENERAL.—Not later than Sep-
tember 30, 2016, the Secretary of the Air Force
shall submit to the congressional defense commit-
tees a report that includes the assessment re-
quired under paragraph (1).

(B) FORM.—The report required under sub-
paragraph (A) may be submitted in classified
form, but shall also contain an unclassified executive summary and may contain an unclassified annex.

(3) NONDUPLICATION OF EFFORT.—If any information required under paragraph (1) has been included in another report or notification previously submitted to Congress by law, the Secretary of the Air Force may provide a list of such reports and notifications at the time of submitting the report required under paragraph (2) in lieu of including such information in the report required under paragraph (2).

SEC. 134. PROHIBITION ON RETIREMENT OF EC–130H AIRCRAFT.

(a) PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup aircraft inventory status any EC–130H aircraft.

(b) ADDITIONAL LIMITATION ON RETIREMENT.—In addition to the limitation in subsection (a), the Secretary of the Air Force may not retire, prepare to retire, or place in storage or on backup flying status any EC–130H aircraft until a period of 60 days has elapsed following the
date on which the Secretary submits the report under sub-
section (c)(3)(A).

(c) Study on Replacement Capability Requirements or Mission Platform for the EC–130H Air-
craft.—

(1) In general.—The Secretary of the Air
Force shall commission an assessment of the required
capabilities or mission platform to replace the EC–
130H aircraft. This assessment would represent pre-
paratory work to inform an analysis of alternatives.

(2) Elements.—The assessment required under
paragraph (1) shall include each of the following:

(A) Future needs analysis for the current
EC–130H aircraft electronic warfare mission set
to include suppression of sophisticated enemy air
defense systems, advanced radar jamming, avoid-
ing radar detection, communications, sensing,
satellite navigation, command and control, and
battlefield awareness.

(B) A review of operating concepts for air-
borne electronic attack.

(C) An assessment of upgrades to the elec-
tronic warfare systems of EC–130H aircraft, the
costs of such upgrades, and expected upgrades
through 2025, and the expected service life of
EC–130H aircraft.

(D) A review of the global proliferation of
more sophisticated air defenses and advanced
commercial digital electronic devices which
counter the airborne electronic attack capabilities
of the United States by state and non-state ac-
tors.

(E) An assessment of the ability of the cur-
cent EC–130H fleet to meet to meet tasking re-
quirements of the combatant commanders.

(F) Any other matters the Secretary deter-
mines appropriate.

(3) REPORT.—

(A) IN GENERAL.—Not later than Sep-
tember 30, 2016, the Secretary shall submit to
the congressional defense committees a report
that includes the assessments required under sub-
paragraph (1).

(B) FORM.—The report under subpara-
graph (A) may be submitted in classified form,
but shall also contain an unclassified executive
summary and may contain an unclassified
annex.
(4) Nonduplication of effort.—If any information required under paragraph (1) has been included in another report or notification previously submitted to the congressional defense committees by law, the Secretary of the Air Force may provide a list of such reports and notifications at the time of submitting the report required under paragraph (1) instead of including such information in such report.

SEC. 135. LIMITATION ON AVAILABILITY OF FUNDS FOR DIVESTMENT OR TRANSFER OF KC–10 AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended during such fiscal year to divest or transfer, or prepare to divest or transfer, KC–10 aircraft.

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

SEC. 141. LIMITATION ON AVAILABILITY OF FUNDS FOR JOINT BATTLE COMMAND–PLATFORM.

(a) Limitation.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for joint battle command–platform equipment, not more than 75 percent may be obligated or expended until a period of 30 days has elapsed following the date
on which the Assistant Secretary of the Army for Acquisition, Technology, and Logistics submits to the congressional defense committees the report under subsection (b).

(b) REPORT.—Not later than March 1, 2016, the Assistant Secretary of the Army for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report that provides a detailed test and evaluation plan to address the effectiveness, suitability, and survivability shortfalls of the joint battle command–platform identified by the Director of Operational Test and Evaluation in the fiscal year 2014 report of the Director submitted to Congress.

SEC. 142. STRATEGY FOR REPLACEMENT OF A/MH–6 MISSION ENHANCED LITTLE BIRD AIRCRAFT TO MEET SPECIAL OPERATIONS REQUIREMENTS.

(a) STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a strategy for replacing A/MH–6 Mission Enhanced Little Bird aircraft to meet the rotary-wing, light attack, reconnaissance requirements particular to special operations.

(b) ELEMENTS.—The strategy under subsection (a) shall include the following:

(1) An updated schedule and display of programmed A/MH–6 Block 3.0 modernization and up-
grades, showing usable life of the fleet, and the anticipated service life extensions of all A/MH–6 platforms.

(2) A description of current and future rotary-wing, light attack, reconnaissance requirements and platforms particular to special operations, including key performance parameters of future platforms.

(3) The feasibility of military department-common platforms satisfying future rotary-wing, light attack, reconnaissance requirements particular to special operations.

(4) The feasibility of commercially available platforms satisfying future rotary-wing, light attack, reconnaissance requirements particular to special operations.

(5) The anticipated funding requirements for the special operation forces major force program for the development and procurement of an A/MH–6 replacement platform if military department-common platforms described in paragraph (3) are not available or if commercially available platforms described in paragraph (4) are leveraged.

(6) Any other matters the Secretary considers appropriate.
SEC. 143. INDEPENDENT ASSESSMENT OF UNITED STATES COMBAT LOGISTIC FORCE REQUIREMENTS.

(a) Assessment Required.—

(1) In General.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center with appropriate expertise and analytical capability to conduct an assessment of the anticipated future demands of the combat logistics force ships of the Navy and the challenges such ships may face when conducting and supporting future naval operations in contested maritime environments.

(2) Elements.—The assessment under paragraph (1) shall include the following:

(A) An assessment of the programmed ability of the United States Combat Logistic Force to support the Navy and the naval forces of allies of the United States that are operating in a dispersed manner and not concentrated in carrier or expeditionary strike groups, in accordance with the concept of distributed lethality of the Navy.

(B) An assessment of the programmed ability of the United States Combat Logistic Force to support the Navy and the naval forces of allies of the United States that are engaged in major
combat operations against an adversary possessing maritime anti-access and area-denial capabilities, including anti-ship ballistic and cruise missiles, land-based maritime strike aircraft, submarines, and sea mines.

(C) An assessment of the programmed ability of the United States Combat Logistic Force to support distributed and expeditionary air operations from an expanded set of alternative and austere air bases in accordance with concepts under development by the Air Force and the Marine Corps.

(D) An assessment of gaps and deficiencies in the capability and capacity of the United States Combat Logistic Force to conduct and support operations of the United States and allies under the conditions described in subparagraphs (A), (B), and (C).

(E) Recommendations for adjustments to the programmed ability of the United States Combat Logistic Force to address capability and capacity gaps and deficiencies described in subparagraph (D).
(F) Any other matters the federally funded research and development center considers appropriate.

(b) Report Required.—

(1) In general.—Not later than April 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report that includes the assessment under subsection (a) and any other matters the Secretary considers appropriate.

(2) Form.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) Support.—The Secretary of Defense shall provide the federally funded research and development center that conducts the assessment under subsection (a) with timely access to appropriate information, data, resources, and analyses necessary for the center to conduct such assessment thoroughly and independently.

SEC. 144. REPORT ON USE OF DIFFERENT TYPES OF ENHANCED 5.56 MM AMMUNITION BY THE ARMY AND THE MARINE CORPS.

(a) Report.—Not later than March 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the use in combat of two different
types of enhanced 5.56 mm ammunition by the Army and the Marine Corps.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) An explanation of the reasons for the Army and the Marine Corps to use in combat two different types of enhanced 5.56 mm ammunition.

(2) An explanation of the appropriateness, effectiveness, and suitability issues that may arise from the use of such different types of ammunition.

(3) An explanation of any additional costs that have resulted from the use of such different types of ammunition.

(4) An explanation of any future plans of the Army or the Marine Corps to eventually transition to using in combat one standard type of enhanced 5.56 mm ammunition.

(5) If there are no plans described in paragraph (4), an analysis of the potential benefits of a transition described in such paragraph, including the timeline for such a transition to occur.

(6) Any other matters the Secretary determines appropriate.
TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.
Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. EXTENSION OF DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.

SEC. 212. LIMITATION ON AVAILABILITY OF FUNDS FOR MEDICAL COUNTERMEASURES PROGRAM.
(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Defense-wide, for advanced development and manufacturing activities under the medical countermeasure program, not
more than 50 percent may be obligated or expended until
45 days after the date on which the Secretary of Defense
submits to the congressional defense committees the report
under subsection (b).

(b) REPORT.—The Secretary shall submit to the con-
gressional defense committees a report on the advanced de-
velopment and manufacturing activities under the medical
countermeasure program that includes the following:

(1) An overall description of the program, in-
cluding validated Department of Defense require-
ments.

(2) Program goals, proposed metrics of perform-
ance, and anticipated procurement and operations
and maintenance costs during the period covered by
the current future years defense program under sec-
tion 221 of title 10, United States Code.

(3) The results of any analysis of alternatives
and efficiency reviews conducted by the Secretary that
justifies the manufacturing and privately financed
construction of an advanced manufacturing and de-
velopment facility rather than using other programs
and facilities of the Federal Government or industry
facilities for advanced development and manufac-
turing of medical countermeasures.
(4) An independent cost-benefit analysis that justifies the manufacturing and privately financed construction of an advanced manufacturing and development facility described in paragraph (3).

(5) If no independent cost-benefit analysis makes the justification described in paragraph (4), an explanation for why such manufacturing and privately financed construction cannot be so justified.

(6) Any other matters the Secretary of Defense determines appropriate.

(c) Comptroller General Review.—Not later than 60 days after the date on which the Secretary submits the report under subsection (b), the Comptroller General of the United States shall submit to the congressional defense committees a review of such report.

SEC. 213. LIMITATION ON AVAILABILITY OF FUNDS FOR F–15 INFRARED SEARCH AND TRACK CAPABILITY DEVELOPMENT.

(a) Limitation.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Air Force, for F–15 infrared search and track capability, not more than 50 percent may be obligated or expended until a period of 30 days has elapsed following the date
on which the Secretary of Defense submits to the congressional defense committees the report under subsection (b).

(b) REPORT.—Not later than March 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the requirements and cost estimates for the development and procurement of infrared search and track capability for F/A–18 and F–15 aircraft of the Navy and the Air Force. The report shall include the following:

(1) A comparison of the requirements between the F/A–18 and F–15 aircraft infrared search and track development efforts of the Navy and the Air Force.

(2) An explanation of any differences between the F/A–18 and F–15 aircraft infrared search and track capability development efforts of the Navy and the Air Force.

(3) A summary of the schedules and required funding to develop and field such capability.

(4) An explanation of any need for the Navy and the Air Force to field different F/A–18 and F–15 aircraft infrared search and track systems.

(5) Any other matters the Secretary determines appropriate.
SEC. 214. INDEPENDENT ASSESSMENT OF F135 ENGINE PROGRAM.

(a) Assessment.—The Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct an assessment of the F135 engine program.

(b) Elements.—The assessment under subsection (a) shall include the following:

(1) An assessment of the reliability, growth, and cost reduction efforts with respect to the F135 engine program, including—

(A) a detailed description of the reliability and cost history of the engine;

(B) the identification of key reliability and cost challenges to the program as of the date of the assessment; and

(C) the identification of any potential options for addressing such challenges.

(2) In accordance with subsection (c), a thorough assessment of the incident on June 23, 2014, consisting of an F135 engine failure and subsequent fire, including—

(A) the identification and definition of the root cause of the incident;
(B) the identification of potential actions or design changes needed to address such root cause; and

(C) the associated cost, schedule, and performance implications of such incident to both the F135 engine program and the F–35 Joint Strike Fighter program.

(c) CONDUCT OF ASSESSMENT.—The federally funded research and development center selected to conduct the assessment under subsection (a) shall carry out subsection (b)(2) by analyzing data collected by the F–35 Joint Program Office, other elements of the Federal Government, or contractors. Nothing in this section may be construed as affecting the plans of the Secretary to dispose of the aircraft involved in the incident described in such subsection (b)(2).

(d) REPORT.—Not later than March 15, 2016, the Secretary shall submit to the congressional defense committees a report containing the assessment conducted under subsection (a).
Subtitle C—Other Matters

SEC. 221. EXPANSION OF EDUCATION PARTNERSHIPS TO SUPPORT TECHNOLOGY TRANSFER AND TRANSITION.

Section 2194(a) of title 10, United States Code, is amended by inserting after “mathematics,” the following: “technology transfer or transition,”.

SEC. 222. STRATEGIES FOR ENGAGEMENT WITH HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS OF HIGHER EDUCATION.

(a) Military Departments.—

(1) Strategy.—The Secretaries of the military departments shall each develop a strategy for how to engage with and support the development of scientific, technical, engineering, and mathematics capabilities of covered educational institutions in carrying out section 2362 of title 10, United States Code.

(2) Elements.—Each strategy under paragraph (1) shall include the following:

(A) Goals and vision for maintaining a credible and sustainable program relating to the engagement and support under the strategy.

(B) Metrics to enhance scientific, technical, engineering, and mathematics capabilities at
covered educational institutions, including with respect to measuring progress towards increasing the success of such institutions to compete for broader research funding sources other than set-aside funds.

(C) Promotion of mentoring opportunities between covered educational institutions and other research institutions.

(D) Regular assessment of activities that are used to develop, maintain, and grow scientific, technical, engineering, and mathematics capabilities.

(E) Inclusion of faculty of covered educational institutions into program reviews, peer reviews, and other similar activities.

(F) Targeting of undergraduate, graduate, and postgraduate students at covered educational institutions for inclusion into research or internship opportunities within the military department.

(b) Office of the Secretary.—The Secretary of Defense shall develop and implement a strategy for how to engage with and support the development of scientific, technical, engineering, and mathematics capabilities of covered
educational institutions pursuant to the strategies developed under subsection (a).

(c) Submission.—

(1) Military Departments.—Not later than 180 days after the date of the enactment of this Act, the Secretaries of the military departments shall each submit to the congressional defense committees the strategy developed by the Secretary under subsection (a)(1).

(2) Office of the Secretary.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the strategy developed under subsection (b).

(d) Covered Institution Defined.—In this section, the term “covered educational institution” has the meaning given that term in section 2362(e) of title 10, United States Code.

SEC. 223. PLAN FOR ADVANCED WEAPONS TECHNOLOGY WAR GAMES.

(a) Plan Required.—The Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall develop a plan for integrating advanced weapons technologies into exercises carried out individually and jointly by the military departments to improve the development
and experimentation of various concepts for employment by the Armed Forces.

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

(1) Identification of specific exercises to be carried out individually or jointly by the military departments under the plan.

(2) Identification of emerging advanced weapons technologies based on joint and individual recommendations of the military departments, including with respect to directed-energy weapons, hypersonic strike systems, autonomous systems, or other technologies as determined by the Secretary.

(3) A schedule for integrating either prototype capabilities or table-top exercises into relevant exercises.

(4) A method for capturing lessons learned and providing feedback both to the developers of the advanced weapons technology and the military departments.

(c) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the plan under subsection (a).
SEC. 224. COMPTROLLER GENERAL REVIEW OF AUTONOMIC LOGISTICS INFORMATION SYSTEM FOR F–35 LIGHTENING II AIRCRAFT.

(a) REPORT.—Not later than April 1, 2016, the Comptroller General of the United States shall submit to the congressional defense committees a report on the autonomic logistics information system for the F–35 Lightening II aircraft program.

(b) ELEMENTS.—The report under subsection (a) shall include, at a minimum, the following:

(1) The fielding status, in terms of units equipped with various software and hardware configurations, for the autonomic logistics information system element of the F–35 Lightening II aircraft program, as of the date of the report.

(2) The development schedule for upgrades to the autonomic logistics information system, and an assessment of the ability of the F–35 Lightening II aircraft program to maintain such schedule.

(3) The views of maintenance personnel and other personnel involved in operating and maintaining F–35 Lightening II aircraft in testing and operational units.

(4) The effect of the autonomic logistics information system program on the operational availability of the F–35 Lightening II aircraft program.
(5) Improvements, if any, regarding the time required for maintenance personnel to input data and use the autonomic logistics information system.

(6) The ability of the autonomic logistics information system to be deployed on both ships and to forward land-based locations, including any limitations of such a deployable version.

(7) The cost estimates for development and fielding of the autonomic logistics information system program and an assessment of the capability of the program to address performance problems within the planned resources.

(8) Other matters regarding the autonomic logistics information system that the Comptroller General determines of critical importance to the long-term viability of the system.

SEC. 225. BRIEFING ON SHALLOW WATER COMBAT SUBMERSIBLE PROGRAM.

(a) In General.—Not later than the first article delivery date of the shallow water combat submersible program of the United States Special Operations Command, the Secretary of Defense shall provide to the congressional defense committees a briefing on such program.

(b) Elements.—The briefing required under subsection (a) shall include the following elements:
(1) An updated acquisition strategy, schedule, and costs for the shallow water combat submersible program.

(2) Major milestones for the program during the period beginning with the delivery of additional articles and ending on the full operational capability date.

(3) Performance of contractors and subcontractors under the program.

(4) Integration with dry deck shelter and other diving technologies.

(5) Any other element the Secretary or the Commander of the United States Special Operations Command determine appropriate.

TITLE III—OPERATION AND MAINTENANCE
Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.
Subtitle B—Energy and Environment

SEC. 311. LIMITATION ON PROCUREMENT OF DROP-IN FUELS.

(a) In General.—Subchapter II of chapter 173 of title 10, United States Code, is amended by adding at the end the following new section:

“§2922h. Limitation on procurement of drop-in fuels

“(a) Limitation.—Except as provided in subsection (b), the Secretary of Defense may not make a bulk purchase of a drop-in fuel for operational purposes unless the fully burdened cost of that drop-in fuel is cost-competitive with the fully burdened cost of a traditional fuel available for the same purpose.

“(b) Waiver.—(1) Subject to the requirements of paragraph (2), the Secretary of Defense may waive the limitation under subsection (a) with respect to a purchase.

“(2) Not later than 30 days after issuing a waiver under this subsection, the Secretary shall submit to the congressional defense committees notice of the waiver. Any such notice shall include each of the following:

“(A) The rationale of the Secretary for issuing the waiver.

“(B) A certification that the waiver is in the national security interest of the United States.
“(C) The expected fully burdened cost of the purchase for which the waiver is issued.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘drop-in fuel’ means a neat or blended liquid hydrocarbon fuel designed as a direct replacement for a traditional fuel with comparable performance characteristics and compatible with existing infrastructure and equipment.

“(2) The term ‘traditional fuel’ means a liquid hydrocarbon fuel derived or refined from petroleum.

“(3) The term ‘operational purposes’—

“(A) means for the purposes of conducting military operations, including training, exercises, large scale demonstrations, and moving and sustaining military forces and military platforms; and

“(B) does not include research, development, testing, evaluation, fuel certification, or other demonstrations.

“(4) The term ‘fully burdened cost’ means the commodity price of the fuel plus the total cost of all personnel and assets required to move and, when necessary, protect the fuel from the point at which the fuel is received from the commercial supplier to the point of use.”.
(b) Clerical Amendment.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2922g the following new item:

"2922h. Limitation on procurement of drop-in fuels."

SEC. 312. SOUTHERN SEA OTTER MILITARY READINESS AREAS.

(a) Establishment of the Southern Sea Otter Military Readiness Areas.—Chapter 631 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 7235. Establishment of the Southern Sea Otter Military Readiness Areas

(a) Establishment.—The Secretary of the Navy shall establish areas, to be known as ‘Southern Sea Otter Military Readiness Areas’, for national defense purposes. Such areas shall include each of the following:

(1) The area that includes Naval Base Ventura County, San Nicolas Island, and Begg Rock and the adjacent and surrounding waters within the following coordinates:

"N. Latitude/W. Longitude

33°27.8′/119°34.3′
33°20.3′/119°15.5′
33°13.5′/119°11.8′
33°06.5′/119°15.3′
33°02.8′/119°26.8′
33°08.8′/119°46.3′"
“(2) The area that includes Naval Base Coronado, San Clemente Island and the adjacent and surrounding waters running parallel to shore to 3 nautical miles from the high tide line designated by part 165 of title 33, Code of Federal Regulations, on May 20, 2010, as the San Clemente Island 3NM Safety Zone.

“(b) Activities Within the Southern Sea Otter Military Readiness Areas.—


“(3) TREATMENT AS SPECIES PROPOSED TO BE LISTED.—For purposes of conducting a military readiness activity, any southern sea otter while within the Southern Sea Otter Military Readiness Areas shall be treated for the purposes of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) as a member of a species that is proposed to be listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

“(c) REMOVAL.—Nothing in this section or any other Federal law shall be construed to require that any southern sea otter located within the Southern Sea Otter Military Readiness Areas be removed from the Areas.

“(d) REVISION OR TERMINATION OF EXCEPTIONS.—The Secretary of the Interior may revise or terminate the application of subsection (b) if the Secretary of the Interior, in consultation with the Secretary of the Navy, determines that military activities occurring in the Southern Sea Otter Military Readiness Areas are impeding the southern sea otter conservation or the return of southern sea otters to optimum sustainable population levels.

“(e) MONITORING.—

“(1) IN GENERAL.—The Secretary of the Navy shall conduct monitoring and research within the
Southern Sea Otter Military Readiness Areas to determine the effects of military readiness activities on the growth or decline of the southern sea otter population and on the near-shore ecosystem. Monitoring and research parameters and methods shall be determined in consultation with the Service.

“(2) REPORTS.—Not later than 24 months after the date of the enactment of this section and every three years thereafter, the Secretary of the Navy shall report to Congress and the public on monitoring undertaken pursuant to paragraph (1).

“(f) DEFINITIONS.—In this section:

“(1) SOUTHERN SEA OTTER.—The term ‘southern sea otter’ means any member of the subspecies Enhydra lutris nereis.

“(2) TAKE.—The term ‘take’—

“(A) when used in reference to activities subject to regulation by the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), shall have the meaning given such term in that Act; and

“(B) when used in reference to activities subject to regulation by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) shall have the meaning given such term in that Act.
“(3) INCIDENTAL TAKING.—The term ‘incidental taking’ means any take of a southern sea otter that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

“(4) MILITARY READINESS ACTIVITY.—The term ‘military readiness activity’ has the meaning given that term in section 315(f) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (16 U.S.C. 703 note) and includes all training and operations of the armed forces that relate to combat and the adequate and realistic testing of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use.

“(5) OPTIMUM SUSTAINABLE POPULATION.—The term ‘optimum sustainable population’ means, with respect to any population stock, the number of animals that will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element.”.

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

“7235. Establishment of the Southern Sea Otter Military Readiness Areas.”.

(c) CONFORMING AMENDMENT.—Section 1 of Public Law 99–625 (16 U.S.C. 1536 note) is repealed.
SEC. 313. REVISION TO SCOPE OF STATUTORILY REQUIRED REVIEW OF PROJECTS RELATING TO POTENTIAL OBSTRUCTIONS TO AVIATION SO AS TO APPLY ONLY TO ENERGY PROJECTS.


(1) in subsection (c)(3), by striking “from State and local officials or the developer of a renewable energy development or other energy project” and inserting “from a State government, an Indian tribal government, a local government, a landowner, or the developer of an energy project”;

(2) in subsection (c)(4), by striking “readiness, and” and all that follows and inserting “readiness and to clearly communicate actions being taken by the Department of Defense to the party requesting an early project review under this section.”;

(3) in subsection (d)(2)(B), by striking “as high, medium, or low”;

(4) by redesignating subsection (j) as subsection (k); and

(5) by inserting after subsection (i) the following new subsection (j):
“(j) Applicability of Section.—This section does not apply to a non-energy project.”.

(b) Definitions.—Subsection (k) of such section, as redesignated by paragraph (4) of subsection (a), is amended by adding at the end the following new paragraphs:

“(4) The term ‘energy project’ means a project that provides for the generation or transmission of electrical energy.

“(5) The term ‘non-energy project’ means a project that is not an energy project.

“(6) The term ‘landowner’ means a person or other legal entity that owns a fee interest in real property on which a proposed energy project is planned to be located.”.

SEC. 314. EXCLUSIONS FROM DEFINITION OF “CHEMICAL SUBSTANCE” UNDER TOXIC SUBSTANCES CONTROL ACT.

Section 3(2)(B)(v) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)(v)) is amended by striking “, and” and inserting “and any component of such an article (including, without limitation, shot, bullets and other projectiles, propellants when manufactured for or used in such an article, and primers), and”.

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SEC. 315. EXEMPTION OF DEPARTMENT OF DEFENSE FROM ALTERNATIVE FUEL PROCUREMENT REQUIREMENT.

Section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) is amended by adding at the end the following: “This section shall not apply to the Department of Defense.”.

SEC. 316. LIMITATION ON PLAN, DESIGN, REFURBISHING, OR CONSTRUCTION OF BIOFUELS REFINERIES.

The Secretary of Defense may not enter into a contract for the planning, design, refurbishing, or construction of a biofuels refinery any other facility or infrastructure used to refine biofuels unless such planning, design, refurbishing, or construction is specifically authorized by law.

Subtitle C—Logistics and Sustainment

SEC. 321. ASSIGNMENT OF CERTAIN NEW REQUIREMENTS BASED ON DETERMINATIONS OF COST-EFFICIENCY.

(a) Amendment.—Chapter 146 of title 10, United States Code, is amended by inserting after section 2463 the following new section:
“SEC. 2463a. ASSIGNMENT OF CERTAIN NEW REQUIREMENTS BASED ON DETERMINATIONS OF COST-EFFICIENCY.

“(a) Assignments Based on Determinations of Cost-Efficiency.—(1) Except as provided in paragraph (2) and subject to subsection (b), the assignment of performance of a new requirement by the Department of Defense to members of the Armed Forces, civilian employees, or contractors shall be based on a determination of which sector of the Department’s workforce can perform the new requirement in the most cost-efficient manner, based on an analysis of the costs to the Federal Government in accordance with Department of Defense Instruction 7041.04 (‘‘Estimating and Comparing the Full Costs of Civilian and Active Duty Military Manpower and Contract Support’’) or successor guidance, consistent with the needs of the Department with respect to factors other than cost, including quality, reliability, and timeliness.

“(2) Paragraph (1) shall not apply in the case of a new requirement that is inherently governmental, closely associated with inherently governmental functions, critical, or required by law to be performed by members of the Armed Forces or Department of Defense civilian employees.

“(3) Nothing in this section may be construed as affecting the requirements of the Department of Defense under policies and procedures established by the Secretary of De-
fense under section 129a of this title for determining the
most appropriate and cost-efficient mix of military, civil-
ian, and contractor personnel to perform the mission of the
Department of Defense.

“(b) Waiver During an Emergency or Exigent Circumstances.—The head of an agency may waive sub-
section (a) for a specific new requirement in the event of
an emergency or exigent circumstances, as long as the head
of an agency, within 60 days of exercising the waiver, sub-
mits to the Committees on Armed Services of the Senate
and House of Representatives notice of the specific new re-
quirement involved, where such new requirement is being
performed, and the date on which it would be practical to
subject such new requirement to the requirements of sub-
section (a).

“(c) Provisions Relating to Assignment of Civil-
ian Personnel.—If a new requirement is assigned to a
Department of Defense civilian employee consistent with the
requirements of this section—

“(1) the Secretary of Defense may not—

“(A) impose any constraint or limitation

on the size of the civilian workforce in terms of
man years, end strength, full-time equivalent po-
sitions, or maximum number of employees; or
“(B) require offsetting funding for civilian pay or benefits or require a reduction in civilian full-time equivalents or civilian end-strengths; and

“(2) the Secretary may assign performance of such requirement without regard to whether the employee is a temporary, term, or permanent employee.

“(d) NEW REQUIREMENT DESCRIBED.—For purposes of this section, a new requirement is an activity or function that is not being performed, as of the date of consideration for assignment of performance under this section, by military personnel, civilian personnel, or contractor personnel at a Department of Defense component, organization, installation, or other entity. For purposes of the preceding sentence, an activity or function that is performed at such an entity and that is re-engineered, reorganized, modernized, upgraded, expanded, or changed to become more efficient but is still essentially providing the same service shall not be considered a new requirement.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2463 the following new item:

“2463a. Assignment of certain new requirements based on determinations of cost-efficiency.”.
SEC. 322. INCLUSION IN ANNUAL TECHNOLOGY AND INDUSTRIAL CAPABILITY ASSESSMENTS OF A DETERMINATION ABOUT DEFENSE ACQUISITION PROGRAM REQUIREMENTS.

Section 2505(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

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

“(3) determine the extent to which the requirements associated with defense acquisition programs can be satisfied by the present and projected performance capacities of industries supporting the sectors or capabilities in the assessment and evaluate the reasons for any variance from applicable preceding determinations;”.

SEC. 323. AMENDMENT TO LIMITATION ON AUTHORITY TO ENTER INTO A CONTRACT FOR THE SUSTAINMENT, MAINTENANCE, REPAIR, OR OTHER OVERHAUL OF THE F117 ENGINE.


(1) by striking “Under Secretary of Defense for Acquisition, Technology, and Logistics” and all that
follows through “is paying” and inserting “Senior Acquisition Executive of the Air Force has determined that the Air Force has obtained sufficient data to establish that the Air Force is paying”; and

(2) by striking the sentence beginning with “The Secretary may waive”.

SEC. 324. PILOT PROGRAMS FOR AVAILABILITY OF WORKING-CAPITAL FUNDS FOR PRODUCT IMPROVEMENTS.

(a) Pilot Programs Required.—During fiscal year 2016, each of the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, the Assistant Secretary of the Navy for Research, Development, and Acquisition, and the Assistant Secretary of the Air Force for Acquisition shall initiate a pilot program pursuant to section 330 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 68), as amended by section 332 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1697).

(b) Limitation on Availability of Funds.—A minimum of $5,000,000 of working-capital funds shall be used for each of the pilot programs initiated under subsection (a) for fiscal year 2016.
SEC. 325. REPORT ON EQUIPMENT PURCHASED FROM FOREIGN ENTITIES THAT COULD BE MANUFACTURED IN UNITED STATES ARSENALS OR DEPOTS.

(a) REPORT.—Not later than 30 days after the date on which the budget of the President for fiscal year 2017 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall submit to the congressional defense committees a report on the equipment, weapons, weapons systems, components, subcomponents, and end-items purchased from foreign entities that identifies those items which could be manufactured in the military arsenals of the United States or the military depots of the United States to meet the goals of subsection (a) or section 2464 of title 10, United States Code, as well as a plan for moving that workload into such arsenals or depots.

(b) ELEMENTS OF REPORT.—The report required by subsection (a) shall include each of the following:

(1) An identification of items purchased by foreign manufacturers—

(A) described in section 8302(a)(1) of title 41, United States Code, and purchased from a foreign manufacturer by reason of an exception under section 8302(a)(2)(A) or section 8302(a)(2)(B) of such title;
(B) described in section 2533b(a)(1) of title 10, United States Code, and purchased from a foreign manufacturer by reason of an exception under section 2533b(b); and

(C) described in section 2534(a) of such title and purchased from a foreign manufacturer by reason of a waiver exercised under paragraph (1), (2), (4), or (5) of section 2534(d) of such title.

(2) An assessment of the skills required to manufacture the items identified in paragraph (1) and a comparison of those skills with skills required to meet the critical capabilities identified by the Army Report to Congress on Critical Manufacturing Capabilities and Capacities dated August 2013 and the core logistics capabilities identified by each military service pursuant to section 2464 of title 10, United States Code, as of the date of the enactment of this Act.

(3) An identification of the tooling, equipment, and facilities upgrades necessary for a military arsenal or depot to perform the manufacturing workload identified under paragraph (1).

(4) An identification of workload identified in paragraph (1) most appropriate for transfer to military arsenals or depots to meet the goals of subsection
(a) or the requirements of section 2464 of title 10, United States Code.

(5) Such other information the Secretary considers necessary for adherence to paragraphs (4) and (5).

(6) An explanation of the rationale for continuing to sole-source manufacturing workload identified in paragraph (1) from a foreign source rather than a military arsenal, depot, or other organic facility.

Subtitle D—Other Matters

SEC. 333. IMPROVEMENTS TO DEPARTMENT OF DEFENSE EXCESS PROPERTY DISPOSAL.

(a) Plan Required.—Not later than June 30, 2016, the Secretary of Defense shall submit to the congressional defense committees a plan for the improved management and oversight of the systems, processes, and controls involved in the disposition of excess non-mission essential equipment and materiel by the Defense Logistics Agency Disposition Services.

(b) Contents of Plan.—At a minimum, the plan shall address each of the following:

(1) Backlogs of unprocessed property at disposition sites that do not meet Defense Logistics Agency Disposition Services goals.
(2) Customer wait times.

(3) Procedures governing the disposal of serviceable items in order to prevent the destruction of excess property eligible for utilization, transfer, or donation before potential recipients are able to view and obtain the property.

(4) Validation of materiel release orders.

(5) Assuring adequate physical security for the storage of equipment.

(6) The number of personnel required to effectively manage retrograde sort yards.

(7) Managing any potential increase in the amount of excess property to be processed.

(8) Improving the reliability of Defense Logistics Agency Disposition Services data.

(9) Procedures for ensuring no property is offered for public sale until all requirements for utilization, transfer, and donation are met.

(10) Validation of physical inventory against database entries.

(c) CONGRESSIONAL BRIEFING.—By not later than September 30, 2016, the Secretary shall provide to the congressional defense committees a briefing on the actions taken to implement the plan required under subsection (a).
TITLE IV—MILITARY PERSONNEL

AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active
duty personnel as of September 30, 2016, as follows:

(1) The Army, 475,000.
(3) The Marine Corps, 184,000.

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

Section 691(b) of title 10, United States Code, is
amended by striking paragraphs (1) through (4) and insert-
ing the following new paragraphs:

“(1) For the Army, 475,000.
(2) For the Navy, 329,200.
(3) For the Marine Corps, 184,000.
(4) For the Air Force, 317,000.”

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 com-
ponents as of September 30, 2016, as follows:
(1) The Army National Guard of the United States, 342,000.
(2) The Army Reserve, 198,000.
(3) The Navy Reserve, 57,400.
(4) The Marine Corps Reserve, 38,900.
(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 of 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 in-
creased proportionately by the total authorized strengths of
such units and by the total number of such individual mem-
bers.

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, 2016, 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, 30,770.

(2) The Army Reserve, 16,261.

(3) The Navy Reserve, 9,934.

(4) The Marine Corps Reserve, 2,260.

(5) The Air National Guard of the United
States, 14,748.

(6) The Air Force Reserve, 3,032.
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 2016 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, 26,099.

(2) For the Army Reserve, 7,395.

(3) For the Air National Guard of the United States, 22,104.

(4) For the Air Force Reserve, 9,814.

SEC. 414. FISCAL YEAR 2016 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2016, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.
(2) Army Reserve.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2016, may not exceed 595.

(3) Air Force Reserve.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2016, may not exceed 90.

(b) Non-Dual Status Technicians Defined.—In this section, the term “non-dual status technician” has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. Maximum Number of Reserve Personnel Authorized to Be on Active Duty for Operational Support.

During fiscal year 2016, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

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

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

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

(5) The Air National Guard of the United States, 16,000.
(6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2016.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. EQUITABLE TREATMENT OF JUNIOR OFFICERS EXCLUDED FROM AN ALL-FULLY-QUALIFIED-OFFICERS LIST BECAUSE OF ADMINISTRATIVE ERROR.

(a) OFFICERS ON ACTIVE-DUTY LIST.—Section 624(a)(3) of title 10, United States Code, is amended by adding at the end the following new subparagraph:
“(E) If the Secretary of the military department concerned determines that one or more officers or former officers were not placed on an all-fully-qualified-list under this paragraph because of administrative error, the Secretary may prepare a supplemental all-fully-qualified-officers list containing the names of any such officers for approval in accordance with this paragraph.”

(b) Officers on Reserve Active-Status List.—

Section 14308(b)(4) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(E) If the Secretary of the military department concerned determines that one or more officers or former officers were not placed on an all-fully-qualified-list under this paragraph because of administrative error, the Secretary may prepare a supplemental all-fully-qualified-officers list containing the names of any such officers for approval in accordance with this paragraph.”

(c) Conforming Amendments to Special Selection Board Authority.—

(1) Regular Components.—Section 628(a)(1) of title 10, United States Code, is amended by striking “or the name of a person that should have been placed on an all-fully-qualified-officers list under section 624(a)(3) of this title was not so placed,”.
(2) Reserve Components.—Section 14502(a)(1) of title 10, United States Code, is amend-
ed by striking “or whose name was not placed on an
all-fully-qualified-officers list under section
14308(b)(4) of this title because of administrative error.”.

SEC. 502. AUTHORITY TO DEFER UNTIL AGE 68 MANDATORY
RETIREMENT FOR AGE OF A GENERAL OR
FLAG OFFICER SERVING AS CHIEF OR DEP-
UTY CHIEF OF CHAPLAINS OF THE ARMY,
NAVY, OR AIR FORCE.

(a) Deferral Authority.—Section 1253 of title 10,
United States Code, is amended by adding at the end the
following new subsection:

“(c) Deferred Retirement of Chaplains.—(1)
The Secretary of the military department concerned may
defer the retirement under subsection (a) of an officer serv-
ing in a general or flag officer grade who is the Chief of
Chaplains or Deputy Chief of Chaplains of that officer’s
armed force.

“(2) A deferment of the retirement of an officer referred
to in paragraph (1) may not extend beyond the first day
of the month following the month in which the officer be-
comes 68 years of age.
“(3) The authority to defer the retirement of an officer referred to in paragraph (1) expires December 31, 2020. Subject to paragraph (2), a deferment granted before that date may continue on and after that date.”.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 1253 of title 10, United States Code, is amended to read as follows:

“§ 1253. Age 64: regular commissioned officers in general and flag officer grades; exceptions”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 63 of title 10, United States Code, is amended by striking the item relating to section 1253 and inserting the following new item:

“1253. Age 64: regular commissioned officers in general and flag officer grades; exceptions.”.

SEC. 503. IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATION ON THE DEFINITION AND AVAILABILITY OF COSTS ASSOCIATED WITH GENERAL AND FLAG OFFICERS AND THEIR AIDES.

(a) DEFINITION OF COSTS.—The Secretary of Defense shall direct the Director, Cost Assessment and Program Evaluation, in coordination with the Under Secretary of Defense for Personnel and Readiness and the Secretaries of the military departments, to define the costs that could be
associated with general and flag officers, such as security
details, Government air travel, enlisted and officer aide
housing costs, additional support staff, official residences,
and any other associated costs incurred due to the nature
of their position, for the purpose of providing a consistent
approach to estimating and managing the full costs associ-
ated with these officers and aides.

(b) Report On Costs Associated With General
And Flag Officers And Aides.—Not later than June 30,
2016, the Secretary of Defense shall submit to the Commit-
tees on Armed Services of the Senate and the House of Rep-
resentatives a report describing the costs associated with
general and flag officers and their enlisted and officer aides.

Subtitle B—Reserve Component
Management

SEC. 511. CLARIFICATION OF PURPOSE OF RESERVE COM-
ponent Special Selection Boards As
Limited To Correction Of Error At A
Mandatory Promotion Board.

Section 14502(b) of title 10, United States Code, is
amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph

(A), by striking “a selection board” and insert-
ing “a mandatory promotion board convened under section 14101(a) of this title”; and

(B) in subparagraphs (A) and (B), by striking “selection board” and inserting “mandatory promotion board”; and

(2) in the first sentence of paragraph (3)—

(A) by striking “Such board” and inserting “The special selection board”; and

(B) by striking “selection board” and inserting “mandatory promotion board”.

SEC. 512. READY RESERVE CONTINUOUS SCREENING REGARDING KEY POSITIONS DISQUALIFYING FEDERAL OFFICIALS FROM CONTINUED SERVICE IN THE READY RESERVE.

Section 10149 of title 10, United States Code, is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(6) That members who also occupy a Federal key position whose mobilization in an emergency would seriously impair the capability of the parent Federal agency or office to function effectively are not retained in the Ready Reserve.”; and

(2) by adding at the end the following new subsection:
“(c) In this section, the term ‘Federal key position’ means a Federal position that shall not be vacated during a national emergency or mobilization without seriously impairing the capability of the parent Federal agency or office to function effectively. There are four categories of Federal key positions, the first three of which are, by definition, key positions while the fourth category requires a case-by-case determination and designation, as follows:

“(1) The Vice President of the United States or any official specified in the order of presidential succession in section 19 of title 3.

“(2) The heads of the Federal agencies appointed by the President with the consent of the Senate, except that this paragraph does not include any position on a multi-member board or commission. Such a position may be designated as a Federal key position only in accordance with paragraph (4).

“(3) Article III Judges. However, each Article III Judge, who is a member of the Ready Reserve and desires to remain in the Ready Reserve, must have his or her position reviewed by the Chief Judge of the affected Judge’s Circuit. If the Chief Judge determines that mobilization of the Article III Judge concerned will not seriously impair the capability of the Judge’s court to function effectively, the Chief Judge will pro-
vide a certification to that effect to the Secretary concerned. Concurrently, the affected Judge will provide a statement to the Secretary concerned requesting continued service in the Ready Reserve and acknowledging that he or she may be involuntarily called to active duty under the laws of the United States and the directives and regulations of the Department of Defense and pledging not to seek to be excused from such orders based upon his or her judicial duties.

“(4) Other Federal positions determined by the head of a Federal Agency.”

SEC. 513. EXEMPTION OF MILITARY TECHNICIANS (DUAL STATUS) FROM CIVILIAN EMPLOYEE FURLoughs.

Section 10216(b)(3) of title 10, United States Code, is amended by inserting after “reductions” the following: “(including temporary reductions by furlough or otherwise)”.

SEC. 514. ANNUAL REPORT ON PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS FOR THE NON-FEDERALIZED NATIONAL GUARD TO SUPPORT CIVILIAN AUTHORITIES IN PREVENTION AND RESPONSE TO NON-CATASTROPHIC DOMESTIC DISASTERS.

(a) Annual Report Required.—Section 10504 of title 10, United States Code, is amended—
(1) in subsection (a), by striking “Report.—” and inserting “Report on State of the National Guard.—(1)”;

(2) by striking “(b) Submission of Report to Congress.—” and inserting “(2)”;

(3) by striking “annual report of the Chief of the National Guard Bureau” and inserting “annual report required by paragraph (1)”;

(4) by adding at the end the following new subsection (b):

“(b) Annual Report on Non-Federalized Service National Guard Personnel, Training, and Equipment Requirements.—(1) Not later than January 31 of each of calendar years 2016 through 2022, the Chief of the National Guard Bureau shall submit to the congressional defense committees and the officials specified in paragraph (5) a report setting forth the personnel, training, and equipment required by the National Guard during the next fiscal year to carry out its mission, while not Federalized, to provide prevention, protection mitigation, response, and recovery activities in support of civilian authorities in connection with non-catastrophic natural and man-made disasters.

“(2) To determine the annual personnel, training, and equipment requirements of the National Guard referred to
in paragraph (1), the Chief of the National Guard Bureau shall take into account, at a minimum, the following:

“(A) Core civilian capabilities gaps for the prevention, protection, mitigation, response, and recovery activities in connection with natural and man-made disasters, as collected by the Department of Homeland Security from the States.

“(B) Threat and hazard identifications and risk assessments of the Department of Defense, the Department of Homeland Security, and the States.

“(3) Personnel, training, and equipment requirements shall be collected from the States, validated by the Chief of the National Guard Bureau, and be categorized in the report required by paragraph (1) by each of the following:

“(A) Emergency support functions of the National Response Framework.

“(B) Federal Emergency Management Agency regions.

“(4) The annual report required by paragraph (1) shall be prepared in consultation with the chief executive of each State, other appropriate civilian authorities, and the Council of Governors.

“(5) In addition to the congressional defense committees, the annual report required by paragraph (1) shall be submitted to the following officials:
“(A) The Secretary of Defense.

“(B) The Secretary of Homeland Security.

“(C) The Council of Governors.

“(D) The Secretary of the Army.

“(E) The Secretary of the Air Force.

“(F) The Commander of the United States Northern Command.

“(G) The Commander of the United States Cyber Command.”.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 10504. Chief of the National Guard Bureau: annual reports”.

(2) TABLE OF CONTENTS.—The table of sections at the beginning of chapter 101 of title 10, United States Code, is amended by striking the item relating to section 10504 and inserting the following new section:

“10504. Chief of the National Guard Bureau: annual reports.”.

SEC. 515. NATIONAL GUARD CIVIL AND DEFENSE SUPPORT ACTIVITIES AND RELATED MATTERS.

(a) OPERATIONAL USE OF THE NATIONAL GUARD.—

(1) IN GENERAL.—Chapter 1 of title 32, United States Code, is amended by adding at the end the following new section:
“SEC. 116. OPERATIONAL USE OF THE NATIONAL GUARD.

“(a) In General.—This section authorizes the operational use of the National Guard and recognizes that the basic premise of both the National Incident Management System and the National Response Framework is that—

“(1) incidents are typically managed at the local level first; and

“(2) local jurisdictions retain command, control, and authority over response activities for their jurisdictional areas.

“(b) Assistance to Civilian Firefighting Organizations.—

“(1) Assistance Authorized.—Members and units of the National Guard shall be authorized to support firefighting operations, missions, or activities, including aerial firefighting employment of the Modular Airborne Firefighting System (MAFFS), undertaken in support of a civilian authority or a State or Federal agency.

“(2) Role of Governor and State Adjutant General.—For the purposes of paragraph (1)—

“(A) the Governor of a State shall be the principal civilian authority; and

“(B) the adjutant general of the State shall be the principal military authority, when acting in his or her State capacity, and has the pri-
mary authority to mobilize members and units of the National Guard of the State in any duty status under this title the adjutant general deems appropriate to employ necessary forces when funds to perform such operations, missions, or activities are reimbursed.”.

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

“116. Operational use of the National Guard.”.

(b) Active Guard and Reserve (AGR) Support.—Section 328(b) of title 32, United States Code, is amended—

(1) by inserting “duty as specified in section 116(b) of this title or may perform” after “subsection (a) may perform”; and

(2) by inserting “(A) and (B)” after “specified in section 502(f)(2)”.

(c) Federal Technicians Support.—Section 709(a)(3) of title 32, United States Code, is amended by inserting “duty as specified in section 116(b) of this title or” after “(3) the performance of”.
Subtitle C—Consolidation of Authorities to Order Members of Reserve Components to Perform Duty

SEC. 521. ADMINISTRATION OF RESERVE DUTY.

Chapter 1209 of title 10, United States Code, is amended—

(1) by inserting before section 12301 the following subchapter heading:

“SUBCHAPTER I—ADMINISTRATION OF RESERVE DUTY”.

(2) by striking sections 12301, 12302, 12303, 12304, 12310, 12319 and 12322;

(3) in subsections (a) and (b) of section 12305, by striking “section 12301, 12302, or 12304 of this title” and inserting “section 12341 of this title for a purpose specified under subsections (a) through (e) of section 12351(a) of this title”;

(4) in section 12306—

(A) in subsection (a), by striking “section 12301” and inserting “section 12351”; and

(B) in subsection (b)—

(i) in paragraph (1), by striking “section 12301(a) of this title” and inserting “section 12341 of this title for the purpose
specified in section 12351(a) of this title’’; and

(ii) in paragraph (2), by striking “section 12301(a)” and inserting “section 12351(a)”;

(5) in section 12307, by striking “12301(a)” and inserting “12351(a)”;

(6) in section 12318—

(A) in subsection (a), by striking “section 12302 or 12304 of this title” and inserting “section 12341 of this title for a purpose specified under subsection (b) or (c) of section 12351”; and

(B) in subsection (b)—

(i) by striking “section 12310” and inserting “section 12353(c)”; and

(ii) by striking “section 12302 or 12304” and inserting “subsection (b) or (c) of section 12351”; and

(7) by inserting after section 12321 the following new section:

§12323. Policies and procedures

“(a) In General.—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall prescribe such policies and procedures for
the armed forces under their respective jurisdictions as the Secretary considers necessary to carry out this chapter.

“(b) REPORT TO CONGRESS.—When members of the Ready Reserve are ordered to active duty pursuant to section 12351(b) of this title, the Secretary of Defense shall submit a report, at least once a year, to the Committees on Armed Services of the Senate and the House of Representatives describing the policies and procedures prescribed under subsection (a).”.

SEC. 522. RESERVE DUTY AUTHORITIES.

(a) In General.—Chapter 1209 of title 10, United States Code, is further amended by inserting after section 12323, as added by section 521(7) of this Act, the following new subchapter:

“SUBCHAPTER II—RESERVE DUTY AUTHORITIES

§ 12341. Active duty

“(a) AUTHORITY TO ORDER A MEMBER TO PERFORM ACTIVE DUTY.—At any time, the Secretary concerned may order a member of a reserve component under the Secretary’s jurisdiction to active duty, or retain the member on active duty, subject to the purpose and limitations described in subsections (b) and (c).

“(b) PURPOSE AND LIMITATIONS.—The purposes and limitations referred to in subsection (a) are as follows:
“(1) Purpose of Order.—To account for manpower utilization and expenditure of appropriations, each order shall cite the purpose of the order to active duty as provided under subchapter III of this chapter.

“(2) Limitations.—A member of a reserve component shall not be ordered to active duty or retained on active duty beyond the limitations and restrictions specified in the purpose of the order to active duty.

“(c) Continuous Period of Duty.—

“(1) In General.—When the purpose for the member to serve on active duty changes, the order to active duty shall be amended to cite the new purpose and applicable funding code, but the member shall remain on the same order to active duty.

“(2) Continuous Federal Service.—If a member is released from active duty and subsequently ordered to active duty or full-time National Guard duty with a break in service of 24 hours or fewer, the period of service shall be treated as continuous Federal service for the purposes of pay and benefits, unless otherwise specified in law.

§ 12342. Call to Federal Service

“(a) Authority to Call a Member into Federal Service.—
“(1) IN GENERAL.—The President may call into Federal service the militia of any State, and use such of the armed forces, as the President considers necessary for the purposes specified in chapter 15 of this title.

“(2) STATE REQUEST REQUIRED.—A call into Federal service for the purposes specified in section 331 of this title shall only be made upon the request of the legislature of a State or of the Governor of a State if the legislature cannot be convened.

“(b) NATIONAL GUARD IN FEDERAL SERVICE.—The President may call into Federal service members and units of the National Guard of any State in such numbers as the President considers necessary for the purposes specified in section 12406 of this title.

§ 12343. Inactive duty

“(a) AUTHORITY TO ORDER A MEMBER TO PERFORM INACTIVE DUTY.—Under regulations prescribed by the Secretary of Defense or the Secretary of the Department in which the Coast Guard is operating, the Secretary concerned may, at any time, order a member of a reserve component under the Secretary’s jurisdiction to perform inactive duty, subject to the purpose and limitations described in subsection (b).
“(b) PURPOSE AND LIMITATIONS.—The purpose and limitations referred to in subsection (a) are as follows:

“(1) PURPOSE.—To account for manpower utilization and expenditure of appropriations, the Secretary concerned shall document the purpose for inactive duty.

“(2) HOSTILE FIRE OR IMMINENT DANGER AREA.—Inactive duty shall not be performed in designated hostile fire or imminent danger area.

“(3) DURATION.—Each period of inactive duty shall be for duration of at least two hours.

“(4) COMPENSATION.—Compensation under section 206 of title 37 and service credit under section 12732(a)(2)(E) of this title shall not exceed two periods of inactive duty in a calendar day.”.

(b) REDESIGNATION OF INACTIVE DUTY TO ENCOMPASS OPERATIONAL AND OTHER DUTIES PERFORMED WHILE IN AN ACTIVE DUTY STATUS.—

(1) REFERENCES.—Any reference that is made in any law, regulation, document, paper, or other record of the United States to inactive-duty training, as such term applies to members of the reserve components of the uniformed services, shall be deemed to be a reference to inactive duty.
(2) DEFINITION OF UNIFORMED SERVICES.—In this subsection the term “uniformed services” has the meaning given the term in section 101 of title 10, United States Code.

SEC. 523. PURPOSE OF RESERVE DUTY.

Chapter 1209 of title 10, United States Code, is further amended by inserting after section 12343, as added by section 522(a), the following new subchapter:

“SUBCHAPTER III—PURPOSE OF RESERVE DUTY

§ 12351. Reserve component: required duty

“(a) MOBILIZATION OF THE RESERVE COMPONENTS.—

“(1) IN GENERAL.—In time of war or of national emergency declared by Congress, or when otherwise authorized by law, an authority designated by the Secretary concerned may, without the consent of the persons affected, order any unit, and any member not assigned to a unit organized to serve as a unit, of a reserve component under the jurisdiction of that Secretary to active duty under section 12341 of this title for the duration of the war or emergency and for six months thereafter. However a member on an inactive status list or in a retired status may not be ordered to active duty under this subsection unless the Secretary concerned, with the approval of the Sec-
retary of Defense in the case of the Secretary of a military department, determines that there are not enough qualified Reserves in an active status or in the inactive National Guard in the required category who are readily available.

“(2) EXPANSIONS.—So far as practicable, during any expansion of the active armed forces that requires that units and members of the reserve components be ordered to active duty as provided in paragraph (1), members of units organized and trained to serve as units who are ordered to that duty without their consent shall be so ordered with their units. However, members of those units may be reassigned after being so ordered to active duty.

“(3) PERIOD OF TIME.—The period of time allowed between the date when a Reserve ordered to active duty pursuant to paragraph (1) is alerted for that duty and the date when the Reserve is required to enter upon that duty shall be determined by the Secretary concerned based upon military requirements at that time.

“(b) READY RESERVE MOBILIZATION.—In time of national emergency declared by the President after January 1, 1953, or when otherwise authorized by law, an authority designated by the Secretary concerned may, without the
consent of the persons concerned, order any unit, and any member not assigned to a unit organized to serve as a unit, in the Ready Reserve under the jurisdiction of that Secretary to active duty under section 12341 of this title for not more than 24 consecutive months. Not more than 1,000,000 members of the Ready Reserve may be on active duty, without their consent, under this section at any one time.

“(c) Call-up of the Selected Reserve and Certain Individual Ready Reserve Members; Other Than During War or National Emergency.—

“(1) In general.—Notwithstanding the provisions of subsection (b) or any other provision of law, when the President determines that it is necessary to augment the active forces for any operational mission or that it is necessary to provide assistance referred to in paragraph (2), the President may authorize the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating, without the consent of the members concerned, to order any unit, and any member not assigned to a unit organized to serve as a unit, of the Selected Reserve, or any member in the Individual Ready Reserve mobilization category and designated as essential under regulations prescribed by the Secretary concerned, under...
their respective jurisdictions, to active duty under section 12341 of this title for not more than 365 days.

“(2) EMERGENCIES.—The augmentation under paragraph (1) includes providing assistance in responding to an emergency involving—

“(A) a use or threatened use of a weapon of mass destruction; or

“(B) a terrorist attack or threatened terrorist attack in the United States that results, or could result, in significant loss of life or property.

“(3) FUNCTION LIMITATION.—No unit or member of a reserve component may be ordered to active duty pursuant to this subsection to perform any of the functions authorized by chapter 15 of this title or section 12406 of this title or, except as provided in paragraph (2), to provide assistance to the Federal Government or a State in time of a serious natural or manmade disaster, accident, or catastrophe.

“(4) NUMERICAL LIMITATION.—Not more than 200,000 members of the Selected Reserve and the Individual Ready Reserve may be on active duty pursuant to this subsection at any one time, of whom not more than 30,000 may be members of the Individual Ready Reserve.
“(5) Response Capabilities.—No unit or member of a reserve component may be ordered to active duty pursuant to this subsection to provide assistance referred to in paragraph (2) unless the President determines that the requirements for responding to an emergency referred to in that subsection have exceeded, or will exceed, the response capabilities of local, State, and Federal civilian agencies.

“(6) Termination.—Whenever any unit of the Selected Reserve or any member of the Selected Reserve not assigned to a unit organized to serve as a unit, or any member of the Individual Ready Reserve, is ordered to active duty pursuant to paragraph (1), the service of all units or members so ordered to active duty may be terminated by—

“(A) order of the President; or

“(B) law.

“(7) Report.—Whenever the President authorizes the Secretary of Defense or the Secretary of the Department in which the Coast Guard is operating to order any unit or member of the Selected Reserve or Individual Ready Reserve to active duty, pursuant to paragraph (1), the President shall, within 24 hours after exercising such authority, submit to Congress a report setting forth the circumstances necessitating the
action taken under this section and describing the an-
ticipated use of these units or members.

“(8) RULE OF CONSTRUCTION.—Nothing con-
tained in this subsection shall be construed as amend-
ing or limiting the application of the provisions of
the War Powers Resolution (50 U.S.C. 1541 et seq.).

“(d) ANNUAL ACTIVE DUTY.—At any time, an author-
ity designated by the Secretary concerned may, without the
consent of the persons affected, order any unit, and any
member not assigned to a unit organized to serve as a unit,
in an active status in a reserve component under the juris-
diction of that Secretary to active duty under section 12341
of this title for not more than 15 days a year. However,
units and members of the Army National Guard of the
United States or the Air National Guard of the United
States may not be ordered to active duty under this sub-
section without the consent of the governor of the State (or,
in the case of the District of Columbia National Guard, the
commanding general of the District of Columbia National
Guard). The consent of a Governor may not be withheld
(in whole or in part) with regard to active duty outside
the United States, its territories, and its possessions, be-
because of any objection to the location, purpose, type, or
schedule of such active duty.
“(e) Ready Reserve: Unsatisfactory Participation.—

“(1) Authority to Order to Active Duty.—

“(A) In general.—Notwithstanding any other provision of law, the President may order to active duty under section 12341 of this title any member of the Ready Reserve of an armed force who—

“(i) is not assigned to, or participating satisfactorily in, a unit of the Ready Reserve;

“(ii) has not fulfilled the member’s statutory reserve obligation; and

“(iii) has not served on active duty for a total of 24 months.

“(B) Duration and Extension.—A member who is ordered to active duty pursuant to paragraph (1) may be required to serve on active duty until the member’s total service on active duty equals 24 months. If the member’s enlistment or other period of military service would expire before the member has served the required period under this paragraph, the enlistment or other period of military service may be extended until the member has served the required period.
“(2) Failure to perform satisfactorily.—

“(A) In general.—A member of the Ready Reserve covered by section 12352 of this title who fails in any year to perform satisfactorily the training duty prescribed in that section, as determined by the Secretary concerned under regulations prescribed by the Secretary of Defense, may be ordered without the member’s consent to perform additional active duty for training under section 12341 of this title for not more than 45 days. If the failure occurs during the last year of the member’s required membership in the Ready Reserve, the member’s membership is extended until the member performs that additional active duty for training, but not for more than six months.

“(B) Army National Guard or Air National Guard.—A member of the Army National Guard of the United States or the Air National Guard of the United States who fails in any year to perform satisfactorily the training duty prescribed by or under law for members of the Army National Guard or the Air National Guard, as the case may be, as determined by the Secretary concerned, may, upon the request of
the Governor of the State (or, in the case of the
District of Columbia, the commanding general of
the District of Columbia National Guard) be or-
dered, without the member’s consent, to perform
additional active duty for training under section
12341 of this title for not more than 45 days. A
member ordered to active duty under this sub-
section shall be ordered to duty as a Reserve of
the Army or as a Reserve of the Air Force, as
the case may be. However, the consent of a Gov-
ernor may not be withheld (in whole or in part)
with regard to active duty outside the United
States, its territories, and its possessions, because
of any objection to the location, purpose, type, or
schedule of such active duty.

“(f) CAPTIVE STATUS.—A member of a reserve compo-
nent may be ordered to active duty under section 12341
of this title without the member’s consent if the Secretary
concerned determines that the member is in a captive sta-
tus. A member ordered to active duty under this section
may not be retained on active duty, without the member’s
consent, for more than 30 days after the member’s captive
status is terminated.

“(g) MUSTER DUTY.—A member of the Ready Reserve
may be ordered without the member’s consent to muster
duty under section 12343 of this title one time each year.

A member ordered to muster duty under this section shall be required to perform a minimum of two hours of muster duty on the day of muster. The muster duty shall be subject to the following requirements:

“(1) Period of Time.—The period which a member may be required to devote to muster duty under this section, including round-trip travel to and from the location of that duty, may not total more than one day each calendar year.

“(2) Treatment as Inactive Duty and Travel.—Except as specified in paragraph (3), muster duty (and travel directly to and from that duty) under this section shall be treated as inactive duty (and travel directly to and from that duty) for the purposes of this title and the provisions of title 37 (other than section 206(a) of title 37) and title 38, including provisions relating to the determination of eligibility for and the receipt of benefits and entitlements provided under those titles for Reserves performing inactive duty and for their dependents and survivors.

“(3) Not credited for Retired Pay Purposes.—Muster duty under this subsection shall not
be credited in determining entitlement to, or in computing, retired pay under chapter 1223 of this title.

“(h) CONSIDERATION FOR MOBILIZATION.—To achieve fair treatment between members in the Ready Reserve who are being considered for recall to duty without their consent pursuant to subsection (b), (c) or (e)(1), consideration shall be given to—

“(1) the length and nature of previous service, to assure such sharing of exposure to hazards as the national security and military requirements will reasonably allow;

“(2) the frequency of assignments during service career;

“(3) family responsibilities; and

“(4) employment necessary to maintain the national health, safety, or interest.

“(j) DEFINITIONS.—In this section:

“(1) CAPTIVE STATUS.—The term ‘captive status’ means the status of a member of the armed forces who is in a missing status (as defined in section 551(2) of title 37) which occurs as the result of a hostile action and is related to the member’s military status.

“(2) INDIVIDUAL READY RESERVE MOBILIZATION CATEGORY.—The term ‘Individual Ready Reserve mo-
bilization category’ means, in the case of any reserve component, the category of the Individual Ready Reserve described in section 10144(b) of this title.

“(3) WEAPONS OF MASS DESTRUCTION.—The term ‘weapon of mass destruction’ has the meaning given that term in section 1403 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2302).

“§12352. Reserve component: required training

“(a) PURPOSE.—Except as specifically provided in regulations to be prescribed by the Secretary of Defense, or by the Secretary of the Department in which the Coast Guard is operating, each person who is enlisted, inducted, or appointed in an armed force, and who becomes a member of the Ready Reserve under any provision of law except section 513 or 10145(b) of this title, shall be required, while in the Ready Reserve, to maintain readiness as determined by the Secretary concerned by—

“(1) participating in at least 48 scheduled drills or training periods during each year pursuant to section 12343 of this title and serve on active duty for training under section 12341 of this title for not less than 14 days (exclusive of travel time) during each year; or
“(2) serving on active duty for training under section 12341 of this title for not more than 30 days during each year.

“(b) Exception for Certain Members.—A member who has served on active duty for one year or longer may not be required to perform a period of active duty for training if the first day of that period falls during the last 120 days of the member’s required membership in the Ready Reserve.

“§12353. Reserve component: optional duty

“(a) Active Duty.—

“(1) In General.—At any time, an authority designated by the Secretary concerned may order a member of a reserve component under his jurisdiction to active duty under section 12341 of this title, or retain the member on active duty, with the consent of that member for training, to provide operational support or perform other duty as determined by the Secretary concerned.

“(2) Purposes.—Such duty includes service on active duty for the purpose specified in section or section 802(d), 1491, 3038, 5143, 5144, 8038, 10211, 10301 through 10305, 10502, 10505, 10506, 10507, 12402, or 12405 of this title.
“(3) Army National Guard or Air National Guard.—However, a member of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to active duty under this subsection without the consent of the Governor or other appropriate authority of the State concerned. The consent of a Governor may not be withheld (in whole or in part) with regard to active duty outside the United States, its territories, and its possessions, because of any objection to the location, purpose, type, or schedule of such active duty.

“(b) Active Duty for Health Care.—

“(1) In General.—When authorized by the Secretary of Defense, the Secretary of a military department may, with the consent of the member, order a member of a reserve component to active duty under section 12341 of this title—

“(A) to receive authorized medical care;

“(B) to be medically evaluated for disability or other purposes; or

“(C) to complete a required Department of Defense health care study, which may include an associated medical evaluation of the member.

“(2) Treatment for or Recovery from an Injury, Illness or Disease.—A member of a uni-
formed service described in paragraph (1)(B) or
(2)(B) of section 1074a(a) of this title may be ordered
to active duty under section 12341 of this title, and
a member of a uniformed service described in para-
graph (1)(A) or (2)(A) of section 1074a may be con-
tinued on active duty under section 12341 of this
title, for a period of more than 30 days while the
member is being treated for (or recovering from) an
injury, illness, or disease incurred or aggravated in
the line of duty as described in any of such para-
graphs.

“(3) Retention on active duty.—A member
ordered to active duty under this subsection may,
with the member’s consent, be retained on active duty,
if the Secretary concerned considers it appropriate,
for medical treatment for a condition associated with
the study or evaluation, if that treatment of the mem-
ber is otherwise authorized by law.

“(4) Army National Guard or Air National
Guard.—However, a member of the Army National
Guard of the United States or the Air National
Guard of the United States may not be ordered to ac-
tive duty under this subsection without the consent of
the Governor or other appropriate authority of the
State concerned.
“(c) ORGANIZING, ADMINISTERING, ETC., RESERVE COMPONENTS.—

“(1) IN GENERAL.—The Secretary concerned may order a member of a reserve component under the Secretary’s jurisdiction to active duty pursuant to section 12341 of this title to perform Active Guard and Reserve duty to organize, administer, recruit, instruct, or train the reserve components.

“(2) RESERVE GRADE; ELIGIBILITY FOR PROMOTION.—A Reserve ordered to active duty under paragraph (1) shall be ordered in the Reserve’s reserve grade. While so serving, the Reserve continues to be eligible for promotion as a Reserve, if otherwise qualified.

“(3) ADDITIONAL DUTIES.—A Reserve on active duty under this subsection may perform the following additional duties to the extent that the performance of those duties does not interfere with the performance of the Reserve’s primary Active Guard and Reserve duties described in paragraph (1):

“(A) SUPPORTING RESERVE COMPONENTS.—Supporting operations or missions assigned in whole or in part to the reserve components.
“(B) SUPPORTING UNITS.—Supporting operations or missions performed or to be performed by—

“(i) a unit composed of elements from more than one component of the same armed force; or

“(ii) a joint forces unit that includes—

“(I) one or more reserve component units; or

“(II) a member of a reserve component whose reserve component assignment is in a position in an element of the joint forces unit.

“(C) ADVISING.—Advising the Secretary of Defense, the Secretaries of the military departments, the Joint Chiefs of Staff, and the commanders of the combatant commands regarding reserve component matters.

“(D) INSTRUCTION OR TRAINING.—Instructing or training in the United States, the Commonwealth of Puerto Rico, or possessions of the United States of—

“(i) active-duty members of the armed forces;
“(ii) members of foreign military forces
(under the same authorities and restrictions
applicable to active-duty members pro-
viding such instruction or training);
“(iii) Department of Defense con-
tractor personnel; or
“(iv) Department of Defense civilian
employees.
“(4) OPERATIONS RELATING TO DEFENSE
AGAINST WEAPONS OF MASS DESTRUCTION AND TER-
RORIST ATTACKS.—
“(A) IN GENERAL.—Notwithstanding para-
graph (3), a Reserve on active duty as described
in paragraph (1), or a Reserve who is a member
of the National Guard serving on full-time Na-
tional Guard duty under section 502(f) of title
32 in connection with functions referred to in
paragraph (1), may, subject to subparagraph
(C), perform duties in support of emergency pre-
paredness programs to prepare for or to respond
to any emergency involving any of the following:
“(i) WEAPONS OF MASS DESTRUC-
tION.—The use or threatened use of a weap-
on of mass destruction (as defined in section
1403 of the Defense Against Weapons of

“(ii) TERRORIST ATTACK OR THREATENED TERRORIST ATTACK.—A terrorist attack or threatened terrorist attack in the United States that results, or could result, in catastrophic loss of life or property.

“(iii) RELEASE OF CERTAIN MATERIALS.—The intentional or unintentional release of nuclear, biological, radiological, or toxic or poisonous chemical, materials in the United States that results, or could result, in catastrophic loss of life or property.

“(iv) NATURAL OR MAN-MADE DISASTER.—A natural or manmade disaster in the United States that results in, or could result in, catastrophic loss of life or property.

“(B) COSTS.—The costs of the pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for a Reserve performing duties under the authority of paragraph (1) shall be paid from the appropriation that is available to pay such costs for other members of the reserve
component of that Reserve who are performing
duties as described in paragraph (1).

“(C) CIVIL SUPPORT TEAM.—A Reserve
may perform duty described in subparagraph
(A) only while assigned to a reserve component
weapons of mass destruction civil support team.

“(D) ANNUAL END STRENGTH AUTHORIZA-
TION AND JUSTIFICATION MATERIAL.—Reserves
on active duty who are performing duties de-
scribed in subparagraph (A) shall be counted
against the annual end strength authorizations
required by sections 115(a)(1)(B) and 115(a)(2)
of this title. The justification material for the de-
defense budget request for a fiscal year shall iden-
tify the number and component of the Reserves
programmed to be performing duties described in
subparagraph (A) during that fiscal year.

“(E) CERTIFICATION REQUIRED.—A reserve
component weapons of mass destruction civil
support team, and any Reserve assigned to such
a team, may not be used to respond to an emer-
gency described in subparagraph (A) unless the
Secretary of Defense has certified to the Com-
mittee on Armed Services of the Senate and the
Committee on Armed Services of the House of
Representatives of that team, or that Reserve, possesses the requisite skills, training, and equipment to be proficient in all mission requirements.

“(F) Request for Legislation.—If the Secretary of Defense submits to Congress any request for the enactment of legislation to modify the requirements of subparagraphs (A) and (C), the Secretary shall provide with the request—

“(i) justification for each such requested modification; and

“(ii) the Secretary’s plan for sustaining the qualifications of the personnel and teams described in subparagraph (C).

“(G) Definition of United States.—In this subsection, the term ‘United States’ includes the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

“(5) Training.—A Reserve on active duty as described in this subsection may be provided training consistent with training provided to other members on active duty, as the Secretary concerned sees fit.

“(d) Inactive Duty.—

“(1) In general.—At any time, an authority designated by the Secretary concerned may require a
member of a reserve component under the Secretary’s jurisdiction, with the consent of the member, to perform inactive duty under section 12343 of this title to provide readiness training, perform administrative function to prepare for unit training, perform funeral honors functions at the funeral of a veteran as defined in section 1491 of this title (other than for members of the Army National Guard of the United States or the Air National Guard of the United States who perform funeral honors duty under section 502(g) of title 32), or perform other inactive duty as determined by the Secretary concerned.

“(2) PAY.—As directed by the Secretary concerned, a member performing funeral honors functions may be paid—

“(A) the allowance under section 495 of title 37; or

“(B) compensation under section 206 of title 37.

“(3) TRAVEL AND TRANSPORTATION EXPENSES.—A member who performs funeral honors functions may be reimbursed for travel and transportation expenses incurred in conjunction with such duty as authorized under section 495 of title 37 if
such duty is performed at a location 50 miles or more from the member’s residence.”.

SEC. 524. TRAINING AND OTHER DUTY PERFORMED BY MEMBERS OF THE NATIONAL GUARD.

(a) Chapter Heading.—The chapter heading for chapter 5 of title 32, United States Code, is amended by inserting “AND OTHER DUTY” after “TRAINING”;

(b) Other Amendments.—Section 502 of title 32, United States Code, is amended—

(1) by striking the section heading and inserting the following:

“§502. Required training, field exercises, and other duty”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “drill” and inserting “training”; and

(ii) by inserting “under subsection (g)” before “at least”;

(B) in paragraph (2), by inserting “under subsection (f)(1)” before “at least”;

(3) in subsection (b), by striking “drill” each place the term appears and inserting “training”;

(4) in subsection (d)—
(A) in the matter preceding paragraph (1),
by striking “drill” and inserting “training”; and

(B) in paragraph (2), by striking “one and
one-half hours” and inserting “two hours”;

(5) in subsection (e), by striking “drill” each
place the term appears and inserting “training”;

(6) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subpara-
graph (A), by inserting “, which regulations
shall conform to regulations prescribed by
the Secretary of Defense for Reserve compo-
nent members,” after “as the case may be,”;

and

(ii) in the matter following subpara-
graph (B), by inserting “to full-time Na-
tional Guard duty” after “be ordered”; and

(B) in paragraph (2), by adding at the end
the following new subparagraph:

“(C) Support for funerals of veterans of the
armed forces pursuant to section 1491 of title
10.”;

(C) by redesignating paragraph (3) as
paragraph (8); and
(D) by inserting after paragraph (2), as amended by subparagraph (B), the following new paragraphs:

“(3) FULL-TIME NATIONAL GUARD DUTY.—Full-time National Guard duty shall not be performed on land outside the United States, its territories or possessions.

“(4) PURPOSE OF CALL ORDER.—To account for manpower utilization and expenditure of appropriations, each order to full-time National Guard duty shall cite the purpose of the call or order as provided in this section or section 112, 114, 316, 503, 504, 505, 509, or 904 of this title.

“(5) LIMITATIONS AND RESTRICTIONS.—A member of the National Guard shall not be ordered to full-time National Guard duty or retained on full-time National Guard duty beyond the limitations and restrictions specified in the purpose of the order to full-time National Guard duty.

“(6) AMENDED ORDERS.—When the purpose for the member to serve on full-time National Guard duty changes, the order to full-time National Guard duty shall be amended to cite the new purpose and applicable funding code, but the member shall remain on the same order to full-time National Guard duty.
“(7) CONTINUOUS FEDERAL SERVICE.—If a member is released from full-time National Guard duty and subsequently ordered to active duty with a break in service of 24 hours or fewer, the period of service shall be treated as continuous Federal service for the purposes of pay and benefits unless otherwise specified in law.”; and

(7) by adding at the end the following new subsection:

“(g) INACTIVE DUTY.—

“(1) IN GENERAL.—Under regulations to be prescribed by the Secretary of the Army or the Secretary of the Air Force, as the case may be, which shall conform to regulations prescribed by the Secretary of Defense for reserve component members, a member of the National Guard may be required to perform inactive duty, in addition to that prescribed under subsection (a), to provide additional readiness training, perform administrative function to prepare for unit training, perform funeral honors functions for veterans of the armed forces pursuant to section 1491 of title 10, or perform other inactive duty as authorized by the Secretary concerned.

“(2) DOCUMENTATION.—To account for manpower utilization and expenditure of appropriations,
the purpose for inactive duty and the associated funding code shall be documented.

“(3) DESIGNATED HOSTILE FIRE OR IMMINENT DANGER AREA.—Inactive duty shall not be performed in designated hostile fire or imminent danger area.

“(4) LAND OUTSIDE THE UNITED STATES, ITS TERRITORIES OR POSSESSIONS.—Inactive duty shall not be performed on land outside the United States, its territories or possessions.

“(5) DURATION OF INACTIVE DUTY.—Each period of inactive duty shall be for duration of at least two hours.

“(6) DURATION OF COMPENSATION AND SERVICE CREDIT.—Compensation under section 206 of title 37 and service credit under section 12732(a)(2)(E) of title 10 shall not exceed two periods of inactive duty in a calendar day.

“(7) PAY FOR PERFORMING FUNERAL HONORS.—As directed by the Secretary concerned, a member performing funeral honors functions may be paid—

“(A) the allowance under section 495 of title 37; or

“(B) compensation under section 206 of title 37.”.
SEC. 525. CONFORMING AND CLERICAL AMENDMENTS.

(a) Conforming Amendments to Title 5, United States Code.—(1) Paragraph (2) of section 5517(d) of title 5, United States Code, is amended by striking “under section 10147” and inserting “as provided under section 12352”.

(2) Section 6323 of title 5, United States Code, is amended—

   (A) in paragraph (1) of subsection (a)—

      (i) by striking “inactive-duty training” and inserting “inactive duty”; and

      (ii) by striking “funeral honors duty (as described in section 12503 of title 10 and section 115 of title 32)” and inserting “funeral honors functions (as described in section 12353 of title 10 and section 114 of title 32)”;

   (B) in paragraph (1) subsection (d), by striking “section 12301(b) or 12301(d)” and inserting “section 12341 of title 10 for the purposes specified in section 12351(d) or 12353(a)”.

(b) Conforming Amendments to Title 7, United States Code.—Paragraph (1) of section 332(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1982(a)) is amended by striking “12301(a), 12301(g), 12302, 12304, 12306, or 12406,” and inserting “12341 for the purpose specified in section 12306, 12342, 12351(a)(1), 12351(a)(2), 12351(a)(3), 12351(a)(4), 12351(a)(5), and 12351(a)(6)”.

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12351(b), 12351(c), or 12351(f), 12342 for the purpose specified in section 12406,”.

(c) CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.— (1) Section 101 of title 10, United States Code, is amended—

(A) in subparagraph (B) of subsection (a)(13), by striking “section 688, 12301(a), 12302, 12304, 12304a, 12305, or 12406 of this title, chapter 15 of this title” and inserting “section 688 or 12341 of this title for the purpose specified in section 12351(a)(1), 12351(b), 12351(c) of this title, section 12342 of this title for the purpose specified in section 12406, chapter 15 of this title”; 

(B) in paragraph (16) of subsection (b), by striking “section 12301(d) of this title” and inserting “section 12341 of this title for the purpose specified in section 12353(c) of this title”; 

(C) in paragraph (5) of subsection (d)—

(i) by inserting “502(f) of title 32 for the purpose specified in section” after “under section”; and 

(ii) by striking “505 of title 32” and inserting “505 of such title”; 

(D) in paragraph (7) of subsection (d)—
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(i) in the matter preceding subparagraph (A), by striking “inactive-duty training” and inserting “inactive duty”;

(ii) in subparagraph (A), by striking “section 206 of title 37” and inserting “section 12352(a)(1) of this title, section 502(a)(1) of title 32,”; and

(iii) in subparagraph (B)—

(I) by inserting “under section 12353(d) of this title or section 502(g) of title 32” after “special additional duties authorized”; and

(II) by inserting “, or other activities that a member may perform when authorized by the designated authority” before the period.

(2) Section 115 of title 10, United States Code, is amended—

(A) in subsection (b)(1)—

(i) in subparagraph (A), by striking “section 12301(d)” and inserting “section 12341”; and

(ii) in subparagraph (C), by striking “section 12301(d)” and inserting “section 12341”; and

(iii) in subparagraph (D)—
(I) by striking “section 12301(g)” and inserting “section 12341”; and

(II) by inserting “as provided under section 12351(f) of such title” before the semicolon; and

(iv) in subparagraph (E)—

(I) by striking “12301(h) or 12322” and inserting “section 12341”; and

(II) by inserting “as provided under section 12353(b) of this title” before the semicolon;

(B) in subsection (i)—

(i) in paragraph (1), by striking “section 12301(a) of this title” and inserting “section 12341 of this title for the purpose specified in section 12351(a) of this title”; 

(ii) in paragraph (2), by striking “section 12301(b) of this title” and inserting “section 12341 of this title for the purpose specified in section 12351(d) of this title”; 

(iii) in paragraph (3), by striking “section 12302 of this title” and inserting “section 12341 of this title for the purpose specified in section 12351(b) of this title”;
(iv) in paragraph (4), by striking “section 12304 of this title” and inserting “section 12341 of this title for the purpose specified in section 12351(c) of this title”;

(v) in paragraph (5), by inserting “section 12342 of this title for the purpose specified in” after “Federal service under”;

(vi) in paragraph (6), by inserting “section 12342 of this title for the purpose specified in” after “Federal service under”;

(vii) in paragraph (11), by inserting “12341 for the purpose specified in section” after “active duty under section”.

(3) Section 331 of title 10, United States Code, is amended by inserting “under section 12342 of this title” after “call into Federal service”.

(4) Section 332 of title 10, United States Code, is amended by inserting “under section 12342 of this title” after “call into Federal service”.

(5) Paragraph (3) of section 511(d) of title 10, United States Code, is amended by striking “section 10147(a)(1)” and inserting “section 12352(a)(1)”.

(6) Subparagraph (B) of section 523(b)(1) of title 10, United States Code, is amended by inserting “12341 of this
(7) Subparagraph (B) of section 641(1) of title 10, United States Code, is amended by inserting “section 12341 for the purpose described in” after “on active duty under”.

(8) Section 802 of title 10, United States Code, is amended in each of subsections (a)(3), (d)(2)(B), and (d)(5)(B), by striking “inactive-duty training” and inserting “inactive duty”.

(9) Subsection (d) of section 803 of title 10, United States Code, is amended by striking “inactive-duty training” each place the term appears and inserting “inactive duty”.

(10) The matter preceding paragraph (1) of subsection (a) and the matter preceding paragraph (1) of subsection (b) of section 936 of title 10, United States Code, are each amended by striking “inactive-duty training” and inserting “inactive duty”.

(11) Paragraph (1) of section 976(a) of title 10, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(12) Paragraphs (1) and (2) of section 1061(b) of title 10, United States Code, are each amended by striking “inactive-duty training” and inserting “inactive duty”.
(13) Subsection (a) of section 1074a of title 10, United States Code, is amended in each of paragraphs (1)(B), (2)(B), and (3) by striking “inactive-duty training” each place the term appears and inserting “inactive duty”.

(14) Subsection (a) of section 1074a of title 10, United States Code, is amended further—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting “or” after the semicolon;

(ii) in subparagraph (B), by striking “; or” and inserting a period; and

(iii) by striking subparagraph (C);

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting “or” after the semicolon;

(ii) in subparagraph (B), by striking “; or” and inserting a period; and

(iii) by striking subparagraph (C); and

(C) by striking paragraph (4).

(15) Subsection (a) of section 1076 of title 10, United States Code, is amended—

(A) in each paragraphs (2)(B)(i), (2)(B)(ii), and (2)(C), by striking “inactive-duty training” each place the term appears and inserting “inactive duty”;
(B) in paragraph (2), by striking subparagraph (E).

(16) Clauses (i) and (ii) of section 1086(c)(2)(B) of title 10, United States Code, are each amended by striking “inactive duty training” and inserting “inactive duty”.

(17) Paragraph (2) of section 1175(e) of title 10, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(18) Section 1175a(j) of title 10, United States Code, is amended—

(A) in paragraph (2)—

(i) by inserting “under section 12341 of this title for the purpose specified in section 12351(a)(1), 12351(b), 12351(c), 12351(d), 12351(e)(1), or 12351(f) of this title” after “involuntarily recalled to active duty”; and

(ii) by striking “in accordance with section 12301(a), 12301(b), 12301(g), 12302, 12303, or 12304 of this title or” and inserting “under”; and

(B) in paragraph (3)—

(i) by striking “12301(d)” and inserting “12353(a)”; and

(ii) by striking “12319, or 12503” and inserting “12351(g)”
(iii) by striking “, 115,”.

(19) Paragraph (2) of section 1201(e) of title 10, United States Code, is amended by striking “under section 10148(a)” and inserting “pursuant to section 12351(e)(2)”.

(20) Section 1204 of title 10, United States Code, is amended—

(A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”; and

(B) in paragraph (2)—

(i) in each of subparagraphs (A)(i), (A)(iii), (B)(i), and (B)(iii), by striking “inactive-duty training” each place the term appears and inserting “inactive duty”;

(ii) in clause (iii) of subparagraph (A), by inserting “or” after the semicolon;

(iii) in clause (iii) of subparagraph (B), by striking “; or” and inserting a period; and

(iv) by striking subparagraph (C).

(21) Section 1206 of title 10, United States Code, is amended—

(A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”;
(B) by amending paragraph (2) to read as follows:

“(2) the disability is a result of an injury, illness, or disease incurred or aggravated in line of duty while—

“(A) performing active duty or inactive duty;

“(B) traveling directly to or from the place at which such duty is performed; or

“(C) remaining overnight immediately before the commencement of inactive duty, or while remaining overnight between successive periods of inactive duty, at or in the vicinity of the site of the inactive duty, if the site is outside reasonable commuting distance of the member’s residence;”; and

(C) in paragraph (5), by striking “inactive-duty training” and inserting “inactive duty”; 

(22) Subparagraph (B) of section 1448(f)(1) of title 10, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(23) Clauses (ii) and (iii) of section 1471(b)(3)(A) of title 10, United States Code, are each amended by striking “inactive duty for training” and inserting “inactive duty”.

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(24) Section 1475 of title 10, United States Code, is amended—

(A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”; and

(B) in each of paragraphs (2) and (3) of sub-section (a), by striking “inactive duty training” each place the term appears and inserting “inactive duty”.

(25) Paragraphs (1)(B) and (2)(A) of section 1476(a) of title 10, United States Code, are each amended by striking “inactive-duty training” and inserting “inactive duty”.

(26) Paragraphs (3), (4), (8), and (9) of section 1478(a) of title 10, United States Code, are each amended by striking “inactive duty training” each place the term appears and inserting “inactive duty”.

(27) Section 1481(a)(2) of title 10, United States Code, is amended—

(A) in each of subparagraphs (B), (C), (D), and (F), by striking “inactive-duty training” each place the term appears and inserting “inactive duty”; and

(B) in subparagraph (E), by striking “inactive duty training” and inserting “inactive duty”.

(28) Paragraph (2) of section 1481(a) of title 10, United States Code, is amended further—
(A) in subparagraph (E) (as amended by paragraph (27)(B)), by inserting “or” after the semicolon;

(B) in subparagraph (F) (as amended by paragraph (27)(A)), by striking “; or” and inserting a period; and

(C) by striking subparagraph (G).

(29) Subsections (d)(2) and (e)(5) of section 2031 of title 10, United States Code, are each amended by striking “inactive duty training” and inserting “inactive duty”.

(30) Subparagraph (D) of section 2107(c)(5) of title 10, United States Code, is amended by striking “inactive duty for training” and inserting “inactive duty”.

(31) Subparagraph (D) of section 2107a(c)(4) of title 10, United States Code, is amended by striking “inactive duty for training” and inserting “inactive duty”.

(32) The matter preceding paragraph (1) of section 2601a(b) of title 10, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(33) Paragraph (3) of section 9446(a) of title 10, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(34) Subsection (a) of section 10142 of title 10, United States Code, is amended by striking “as provided in sections 12301 and 12302 of this title” and inserting “under
section 12341 of this title for the purposes specified in sections 12351(a) and 12351(b) of this title”.

(35) Subsection (a) of section 10143 of title 10, United States Code, is amended by striking “10147(a)(1)” and inserting “12352”.

(36) The matter preceding subparagraph (A) of section 10144(b)(1) of title 10, United States Code, is amended by striking “in accordance with section 12304” and inserting “under section 12341 of this title for the purpose specified in section 12351(c)”.

(37) Chapter 1005 of title 10, United States Code, is amended—

(A) by repealing section 10147; and

(B) by repealing section 10148.

(38) Section 10151 of title 10, United States Code, is amended by striking “sections 12301 and 12306” and inserting “section 12351(a)”.

(39) Subsection (b) of section 10204 of title 10, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(40) Subsection (a) of section 10215 of title 10, United States Code, is amended—

(A) in subparagraph (A) of paragraph (1), by striking “section 12301(d)” and inserting “section
12341 of this title as provided in section 12353(a)”;

and

(B) in subparagraph (A) of paragraph (2), by
striking “section 12301(d)” and inserting “section
12341 of this title as provided in section 12353(a)”.

(41) Paragraph (9) of section 10541(b) of title 10,
United States Code, is amended by striking “12304(b)” and
inserting “12351(c)(2)”.

(42) Paragraph (1) of section 12011(e) of title 10,
United States Code, is amended by striking “12310” and
inserting “12353(c)”.

(43) Subsection (a) of section 12012 of title 10, United
States Code, is amended by striking “section 10211 or
12310” and inserting “section 12341 of this title for the
purpose specified in section 10211 or 12353(c) of this title”.

(44) Section 12305 of title 10, United States Code, is
amended—

(A) in subsection (a), by striking “section 12301,
12302, or 12304” and inserting “section 12341 of this
title for the purpose specified in section 12351(a),
12351(b), or 12351(c)”;

and

(B) in subsection (b), by striking “section 12301,
12302, or 12304” and inserting “section 12341 of this
title for the purpose specified in section 12351(a),
12351(b), or 12351(c)”.

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(45) Section 12306 of title 10, United States Code, is amended—

(A) in subsection (a), by striking “section 12301” and inserting “section 12341 of this title for the purpose specified in section 12351(a), 12351(d), 12351(f), 12353(a), or 12353(b)”; and

(B) in paragraph (1) of subsection (b)—

(i) by striking “section 12301(a)” and inserting “section 12341 of this title for the purpose specified in section 12351(a)(1) of this title”; and

(ii) in paragraph (2) of subsection (b), by striking “12301(a)” and inserting “12351(a)”.  

(46) Section 12307 of title 10, United States Code, is amended by striking “12301(a)” and inserting “12351(a)”.  

(47) Section 12317 of title 10, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.  

(48) Section 12318 of title 10, United States Code, is amended—

(A) in subsection (a), by striking “section 12302 or 12304” and inserting “section 12341 of this title for the purpose specified in section 12351(b) or 12351(c)”; and

(B) in subsection (b)—
(i) by striking “referred to section 12310” and inserting “performing duty referred to in section 12353(c)”; and

(ii) by striking “section 12302 or 12304” and inserting “section 12351(b) or 12351(c)

(49) Section 12321 of title 10, United States Code, is amended by striking “of organizing, administering, recruiting, instructing, or training the reserve components” and inserting “specified in section 12353(c) of this title”.

(50) Section 12408 of title 10, United States Code, is amended by striking “section 12301(a), 12302, or 12304 of this title” and inserting “12341 of this title for the purpose specified in section 12351(a)(1), 12351(b) or 12351(c) of this title”.

(51) Section 12503 of title 10, United States Code, is repealed.

(52) Section 12552 of title 10, United States Code, is repealed.

(53) Subsections (a)(3) and (b)(3) of section 12602 of title 10, United States Code, are each amended by striking “inactive-duty training” each place the term appears and inserting “inactive duty”.

(54) Section 12603 of title 10, United States Code, is amended—
(A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”; and

(B) in subsection (a), by striking “inactive-duty training” and inserting “inactive duty”.

(55) Section 12604 of title 10, United States Code, is amended—

(A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”; and

(B) in subsection (a), by striking “inactive-duty training” and inserting “inactive duty”.

(56) Subsection (b) of section 12686 of title 10, United States Code, is amended by striking “section 12301” and inserting “section 12341 of this title for the purpose specified in section 12351(a), 12351(d), 12351(f), 12353(a) or 12353(b)”.

(57) Subparagraph (B) of section 12731(f)(2) of title 10, United States Code, is amended—

(A) in clause (i)—

(i) by striking “under section 12301(d)” and inserting “for the purpose specified in section 12353(a)”; and
(ii) by striking “under section 12310” and inserting “for the purpose specified in 12353(c)”; and

(B) in clause (iii), by striking “section 12301(h)(1)” and inserting “section 12341 of this title for the purpose specified in section 12353(b)(1)”.

(58) Section 12732(a)(2) of title 10, United States Code, is amended—

(A) in the matter following subparagraph (E), by striking “clauses (A), (B), (C), (D) and (E)” and inserting “subparagraphs (A), (B), (C) and (D)”;

(B) by striking subparagraph (E).

(59) Clause (i) of section 16131(c)(3)(B) of title 10, United States Code, is amended by striking “section 12301(a), 12301(d), 12301(g), 12302, or 12304” and inserting “section 12341 of this title for the purpose specified in section 12351(a)(1), 12351(b), 12351(c), 12351(f), or 12353(a)”.

(60) The matter preceding subparagraph (A) of section 16133(b)(4) of title 10, United States Code, is amended by striking “section 12301(a), 12301(d), 12301(g), 12302, or 12304” and inserting “section 12341 of this title for the purpose specified in section 12351(a)(1), 12351(b), 12351(c), 12351(f), or 12353(a)”.

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Clause (i) of section 16162(d)(2)(B) of title 10, United States Code, is amended by striking “section 12301(a), 12301(d), 12301(g), 12302, or 12304 of this title” and inserting “section 12341 of this title for the purpose specified in section 12351(a)(1), 12351(b), 12351(c), 12351(f), or 12353(a) of this title”.

Section 18505 of title 10, United States Code, is amended—

(A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”; and

(B) in subsection (a), by striking “inactive-duty training” each place the term appears and inserting “inactive duty”.

(d) CONFORMING AMENDMENTS TO TITLE 14, UNITED STATES CODE.— (1) Section 704 of title 14, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(2) Subsection (a) of section 705 of title 14, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(3) Paragraph (1) of section 712(c) of title 14, United States Code, is amended by striking “10147” and inserting “12352”.

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(e) Conforming Amendments to Title 20, United States Code.—(1) Subsection (c) of section 1404 of the Defense Dependents’ Education Act of 1978 (20 U.S.C. 923) is amended—

(A) in clause (i) of paragraph (2)(B), by striking “section 12301 or 12302” and inserting “section 12341 of title 10, United States Code, for a purpose specified in section 12351(a), 12351(b), 12351(d), 12351(f), 12353(a) or 12353(b)”; and

(B) in clause (i) of paragraph (2)(C), by striking “section 12301 or 12302” and inserting “section 12341 of title 10, United States Code, for a purpose specified in section 12351(a), 12351(b), 12351(d), 12351(f), 12353(a) or 12353(b)”.

(2) Subparagraph (A) of section 481(d)(4) of the Higher Education Act of 1965 (20 U.S.C. 1088(d)(4)) is amended by striking “section 12301(a), 12301(g), 12302, 12304, or 12306” and inserting “section 12341 of title 10, United States Code, for a purpose specified in section 12306, 12351(a), 12351(b), 12351(c), or 12351(f)”.

(3) Subparagraph (C) of section 484C(c)(3) of the Higher Education Act of 1965 (20 U.S.C. 1091c(c)) is amended—

(A) in clause (i), by striking “, 12301(a), 12301(g), 12302, 12304, or 12305 of title 10, United
States Code,” and inserting “of title 10, United States Code, under section 12341 of such title for the purpose specified in section 12305, 12351(a), 12351(b), 12351(c), or 12351(f) of such title,”; and

(B) in clause (iii), by striking “section 12304 of title 10, United States Code” and inserting “section 12341 of title 10, United States Code, for the purpose specified in section 12351(c) of such title”.

(4) Subparagraph (A) of section 5 of Higher Education Relief Opportunities for Students Act of 2003 (20 U.S.C. 1098ee(5)) is amended by striking “section 12301(a), 12301(g), 12302, 12304, or 12306 of title 10, United States Code,” and inserting “section 12341 of title 10, United States Code, for the purpose specified in section 12306, 12351(a), 12351(b), 12351(c), or 12351(f) of such title,”.

(f) CONFORMING AMENDMENTS TO INTERNAL REVENUE CODE.—Subsection (m) of section 206 of the Internal Revenue Code of 1986 (26 U.S.C. 3121) is amended—

(1) in each of paragraphs (1)(B) and (3), by striking “inactive duty training” each place the term appears and inserting “inactive duty”; and

(2) in the heading for paragraph (3), by striking “INACTIVE DUTY TRAINING” and inserting “INACTIVE DUTY”.

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(g) Conforming Amendments to Title 32, United States Code.— (1) Paragraph (19) of section 101 of title 32, United States Code, is amended by striking “section 316, 502, 503, 504, or 505” and inserting “section 502(f) of this title for the purpose specified under section in section 112, 114, 316, 502, 503, 504, 505, 509, or 904”.

(2) Section 114 of title 32, United States Code, is amended by striking “may not be considered to be a period of drill or training, but may be performed as funeral honors duty under section 115 of this title.” and inserting “may be performed under section 502 of this title.”.

(3) Section 115 of title 32, United States Code, is repealed.

(h) Conforming Amendments to Title 37, United States Code.— (1) The matter preceding subparagraph (A) of section 101(22) of title 37, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(2) Section 204 of title 37, United States Code, is amended—

(A) in paragraph (1) of subsections (g)—

(i) in each of subparagraphs (B) and (D), by striking “inactive-duty training” each place the term appears and inserting “inactive duty”; 

(ii) by striking subparagraph (E);
(iii) in subparagraph (C), by inserting “or” after the semicolon; and

(iv) in subparagraph (D), by striking “; or” and inserting a period; and

(B) in paragraph (1) of subsections (h)—

(i) in each of subparagraphs (B) and (D),
by striking “inactive-duty training” each place the term appears and inserting “inactive duty”; 

(ii) by striking subparagraph (E);

(iii) in subparagraph (C), by inserting “or” after the semicolon; and 

(iv) in subparagraph (D), by striking “; or” and inserting a period.

(3) Subparagraph (A) of section 205(e)(2) of title 37, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(4) Section 206 of title 37, United States Code, is amended—

(A) in the section heading, by striking “inactive-duty training” and inserting “inactive duty”; and

(B) in each of paragraphs (3)(A)(ii) and (3)(C) of subsection (a), by striking “inactive-duty training” each place the term appears and inserting “inactive duty”.

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(5) Section 305b of title 37, United States Code, is amended—

(A) in the heading for subsection (c), by striking “INACTIVE DUTY TRAINING” and inserting “INACTIVE DUTY”; and

(B) in subsection (e), by striking “12310(c)” and inserting “12353(c)(4)”.

(6) Subsection (a) of section 308d of title 37, United States Code, is amended by striking “inactive duty for training” and inserting “inactive duty”.

(7) The heading for subsection (e) of section 320 of title 37, United States Code, is amended by striking “INACTIVE DUTY TRAINING” and inserting “INACTIVE DUTY”.

(8) Section 334 of title 37, United States Code, is amended—

(A) in the heading for subsection (e), by striking “INACTIVE DUTY TRAINING” and inserting “INACTIVE DUTY”; and

(B) in subsection (e), by striking “for inactive-duty training” and inserting “for inactive duty”.

(9) Section 352 of title 37, United States Code, is amended—

(A) in the heading for subsection (d), by striking “INACTIVE DUTY TRAINING” and inserting “INACTIVE DUTY”; and
(B) in subsection (d), by striking “for inactive-duty training” and inserting “for inactive duty”.

(10) Subparagraph (B) of section 353(c)(1) of title 37, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

(11) Section 415 of title 37, United States Code, is amended—

(A) in paragraph (3) of subsection (a), by striking “inactive-duty training” and inserting “inactive duty”; and

(B) in paragraph (1) of subsection (c), by striking “inactive duty training” and inserting “inactive duty”.

(12) Section 433 of title 37, United States Code, is amended—

(A) in subsection (a), by striking “12319” and inserting “12351(g)”; and

(B) in subsection (d), by striking “inactive-duty training” and inserting “inactive duty”.

(13) Subsection (a) of section 433a of title 37, United States Code, is amended by striking “12319” and inserting “12351(g)”.

(14) Paragraph (1) of section 474(i) of title 37, United States Code, is amended by striking “inactive-duty training” and inserting “inactive duty”.

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(15) Section 478a of title 37, United States Code, is amended—

(A) in the section heading, by striking “inac-
tive duty training” and inserting “inactive
duty”; and

(B) in subsection (a), by striking “inactive duty
training” each place the term appears and inserting
“inactive duty”.

(16) Paragraph (1) of section 495(a) of title 37, United
States Code, is amended by striking “funeral honors duty
pursuant to section 12503 of title 10 or section 115 of title
32” and inserting “funeral honors functions pursuant to
section 12353(d)(2) of title 10 or section 502(g)(7) of title
32”.

(17) The matter preceding paragraph (1) of subsection
(a), the matter following paragraph (2) of subsection (a),
and subsection (d), of section 552 of title 37, United States
Code, are each amended by striking “inactive-duty train-
ing” and inserting “inactive duty”.

(18) Subparagraph (B) of section 910(b)(2) of title 37,
United States Code, is amended by striking “subparagraph
(A) or (B) of section 12301(h)(1) of title 10” and inserting
“section 12341 of title 10 pursuant to subparagraph (A)
or (B) of section 12353(b)(1) of such title”.
(i) Conforming Amendments to Title 38, United States Code.— (1) Section 101 of title 38, United States Code, is amended—

(A) in subparagraph (C) of paragraph (22), by striking “section 316, 502, 503, 504, or 505 of title 32” and inserting “section 502(f) of title 32”; and

(B) in paragraph (23)—

(i) by striking “inactive duty training” and inserting “inactive duty”; and

(ii) in the matter following paragraph (C), by striking “sections 316, 502, 503, 504, or 505 of title 32” and inserting “section 502(g) of title 32”; and

(C) in the matter preceding clause (i) of paragraph (24)(C), by striking “inactive duty training” and inserting “inactive duty”.

(2) Subparagraph (B) and the matter following subparagraph (B) of section 106(d)(1) of title 38, United States Code, are each amended by striking “inactive duty training” and inserting “inactive duty”.

(3) Clause (ii) of section 1112(c)(3)(A) of title 38, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.
(4) Paragraph (2) of section 1302(b) of title 38, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(5) Subparagraph (A) of section 1312(a)(2) of title 38, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(6) Section 1965 of title 38, United States Code, is amended—

(A) in subparagraph (D) of paragraph (2), by striking “sections 316, 502, 503, 504, or 505 of title 32” and inserting “section 502(f) of title 32”;

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking “inactive duty training” and inserting “inactive duty”; and

(ii) in subparagraph (B), by striking “sections 316, 502, 503, 504, or 505 of title 32” and inserting “section 502(g) of title 32”;

(C) in paragraph (4), by striking “inactive duty training” each place the term appears and inserting “inactive duty”;

(D) in each of subparagraphs (A) and (B) of paragraph (5), by striking “inactive duty training” and inserting “inactive duty”; and
(E) in subparagraph (C) of paragraph (5), by
striking “a mobilization category in the Individual
Ready Reserve, as defined in section 12304(i)(1)” and
inserting “a mobilization category in the Individual
Ready Reserve, as defined in section 12351(i)(2)”.

(7) Section 1967 of title 38, United States Code, is
amended—

(A) in subsection (a)—

(i) in subparagraph (B) of paragraph (1),
by striking “inactive duty training” and insert-
ing “inactive duty”; and

(ii) in subparagraph (B) of paragraph (5),
by striking “inactive duty training” and insert-
ing “inactive duty”; and

(B) in subsection (b)—

(i) in each of paragraphs (1) and (2), by
striking “inactive duty training” and inserting
“inactive duty”; and

(ii) in the matter following paragraph (2),
by striking “inactive duty training” and insert-
ing “inactive duty”.

(8) Section 1968 of title 38, United States Code, is
amended—

(A) in subsection (a)—
(i) in the matter preceding paragraph (1),
by striking “inactive duty training” and inserting “inactive duty”; and

(ii) in paragraph (3)—

(I) by striking “inactive duty training” and inserting “inactive duty”;

(II) by striking “scheduled training period” and inserting “scheduled period of duty”; and

(III) by striking “such training” each place the term appears and inserting “such duty”; and

(B) in paragraph (2) of subsection (b), by striking “inactive duty training” and inserting “inactive duty”.

(9) Paragraph (3) of section 1969(a) of title 38, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(10) Subsection (e) of section 1977 of title 38, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

(11) Paragraph (2) of section 2402(a) of title 38, United States Code, is amended by striking “inactive duty training” and inserting “inactive duty”.

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(12) Paragraph (3) of section 3011(d) of title 38, United States Code, is amended by striking “which an individual in the Selected Reserve was ordered to perform under section 12301, 12302, 12304, 12306, or 12307 of title 10” and inserting “under section 12341 of title 10, which an individual in the Selected Reserve was ordered to perform duty for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f), 12353(a), or 12353(b) of title 10”.

(13) Subparagraph (A) of section 3013(f)(2) of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

(14) Subsection (f) of section 3103 of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

(15) Paragraph (2) of section 3105(e) of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.
(16) Clause (i) of section 3231(a)(5)(B) of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

(17) Subparagraph (B) of section 3301(1) of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10 or” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title, or under”.

(18) Clause (i) of section 3312(c)(2)(A) of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

(19) Clause (i) of section 3511(a)(2)(B) of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.
(20) Subsection (h) of section 3512 of title 38, United States Code, is amended by striking “, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10” and inserting “or 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

(21) Subparagraph (C) of section 4211(4) of title 38, United States Code, is amended by striking “section 12301(a), (d), or (g), 12302, or 12304 of title 10” and inserting “section 12341 of title 10 for a purpose specified in section 12351(a), 12351(b), 12351(c), 12351(f) or 12353(a) of such title”.

(22) Section 4303 of title 38, United States Code, is amended—

(A) in paragraph (13)—

(i) by striking “inactive duty training” and inserting “inactive duty”; and

(ii) by striking “funeral honors duty as authorized by section 12503 of title 10 or section 115 of title 32” and inserting “funeral honors functions as provided under section 12353 of title 10 or section 114 of title 32”; and

(B) in paragraphs (16), by striking “inactive duty training” and inserting “inactive duty”.

(23) Subsection (c) of section 4312 of title 38, United States Code, is amended—
(A) in paragraph (3), by striking “10147”; and
inserting “12352”;

(B) in subparagraph (A) of paragraph (4), by
striking “, 12301(a), 12301(g), 12302, 12304, or
12305 of title 10” and inserting “or 12341 of title 10
for a purpose specified in section 12351(a), 12351(b),
12351(c), 12351(f) or 12353(a) of such title”;

(C) in paragraph (4)—

(i) in subparagraph (C), by striking “12304
of title 10” and inserting “12341 of title 10 for
the purpose specified in section 12351(c) of such
title”;

(ii) in subparagraph (E)—

(I) by inserting “under section 12342
of title 10” after “Federal service”; and

(II) by inserting “for a purpose speci-
fied” following “National Guard”; and

(iii) by striking “under” each place the
term appears and inserting “in”.

(24) Paragraph (1) of section 4316(e) of title 38,
United States Code, is amended by striking “funeral honors
duty as authorized by section 12503 of title 10 or section
115 of title 32” and inserting “funeral honors functions as
provided under section 12353 of title 10 or section 114 of
title 32”.

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(j) CONFORMING AMENDMENTS TO TITLE 42, UNITED STATES CODE.— (1) Subparagraph (D) of section 202(t)(4) of the Social Security Act (42 U.S.C. 402(t)(4)) is amended—

(A) by striking “or inactive duty training” each place the term appears and inserting “or inactive duty”; and

(B) by striking “on inactive duty training” and inserting “performing inactive duty”.

(2) Subsection (l) of section 210 of the Social Security Act (42 U.S.C. 410) is amended—

(A) in subparagraph (B) of paragraph (1), by striking “on inactive duty training” and inserting “performing inactive duty”; and

(B) in paragraph (3), by striking “inactive duty training” each place the term appears and inserting “inactive duty”.

(k) CONFORMING AMENDMENTS TO TITLE 50, APPENDIX, UNITED STATES CODE.— (1) Section 6 of the Military Selective Service Act (50 U.S.C. App. 456) is amended—

(A) in the matter following subsection (c)(2)(A)(iii), by striking “10147” and inserting “12352”; and
(B) in paragraph (1) of subsection (d), by striking “under section 10147” and inserting “pursuant to section 12352”.

(2) Paragraph (1) of section 703(a) of the Servicemembers Civil Relief Act (50 U.S.C. App. 593(a)) is amended—

(A) by striking “sections 688, 12301(a), 12301(g), 12302, 12304, 12306, or 12307 of title 10, United States Code,” and inserting “section 688 or 12341 of title 10, United States Code, for a purpose specified in section 12306, 12307, 12351(a), 12351(b), 12351(c), or 12351(f) of such title,”; and

(B) by striking “12301(d)” and inserting “12341 for the purpose specified in section 12353(a)”.

(l) CLERICAL AMENDMENTS.— (1) The table of sections at the beginning of chapter 61 of title 10, United States Code, is amended—

(A) by striking the item related to section 1204 and inserting the following:

“1204. Members on active duty for 30 days or less or on inactive duty: retirement.”; and

(B) by striking the item relating to section 1206 and inserting the following:

“1206. Members on active duty for 30 days or less or on inactive duty: separation.”.

(2) The table of sections at the beginning of subchapter II of chapter 75 of title 10, United States Code, is amended
by striking the item related to section 1475 and inserting the following:

"1475. Death gratuity: death of members on active duty or inactive duty and of certain other persons."

(3) The table of sections at the beginning of chapter 1005 of title 10, United States Code, is amended by striking the items relating to sections 10147 and 10148.

(4) The table of sections at the beginning of chapter 1209 of title 10, United States Code, is amended to read as follows:

"SUBCHAPTER I—ADMINISTRATION OF RESERVE DUTY

Sec.
12304a. Army Reserve, Navy Reserve, Marine Corps Reserve, Air Force Reserve: order to active duty to provide assistance in response to a major disaster or emergency.
12304b. Selected Reserve: order to active duty for preplanned missions in support of the combatant commands.
12305. Authority of President to suspend certain laws relation to promotion, retirement, and separation.
12306. Standby Reserve.
12307. Retired Reserve.
12308. Retention after becoming qualified for retired pay.
12309. Reserve officers: use of in expansion of armed forces.
12311. Active duty agreements.
12312. Active duty agreements: release from duty.
12313. Reserves: release from active duty.
12314. Reserves: kinds of duty.
12315. Reserves: duty with or without pay.
12316. Payment of certain Reserves while on duty.
12317. Reserves: theological students; limitations.
12318. Reserves on active duty: duties; funding.
12320. Reserve officers: grade in which ordered to active duty.
12321. Reserve Officer Training Corps units: limitation on number of Reserves assigned.
12323. Policies and procedures.

"SUBCHAPTER II—RESERVE DUTY AUTHORITIES

Sec.
12341. Active duty.
12342. Call to Federal service.
12343. Inactive duty.
(5) The table of sections at the beginning of chapter 1213 of title 10, United States Code, is amended by striking the item relating to section 12503.

(6) The table of sections at the beginning of chapter 1215 of title 10, United States Code, is amended by striking the item relating to section 12552.

(7) The table of sections at the beginning of chapter 1217 of title 10, United States Code, is amended by striking the items related to sections 12603 and 12604 and inserting the following:

“12603. Attendance at inactive duty assemblies: commercial travel at Federal supply schedule rates.
“12604. Billeting in Department of Defense facilities: Reserves attending inactive duty.”.

(8) The table of sections at the beginning of chapter 1805 of title 10, United States Code, is amended by striking the item related to section 18505 and inserting the following:

“18505. Reserves traveling for inactive duty: space-required travel on military aircraft.”.

(9) The table of chapters at the beginning of title 32, United States Code, is amended by striking the item relating to chapter 5 and inserting the following new item:

“5. Training and Other Duty .................................................................................. 501”.
(10) The table of sections at the beginning of chapter 1 of title 32, United States Code, is amended by striking the item relating to section 115.

(11) The table of sections at the beginning of chapter 5 of title 32, United States Code, is amended by striking the item relating to section 502 and inserting the following:

“502. Required training, field exercises, and other duty.”

SEC. 526. EFFECTIVE DATE AND IMPLEMENTATION.

(a) EFFECTIVE DATE.—The amendments made by this subtitle shall take effect on October 1, 2017.

(b) IMPLEMENTATION PLAN.—Not later than March 1, 2016, the Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing a plan to implement the amendments made by this subtitle when they take effect on the date specified in subsection (a).

(c) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.—The report required by subsection (b) shall contain a draft of such legislation as may be necessary to make any additional technical and conforming changes to titles 10, 14, 32, and 37, United States Code, and other provisions of law that are required or should be made by reason of the amendments made by this subtitle.
Subtitle D—General Service Authorities

SEC. 531. TEMPORARY AUTHORITY TO DEVELOP AND PROVIDE ADDITIONAL RECRUITMENT INCENTIVES.

(a) ADDITIONAL RECRUITMENT INCENTIVES AUTHORIZED.—The Secretary of a military department may develop and provide incentives, not otherwise authorized by law, to encourage individuals to accept an appointment as a commissioned officer, to accept an appointment as a warrant officer, or to enlist in an Armed Force under the jurisdiction of the Secretary.

(b) RELATION TO OTHER PERSONNEL AUTHORITIES.—A recruitment incentive developed under subsection (a) may be provided—

(1) without regard to the lack of specific authority for the recruitment incentive under title 10 or 37, United States Code; and

(2) notwithstanding any provision of such titles, or any rule or regulation prescribed under such provision, relating to methods of providing incentives to individuals to accept appointments or enlistments in the Armed Forces, including the provision of group or individual bonuses, pay, or other incentives.
(c) NOTICE AND WAIT REQUIREMENT.—The Secretary of a military department may not provide a recruitment incentive developed under subsection (a) until—

(1) the Secretary submits to the congressional defense committees a plan regarding provision of the recruitment incentive, which includes—

(A) a description of the incentive, including the purpose of the incentive and the potential recruits to be addressed by the incentive;

(B) a description of the provisions of titles 10 and 37, United States Code, from which the incentive would require a waiver and the rationale to support the waiver;

(C) a statement of the anticipated outcomes as a result of providing the incentive; and

(D) a description of the method to be used to evaluate the effectiveness of the incentive; and

(2) the expiration of the 30-day period beginning on the date on which the plan was received by Congress.

(d) LIMITATION ON NUMBER OF INCENTIVES.—The Secretary of a military department may not provide more than three recruitment incentives under the authority of this section.
(e) Limitation on Number of Individuals Receiving Incentives.—The number of individuals who receive one or more of the recruitment incentives provided under subsection (a) by the Secretary of a military department during a fiscal year for an Armed Force under the jurisdiction of the Secretary may not exceed 20 percent of the accession objective of that Armed Force for that fiscal year.

(f) Duration of Developed Incentive.—A recruitment incentive developed under subsection (a) may be provided for not longer than a three-year period beginning on the date on which the incentive is first provided, except that the Secretary of the military department concerned may extend the period if the Secretary determines that additional time is needed to fully evaluate the effectiveness of the incentive.

(g) Reporting Requirements.—If the Secretary of a military department provides an recruitment incentive under subsection (a) for a fiscal year, the Secretary shall submit to the congressional defense committees a report, not later than 60 days after the end of the fiscal year, containing—

(1) a description of each incentive provided under subsection (a) during that fiscal year; and
(2) an assessment of the impact of the incentives on the recruitment of individuals for an Armed Force under the jurisdiction of the Secretary.

(h) TERMINATION OF AUTHORITY TO PROVIDE INCENTIVES.—Notwithstanding subsection (f); the authority to provide recruitment incentives under this section expires on December 31, 2020.

SEC. 532. EXPANSION OF AUTHORITY TO CONDUCT PILOT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) REPEAL OF LIMITATION ON ELIGIBLE PARTICIPANTS.—Subsection (b) of section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. prec. 701 note) is repealed.

(b) REPEAL OF LIMITATION ON NUMBER OF PARTICIPANTS.—Subsection (c) of section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. prec. 701 note) is repealed.

(c) CONFORMING AMENDMENTS.—Section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. prec. 701 note) is further amended—

(1) by redesignating subsections (d) through (m) as subsections (b) through (k), respectively; and
(2) in subsections (b)(1), (d), and (f)(3)(D) (as so redesignated), by striking “subsection (e)” each place it appears and inserting “subsection (c)”.

SEC. 533. MODIFICATION OF NOTICE AND WAIT REQUIREMENTS FOR CHANGE IN GROUND COMBAT EXCLUSION POLICY FOR FEMALE MEMBERS OF THE ARMED FORCES.

(a) RULE FOR GROUND COMBAT PERSONNEL POLICY.—Section 652(a) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in the first sentence, by striking “before any such change is implemented” and inserting “not less than 30 calendar days before such change is implemented”; and

(B) by striking the second sentence; and

(2) by striking paragraph (5).

(b) CONFORMING AMENDMENT.—Section 652(b)(1) of title 10, United States Code, is amended by inserting “calendar” before “days”.

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SEC. 534. ROLE OF SECRETARY OF DEFENSE IN DEVELOPMENT OF GENDER-NEUTRAL OCCUPATIONAL STANDARDS.

Section 524(a) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3361; 10 U.S.C. 113 note) is amended—

(1) by striking “and” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting “; and”; and

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

“(3) measure the combat readiness of combat units, including special operations forces.”.

SEC. 535. BURDENS OF PROOF APPLICABLE TO INVESTIGATIONS AND REVIEWS RELATED TO PROTECTED COMMUNICATIONS OF MEMBERS OF THE ARMED FORCES AND PROHIBITED RETALIATORY ACTIONS.

(a) BURDENS OF PROOF.—Section 1034 of title 10, United States Code, is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):
“(i) BURDENS OF PROOF.—The burdens of proof specified in section 1221(e) of title 5 shall apply in any investigation conducted by an Inspector General under subsection (c) or (d), any review performed by a board for the correction of military records under subsection (g), and any review conducted by the Secretary of Defense under subsection (h).”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 30 days after the date of the enactment of this Act, and shall apply with respect to allegations pending or submitted under section 1034 of title 10, United States Code, on or after that date.

SEC. 536. REVISION OF NAME ON MILITARY SERVICE RECORD TO REFLECT CHANGE IN GENDER IDENTITY AFTER SEPARATION FROM THE ARMED FORCES.

(a) REVISION REQUIRED.—Section 1551 of title 10, United States Code, is amended—

(1) by inserting “(a) SERVICE UNDER ASSUMED NAME.—” before “The Secretary”; and

(2) by adding at the end the following new subsection:

“(b) CHANGE IN GENDER IDENTITY.—The Secretary concerned shall reissue a certificate of discharge or an order of acceptance of resignation in the new name of any person
who, after separation from the armed forces, undergoes a
change in gender identity and assumes a different name.”.

(b) Clerical Amendments.—

(1) Section Heading.—The heading of section
1551 of title 10, United States Code, is amended to
read as follows:

“§1551. Correction of name after separation from

service”.

(2) Table of Sections.—The table of sections
at the beginning of chapter 79 of title 10, United
States Code, is amended by striking the item relating
to section 1551 and inserting the following new item:

“1551. Correction of name after separation from service.”.

SEC. 537. ESTABLISHMENT OF BREASTFEEDING POLICY

FOR THE DEPARTMENT OF THE ARMY.

The Secretary of the Army shall develop a comprehen-
sive policy regarding breastfeeding by female members of
the Army who are breastfeeding. At a minimum, the policy
shall address the following:

(1) The provision of a designated room or area
that will provide the member with adequate privacy
and cleanliness and that includes an electrical outlet
to facilitate the use of a breast pump. Restrooms
should not be considered an appropriate location.
(2) An allowance for appropriate breaks, when practicable, to permit the member to breastfeed or utilize a breast pump.

SEC. 538. SENSE OF THE HOUSE OF REPRESENTATIVES REGARDING SECRETARY OF DEFENSE REVIEW OF SECTION 504 OF TITLE 10, UNITED STATES CODE, REGARDING ENLISTING CERTAIN ALIENS IN THE ARMED FORCES.

It is the sense of the House of Representatives that the Secretary of Defense should review section 504 of title 10, United States Code, for the purpose of making a determination and authorization pursuant to subsection (b)(2) of such section regarding the enlistment in the Armed Forces of an alien who possesses an employment authorization document issued under the Deferred Action for Childhood Arrivals program of the Department of Homeland Security established pursuant to the memorandum of the Secretary of Homeland Security dated June 15, 2012.
Subtitle E—Military Justice, Including Sexual Assault and Domestic Violence Prevention and Response

SEC. 541. IMPROVEMENTS TO SPECIAL VICTIMS’ COUNSEL PROGRAM.

(a) Qualifications and Designation.—Section 1044e(d) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “An individual”;

(2) by designating existing paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(3) by adding at the end the following new paragraphs:

“(2) The Secretary of Defense shall direct the Secretary of each military department to implement additional selection criteria requiring that judge advocates have adequate criminal justice experience before they are assigned as Special Victims’ Counsel.

“(3) The Secretary of Defense shall develop a policy to standardize both the time frame within which Special Victims’ Counsel receive training and the training that each Special Victims’ Counsel receives.”.

(b) Administrative Responsibility.—Section 1044e(e) of title 10, United States Code, is amended by adding at the end the following new paragraphs

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“(3) The Secretary of Defense shall establish appropriate program performance measures and standards, including evaluating, monitoring, and reporting on the Special Victims’ Counsel programs, establishing guiding principles for the military departments, and ensuring centralized, standardized assessment of program effectiveness and client satisfaction.

“(4) The Secretary of Defense shall direct the Secretary of each military department to perform regular evaluations to ensure that Special Victims’ Counsel are assigned to locations that maximize the opportunity for face-to-face interactions between counsel and clients and to develop effective means by which a Special Victims’ Counsel may communicate with a client when face-to-face communication is not feasible.”.

SEC. 542. DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEE ACCESS TO SPECIAL VICTIMS’ COUNSEL.

Section 1044e(a)(2) of title 10, United States Code, is amended by adding the following new subparagraph:

“(C) A civilian employee of the Department of Defense who is not eligible for military legal assistance under section 1044(a)(7) of this title, but who is the victim of an alleged sex-related offense, and the Secretary of Defense or the Secretary of the military department concerned waives the condition in such
section for the purposes of offering Special Victims’ Counsel services to the employee.”.

SEC. 543. ACCESS TO SPECIAL VICTIMS’ COUNSEL FOR FORMER DEPENDENTS OF MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES.

Section 1044e(a)(2) of title 10, United States Code, is amended by inserting after subparagraph (C), as added by section 542, the following new subparagraph:

“(D) An individual who is a former dependent of a member or former member of the armed forces described in subparagraph (A) or (B), if the alleged sex-related offense—

“(i) was perpetrated by a person who is, or is reasonably believed to be, a person subject to chapter 47 of this title (the Uniform Code of Military Justice) pursuant to section 802 of this title (article 2(a) of the Uniform Code of Military Justice); and

“(ii) occurred while the individual was a dependent of the member or former member.”.

SEC. 544. REPRESENTATION AND ASSISTANCE FROM SPECIAL VICTIMS’ COUNSEL IN RETALIATORY PROCEEDINGS.

Section 1044e(b) of title 10, United States Code is amended—
(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following new paragraph:

“(9) Legal representation and assistance in any action or proceeding that, in the judgment of the Special Victims’ Counsel, may have been undertaken in retaliation for the victim’s report of an alleged sex-related offense or for the victim’s involvement in related military justice proceedings.”.

SEC. 545. TIMELY NOTIFICATION TO VICTIMS OF SEX-RELATED OFFENSES OF THE AVAILABILITY OF ASSISTANCE FROM SPECIAL VICTIMS’ COUNSEL.

Section 1044e(f)(1) of title 10, United States Code, is amended by adding at the end the following new sentence:

“Notice of the availability of a Special Victims’ Counsel shall be provided to the victim before any of the personnel identified or designated by the Secretary concerned under this paragraph interviews, or requests any statement from, the victim regarding the alleged sex-related offense.”.

SEC. 546. PARTICIPATION BY VICTIM IN PUNITIVE PROCEEDINGS AND ACCESS TO RECORDS.

(a) Victim Submission of Matters for Consideration by Commanding Officer in Nonjudicial Punish-
MENT PROCEEDINGS.—Section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice) is amended by adding at the end the following new subsection:

“(h) VICTIM PARTICIPATION IN NONJUDICIAL PUNISHMENT PROCEEDINGS.—(1) For any offense that involves a victim, in any case in which a commanding officer or other person authorized to act under this section (article) is considering imposing a punishment authorized in subsection (b) on a member of the command, mitigation of a punishment under subsection (d), or an appeal of a punishment under subsection (e), the victim shall be provided an opportunity to submit written matters for consideration by the person authorized to act under this section (article).

“(2) The victim shall be notified of a commander’s decision to consider a punishment, consider mitigating a punishment, or consider an appeal under this section (article). The victim shall also be notified of the opportunity to submit matters for consideration under this subsection.

“(3) The submission of matters under paragraph (1) shall be made within the three-day period the accused is given to seek legal counsel.

“(4) A victim may waive the right under this subsection to make a submission to the commanding officer or
other person taking action under this section (article). Such a waiver shall be made in writing and may not be revoked.

“(5) In the case of proceedings under this section (article) for an offense that involved a victim, a copy of all prepared records of the proceedings, including a written copy of any admonition or reprimand, shall be given to the victim without charge and as soon as a decision is finalized. The victim shall be notified of the opportunity to receive the records of the proceedings under this subsection.

“(6) In this section, the term ‘victim’ means a person who has suffered a direct physical, emotional, or pecuniary loss as a result of a commission of an offense under this chapter (the Uniform Code of Military Justice) and on which a commanding officer or other person authorized to take action under this section (article) is taking action under this section (article).

“(7) This subsection applies only with respect to the Department of Defense.”.

(b) VICTIM SUBMISSION OF MATTERS FOR CONSIDERATION IN ADMINISTRATIVE SEPARATION PROCEEDINGS.—

Chapter 59 of title 10, United States Code is amended by adding at the end the following new section:
§1159. Victim participation in administrative separation proceedings

“(a)(1) Under regulations prescribed by the Secretary of Defense, the Secretary of the military department concerned shall ensure that, when administrative separation is considered for a member of the Army, Navy, Air Force, or Marine Corps in connection to an offense that involved a victim, the person or board authorized to provide recommendations and act on recommendations for retention or separation under this chapter must consider the impact of the offense on the victim and the views of the victim on retention.

“(2) Such regulations shall ensure that victims are provided an opportunity to submit written matters for consideration, including, but not limited to, written testimony, to the person or board authorized to provide recommendations and act on recommendations for administrative separation proceedings under this chapter. A victim may waive the right under this section to make a submission.

“(b) Under regulations prescribed by the Secretary of Defense, the Secretary of the military department concerned shall ensure that a copy of all prepared records of the proceedings, including, but not limited to, the decision on retention or separation and any written explanation thereof, shall be given to the victim without charge and as soon as a decision is finalized. The victim shall be notified of the...
opportunity to receive the records of the proceedings under this subsection.

“(c) In this section, the term ‘victim’ means a person who has suffered a direct physical, emotional, or pecuniary loss as a result of a commission of an offense under chapter 47 of this title (the Uniform Code of Military Justice) and on which the armed forces are considering administrative separation or retention.”.

(c) Victim Submission of Matters for Consideration in Administrative Separation Proceedings of Officers.—Section 1185 of title 10, United States Code, is amended by adding at the end the following new subsections:

“(c) Under regulations prescribed by the Secretary of Defense, when a board of inquiry is held under this section for an officer of the Army, Navy, Air Force, or Marine Corps in connection with an offense that involved a victim, the board of inquiry—

“(1) shall consider the impact of the offense on the victim and the views of the victim on retention; “

“(2) shall provide victims an opportunity to submit matters for consideration, including in-person testimony, although a victim may waive the right under this subsection to make a submission; and
“(3) shall provide victims with all prepared records of the proceedings, including the decision on retention or separation and any written explanation thereof.

“(d) When a record is withheld under subsection (a)(4), the victim shall, to the extent that the interest of national security permits, be furnished a summary of the record so withheld.

“(e) In this section, the term ‘victim’ means a person who has suffered a direct physical, emotional, or pecuniary loss as a result of a commission of an offense under chapter 47 of this title (the Uniform Code of Military Justice) and on which an officer is required to show cause for retention on active duty under section 1181 of this title.’”.

SEC. 547. VICTIM ACCESS TO REPORT OF RESULTS OF PRELIMINARY HEARING UNDER ARTICLE 32 OF THE UNIFORM CODE OF MILITARY JUSTICE.

Section 832(c) of title 10, United States Code (article 32(c) of the Uniform Code of Military Justice), is amended—

(1) by inserting “(1)” after “REPORT OF RESULTS.—”; and

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

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“(2) The report prepared under paragraph (1) shall be provided to the victim, without charge, at the same time as the report is delivered to the accused.”.

**SEC. 548. MINIMUM CONFINEMENT PERIOD REQUIRED FOR CONVICTION OF CERTAIN SEX-RELATED OFFENSES COMMITTED BY MEMBERS OF THE ARMED FORCES.**

(a) **MANDATORY PUNISHMENTS.**—Section 856(b)(1) of title 10, United States Code (article 56(b)(1) of the Uniform Code of Military Justice) is amended by striking “at a minimum” and all that follows through the period at the end of the paragraph and inserting the following: “at a minimum except as provided for in section 860 of this title (article 60)—

“(A) dismissal or dishonorable discharge; and

“(B) confinement for two years.”.

(b) **EFFECTIVE DATE.**—Subparagraph (B) of paragraph (1) of section 856(b) of title 10, United States Code (article 56(b) of the Uniform Code of Military Justice), as added by subsection (a), shall apply to offenses specified in paragraph (2) of such section committed on or after the date that is 180 days after the date of the enactment of this Act.
SEC. 549. STRATEGY TO PREVENT RETALIATION AGAINST MEMBERS OF THE ARMED FORCES WHO REPORT OR INTERVENE ON BEHALF OF THE VICTIM IN INSTANCES OF SEXUAL ASSAULT.

(a) Strategy Required.—The Secretary of Defense shall establish a comprehensive strategy to prevent retaliation carried out by members of the Armed Forces against other members who report or otherwise intervene on behalf of the victim in instances of sexual assault.

(b) Elements.—The comprehensive strategy required by subsection (a) shall include, at a minimum, the following:

(1) Bystander intervention programs emphasizing the importance of guarding against such retaliation.

(2) Department of Defense and military department policies and requirements to ensure protection from retaliation against victims of sexual assault and members who intervene on behalf of a victim.

(3) Additional training for commanders on methods and procedures to combat attitudes and beliefs that lead to retaliation acts by members.

(c) Retaliation Described.—For purposes of this section, the term “retaliation” has the meaning given that term in the regulations issued by the Secretary of Defense pursuant to section 1709(b)(1) of the National Defense Au-
thorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 113 note) and shall include ostracism and other acts of maltreatment designated by the Secretary pursuant to subparagraph (B) of such section.

(d) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and House of Representatives on the comprehensive strategy required by subsection (a).

SEC. 550. IMPROVED DEPARTMENT OF DEFENSE PREVENTION AND RESPONSE TO SEXUAL ASSAULTS IN WHICH THE VICTIM IS A MALE MEMBER OF THE ARMED FORCES.

(a) PLAN TO IMPROVE PREVENTION AND RESPONSE.—
The Secretary of Defense, in collaboration with the Secretaries of the military departments, shall develop a plan to improve Department of Defense prevention and response to sexual assaults in which the victim is a male member of the Armed Forces.

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

(1) Sexual assault prevention and response training to more comprehensively and directly address the incidence of male members of the Armed Forces who are sexually assaulted and how certain be-
behavior and activities, such as hazing, can constitute a sexual assault.

(2) Methods to evaluate the extent to which differences exist in the medical and mental health-care needs of male and female sexual assault victims, and the care regimen, if any, that will best meet those needs.

(3) Data-driven decision making to improve male-victim sexual assault prevention and response program efforts.

(4) Goals with associated metrics to drive the changes needed to address sexual assaults of male members of the Armed Forces.

(5) Information about the sexual victimization of males in communications to members that are used to raise awareness of sexual assault and efforts to prevent and respond to it.

(6) Guidance for the department’s medical and mental health providers, and other personnel as appropriate, based on the results of the evaluation described in paragraph (2), that delineates these gender-specific distinctions and the care regimen that is recommended to most effectively meet those needs.
SEC. 551. SEXUAL ASSAULT PREVENTION AND RESPONSE TRAINING FOR ADMINISTRATORS AND INSTRUCTORS OF THE JUNIOR AND SENIOR RESERVE OFFICERS’ TRAINING CORPS.

(a) Training and Education Required.—The Secretary of a military department shall ensure that the commander of each unit of the Junior Reserve Officers’ Training Corps or Senior Reserve Officers’ Training Corps and all Professors of Military Science, senior military instructors, and civilian employees detailed, assigned, or employed as administrators and instructors of the Reserve Officers’ Training Corps receive regular sexual assault prevention and response training and education.

(b) Additional Information.—The Secretary of a military department shall ensure that information regarding the availability of legal assistance and the sexual assault prevention and response program is made available to the Reserve Officers’ Training Corps personnel referred to in subsection (a).

SEC. 552. MODIFICATION OF MANUAL FOR COURTS-MARTIAL TO REQUIRE CONSISTENT PREPARATION OF THE FULL RECORD OF TRIAL.

Not later than 180 days after the date of the enactment of this Act, Rule 1103 of the Manual for Courts-Martial (relating to preparation of the record of trial) shall be amended to ensure that, for any general or special court-
martial proceeding under chapter 47 of title 10, United
States Code (the Uniform Code of Military Justice), trial
counsel shall prepare a complete record of trial, consisting
of each available content item, matter, or attachment speci-
fied in the Rule. No content item, matter, or attachment
may be exempted based on the outcome of the court-martial
proceeding.

SEC. 553. INCLUSION OF ADDITIONAL INFORMATION IN AN-
NUAL REPORTS REGARDING DEPARTMENT OF
DEFENSE SEXUAL ASSAULT PREVENTION
AND RESPONSE.

(a) Role of Department of Defense Family Ad-
vocacy Program.—Section 1631(b) of the Ike Skelton Na-
tional Defense Authorization Act for Fiscal Year 2011 (Pub-
lic Law 111–383; 10 U.S.C. 1561 note) is amended—

(1) in paragraph (1), by inserting after “by the
report,” the following: “including all cases under the
purview of the Department of Defense Family Advo-
cacy Program pursuant to section 1058 of title 10,
United States Code,”;

(2) in paragraph (2), by inserting after “by the
report,” the following: “including all cases under the
purview of the Department of Defense Family Advo-
cacy Program pursuant to such section 1058,”; and
(3) in paragraph (3), by inserting after “substantiated case,” the following: “including each case under the purview of the Department of Defense Family Advocacy Program pursuant to such section 1058,”.

(b) INCLUSION OF INFORMATION REGARDING SEXUAL HARASSMENT INVOLVING MEMBERS OF THE ARMED FORCES.—

(1) IN GENERAL.—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by adding at the end the following new paragraph:

“(12) Information and data collected on sexual harassment involving members of the Armed Forces during the year covered by the report. The information shall include the number of substantiated and unsubstantiated cases, a synopsis of each such substantiated case, and the action taken in each substantiated case, including the type of disciplinary or administrative sanction imposed, if any, such as conviction and sentence by court-martial, imposition of non-judicial punishment under section 815 of title 10, United States Code (article 15 of the Uniform Code
of Military Justice), or administrative separation or other type administrative action imposed.”.

(2) Secretary of defense assessment of information in reports to Congress.—Section 1631(d)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by striking “subsection (b)(11)” and inserting “paragraphs (11) and (12) of subsection (b)”.

(c) Retaliation against alleged victims of sexual assault.—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by inserting after paragraph (12), as added by subsection (b), the following new paragraph:

“(13)(A) Information and data collected on reports of retaliation against alleged victims of sexual assault, including the number of substantiated and unsubstantiated cases.

“(B) In this paragraph, the term ‘retaliation’ has the meaning given such term by the Secretary of Defense as required by section 1709(b) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 962; 10 U.S.C. 113 note).”.
(d) Application of Amendments.—The amendments made by this section shall take effect on the date of the enactment of this Act and apply beginning with the reports required to be submitted by March 1, 2016, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note).

SEC. 554. RETENTION OF CASE NOTES IN INVESTIGATIONS OF SEX-RELATED OFFENSES INVOLVING MEMBERS OF THE ARMY, NAVY, AIR FORCE, OR MARINE CORPS.

(a) Retention of All Investigative Records Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall update Department of Defense records retention policies to ensure that, for all investigations relating to an alleged sex-related offense (as defined in section 1044e(g) of title 10, United States Code) involving a member of the Army, Navy, Air Force, or Marine Corps, all elements of the case file shall be retained as part of the investigative records retained in accordance with section 3500 of title 18, United States Code, and section 586 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 1561 note).
(b) ELEMENTS.—In updating records retention policies as required by subsection (a), the Secretary of Defense shall address, at a minimum, the following matters:

(1) The elements of the case file to be retained must include, at a minimum, the case activity record, case review record, investigative plans, and all case notes made by an investigating agent or agents.

(2) All investigative records must be retained for no less than 50 years.

(3) No element of the case file may be destroyed until the expiration of the time that investigative records must be kept.

(4) Records may be stored digitally or in hard copy, in accordance with existing law or regulations or additionally prescribed policy considered necessary by the Secretary of the military department concerned.

(c) CONSISTENT EDUCATION AND POLICY.—The Secretary of Defense shall ensure that existing policy, education, and training are updated to reflect policy changes in accordance with subsection (a).

(d) UNIFORM APPLICATION TO MILITARY DEPARTMENTS.—The Secretary of Defense shall ensure that, to the maximum extent practicable, the policy developed under
subsections (a) is implemented uniformly by the military
departments.

SEC. 555. ADDITIONAL GUIDANCE REGARDING RELEASE OF
MENTAL HEALTH RECORDS OF DEPARTMENT
OF DEFENSE MEDICAL TREATMENT FACILI-
TIES IN CASES INVOLVING ANY SEX-RELATED
OFFENSE.

The Secretary of Defense shall establish and issue uni-
form guidance to ensure that, with respect to any case in-
volving any sex-related offense, mental health records of the
alleged victim of the sex-related offense and communications
related to such mental health records that are maintained
by a Department of Defense medical treatment facility are
neither sought by investigators or military justice practi-
tioners nor acknowledged or released by the medical treat-
ment facility unless and until the production of such mental
health records or communications has been ordered by a
military judge or a hearing officer described in section
832(b) of title 10, United States Code (article 32 of the Uni-
form Code of Military Justice).

SEC. 556. PUBLIC AVAILABILITY OF RECORDS OF CERTAIN
PROCEEDINGS UNDER THE UNIFORM CODE
OF MILITARY JUSTICE.

(a) PUBLIC AVAILABILITY REQUIRED.—The Secretary
of Defense shall make available, electronically through a
website of the Department of Defense, to the public all information specified in subsection (c) (subject to such exceptions as may apply under subsection (d)) for all of the proceedings under the Uniform Code of Military Justice specified in subsection (b).

(b) Covered Proceedings.—The system established under subsection (a) shall contain information for the following proceedings under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice):

(1) Special and general courts-martial under subchapter IV of such chapter.

(2) Actions by the convening authority under section 860 of such title (article 60).

(3) Reviews conducted by the Courts of Criminal Appeals under section 866 of such title (article 66).

(4) Reviews conducted by the Court of Appeals for the Armed Forces under section 867 of such title (article 67).

(c) Covered Information.—Except as provided in subsection (d), the following information, either directly or through links to another website, shall be made available through the system established under subsection (a) as soon as the information is reasonably available:

(1) The location of the proceeding and contact information for each base and court jurisdiction, in-
cluding, when applicable, the name and telephone number of the legal office with jurisdiction over the proceeding.

(2) The calendar of proceedings.

(3) The docket information for the proceeding.

(4) Any motions and documents filed in connection with the proceeding.

(5) The substance of all written rulings and opinions issued in the proceeding, in a text-searchable format.

(6) The authenticated record of the proceeding.

(7) Any other information related to the proceeding that the Secretary of Defense determines to be useful to the public.

(d) PROTECTION OF PRIVACY AND SECURITY.—

(1) REVISION OF MANUAL FOR COURTS-MARTIAL.—The Manual for Courts-Martial shall be updated to address privacy and security concerns related to the electronic filing of documents and the public availability of documents made available through the system established under subsection (a). Such guidance must consider, at minimum, the protection of privacy of individuals named in records and status of records under section 552 of title 5, United States Code (commonly referred to as the
Freedom of Information Act), section 552a of such title (commonly referred to as the Privacy Act), restricted reporting cases, and laws and guidance related to privilege. Such guidance shall provide to the extent practicable for uniform treatment of privacy and security issues throughout each proceeding specified in subsection (b) and across all branches of the Armed Forces. To the extent that such guidance provide for the redaction of certain categories of information to address privacy and security concerns, such guidance shall provide that a party that wishes to file an otherwise proper document containing such information may file an unredacted document under seal, which shall be retained as part of the proceeding as part of the record, and which, at the discretion of the court and subject to any applicable guidance issued in the Manual for Courts Martial, shall be either in lieu of, or in addition, to, a redacted copy in the public file.

(2) INTERIM GUIDANCE.—The Secretary of Defense may issue interim guidance, and interpretive statements relating to the application of such guidance, which conform to the requirements of paragraph (1) and which shall cease to have effect upon the effective date of the guidance required under paragraph
(1). Pending issuance of the guidance required under paragraph (1), any guidance or order of any court, or of the Secretary of Defense, providing for the redaction of certain categories of information in order to address privacy and security concerns arising from electronic filing shall comply with, and be construed in conformity with, the last sentence of paragraph (1).

(e) ELECTRONIC FILINGS.—

(1) IN GENERAL.—Except as provided in subsection (d) or under paragraph (2), each court-martial and the courts specified in paragraphs (4) and (5) of subsection (b) shall make each document that is filed electronically with the court available to the public through a website of the Department of Defense. To the extent practicable, the court shall convert any document that is filed in paper form to electronic form. To the extent such conversions are made, all such electronic versions of the document shall be made available to the public.

(2) EXCEPTION.—Paragraph (1) does not apply to any filed document that is not otherwise available to the public, such as a document filed under seal.

(f) MAINTENANCE OF DATA.—The Secretary of Defense shall ensure that the information in the system established
under subsection (a) is updated regularly and kept reasonably current. Electronic files and docket information for a proceeding closed for more than five years are not required to be made available through the system, except all written opinions with a date of issuance after the date specified in subsection (h) shall remain available to the public through the system.

(g) AUTHORIZATION TO CHARGE FEES.—The Secretary of Defense may prescribe reasonable fees for access to information made available through the system established under subsection (a). These fees may distinguish between classes of persons, and shall provide for exempting persons or classes of persons from the fees, in order to avoid unreasonable burdens and to promote public access to such information. The Secretary of Defense shall prescribe a schedule of reasonable fees for electronic access to information which the Secretary is required to maintain and make available to the public. The Secretary of Defense shall transmit each schedule of fees prescribed under this subsection to the Congress at least 30 days before the schedule of fees becomes effective.

(h) EFFECTIVE DATE AND APPLICABILITY.—The information system required by this section shall be available to the public no later than one year after the date of the enactment of this Act and apply to all proceedings under
the Uniform Code of Military Justice specified in subsection (b) that have begun or been completed since the date of enactment of this Act.

SEC. 557. REVISION OF DEPARTMENT OF DEFENSE DIRECTIVE-TYPE MEMORANDUM 15-003, RELATING TO REGISTERED SEX OFFENDER IDENTIFICATION, NOTIFICATION, AND MONITORING IN THE DEPARTMENT OF DEFENSE.

(a) Revision Required; Database.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise Department of Defense Directive-type Memorandum 15-003, relating to Registered Sex Offender Identification, Notification, and Monitoring in the Department of Defense, and all subsequent directive and guidance to ensure the following:

(1) All provisions of the Department of Defense Directive-type Memorandum 15-003 shall go into effect not later than 180 days after its revision under this section.

(2) The Department of Defense shall create a database (in this section referred to as the “database”) to track the following sex offenders:

(A) Sex offenders who are active-duty or reserve component members of the Army, Navy,
Air Force, or Marine Corps or civilian employees of the Department of Defense.

(B) Former active-duty or reserve component members of the Army, Navy, Air Force, or Marine Corps who have been convicted of a sex offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), if not already covered by subparagraph (A).

(3) For each individual identified in the database pursuant to paragraph (2)(A), the database shall contain the following information:

(A) The name of the sex offender (including any alias used by the individual).

(B) The Social Security number of the sex offender.

(C) A physical description of the sex offender.

(D) A current photograph of the sex offender.

(E) The address of each residence at which the sex offender resides.

(F) The name and address of any place where the sex offender is an employee, including the sex offender’s current assignment, duty sta-
tion, physical place of work, and deployment sta-
tus, if applicable.

(G) The name and address of any place
where the sex offender is a student.

(H) The text of the provision of law defin-
ing the criminal offense for which the sex of-
fender is registered in accordance with the Adam
Walsh Child Protection and Safety Act of 2006
(Public Law 109–248; 120 Stat. 587) or other
Federal, State, or local laws.

(I) The criminal history of the sex offender,
including the date of all arrests and convictions;
the status of parole, probation, or supervised re-
lease; registration status in accordance with the
Adam Walsh Child Protection and Safety Act of
2006 (Public Law 109–248; 120 Stat. 587) or
other applicable Federal, State, or local laws;
and the existence of any outstanding arrest war-
rants for the sex offender.

(J) Any other information required by Sec-
retary of Defense.

(4) For each individual identified in the data-
base pursuant to paragraph (2)(B), the database shall
contain the following information:
(A) The name of the sex offender (including any alias used by the individual).

(B) The Social Security number of the sex offender.

(C) A physical description of the sex offender.

(D) A current photograph of the sex offender.

(E) The last known address of each residence of the sex offender and, if released or about to be released from a military correctional facility, the intended address of residence of the sex offender.

(F) The text of the provision of law defining the criminal offense for which the sex offender is registered in accordance with the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248; 120 Stat. 587) or other Federal, State, or local laws.

(G) The criminal history of the sex offender, including the date of all arrests and convictions; the status of parole, probation, or supervised release; registration status in accordance with the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248; 120 Stat. 587) or
other Federal, State, or local laws; and the existence of any outstanding arrest warrants for the sex offender.

(H) Any other information required by Secretary of Defense.

(5) The database shall be available to local, State, and Federal law enforcement agencies. In the case of each individual identified in the database pursuant to paragraph (2)(B) who fails to register with a sex offender registry in accordance with the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248; 120 Stat. 587) or other applicable Federal, State, or local laws, the Secretary of Defense shall make available on the Internet, in a manner that is readily accessible to the public, the following information:

(A) The name of the sex offender (including any alias used by the individual).

(B) A physical description of the sex offender.

(C) A most recent photograph of the sex offender.

(D) The last known address of each residence of the sex offender and, if applicable, the intended address of residence of the sex offender.
(E) The criminal offense for which the sex offender is registered in accordance with the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248; 120 Stat. 587) or other applicable Federal, State, or local laws.

(F) Notification that the sex offender has failed to register on a sex offender registry in accordance with Federal, State, or local laws.

(G) Any other information required by Secretary of Defense, in accordance with existing laws and regulations.

(b) REPORTING REQUIREMENTS.—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by adding at the end the following new paragraph:

“(12) The number of individuals released from active-duty as a members of the Army, Navy, Air Force, or Marine Corps as a result of a conviction of a sex-related offense, including the number who have registered with a local sex offender registry in accordance with local, State, and Federal law and the number who have failed to register with a local sex offender registry in accordance with local, State, and Federal law.”.
(c) **DEFINITIONS.**—In this section:

(1) In this section, the term “sex offender” means an individual who is required to be placed on a sexual offender registry by Federal, State, or local laws, including the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248; 120 Stat. 587).

(2) In this section, the term “sex offense” means an offense in a category of conduct punishable under the Uniform Code of Military Justice specified by the Secretary of Defense pursuant to section 115(a)(8)(C)(i) of Public Law 105–119 (10 U.S.C. 951 note).

**SEC. 558. IMPROVED IMPLEMENTATION OF CHANGES TO UNIFORM CODE OF MILITARY JUSTICE.**

The Secretary of Defense shall examine the Department of Defense and interagency review process for implementing statutory changes to the Uniform Code of Military Justice for the purpose of developing options for streamlining such process. The Secretary shall adopt procedures to ensure that legal guidance is published at the same time as statutory changes to the Uniform Code of Military Justice are implemented.
Subtitle F—Member Education, Training, and Transition

SEC. 561. AVAILABILITY OF PRESEPARATION COUNSELING FOR MEMBERS OF THE ARMED FORCES DISENCHARGED OR RELEASED AFTER LIMITED ACTIVE DUTY.

Section 1142(a)(4) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking “that member’s first 180 days of active duty” and inserting “the first 180 continuous days of active duty of the member”; and

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

“(C) For purposes of calculating the days of active duty of a member under subparagraph (A), the Secretary concerned shall exclude any day on which—

“(i) the member performed full-time training duty or annual training duty; and

“(ii) the member attended, while in the active military service, a school designated as a service school by law or by the Secretary concerned.”.
SEC. 562. AVAILABILITY OF ADDITIONAL TRAINING OPPORTUNITIES UNDER TRANSITION ASSISTANCE PROGRAM.

Section 1144 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) ADDITIONAL TRAINING OPPORTUNITIES.—(1) As part of the program carried out under this section, the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating, when the Coast Guard is not operating within the Department of the Navy, shall permit a member of the armed forces eligible for assistance under the program to elect to receive additional training in any of the following subjects:

“(A) Preparation for higher education or training.

“(B) Preparation for career or technical training.

“(C) Preparation for entrepreneurship.

“(D) Other training options determined by the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating, when the Coast Guard is not operating within the Department of the Navy.

“(2) The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating, when the Coast Guard is not operating within the Department of the Navy.
of the Navy, shall ensure that a member of the armed forces
who elects to receive additional training in subjects avail-
able under paragraph (1) is able to receive the training.”.

SEC. 563. ENHANCEMENTS TO YELLOW RIBBON REINTEGRA-
TION PROGRAM.

(a) SCOPE AND PURPOSE.—Section 582(a) of the Na-
tional Defense Authorization Act for Fiscal Year 2008 (Pub-
lic Law 110–181; 10 U.S.C. 10101 note) is amended by
striking “combat veteran”.

(b) ELIGIBILITY.—

(1) DEFINITION.—Section 582 of the National
Defense Authorization Act for Fiscal Year 2008 (Pub-
lic Law 110–181; 10 U.S.C. 10101 note) is amended
by adding at the end the following new subsection:

“(l) ELIGIBLE INDIVIDUALS DEFINED.—For the pur-
poses of this section, the term ‘eligible individual’ means
a member of a reserve component, a member of their family,
or a designated representative who the Secretary of Defense
determines to be eligible for the Yellow Ribbon Reintegra-
ton Program.”.

(2) CONFORMING AMENDMENTS.—Section 582 of
the National Defense Authorization Act for Fiscal
Year 2008 (Public Law 110–181; 10 U.S.C. 10101
note) is amended—
(A) in subsection (a), by striking “National Guard and Reserve members and their families” and inserting “eligible individuals”; 

(B) in subsection (b), by striking “members of the reserve components of the Armed Forces, their families,” and inserting “eligible individuals”; 

(C) in subsection (d)(2)(C), by striking “members of the Armed Forces and their families” and inserting “eligible individuals”; 

(D) in subsection (h), in the matter preceding paragraph (1)—

(i) by striking “members of the Armed Forces and their family members” and inserting “eligible individuals”; and 

(ii) by striking “such members and their family members” and inserting “such eligible individuals”; 

(E) in subsection (j), by striking “members of the Armed Forces and their families” and inserting “eligible individuals”; and 

(F) in subsection (k), by striking “individual members of the Armed Forces and their families” and inserting “eligible individuals”.

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(c) Office for Reintegration Programs.—Section 582(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended—

(1) in subparagraph (1)(B), by striking “substance abuse and mental health treatment services” and inserting “substance abuse, mental health treatment, and other quality of life services”; and

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

“(3) Grants.—The Office for Reintegration Programs may make grants to conduct data collection, trend analysis, and curriculum development and to prepare reports in support of activities under this section.”.

(d) Operation of Program.—

(1) Enhanced Flexibility.—Subsection (g) of section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended to read as follows:

“(g) Operation of Program.—

“(1) In General.—The Office for Reintegration Programs shall assist State National Guard and Reserve organizations with the development and provision of information, events, and activities to support
the health and well-being of eligible individuals before, during, and after periods of activation, mobilization, or deployment.

“(2) Focus of Information, Events, and Activities.—

“(A) Before Activation, Mobilization, or Deployment.—Before a period of activation, mobilization, or deployment, the information, events, and activities described in paragraph (1) should focus on preparing eligible individuals and affected communities for the rigors of activation, mobilization, and deployment.

“(B) During Activation, Mobilization, or Deployment.—During such a period, the information, events, and activities described in paragraph (1) should focus on—

“(i) helping eligible individuals cope with the challenges and stress associated with such period;

“(ii) decreasing the isolation of eligible individuals during such period; and

“(iii) preparing eligible individuals for the challenges associated with reintegration.

“(C) After Activation, Mobilization, or Deployment.—After such a period, but no ear-
lier than 30 days after demobilization, the information, events, and activities described in paragraph (1) should focus on—

“(i) reconnecting the member with their families, friends, and communities;

“(ii) providing information on employment opportunities;

“(iii) helping eligible individuals deal with the challenges of reintegration;

“(iv) ensuring that eligible individuals understand what benefits they are entitled to and what resources are available to help them overcome the challenges of reintegration; and

“(v) providing a forum for addressing negative behaviors related to operational stress and reintegration.

“(3) Member pay.—Members shall receive appropriate pay for days spent attending such events and activities.

“(4) Minimum number of events and activities.—The State National Guard and Reserve Organizations shall provide to eligible individuals—

“(A) one event or activity before a period of activation, mobilization, or deployment;
“(B) one event or activity during a period of activation, mobilization, or deployment; and

“(C) two events or activities after a period of activation, mobilization, or deployment.”.

(2) CONFORMING AMENDMENTS.—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended—

(A) in subsection (a), by striking “throughout the entire deployment cycle”; 

(B) in subsection (b)—

(i) by striking “well-being through the 4 phases” through the end of the subsection and inserting “well-being.”;

(ii) in the heading, by striking “; DEPLOYMENT CYCLE”;

(C) in subsection (d)(2)(C), by striking “throughout the deployment cycle described in subsection (g)”;

(D) in the heading of subsection (f), by striking “STATE DEPLOYMENT CYCLE”.

(e) ADDITIONAL PERMITTED OUTREACH SERVICE.—

Section 582(h) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C.
10101 note) is amended by adding at the end the following new paragraph:

“(16) Stress management and positive coping skills.”.

(f) SUPPORT OF DEPARTMENT-WIDE SUICIDE PREVENTION EFFORTS.—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended by inserting after subsection (h) the following new subsection:

“(i) SUPPORT OF SUICIDE PREVENTION EFFORTS.—The Office for Reintegration Programs shall assist the Defense Suicide Prevention Office and the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury to collect and analyze information, suggestions, and best practices from State National Guard and Reserve organizations with suicide prevention and community response programs.”.

(g) NAME CHANGE.—Section 582(d)(1)(B) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended by striking “Substance Abuse and the Mental Health Services Administration” and inserting “Substance Abuse and Mental Health Services Administration”.
SEC. 564. APPOINTMENTS TO MILITARY SERVICE ACADEMIES FROM NOMINATIONS MADE BY DELEGATES IN CONGRESS FROM THE VIRGIN ISLANDS, GUAM, AMERICAN SAMOA, AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) UNITED STATES MILITARY ACADEMY.—Section 4342(a) of title 10, United States Code, is amended—

(1) in paragraph (6), by striking “Three” and inserting “Four”;

(2) in paragraph (8), by striking “Three” and inserting “Four”;

(3) in paragraph (9), by striking “Two” and inserting “Three”; and

(4) in paragraph (10), by striking “Two” and inserting “Three”.

(b) UNITED STATES NAVAL ACADEMY.—Section 6954(a) of title 10, United States Code, is amended—

(1) in paragraph (6), by striking “Three” and inserting “Four”;

(2) in paragraph (8), by striking “Three” and inserting “Four”;

(3) in paragraph (9), by striking “Two” and inserting “Three”; and

(4) in paragraph (10), by striking “Two” and inserting “Three”.

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(c) UNITED STATES AIR FORCE ACADEMY.—Section 9342(a) of title 10, United States Code, is amended—

(1) in paragraph (6), by striking “Three” and inserting “Four”;

(2) in paragraph (8), by striking “Three” and inserting “Four”;

(3) in paragraph (9), by striking “Two” and inserting “Three”; and

(4) in paragraph (10), by striking “Two” and inserting “Three”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the nomination of candidates for appointment to the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy for classes entering these military service academies after the date of the enactment of this Act.

SEC. 565. RECOGNITION OF ADDITIONAL INVOLUNTARY MOBILIZATION DUTY AUTHORITIES EXEMPT FROM FIVE-YEAR LIMIT ON REEMPLOYMENT RIGHTS OF PERSONS WHO SERVE IN THE UNIFORMED SERVICES.

Section 4312(c)(4)(A) of title 38, United States Code, is amended by inserting after “12304,” the following: “12304a, 12304b,”.
SEC. 566. JOB TRAINING AND POST-SERVICE PLACEMENT

EXECUTIVE COMMITTEE.

Section 320 of title 38, United States Code, is amended—

(1) in subsection (b)(2), by inserting “a subordinate Job Training and Post-Service Placement Executive Committee,” before “and such other committees”;

(2) by adding at the end the following new subsection:

“(e) JOB TRAINING AND POST-SERVICE PLACEMENT EXECUTIVE COMMITTEE.—The Job Training and Post-Service Placement Executive Committee described in subsection (b)(2) shall—

“(1) review existing policies, procedures, and practices of the Departments (including the military departments) with respect to job training and post-service placement programs; and

“(2) identify changes to such policies, procedures, and practices to improve job training and post-service placement.”; and

(3) in subsection (d)(2), by inserting “, including with respect to job training and post-service placement” before the period at the end.
SEC. 567. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE.

(a) Program Authority.—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to members in the National Guard and Reserves.

(b) Administration.—The pilot program shall be offered to, and administered by, the adjutants general appointed under section 314 of title 32, United States Code.

(c) Cost-Sharing Requirement.—As a condition on the provision of funds under this section to a State to support the operation of the pilot program in the State, the State must agree to contribute an amount, derived from non-Federal sources, equal to at least 30 percent of the funds provided by the Secretary of Defense under this section.

(d) Direct Employment Program Model.—The pilot program should follow a job placement program model that focuses on working one-on-one with a member of a reserve component to cost-effectively provide job placement services, including services such as identifying unemployed and under employed members, job matching services, resume editing, interview preparation, and post-employment follow up. Development of the pilot program should be informed by State direct employment programs for members...
of the reserve components, such as the programs conducted in California and South Carolina.

(e) EVALUATION.—The Secretary of Defense shall develop outcome measurements to evaluate the success of the pilot program.

(f) REPORTING REQUIREMENTS.—

(1) REPORT REQUIRED.—Not later than March 1, 2019, the Secretary of Defense shall submit to the congressional defense committees a report describing the results of the pilot program. The Secretary shall prepare the report in coordination with the Chief of the National Guard Bureau.

(2) ELEMENTS OF REPORT.—A report under paragraph (1) shall include the following:

(A) A description and assessment of the effectiveness and achievements of the pilot program, including the number of members of the reserve components hired and the cost-per-placement of participating members.

(B) An assessment of the impact of the pilot program and increased reserve component employment levels on the readiness of members of the reserve components.

(C) Any other matters considered appropriate by the Secretary.
(g) Limitation on Total Fiscal-Year Obligations.—The total amount obligated by the Secretary of Defense to carry out the pilot program for any fiscal year may not exceed $20,000,000.

(h) Duration of Authority.—

(1) In General.—The authority to carry out the pilot program expires September 30, 2018.

(2) Extension.—Upon the expiration of the authority under paragraph (1), the Secretary of Defense may extend the pilot program for not more than two additional fiscal years.

SEC. 568. PROGRAM REGARDING CIVILIAN CREDENTIALING FOR SKILLS REQUIRED FOR CERTAIN MILITARY OCCUPATIONAL SPECIALTIES.

Section 558 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2015 note) is amended by adding at the end the following new subsection:

“(e) Inclusion of Specified Military Occupational Specialties.—The pilot program required by this section shall include at a minimum the following military occupational specialties:

“(1) Army 31B Military Police.

“(2) Navy MA Master-At-Arms.

“(3) Air Force 3P0X1 Security Forces.
Subtitle G—Defense Dependents’ Education and Military Family Readiness Matters

SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) Assistance to Schools With Significant Numbers of Military Dependent Students.—Of the amount authorized to be appropriated for fiscal year 2016 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $30,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) Local Educational Agency Defined.—In this section, the term “local educational agency” has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).
SEC. 572. EXTENSION OF AUTHORITY TO CONDUCT FAMILY SUPPORT PROGRAMS FOR IMMEDIATE FAMILY MEMBERS OF MEMBERS OF THE ARMED FORCES ASSIGNED TO SPECIAL OPERATIONS FORCES.


SEC. 573. SUPPORT FOR EFFORTS TO IMPROVE ACADEMIC ACHIEVEMENT AND TRANSITION OF MILITARY DEPENDENT STUDENTS.

The Secretary of Defense may make grants to nonprofit organizations that provide services to improve the academic achievement of military dependent students, including those nonprofit organizations whose programs focus on improving the civic responsibility of military dependent students and their understanding of the Federal Government through direct exposure to the operations of the Federal Government.
SEC. 574. STUDY REGARDING FEASIBILITY OF USING DEERS TO TRACK DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES WHO ARE ELEMENTARY OR SECONDARY EDUCATION STUDENTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of a study regarding the feasibility of using the Defense Enrollment Eligibility Reporting System (DEERS) to maintain records of where students who are dependents of members of the Armed Forces or Department of Defense civilian employees are enrolled in elementary or secondary education, be it private, public, or home-schooled.

SEC. 575. SENSE OF CONGRESS REGARDING SUPPORT FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES ATTENDING SPECIALIZED CAMPS.

(a) FINDINGS.—Congress makes the following findings:

(1) It has been shown that some members of the Armed Forces have a difficult time transitioning back into civilian life due to post-traumatic stress and other behavioral health disorders from traumatic events they experienced during combat.
(2) The children of returning members of the Armed Forces who suffer from post-traumatic stress and other behavioral health disorders often also suffer from severe distress due to the lack of a stable home environment and loss of a strong parental figure for guidance.

(3) The children of members of the Armed Forces who are in severe distress can be helped by being given the opportunity to participate in intensive specialized programs outside of their regular environment with other children who are going through similar situations.

(b) Sense of Congress.—It is the sense of Congress that the Department of Defense should continue to support dependents of members of the Armed Forces in attending camps offered by nonprofit organizations that are using evidence-based practices to provide support to children grieving the loss of a parent, guardian, or sibling, or who have a parent, guardian, or sibling who suffers from post-traumatic stress or a behavioral health disorder.
Subtitle H—Decorations and Awards

SEC. 581. AUTHORIZATION FOR AWARD OF THE DISTINGUISHED-SERVICE CROSS FOR ACTS OF EXTRAORDINARY HEROISM DURING THE KOREAN WAR.

Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished-Service Cross under section 3742 of such title to Edward Halcomb who, while serving in Korea as a member of the United States Army in the grade of Private First Class in Company B, 1st Battalion, 29th Infantry Regiment, 24th Infantry Division, distinguished himself by acts of extraordinary heroism from August 20, 1950, to October 19, 1950, during the Korean War.

SEC. 582. LIMITATION ON AUTHORITY OF SECRETARIES OF THE MILITARY DEPARTMENTS REGARDING REVOCATION OF COMBAT VALOR AWARDS.

(a) PROHIBITION.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1133 the following new section:
§1133a. Limitation on revocation of combat valor awards

“The Secretary of a military department may not revoke a combat valor award awarded to a member of the armed forces under the jurisdiction of that Secretary unless the conduct of the member during the period of service during which the distinguished act occurred was not honorable. The Secretary may not consider the characterization of the member’s service outside of the actual time period covered by the award.”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 57 of such title is amended by inserting after the item relating to section 1133 the following new item:

“1133a. Limitation on revocation of combat valor awards.”.

SEC. 583. AWARD OF PURPLE HEART TO MEMBERS OF THE ARMED FORCES WHO WERE VICTIMS OF THE OKLAHOMA CITY, OKLAHOMA, BOMBING.

Notwithstanding section 571(a)(2) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3387), the Secretary of the military department concerned shall award the Purple Heart pursuant to section 1129a of title 10, United States Code, to the following members of the Armed Forces who were killed in the bombing that occurred at the Murrah Federal Building in Oklahoma City, Oklahoma, on April 19, 1995:
(1) Sergeant First Class Lola Renee Bolden, United States Army.

(2) Sergeant Benjamin Laranzo Davis, United States Marine Corps.

(3) Captain Randolph Albert Guzman, United States Marine Corps.

(4) Airman First Class Lakesha Racquel Levy, United States Air Force.

(5) Airman First Class Cartney Jean Mcraven, United States Air Force.

(6) Master Sergeant Victoria Lee Sohn, United States Army.

Subtitle I—Reports and Other Matters

SEC. 591. AUTHORITY FOR UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY TO CHARGE AND RETAIN TUITION FOR INSTRUCTION OF PERSONS OTHER THAN AIR FORCE PERSONNEL DETAILED FOR INSTRUCTION AT THE INSTITUTE.

(a) INSTITUTE INSTRUCTION OF PERSONS OTHER THAN AIR FORCE PERSONNEL.—Section 9314a of title 10, United States Code, is amended—
(1) by redesignating subsections (a), (c), (d), (e),
and (f) as subsections (d), (e), (f), (g), and (h), respec-
tively;
(2) by redesignating subsection (b) as paragraph
(4) of subsection (d), as so redesignated; and
(3) by inserting before subsection (d), as so redes-
ignated, the following new subsections:
“(a) Members of the Armed Forces Other Than
the Air Force Who Are Detailed to the Insti-
tute.—(1) The Department of the Army, the Department
of the Navy, and the Department of Homeland Security
shall bear the cost of the instruction at the Air Force Insti-
tute of Technology that is received by members of the armed
forces detailed for that instruction by the Secretaries of the
Army, Navy, and Homeland Security, respectively.
“(2) Members of the Army, Navy, Marine Corps, and
Coast Guard may only be detailed for instruction at the
Institute on a space-available basis.
“(3) In the case of an enlisted member of the Army,
Navy, Marine Corps, or Coast Guard detailed to receive in-
struction at the Institute, the Secretary of the Air Force
shall charge the Secretary concerned only for such costs and
fees as the Secretary considers appropriate (taking into con-
sideration the admission of enlisted members on a space-
available basis).
“(b) Federal Civilian Employees Other Than Air Force Employees Who Are Detailed to the Institute.—(1) The Institute shall charge tuition for the cost of providing instruction at the Institute for any civilian employee of a military department (other than a civilian employee of the Department of the Air Force), of another component of the Department of Defense, or of another Federal agency who is detailed to receive instruction at the Institute.

“(2) The cost of any tuition charged an individual under this subsection shall be borne by the department, agency, or component that details the individual for instruction at the Institute.

“(c) Non-Detailed Persons.—(1) The Secretary of the Air Force may permit persons described in paragraph (2) to receive instruction at the United States Air Force Institute of Technology on a space-available basis.

“(2) Paragraph (1) applies to any of the following persons:

“(A) A member of the armed forces not detailed for that instruction by the Secretary concerned.

“(B) A civilian employee of a military department, of another component of the Department of Defense, of another Federal agency, or of a State’s National Guard not detailed for that instruction by the
Secretary concerned or head of the other Department of Defense component, other Federal agency, or the National Guard.

“(C) A United States citizen who is the recipient of a competitively selected Federal or Department of Defense sponsored scholarship or fellowship with a defense focus in areas of study related to the academic disciplines offered by the Air Force Institute of Technology and which requires a service commitment to the Federal government in exchange for educational financial assistance.

“(3) If a scholarship or fellowship described in paragraph (2)(C) includes a stipend, the Institute may accept the stipend payment from the scholarship or fellowship sponsor and make a direct payment to the individual.”.

(b) CONFORMING AMENDMENTS RELATED TO REDESIGNATION AND OTHER CONFORMING AMENDMENTS.—Section 9314a of title 10, United States Code, is amended—

(1) in subsection (d), as redesignated by subsection (a)(1)—

(A) by striking “ADMISSION AUTHORIZED” and inserting “DEFENSE INDUSTRY EMPLOYEES”;

(B) in paragraph (1), by striking “subsection (b)” and inserting “paragraph (4)”; and

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(C) in paragraph (4), as redesignated by subsection (a)(2), by striking “ELIGIBLE DEFENSE INDUSTRY EMPLOYEES.—”; (2) in subsection (f)(1), as redesignated by subsection (a)(1), by striking “subsection (a)(1)” and inserting “subsection (d)(1)”; (3) in subsection (g)(1), as redesignated by subsection (a)(1)— (A) by striking “under this section” and inserting “under subsections (c) and (d)”; and (B) by inserting before the period at the end the following: “who are detailed to receive instruction at the Institute under subsection (b)”; and (4) in subsection (h), as redesignated by subsection (a)(1), by striking “defense industry employees enrolled under this section” and inserting “persons enrolled under this section who are not members of the armed forces or Government civilian employees”. (c) CONDITIONS ON ADMISSION OF DEFENSE INDUSTRY CIVILIANS.—Subsection (e)(1) of section 9314a of title 10, United States Code, as redesignated by subsection (a)(1), is amended by striking “will be done on a space-available basis and not require an increase in the size of
the faculty” and inserting “will not require an increase in
the permanently authorized size of the faculty”.

(d) Statutory Reorganization.—Chapter 901 of
title 10, United States Code, is amended—

(1) by transferring subsections (d) and (f) of sec-
tion 9314 to the end of section 9314b and redesig-
nating those subsections as subsections (c) and (d), re-
spectively; and

(2) by striking subsection (e) of section 9314.

(e) Clerical Amendments.—

(1) Section headings.—(A) The heading of
section 9314 of title 10, United States Code, is
amended to read as follows:

“§ 9314. United States Air Force Institute of Tech-
nology: degree granting authority”.

(B) The heading of section 9314a of such title is
amended to read as follows:

“§ 9314a. United States Air Force Institute of Tech-
nology: reimbursement and tuition; in-
tuction of persons other than Air Force
personnel”.

(2) Table of sections.—The table of sections
at the beginning of chapter 901 of such title is
amended by striking the items relating to sections
9314 and 9314a and inserting the following new items:

“9314a. United States Air Force Institute of Technology: reimbursement and tuition; instruction of persons other than Air Force personnel.”.

SEC. 592. HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS AS VETERANS.

(a) Veteran Status.—

(1) In general.—Chapter 1 of title 38, United States Code, is amended by inserting after section 107 the following new section:

“§ 107A. Honoring as veterans certain persons who performed service in the reserve components

“Any person who is entitled under chapter 1223 of title 10 to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for non-regular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section.”.

(2) Clerical amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 107 the following new item:

“107A. Honoring as veterans certain persons who performed service in the reserve components”.

(b) Clarification Regarding Benefits.—No person may receive any benefit under the laws administered
by the Secretary of Veterans Affairs solely by reason of section 107A of title 38, United States Code, as added by subsection (a).

SEC. 593. SUPPORT FOR DESIGNATION OF 2015 AS THE YEAR OF THE MILITARY DIVER.

(a) FINDINGS.—Congress finds the following:

(1) Military divers are serving and have served in the noble and self-sacrificing profession of military diving in the Armed Forces.

(2) Military divers were created at the turn of the twentieth century, the trademark of diving is the Mark Five Dive Helmet created in 1915.

(3) Military divers perform a dangerous and selfless task often without recognition, risking their lives on behalf of the United States.

(4) The United States will forever be in debt to personnel in the profession of military diving for their bravery and sacrifice in times of peace and war.

(4) People in the United States should express their recognition and gratitude for military divers and the diving profession.

(5) In 1939, when the submarine U.S.S. Squalus sank, Navy divers used an experimental rig to rescue all 33 sailors aboard the vessel who survived the ini-
tial sinking, and the divers were awarded the Medal of Honor for their role in the rescue.

(6) In 1941, after the attack on Pearl Harbor, Navy divers raised every battleship that was sunk at Pearl Harbor, to the surface (with the exception of the U.S.S. Arizona, U.S.S. Utah, and the U.S.S. Oklahoma).

(7) The raised ships were repaired and sent back out to fight the Imperial Japanese Navy.

(8) In 1986, when Space Shuttle Challenger exploded, Navy divers recovered the remains and debris.

(9) When TWA Flight 800, Swissair Flight 111, and EgyptAir Flight 990 crashed, among others, Navy divers recovered the remains and debris.

(10) In 1999, when John F. Kennedy Jr., Carolyn Bessette, and Lauren Bessette died in a plane crash, Navy divers recovered their remains and debris.

(11) In 2003, during the Quecreek Mine Rescue in Somerset County, Pennsylvania, Navy divers treated the recovered miners in Fly Away Recompression Chambers.

(12) 2015 would be an appropriate year to highlight the achievements of the military diver.
(b) Sense of Congress.—In light of the findings under subsection (a), Congress—

(1) reaffirms its support for the sacrifices made by military divers during the past 100 years;

(2) recognizes the sacrifices of those who have volunteered as military divers for their bravery; and

(3) encourages and supports the Department of Defense to designate 2015 as the Year of the Military Diver to honor those who are serving and have served in the noble and self-sacrificing profession of military diving in the Armed Forces.

SEC. 594. TRANSFER AND ADOPTION OF MILITARY ANIMALS.

(a) Availability for Adoption.—Section 2583(a) of title 10, United States Code, is amended by striking “may” in the matter preceding paragraph (1) and inserting “shall”.

(b) Authorized Recipients.—Subsection (c) of section 2583 of title 10, United States Code, is amended to read as follows:

“(c) Authorized Recipients.—(1) A military animal shall be made available for adoption under this section, in order of recommended priority—

“(A) by former handlers of the animal;

“(B) by law enforcement agencies; and
“(C) by other persons capable of humanely caring for the animal.

“(2) If the Secretary of the military department concerned determines that an adoption is justified under subsection (a)(2) under circumstances under which the handler of a military working dog is wounded in action, the dog shall be made available for adoption only by the handler.

If the Secretary of the military department concerned determines that such an adoption is justified under circumstances under which the handler of a military working dog is killed in action or dies of wounds received in action, the military working dog shall be made available for adoption only by a parent, child, spouse, or sibling of the deceased handler.”.

SEC. 595. COORDINATION WITH NON-GOVERNMENT SUICIDE PREVENTION ORGANIZATIONS AND AGENCIES TO ASSIST IN REDUCING SUICIDES.

(a) Policy Required.—

(1) In general.—The Secretary of Defense shall develop a policy to coordinate the efforts of the Department of Defense and non-government suicide prevention organizations regarding—

(A) the use of such non-government organizations to reduce the number of suicides among
members of the Armed Forces by comprehensively addressing the needs of members of the Armed Forces who have been identified as being at risk of suicide;

(B) the delineation of the responsibilities within the Department of Defense regarding interaction with such organizations; and

(C) the collection of data regarding the efficacy and cost of coordinating with such organizations; and

(D) the preparation and preservation of any reporting material the Secretary determines necessary to carry out this section.

(2) Selection of Organizations.—The policy required by paragraph (1) shall include a policy on the identification of appropriate non-government organizations by the Secretary of Defense using factors developed by the Secretary. Such factors shall include—

(A) the record of an organization in reducing suicide rates among participants in the programs carried out by the organization;

(B) the familiarity of an organization with the structure, ethos, and environment of the Armed Forces;
(C) the demonstrated experience of an organization in understanding and working with injured and disabled members of the Armed Forces, including those who were injured in combat;

(D) the expertise of an organization in improving the emotional well being, mental clarity, and ability to perform missions of program participants; and

(E) the expertise of an organization in improving the health and fitness of program participants.

(3) AUTHORITY OF SECRETARY OF DEFENSE.—The Secretary of Defense shall be authorized to take any necessary measures to prevent suicides by members of the Armed Forces, including by facilitating the access of members of the Armed Forces to successful non-governmental treatment regimen.

(4) CONSULTATION.—In developing the policy under this subsection, the Secretary of Defense shall consult with the Secretaries of each of the military departments and the Chief of the National Guard Bureau.

(b) SUBMISSION AND IMPLEMENTATION.—

(1) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of
Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a copy of the policy developed under this section.

(2) Deadline for implementation.—The Secretary of Defense shall ensure that the policy developed under this section is implemented by not later than the date that is 180 days after the submission of the policy under paragraph (1).

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking “December 31, 2015” and inserting “December 31, 2016”.

SEC. 602. PROHIBITION ON PER DIEM ALLOWANCE REDUCTIONS BASED ON THE DURATION OF TEMPORARY DUTY ASSIGNMENT OR CIVILIAN TRAVEL.

(a) Members of the Uniformed Services.—Section 474(d)(3) of title 37, United States Code, is amended by adding at the end the following new sentence: “The Sec-
retaries concerned shall not alter the amount of the per diem
allowance, or the maximum amount of reimbursement, for
a locality based on the duration of the temporary duty as-
signment of a member of the uniformed services in the local-
ity.”.

(b) CIVILIAN EMPLOYEES.—Section 5702(a)(2) of title
5, United States Code, is amended by adding at the end
the following new sentence: “The Secretary of the Depart-
ment of Defense shall not alter the amount of the per diem
allowance, or the maximum amount of reimbursement, for
a locality based on the duration of the travel of an employee
of the Department in the locality.”.

(c) REPEAL OF POLICY AND REGULATIONS.—The pol-
icy, and any regulations issued pursuant to such policy,
implemented by the Secretary of the Department of Defense
on November 1, 2014, with respect to reductions in per diem
allowances based on duration of temporary duty assign-
ment or civilian travel shall have no force or effect.
Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.
(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 302c–1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.
(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.
(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers’ Training Corps.
(7) Section 351(h), relating to hazardous duty pay.

(8) Section 352(g), relating to assignment pay or special duty pay.

(9) Section 353(i), relating to skill incentive pay or proficiency bonus.

(10) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 316a(g), relating to incentive pay for members of precommissioning programs pursuing foreign language proficiency.
(6) Section 324(g), relating to accession bonus for new officers in critical skills.

(7) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(8) Section 327(h), relating to incentive bonus for transfer between branches of the Armed Forces.

(9) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. INCREASE IN MAXIMUM ANNUAL AMOUNT OF NUCLEAR OFFICER BONUS PAY.

Section 333(d)(1)(A) of title 37, United States Code, is amended by striking “$35,000” and inserting “$50,000”.

SEC. 617. MODIFICATION TO SPECIAL AVIATION INCENTIVE PAY AND BONUS AUTHORITIES FOR OFFICERS.

(a) Clarification of Secretarial Authority to Set Requirements for Aviation Incentive Pay Eligibility.—Section 334(a) of title 37, United States Code, is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) INCENTIVE PAY AUTHORIZED; ELIGIBILITY.—The Secretary”;
(2) by designating existing paragraphs (1), (2), (3), (4), and (5) as subparagraphs (A), (B), (C), (D), and (E), respectively, and moving the margin of such subparagraphs, as so designated, 2 ems to the right; and

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

“(2) Officers not currently engaged in flying duty.—The Secretary concerned may pay aviation incentive pay under this section to an officer who is otherwise qualified for such pay but who is not currently engaged in the performance of operational flying duty or proficiency flying duty if the Secretary determines, under regulations prescribed under section 374 of this title, that payment of aviation incentive pay to that officer is in the best interests of the service.”.

(b) Restoration of Authority to Pay Aviation Incentive Pay to Medical Officers Performing Flight Surgeon Duties.—Section 334(h)(1) of title 37, United States Code, is amended by striking “(except a flight surgeon or other medical officer)”.

(c) Increase in Maximum Amount of Aviation Special Pays.—Section 334(c)(1) of title 37, United States Code, is amended—
(1) in subparagraph (A), by striking “$850” and inserting “$1,000”.

(2) in subparagraph (B), is amended by striking “$25,000” and inserting “$35,000”.

(d) AUTHORITY TO PAY AVIATION BONUS AND SKILL INCENTIVE PAY SIMULTANEOUSLY TO OFFICERS.—Section 334(f) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking “353” and inserting “353(a)”; and

(2) in paragraph (2)—

(A) by striking “a payment” and inserting “a bonus payment”; and

(B) by striking “353” and inserting “353(b)”.

SEC. 618. REPEAL OF OBSOLETE SPECIAL TRAVEL AND TRANSPORTATION ALLOWANCE FOR SURVIVORS OF DECEASED MEMBERS OF THE ARMED FORCES FROM THE VIETNAM CONFLICT.

(a) REPEAL AND REDESIGNATION.—Section 481f of title 37, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g).
(b) Conforming Amendment to Cross Reference.—Section 2493(a)(4)(B)(ii) of title 10, United States Code, is amended by striking “section 481f(e)” and inserting “section 481f(d)

Subtitle C—Modernization of Military Retirement System

SEC. 631. FULL PARTICIPATION FOR MEMBERS OF THE UNIFORMED SERVICES IN THRIFT SAVINGS PLAN.

(a) Modernized Retirement System.—

(1) Definitions.—Section 8440e(a) of title 5, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) the term ‘basic pay’ means basic pay payable under section 204 of title 37;

“(2) the term ‘full TSP member’ means a member described in subsection (e)(1);

“(3) the term ‘member’ has the meaning given the term in section 211 of title 37; and

“(4) the term ‘Secretary concerned’ has the meaning given the term in section 101 of title 37.”.

(2) TSP Matching Contributions.—Subsection (e) of section 8440e of title 5, United States Code, is amended to read as follows:

“(e) Modernized Retirement System.—
“(1) TSP MATCHING CONTRIBUTIONS.—Notwithstanding any other provision of law, the Secretary concerned shall make contributions to the Thrift Savings Fund, in accordance with section 8432 of this title (except to the extent the requirements under such section are modified by this subsection), for the benefit of a member—

“(A) who first enters a uniformed service on or after October 1, 2017; or

“(B) who entered a uniformed service before that date, but who makes the election described in section 1409(b)(4) of title 10 to receive Thrift Savings Plan matching contributions under this subsection in exchange for the reduced multipliers described in section 1409(b)(4)(B) of title 10 for purposes of calculating the retired pay of the member.

“(2) MATCHING AMOUNT.—The amount contributed under this subsection by the Secretary concerned with respect to any contribution made by a full TSP member for any pay period shall be equal to such portion of the total amount of the member’s contribution as does not exceed 5 percent of the member’s basic pay for the pay period. Such amount contributed under this subsection is instead of, and not in
addition to, amounts contributed under section 8432(c)(2) of this title.

“(3) **TIMING AND DURATION OF MATCHING CONTRIBUTIONS.**—The Secretary concerned shall make a contribution under this subsection on behalf of a full TSP member for any pay period for the member that—

“(A) begins on or after December 1, 2017; and

“(B) covers any period of service by the member after the member completes two years of service.

“(4) **PROTECTIONS FOR SPOUSES AND FORMER SPOUSES.**—Section 8435 of this title shall apply to a full TSP member in the same manner as such section is applied to an employee or Member under such section.”.

(b) **AUTOMATIC ENROLLMENT IN THRIFT SAVINGS PLAN.**—Section 8432(b)(2) of title 5, United States Code, is amended—

(1) in subparagraph (D)(ii), by striking “Members” and inserting “(ii) Except in the case of a full TSP member (as defined in section 8440e(a) of this title), members”;

--
(2) in subparagraph (E), by striking “8440e(a)(1)” and inserting “8440e(b)(1)”; and

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

“(F) Notwithstanding any other provision of this paragraph, if a full TSP member (as defined in section 8440e(a) of this title) has declined automatic enrollment into the Thrift Savings Plan for a year, the full TSP mem-
ber shall be automatically reenrolled on January 1 of the succeeding year, with contributions under subsection (a) at the default percentage of basic pay.”.

(c) VESTING.—

(1) TWO-YEARS OF SERVICE.—Section 8432(g)(2)

of title 5, United States Code, is amended—

(A) in subparagraph (A)(iii), by striking “or” after the semicolon;

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

(C) by adding at the end the following:

“(C) 2 years of service in the case of a member of the uniformed services.”.

(2) SEPARATION.—Section 8432(g) of title 5,

United States Code, is amended by adding at the end the following new paragraph:
“(6) For purposes of this subsection, a member of the uniformed services shall be considered to have separated from Government employment if the member is discharged or released from service in the uniformed services.”.

(d) Thrift Savings Plan Default Investment Fund.—Section 8438(c)(2) of title 5, United States Code, is amended—

(1) in subparagraph (A), by striking “(A) Consistent with the requirements of subparagraph (B), if an” and inserting “If an”; and

(2) by striking subparagraph (B).

(e) Repeal of Separate Contribution Agreement Authority.—

(1) Repeal.—Section 211 of title 37, United States Code, is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) Conforming Amendment.—Section 8432b(c)(2)(B) of title 5, United States Code, is amended by striking “(including pursuant to an agreement under section 211(d) of title 37)”.
SEC. 632. MODERNIZED RETIREMENT SYSTEM FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) REGULAR SERVICE.—Section 1409(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) MODERNIZED RETIREMENT SYSTEM.—

“(A) REDUCED MULTIPLIER FOR FULL TSP MEMBERS.—Notwithstanding paragraphs (1), (2), and (3), in the case of a member who first becomes a member of the uniformed services on or after October 1, 2017, or a member who makes the election described in subparagraph (B) (referred to as a ‘full TSP member’)—

“(i) paragraph (1)(A) shall be applied by substituting ‘2’ for ‘2 1⁄2’;

“(ii) clause (i) of paragraph (3)(B) shall be applied by substituting ‘60 percent’ for ‘75 percent’; and

“(iii) clause (ii)(I) of such paragraph shall be applied by substituting ‘2’ for ‘2 1⁄2’.

“(B) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—Pursuant to subparagraph (C), a member of a uniformed service serving on September 30, 2017, may elect, in exchange for the reduced multipliers described in subparagraph (A) for purposes of calculating

...
the retired pay of the member, to receive Thrift
Savings Plan matching contributions pursuant
to section 8440e(e) of title 5.

“(C) Election period.—

“(i) In general.—Except as provided
in clauses (ii) and (iii), a member of a uni-
formed service may make the election au-
thorized by subparagraph (B) only during
the period that begins on January 1, 2018,
and ends on December 31, 2018.

“(ii) Hardship extension.—The Sec-
retary concerned may extend the election
period described in clause (i) for a member
who experiences a hardship as determined
by the Secretary concerned.

“(iii) Effect of break in serv-
ice.—A member of a uniformed service who
returns to service after a break in service
that occurs during the election period speci-
fied in clause (i) shall make the election de-
scribed in subparagraph (B) within 30 days
after the date of the reentry into service of
the member.
“(D) REGULATIONS.—The Secretary concerned shall prescribe regulations to implement this paragraph.”.

(b) Non-regular Service.—Section 12739 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) Modernized Retirement System.—

“(1) Reduced Multiplier for Full TSP Members.—In the case of a person who first performs reserve component service on or after October 1, 2017, after not having performed regular or reserve component service on or before that date—

“(A) subsection (a)(2) shall be applied by substituting ‘2 percent’ for ‘2 1⁄2 percent’;

“(B) subparagraph (A) of subsection (c)(2) shall be applied by substituting ‘60 percent’ for ‘75 percent’; and

“(C) subparagraph (B)(ii) of such subsection shall be applied by substituting ‘2 percent’ for ‘2 1⁄2 percent’.

“(2) REGULATIONS.—The Secretary concerned shall prescribe regulations to implement this subsection.”.

(c) Coordinating Amendments to Other Retirement Authorities.—
(1) Disability, warrant officers, and DOPMA retired pay.—

(A) Computation of retired pay.—The table in section 1401(a) of title 10, United States Code, is amended—

(i) in paragraph (1) in column 2 of formula number 1, by striking “2½% of years of service credited to him under section 1208” and inserting “the retired pay multiplier determined for the member under section 1409 of this title”; and

(ii) in paragraph (1) in column 2 of formula number 2, by striking “2½% of years of service credited to him under section 1208” and inserting “the retired pay multiplier determined for the member under section 1409 of this title”; and

(iii) in column 2 of each of formula number 4 and formula number 5, by striking “section 1409(a)” and inserting “section 1409”.

(B) Clarification regarding modernized retirement system.—Section 1401a(b) of title 10, United States Code, is amended—
(i) by redesignating paragraph (5) as paragraph (6); and

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

“(5) ADJUSTMENTS FOR PARTICIPANTS IN MODERNIZED RETIREMENT SYSTEM.—Notwithstanding paragraph (3), if a member or former member makes the election described in section 1409(b)(4) of this title, the Secretary shall increase the retired pay of such member in accordance with paragraph (2).”.

(2) 15-YEAR CAREER STATUS BONUS.—Section 354 of title 37, United States Code, is amended—

(A) in subsection (f)—

(i) by striking “If a” and inserting “(1) If a”; and

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

“(2) If a person who is paid a bonus under this section subsequently makes an election described in section 1409(b)(4) of title 10, the person shall repay any bonus payments received under this section in the same manner as repayments are made under section 373 of this title.”;

and

(B) by adding at the end the following new subsection:

...
“(g) Sunset and Continuation of Payments.—(1) A Secretary concerned may not pay a new bonus under this section after September 30, 2017.

“(2) Subject to subsection (f)(2), the Secretary concerned may continue to make payments for bonuses that were awarded under this section on or before the date specified in paragraph (1).”.

(3) Application to National Oceanic and Atmospheric Administration Commissioned Corps.—Paragraph (2) of section 245(a) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3045(a)) is amended to read as follows:

“(2) the retired pay multiplier determined under section 1409 of such title for the number of years of service that may be credited to the officer under section 1405 of such title as if the officer’s service were service as a member of the Armed Forces.”.

(4) Application to Public Health Service.—Section 211(a)(4) of the Public Health Service Act (42 U.S.C. 212(a)(4)) is amended—

(A) in the matter preceding subparagraph (A), by striking “at the rate of 2 1/2 per centum of the basic pay of the highest grade held by him as such officer” and inserting “calculated by
multiplying the retired pay base determined under section 1406 of title 10, United States Code, by the retired pay multiplier determined under section 1409 of such title for the numbers of years of service credited to the officer under this paragraph”; and

(B) in the matter following subparagraph (B)(iii)—

(i) in subparagraph (C), by striking “such pay, and” and inserting “such pay,”;

and

(ii) in subparagraph (D), by striking “such basic pay.” and inserting “such basic pay, and (E) in the case of any officer who makes the election described in section 1409(b)(4) of title 10, United States Code, subparagraph (C) shall be applied by substituting ‘40 per centum’ for ‘50 per centum’ each place the term appears.”.

(d) CONFORMING DELAY IN COST-OF-LIVING AMENDMENTS.—

(1) DELAY.—The amendments made by section 403(a) of the Bipartisan Budget Act of 2013 (Public Law 113–67; 127 Stat. 1186), as amended by section 10001 of the Department of Defense Appropriations

(2) COVERED MEMBERS.—Subparagraph (G) of section 1401a(b)(4) of title 10, United States Code, which shall take effect October 1, 2017, pursuant paragraph (1) and section 403(a) of the Bipartisan Budget Act of 2013 (Public Law 113–67; 127 Stat. 1186), section 10001 of the Department of Defense Appropriations Act, 2014 (division C of Public Law 113–76; 128 Stat. 151) and section 2 of Public Law 113–82 (128 Stat. 1009), is amended by striking “January 1, 2014” and inserting “October 1, 2017”.

(3) CONFORMING REPEAL.—Effective on the date of the enactment of this Act, section 623 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3403) is repealed.

SEC. 633. CONTINUATION PAY FOR FULL TSP MEMBERS WITH 12 YEARS OF SERVICE.

(a) CONTINUATION PAY.—Subchapter II of chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:
§ 356. Continuation pay: full TSP members with 12 years of service

“(a) CONTINUATION PAY.—The Secretary concerned shall make a payment of continuation pay to each full TSP member (as defined in section 8440e(a) of title 5) of the uniformed services under the jurisdiction of the Secretary who—

“(1) completes 12 years of service; and

“(2) enters into an agreement with the Secretary to serve for an additional 4 years of obligated service.

“(b) AMOUNT.—The amount of continuation pay payable to a full TSP member under subsection (a) shall be the amount that is equal to—

“(1) in the case of a member of a regular component—

“(A) the monthly basic pay of the member at 12 years of service multiplied by 2.5; plus

“(B) at the discretion of the Secretary concerned, the monthly basic pay of the member at 12 years of service multiplied by such number of months (not to exceed 13 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a); and

“(2) in the case of a member of a reserve component—
“(A) the amount of monthly basic pay to which the member would be entitled at 12 years of service if the member were a member of a regular component multiplied by 0.5; plus

“(B) at the discretion of the Secretary concerned, the amount of monthly basic pay described in subparagraph (A) multiplied by such number of months (not to exceed 6 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a).

“(c) ADDITIONAL DISCRETIONARY AUTHORITY.—In addition to the continuation pay required under subsection (a), the Secretary concerned may provide pay continuation pay under this subsection to a full TSP member described in subsection (a), and subject to the service agreement referred to in paragraph (2) of such subsection, in an amount determined by the Secretary concerned.

“(d) TIMING OF PAYMENT.—The Secretary concerned shall pay continuation pay under subsection (a) to a full TSP member when the member completes 12 years of service. If the Secretary concerned also provides continuation pay under subsection (c) to the member, that continuation pay shall be provided when the member completes 12 years of service.
“(e) Lump Sum or Installments.—A full TSP member may elect to receive continuation pay provided under subsection (a) or (c) in a lump sum or in a series of not more than four payments.

“(f) Relationship to Other Pay and Allowances.—Continuation pay under this section is in addition to any other pay or allowance to which the full TSP member is entitled.

“(g) Repayment.—A full TSP member who receives continuation pay under this section (a) and fails to complete the obligated service required under such subsection shall be subject to the repayment provisions of section 373 of this title.

“(h) Regulations.—Each Secretary concerned shall prescribe regulations to carry out this section.”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by adding at the end the following new item:

“356. Continuation pay: full TSP members with 12 years of service.”.

SEC. 634. EFFECTIVE DATE AND IMPLEMENTATION.

(a) Effective Date.—Except as provided in section 632(d)(3), the amendments made by this subtitle shall take effect on October 1, 2017.

(b) Implementation Plan.—Not later than March 1, 2016, the Secretaries concerned shall submit to the appropriate committees of Congress a report containing a plan
to ensure the full and effective commencement of the imple-
mentation of the amendments made by this section on the
date specified in subsection (a). The Secretaries concerned,
the Director of the Office of Personnel Management, and
the Federal Retirement Thrift Investment Board shall take
appropriate actions to ensure the full and effective imple-
mentation of the amendments.

(c) ADDITIONAL TECHNICAL AND CONFORMING
AMENDMENTS.—The report required by subsection (b) shall
contain a draft of such legislation as may be necessary to
make any additional technical and conforming changes to
titles 10 and 37, United States Code, and other provisions
of law that are required or should be made by reason of
the amendments made by this subtitle.

(d) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Con-
gress” means—

(A) the Committee on Armed Services, the
Committee on Energy and Commerce, the Com-
mittee on Natural Resources, and the Committee
on Transportation and Infrastructure of the
House of Representatives; and

(B) the Committee on Armed Services, the
Committee on Commerce, Science, and Transpor-
tation, the Committee on Energy and Natural
Resources, and the Committee on Health, Education, Labor, and Pensions of the Senate.

(2) The term “Secretary concerned” has the meaning given that term in section 101 of title 37, United States Code.

Subtitle D—Commissary and Non-appropriated Fund Instrumentality Benefits and Operations

SEC. 641. PRESERVING ASSURED COMMISSARY SUPPLY TO ASIA AND THE PACIFIC.

(a) In General.—The Secretary of Defense shall ensure that there are no changes to the second destination transportation policy that currently applies to fresh fruit and vegetable supplies for commissaries in Asia and the Pacific until the Defense Commissary Agency conducts and submits to Congress a comprehensive study on fresh fruit and vegetable supply for the region.

(b) Elements of Study.—The study required by subsection (a) shall include, at a minimum, for Japan, South Korea, Okinawa, and Guam—

(1) an item-by-item review of the price, quality, and availability of fresh fruits and vegetables under both local sourcing models and second destination models, including an updated market survey of fresh fruits and vegetables in each location;
(2) an item-by-item review of fresh fruits and vegetables to determine the most cost-effective way to supply each item in each location year-round without increasing prices to commissary consumers; and

(3) a comprehensive review of supply models that would lower costs to the Defense Working Capital Fund, DECA, without increasing prices for commissary patrons.

SEC. 642. PROHIBITION ON REPLACEMENT OR CONSOLIDATION OF DEFENSE COMMISSARY AND EXCHANGE SYSTEMS PENDING SUBMISSION OF REQUIRED REPORT ON DEFENSE COMMISSARY SYSTEM.

The Secretary of Defense shall take no action to replace or consolidate the defense commissary and exchange systems, including through the establishment of a new defense resale system, before submission of the report on the defense commissary system required by section 634 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291).
Subtitle E—Other Matters

SEC. 651. IMPROVEMENT OF FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES.

(a) Sense of Congress on Financial Literacy and Preparedness of Members.—It is the sense of Congress that—

(1) the Secretary of Defense should strengthen arrangements with other departments and agencies of the Federal Government and nonprofit organizations in order to improve the financial literacy and preparedness of members of the Armed Forces; and

(2) the Chairman of the Joint Chiefs of Staff, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps should provide support for the financial literacy and preparedness training carried out under section 992 of title 10, United States Code, as amended by subsections (b), (c), and (d).

(b) Provision of Financial Literacy and Preparedness Training.—Subsection (a) of section 992 of title 10, United States Code, is amended—
(1) in the subsection heading, by striking “CONSUMER EDUCATION” and inserting “FINANCIAL LITERACY TRAINING”;

(2) in paragraph (1), by striking “education” in the matter preceding subparagraph (A) and inserting “financial literacy training”;

(3) by striking paragraph (2) and inserting the following new paragraph:

“(2) Training under this subsection shall be provided to a member of the armed forces—

“(A) as a component of the initial entry training of the member;

“(B) upon arrival at the first duty station of the member;

“(C) upon arrival at each subsequent duty station, in the case of a member in pay grade E–4 or below or in pay grade O–3 or below;

“(D) on the date of promotion of the member, in the case of a member in pay grade E–5 or below or in pay grade O–4 or below;

“(E) when the member vests in the Thrift Savings Plan (TSP) under section 8432(g)(2)(C) of title 5;

“(F) when the member becomes entitled to receive continuation pay under section 356 of title 37, at
which time the training shall include, at a minimum, information on options available to the member regarding the use of continuation pay;

“(G) at each major life event during the service of the member, such as—

“(i) marriage;
“(ii) divorce;
“(iii) birth of first child; or
“(iv) disabling sickness or condition;

“(H) during leadership training;
“(I) during pre-deployment training and during post-deployment training;
“(J) at transition points in the service of the member, such as—

“(i) transition from a regular component to a reserve component;
“(ii) separation from service; or
“(iii) retirement; and

“(K) as a component of periodically recurring required training that is provided to the member at a military installation.”;

(4) in paragraph (3), by striking “paragraph (2)(B)” and inserting “paragraph (2)(J)”;

(5) by adding at the end the following new paragraph:
“(4) The Secretary concerned shall prescribe regulations setting forth any other events and circumstances (in addition to the events and circumstances described in paragraph (2)) upon which the training required by this subsection will be provided.”.

(c) Survey of Members’ Financial Literacy and Preparedness.—Section 992 of title 10, United States Code, is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) Financial Literacy and Preparedness Survey.—(1) The Director of the Defense Manpower Data Center shall annually include in the status of forces survey a survey of the status of the financial literacy and preparedness of members of the armed forces.

“(2) The results of the annual financial literacy and preparedness survey—

“(A) shall be used by each of the Secretaries concerned as a benchmark to evaluate and update training provided under this section; and

“(B) shall be submitted to the Committees on Armed Services of the Senate and the House of Representatives.”.
(d) **Financial Services Defined.**—Subsection (e) of section 992 of title 10, United States Code, as redesignated by subsection (c)(1) of this section, is amended by adding at the end the following new paragraph:

“(4) Health insurance, budget management, Thrift Savings Plan (TSP), retirement lump sum payments (including rollover options and tax consequences), and Survivor Benefit Plan (SBP).”.

(e) **Clerical Amendments.**—

(1) **Section Heading.**—The heading of section 992 of title 10, United States Code, is amended to read as follows:

“§992. Financial literacy training: financial services”.

(2) **Table of Sections.**—The table of sections at the beginning of chapter 50 of such title is amended by striking the item related to section 992 and inserting the following new item:

“992. Financial literacy training: financial services.”.

(f) **Implementation.**—Not later than six months after the date of the enactment of this Act, the Secretary of the military department concerned and the Secretary of the Department in which the Coast Guard is operating shall commence providing financial literacy training under section 992 of title 10, United States Code, as amended by sub-
sections (b), (c), and (d) of this section, to members of the Armed Forces.

**TITLE VII—HEALTH CARE PROVISIONS**

**Subtitle A—TRICARE and Other Health Care Benefits**

**SEC. 701. JOINT UNIFORM FORMULARY FOR TRANSITION OF CARE.**

(a) **JOINT FORMULARY.**—Not later than June 1, 2016, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly establish a joint uniform formulary for the Department of Veterans Affairs and the Department of Defense with respect to pharmaceutical agents that are critical for the transition of an individual from receiving treatment furnished by the Secretary of Defense to treatment furnished by the Secretary of Veterans Affairs.

(b) **SELECTION.**—The Secretaries shall select for inclusion on the joint uniform formulary established under subsection (a) pharmaceutical agents relating to—

(1) the control of pain, sleep disorders, and psychiatric conditions, including post-traumatic stress disorder; and

(2) any other conditions determined appropriate by the Secretaries.
(c) REPORT.—Not later than July 1, 2016, the Secretaries shall jointly submit to the appropriate congressional committees a report on the joint uniform formulary established under subsection (a), including a list of the pharmaceutical agents selected for inclusion on the formulary.

(d) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committees on Veterans’ Affairs of the House of Representatives and the Senate.

(2) The term “pharmaceutical agent” has the meaning given that term in section 1074g(g) of title 10, United States Code.

(e) CONFORMING AMENDMENT.—Section 1074g(a)(2)(A) of title 10, United States Code, is amended by adding at the end the following new sentence: “With respect to members of the uniformed services, such uniform formulary shall include pharmaceutical agents on the joint uniform formulary established under section 701 of the National Defense Authorization Act for Fiscal Year 2016.”.
SEC. 702. ACCESS TO BROAD RANGE OF METHODS OF CONTRACEPTION APPROVED BY THE FOOD AND
DRUG ADMINISTRATION FOR MEMBERS OF THE ARMED FORCES AND MILITARY DEPENDENTS AT MILITARY TREATMENT FACILITIES.

(a) In general.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that every military medical treatment facility has a sufficient stock of a broad range of methods of contraception approved by the Food and Drug Administration to be able to dispense any such method of contraception to any women members of the Armed Forces and female covered beneficiaries who receive care through such facility.

(b) Covered beneficiary defined.—In this section, the term “covered beneficiary” has the meaning given that term in section 1072(5) of title 10, United States Code.

SEC. 703. ACCESS TO CONTRACEPTIVE METHOD FOR DURATION OF DEPLOYMENT.

The Secretary of Defense shall ensure that, whenever possible, a female member of the Armed Forces who uses prescription contraception on a long-term basis should be given prior to deployment a sufficient supply of the prescription contraceptive for the duration of the deployment.
SEC. 704. ACCESS TO INFERTILITY TREATMENT FOR MEMBERS OF THE ARMED FORCES AND DEPENDENTS.

(a) Access.—Pursuant to the findings contained in the report required by section 729 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), the Secretary of Defense, in coordination with the Secretaries of the military departments, shall provide to members of the Armed Forces and dependents of members of the Armed Forces access to reproductive counseling and treatments for infertility.

(b) Continuity of Services.—In carrying out subsection (a), the Secretary shall ensure that members and dependents are provided continuity of services as appropriate if treatments for infertility are disrupted, including pursuant to a change of duty station.

Subtitle B—Health Care Administration

SEC. 711. UNIFIED MEDICAL COMMAND.

(a) Unified Combatant Command.—

(1) In general.—Chapter 6 of title 10, United States Code, is amended by inserting after section 167a the following new section:
“§ 167b. Unified combatant command for medical operations

“(a) Establishment.—With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the President, through the Secretary of Defense, shall establish under section 161 of this title a unified command for medical operations (in this section referred to as the ‘unified medical command’). The principal function of the command is to provide medical services to the armed forces and other health care beneficiaries of the Department of Defense as defined in chapter 55 of this title.

“(b) Assignment of Forces.—In establishing the unified medical command under subsection (a), all active military medical treatment facilities, training organizations, and research entities of the armed forces shall be assigned to such unified command, unless otherwise directed by the Secretary of Defense.

“(c) Grade of Commander.—The commander of the unified medical command shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating his permanent grade. The commander of such command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The commander of such command shall be a member of a health profession described in paragraph (1), (2), (3), (4), (5), or (6) of sec-
tion 335(j) of title 37. During the five-year period begin-
ning on the date on which the Secretary establishes the com-
mand under subsection (a), the commander of such com-
mand shall be exempt from the requirements of section
164(a)(1) of this title.

“(d) SUBORDINATE COMMANDS.—(1) The unified med-
ical command shall have the following subordinate com-
mands:

“(A) A command that includes all fixed military
medical treatment facilities, including elements of the
Department of Defense that are combined, operated
jointly, or otherwise operated in such a manner that
a medical facility of the Department of Defense is op-
erating in or with a medical facility of another de-
partment or agency of the United States.

“(B) A command that includes all medical
training, education, and research and development
activities that have previously been unified or com-
bined, including organizations that have been des-
ignated as a Department of Defense executive agent.

“(C) The Defense Health Agency.

“(2) The commander of a subordinate command of the
unified medical command shall hold the grade of lieutenant
general or, in the case of an officer of the Navy, vice admiral
while serving in that position, without vacating his perma-
ent grade. The commander of such a subordinate command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The commander of such a subordinate command shall also be required to be a surgeon general of one of the military departments.

“(e) AUTHORITY OF COMBATANT COMMANDER.—(1) In addition to the authority prescribed in section 164(c) of this title, the commander of the unified medical command shall be responsible for, and shall have the authority to conduct, all affairs of such command relating to medical operations activities.

“(2) The commander of such command shall be responsible for, and shall have the authority to conduct, the following functions relating to medical operations activities (whether or not relating to the unified medical command):

“(A) Developing programs and doctrine.

“(B) Preparing and submitting to the Secretary of Defense program recommendations and budget proposals for the forces described in subsection (b) and for other forces assigned to the unified medical command.

“(C) Exercising authority, direction, and control over the expenditure of funds—
“(i) for forces assigned to the unified medical command;

“(ii) for the forces described in subsection (b) assigned to unified combatant commands other than the unified medical command to the extent directed by the Secretary of Defense; and

“(iii) for military construction funds of the Defense Health Program.

“(D) Training assigned forces.

“(E) Conducting specialized courses of instruction for commissioned and noncommissioned officers.

“(F) Validating requirements.

“(G) Establishing priorities for requirements.

“(H) Ensuring the interoperability of equipment and forces.

“(I) Monitoring the promotions, assignments, retention, training, and professional military education of medical officers described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37.

“(3) The commander of such command shall be responsible for the Defense Health Program, including the Defense Health Program Account established under section 1100 of this title.

“(g) REGULATIONS.—In establishing the unified medical command under subsection (a), the Secretary of Defense
shall prescribe regulations for the activities of the unified medical command.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 167a the following new item:

“167b. Unified combatant command for medical operations.”.

(b) PLAN, NOTIFICATION, AND REPORT.—

(1) PLAN.—Not later than July 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a comprehensive plan to establish the unified medical command authorized under section 167b of title 10, United States Code, as added by subsection (a), including any legislative actions the Secretary considers necessary to implement the plan.

(2) NOTIFICATION.—The Secretary shall submit to the congressional defense committees written notification of the time line of the Secretary to establish the unified medical command under such section 167b by not later than the date that is 30 days before establishing such command.

(3) REPORT.—Not later than 180 days after submitting the notification under paragraph (2), the Secretary shall submit to the congressional defense committees a report on the establishment of the unified medical command.
SEC. 712. LICENSURE OF MENTAL HEALTH PROFESSIONALS

IN TRICARE PROGRAM.

(a) In general.—The Secretary of Defense shall ensure that a qualified mental health professional described in subsection (b) is eligible for reimbursement under the TRICARE program as a TRICARE certified mental health counselor.

(b) Qualified mental health care professional described.—A qualified mental health care professional described in this subsection is an individual who—

(1) holds a masters degree or doctoral degree in counseling from a mental health counseling program or clinical mental health counseling program that is accredited by the Council for Accreditation of Counseling and Related Educational Programs;

(2) is licensed by a State in mental health counseling at the clinical level or, with respect to a State that has a tiered licensing scheme, at the highest level available; and

(3) has passed the National Clinical Mental Health Counseling Examination.

(c) Special rule for certain practicing professionals.—During the period preceding January 1, 2027, for purposes of subsection (a), an individual who meets the
following criteria is deemed to be a qualified mental health care professional described in subsection (b):

(1) The individual holds a masters degree or doctoral degree in counseling from a program that is accredited by a covered institution.

(2) The individual has been licensed by a State as a mental health counselor for a period of not less than five years.

(d) DEFINITIONS.—In this section:

(1) The term “covered institution” means any of the following:

(A) The Accrediting Commission for Community and Junior Colleges Western Association of Schools and Colleges (ACCJC-WASC).

(B) The Higher Learning Commission (HLC).

(C) The Middle States Commission on Higher Education (MSCHE).


(E) The Southern Association of Colleges and Schools (SACS) Commission on Colleges.

(F) The WASC Senior College and University Commission (WASC-SCUC).
(G) The Accrediting Bureau of Health Education Schools (ABHES).

(H) The Accrediting Commission of Career Schools and Colleges (ACCSC).

(I) The Accrediting Council for Independent Colleges and Schools (ACICS).

(J) The Distance Education Accreditation Commission (DEAC).

(2) The term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and each possession of the United States.

(3) The term “TRICARE program” has the meaning given that term in section 1072 of title 10, United States Code.

SEC. 713. REPORTS ON PROPOSED REALIGNMENTS OF MILITARY MEDICAL TREATMENT FACILITIES.

(a) LIMITATION ON REALIGNMENT.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1073b the following new section:

“§1073c. Reports on proposed realignments of military medical treatment facilities

“(a) LIMITATION.—The Secretary of Defense may not restructure or realign a military medical treatment facility until—
“(1) the Secretary submits to the congressional defense committees a report on such proposed restructuring or realignment; and

“(2) a period of 90 days has elapsed following the date of such submission.

“(b) ELEMENTS.—Each report under subsection (a)(1) shall include, with respect to the military medical treatment facility covered by the report, the following:

“(1) The average daily inpatient census.

“(2) The average inpatient capacity.

“(3) The top five inpatient admission diagnoses.

“(4) Each medical specialty available.

“(5) The average daily percent of staffing available for each medical specialty.

“(6) The beneficiary population within the catchment area.

“(7) The budgeted funding level.

“(8) Whether the facility has a helipad capable of receiving medical evacuation airlift patients arriving on the primary evacuation aircraft platform for the military installation served.

“(9) A determination of whether the civilian hospital system in which the facility resides, if any, is a Federally-designated underserved medical community and the effect on such community from any re-
duction in staff or functions or downgrade of the fa-
cility.

“(10) If the facility serves a training center—

“(A) a determination of the risk with re-
spect to high-tempo, live-fire military operations,
treating battlefield-like injuries, and the poten-
tial for a mass casualty event if the facility is
downgraded to a clinic or reduced in personnel
or capabilities; and

“(B) a description of the extent to which the
Secretary, in making such determination, con-
sulted with the appropriate training directorate,
training and doctrine command, and forces com-
mand of each military department.

“(11) A site assessment by the TRICARE pro-
gram to assess the network capabilities of TRICARE
providers in the local area.

“(12) The inpatient mental health availability.

“(13) The average annual inpatient care directed
to civilian medical facilities.

“(14) The civilian capacity by medical specialty
in each catchment area.

“(15) The distance in miles to the nearest civil-
ian emergency care department.
“(16) The distance in miles to the closest civilian inpatient hospital, listed by level of care and whether the facility is designated a sole community hospital.

“(17) The availability of ambulance service on the military installation and the distance in miles to the nearest civilian ambulance service, including the average response time to the military installation.

“(18) An estimate of the cost to restructure or realign the military medical treatment facility, including with respect to bed closures and civilian personnel reductions.

“(19) If the military medical treatment facility is restructured or realigned, an estimate of—

“(A) the number of civilian personnel reductions, listed by series;

“(B) the number of local support contracts terminated; and

“(C) the increased cost of purchased care.

“(20) An assessment of the effect of the elimination of health care services at the military medical treatment facility on civilians employed at such facility.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1073b the following new item:
SEC. 714. PILOT PROGRAM FOR OPERATION OF NETWORK OF RETAIL PHARMACIES UNDER TRICARE PHARMACY BENEFITS PROGRAM.

(a) AUTHORITY TO ESTABLISH PILOT PROGRAM.—The Secretary of Defense may conduct a pilot program to evaluate whether, in carrying out the TRICARE pharmacy benefits program under section 1074g of title 10, United States Code, operating a network of preferred retail pharmacies will generate cost savings for the Department of Defense.

(b) ELEMENTS OF PILOT PROGRAM.—In conducting the pilot program under subsection (a), the Secretary shall—

(1) incorporate “best practices” to enhance patient access from non-TRICARE health plans that are using a preferred retail network of pharmacies along with the mail-order pharmacy program of the plans and preferred pharmacy networks in Medicare Part D;

(2) allow beneficiaries to obtain prescription medication that is available through the TRICARE pharmacy benefits program, including maintenance medication, through the network of preferred retail pharmacies and the national mail-order pharmacy.
program under section 1074g(a)(2)(E)(iii) of title 10 United States Code;

(3) allow retail pharmacies participating in the network of preferred retail pharmacies to purchase prescription medication for beneficiaries at rates available to the Federal government pursuant to section 1074g(f) of title 10, United States Code;

(4) ensure that retail pharmacies participating in the network of preferred retail pharmacies shall be comprised of small business pharmacies at a rate no lower than the current TRICARE pharmacy program participation rate;

(5) study the potential, viability, cost efficiency, and health care effectiveness of the TRICARE pharmacy benefits program administering prescription medication through a network of preferred retail pharmacies in addition to the methods available pursuant to section 1074g(a)(2)(E) of title 10, United States Code; and

(6) determine the opportunities for and barriers to coordinating and leveraging the use of a network of preferred retail pharmacies in addition to such methods available pursuant to such section 1074g(a)(2)(E).
(c) **Selection of Retail Pharmacies.**—The Secretary shall select the retail pharmacies to participate in the preferred network of preferred retail pharmacies pursuant to subsection (a). In making such selection the Secretary may—

1. require that retail pharmacies opt-in to the network and agree to the reimbursement rates paid by the Secretary;
2. determine specific criteria for each retail pharmacy to meet or that a certain number of retail pharmacies must meet;
3. use a competitive process; and
4. require the preferred pharmacy network to comply with the existing TRICARE retail pharmacy access standards.

(d) **Selection of Military Communities.**—In carrying out the pilot program under subsection (a), the Secretary shall select at least one region in which to carry out the pilot program. The Secretary shall ensure that any region selected meets the following criteria:

1. The region has a certain number or percentage, as determined by the Secretary, of—
   1. members of the Armed Forces serving on active duty;
(B) members of the Armed Forces serving in a reserve component; and

(C) retired members of the Armed Forces.

(2) The number of beneficiaries under paragraph (1) is sufficient to produce statistically significant results.

(3) The region has at least one retail pharmacy that operates at least 10 pharmacy locations in the region.

(4) The region has at least one military installation that has a military medical treatment facility with a pharmacy.

(e) Consultation.—The Secretary shall develop the pilot program under subsection (a) in consultation with—

(1) the Secretaries of the military departments;

(2) representatives from the military installations within the region selected under subsection (d); and

(3) the TRICARE-managed pharmacy contractor with responsibility for the national pharmacy mail-order program.

(f) Duration of Pilot Program.—If the Secretary of Defense carries out the pilot program under subsection (a), the Secretary shall commence such pilot program by
not later than May 1, 2016, and shall terminate such pro-
gram on September 30, 2018.

(g) REPORTS.—If the Secretary of Defense carries out
the pilot program under subsection (a), the Secretary of De-
fense shall submit to the congressional defense committees
reports on the pilot program as follows:

(1) Not later than 90 days after the date of the
enactment of this Act, a report containing an imple-
mentation plan for the pilot program.

(2) Not later than 90 days after the date on
which the pilot program commences, and semiannu-
ally thereafter during the period in which the pilot
program is carried out, an interim report on the pilot
program.

(3) Not later than 90 days after the date on
which the pilot program terminates, a final report de-
scribing the results of the pilot program, including
any recommendations of the Secretary to expand such
program.
Subtitle C—Reports and Other Matters

SEC. 721. EXTENSION OF AUTHORITY FOR DOD-VA HEALTH CARE SHARING INCENTIVE FUND.

Section 8111(d)(3) of title 38, United States Code, is amended by striking “September 30, 2015” and inserting “September 30, 2020”.

SEC. 722. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.


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

SEC. 800. SENSE OF CONGRESS ON THE DESIRED TENETS OF THE DEFENSE ACQUISITION SYSTEM.

(a) FINDINGS.—Congress finds the following:
(1) The Committee on Armed Services of the House of Representatives held a series of hearings in 2013, 2014, and 2015 gathering testimony from key acquisition leaders and experts. It is clear that the acquisition reform efforts of the last 50 years continue to founder because they fail to address the motivational and environmental factors in which they must be implemented. The acquisition system, though frustrating to all, is in one sense in equilibrium. The acquisition system provides enough benefits to proponents and opponents to continue, with only minor changes, despite its shortcomings.

(2) The Armed Forces continue to pursue too many defense acquisitions, chasing too few dollars. Consequently, there remains a vast difference between the budgeting plans of the Department and the reality of the cost of its systems or the services it acquires.

(3) To keep programs alive, the Department develops and Congress accepts fragile acquisition strategies that downplay technical issues and assume only successful outcomes from high-risk efforts. As a result, the Department often ends up with too few weapons, with performance that falls short, that are difficult and costly to maintain, delivered late at too high a cost. Congressional and Department of Defense leader-
ship have limited insight into the services acquired or what services need to be acquired in the future. Furthermore, the conventional acquisition process is not agile enough for today’s demands. Finally, the Department of Defense continues to struggle with financial management and auditability, affecting its ability to control costs, ensure basic accountability, anticipate future costs and claims on the budget, and measure performance.

(4) Too often today, all stakeholders in the Department of Defense, Congress, and industry, accept that—

(A) for the acquisition process, success is defined as maximizing technical performance or protecting organizational interests, without regard to funding disruptions and delivery delays of needed capability or services to the warfighter; and

(B) the acquisition process is—

(i) reactive, meaning issues are addressed late and at great cost only after problems are realized;

(ii) plodding, meaning the bureaucratic processes are sclerotic and cumbersome;
(iii) opaque, meaning that limiting information is necessary to protect programs; and

(iv) traditional, meaning that customary approaches and suppliers are preferred over perceived risk of new or unique concepts and vendors.

(5) Today, the United States is at a cross-roads, and if changes to the acquisition system are not made soon, the trend of fewer and more costly systems and services that fall short of the needs of the Armed Forces will continue. Congress, the Department of Defense, and industry all have a stake in making positive changes. Each plays a role in contributing to the current system. Each gains benefits from that system, but each is frustrated by it as well.

(6) The acquisition improvement effort of the Committee on Armed Services of the House of Representatives proposes a different approach from previous efforts by seeking to improve the environment (i.e., statutes, regulations, processes, and culture) driving acquisition decisions in the Department of Defense, industry, and Congress. The Committee has solicited input from industry and the Department of Defense, as well as others in Congress, and will con-
tinue to do so. The Committee recognizes that there are no “silver bullets” that can immediately fix the current acquisition system in a holistic and long-standing manner. Therefore, the reform effort will be an ongoing and iterative process that will result in legislation not only this year, but will be embedded in the Committee’s annual and regular work.

(b) SENSE OF CONGRESS ON THE TENETS OF AN IMPROVED ACQUISITION SYSTEM.—It is the sense of Congress that all stakeholders in the acquisition system—the Department of Defense, Congress, and industry—should be governed by the following tenets:

(1) SUCCESS.—Success in the acquisition system means the timely delivery of affordable and effective military equipment and services.

(2) PROACTIVE.—The acquisition system should be proactive, meaning—

(A) the system should recognize that development and acquisition problems can occur; and

(B) officials at all levels should be empowered to solve problems and reduce risks by surfacing issues early and honestly and taking action to resolve them.

(3) AGILE.—The acquisition system should be agile, meaning that needed program adjustments to
both respond to emerging threats and the rapid pace of technological change and to address development or production issues should be proposed and adjudicated quickly.

(4) **TRANSPARENT.**—The acquisition system should be transparent, meaning that—

(A) all decision makers should be given useful, relevant, credible, and reliable information when making commitments;

(B) Government and industry communication should be clear and open; and

(C) the Department of Defense should produce auditable financial management statements.

(5) **INNOVATIVE.**—The acquisition system should be innovative, meaning that barriers should be removed that preclude companies from undertaking defense business or officials from proposing new approaches.
Subtitle A—Acquisition Policy and Management

SEC. 801. REPORT ON LINKING AND STREAMLINING REQUIREMENTS, ACQUISITION, AND BUDGET PROCESSES WITHIN ARMED FORCES.

(a) Reports.—Not later than 180 days after the date of the enactment of this Act, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps shall each submit to the congressional defense committees a report on efforts to link and streamline the requirements, acquisition, and budget processes within the Army, Navy, Air Force, and Marine Corps, respectively.

(b) Matters Included.—Each report under subsection (a) shall include the following:

(1) A specific description of—

(A) the management actions the Chief concerned or the Commandant has taken or plans to take to link and streamline the requirements, acquisition, and budget processes of the armed Force concerned;

(B) any reorganization or process changes that will link and streamline the requirements, acquisition, and budget processes of the armed Force concerned; and
(C) any cross-training or professional development initiatives of the Chief concerned or the Commandant.

(2) For each description under paragraph (1)—
   
   (A) the specific timeline associated with implementation;
   
   (B) the anticipated outcomes once implemented; and
   
   (C) how to measure whether or not those outcomes are realized.

(3) Any other matters the Chief concerned or the Commandant considers appropriate.

SEC. 802. REQUIRED REVIEW OF ACQUISITION-RELATED FUNCTIONS OF THE CHIEFS OF STAFF OF THE ARMED FORCES.

(a) Review Required.—The Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps shall conduct a review of their current individual authorities provided in sections 3033, 5033, 8033, and 5043 of title 10, United States Code, and other relevant statutes and regulations related to defense acquisitions for the purpose of developing such recommendations as the Chief concerned or the Commandant considers necessary to further or advance the role of the Chief concerned or the Commandant in the
development of requirements, acquisition processes, and the
associated budget practices of the Department of Defense.

(b) REPORTS.—Not later than March 1, 2016, the
Chief of Staff of the Army, the Chief of Naval Operations,
the Chief of Staff of the Air Force, and the Commandant
of the Marine Corps shall each submit to the congressional
defense committees a report containing, at a minimum, the
following:

(1) The recommendations developed by the Chief
concerned or the Commandant under subsection (a)
and other results of the review conducted under such
subsection.

(2) The actions the Chief concerned or the Com-
mandant is taking, if any, within the Chief’s or Com-
mandant’s existing authority to implement such rec-
ommendations.

SEC. 803. INDEPENDENT STUDY OF MATTERS RELATED TO
BID PROTESTS.

(a) REQUIREMENT FOR STUDY.—Not later than 180
days after the date of the enactment of this Act, the Sec-
retary of Defense shall enter into a contract with an inde-
pendent research entity that is a not-for-profit entity or a
federally funded research and development center with ap-
propriate expertise and analytical capability to carry out
a comprehensive study of factors leading to the filing of bid
protests. The study shall examine issues such as the following:

(1) The variable influences on the net benefit (monetary and non-monetary) to contractors either filing a protest or indicating intent to file a protest.

(2) The extent to which protests are filed by incumbent contractors for purposes of extending a contract’s period of performance.

(3) The extent to which companies file protests even when those companies do not believe there was an error in the procurement process.

(4) The time it takes agencies to implement corrective actions after a ruling or decision.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the independent entity shall provide to the Secretary and the congressional defense committees a report on the results of the study, along with any recommendations it may have.

SEC. 804. PROCUREMENT OF COMMERCIAL ITEMS.

(a) COMMERCIAL ITEM DETERMINATIONS BY DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—Chapter 140 of title 10, United States Code, is amended by adding at the end the following new section:
The Secretary of Defense shall—

“(1) establish and maintain a centralized capability with necessary expertise and resources to oversee the making of commercial item determinations for the purposes of procurements by the Department of Defense; and

“(2) provide public access to Department of Defense commercial item determinations for the purposes of procurements by the Department of Defense.”.

(b) COMMERCIAL ITEM EXCEPTION TO SUBMISSION OF COST AND PRICING DATA.—Section 2306a(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) COMMERCIAL ITEM DETERMINATION.—(A) For purposes of applying the commercial item exception under paragraph (1)(B) to the required submission of certified cost or pricing data, the contracting officer may presume that a prior commercial item determination made by a military department, a Defense Agency, or another component of the Depart-
ment of Defense shall serve as a determination for subsequent procurements of such item.

“(B) If the contracting officer does not make the presumption described in subparagraph (A) and instead chooses to proceed with a procurement of an item previously determined to be a commercial item using procedures other than the procedures authorized for the procurement of a commercial item, the contracting officer shall request a review of the commercial item determination by the head of the contracting activity.

“(C) Not later than 30 days after receiving a request for review of a commercial item determination under subparagraph (B), the head of a contracting activity shall—

“(i) confirm that the prior determination was appropriate and still applicable; or

“(ii) issue a revised determination with a written explanation of the basis for the revision.”.

(c) **Definition of Commercial Item.**—Nothing in this section or the amendments made by this section shall affect the meaning of the term “commercial item” under subsection (a)(5) of section 2464 of title 10, United States
Code, or any requirement under subsection (c) of such section.

SEC. 805. MODIFICATION TO INFORMATION REQUIRED TO BE SUBMITTED BY OFFEROR IN PROCUREMENT OF MAJOR WEAPON SYSTEMS AS COMMERCIAL ITEMS.

(a) REQUIREMENT FOR DETERMINATION.—Subsection (a) of section 2379 of title 10, United States Code, is amended—

(1) in subsection (1)(B), by inserting “; and” after the semicolon;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) TREATMENT OF SUBSYSTEMS AS COMMERCIAL ITEMS.—Subsection (b) of such section is amended—

(1) in the matter preceding paragraph (1), by striking “only if” and inserting “if either”;

(2) in paragraph (2)—

(A) by striking “that—” and all that follows through “the subsystem is a” and inserting “that the subsystem is a”;

(B) by striking “; and” and inserting a period; and

(C) by striking subparagraph (B).
(c) TREATMENT OF COMPONENTS AS COMMERCIAL ITEMS.—Subsection (c)(1) of such section is amended—

(1) by striking “title only if” and inserting “title if either”; and

(2) in subparagraph (B)—

(A) by striking “that—” and all that follows through “the component or” and inserting “that the component or”;

(B) by striking “; and” and inserting a period; and

(C) by striking clause (ii).

(d) INFORMATION SUBMITTED.—Subsection (d) of such section is amended—

(1) by striking “submit—” and all that follows through “prices paid” and inserting “submit prices paid”;

(2) by striking “; and” and inserting a period; and

(3) by striking paragraph (2).

SEC. 806. AMENDMENT RELATING TO MULTIYEAR CONTRACT AUTHORITY FOR ACQUISITION OF PROPERTY.

Paragraph (1) of section 2306b(a) of title 10, United States Code, is amended to read as follows:
“(1) That there is a reasonable expectation that the use of such a contract will result in lower total anticipated costs of carrying out the program than if the program were carried out through annual contracts.”.

SEC. 807. COMPLIANCE WITH INVENTORY OF CONTRACTS FOR SERVICES.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the operation of the Office of the Under Secretary of Defense for Personnel and Readiness, not more than 75 percent may be obligated or expended in fiscal year 2016 until—

(1) the “Department of Defense Compliance Plan for Section 8108(c) of Public Law 112–10”, as contained in a memorandum and enclosure dated November 22, 2011, is implemented;

(2) the implementing direction contained in the “Enterprise-wide Contractor Manpower Reporting Application”, as contained in a memorandum dated November 28, 2012, from the Under Secretary of Defense for Acquisition, Technology, and Logistics and the (then) Acting Principal Deputy Under Secretary of Defense for Personnel and Readiness is fulfilled; and
(3) the funds made available in March 2014 to establish the Total Force Management Support Office to define business processes for compiling, reviewing, and using the inventory required under section 2330a(c) of title 10, United States Code, have been obligated.

Subtitle B—Workforce Development and Related Matters

SEC. 811. AMENDMENTS TO DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.

(a) PERMANENT EXTENSION OF FUND.—Section 1705(d)(2) of title 10, United States Code, is amended—
(1) in subparagraph (C), by striking “of an amount as follows:” and all that follows through the end and inserting “of an amount of not less than $500,000,000.”; and
(2) in subparagraph (D), by striking “an amount that is less than” and all that follows through the end and inserting “an amount that is less than $400,000,000.”.

(b) PERMANENT EXTENSION OF EXPEDITED HIRING AUTHORITY.—Section 1705(g) of such title is amended—
(1) by striking paragraph (2);
(2) by striking “AUTHORITY.—” and all that follows through “For purposes of” in paragraph (1) and inserting “AUTHORITY.—For purposes of”;

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

(4) by striking “(B)” and inserting “(2)”;

(5) by aligning paragraphs (1) and (2), as designated by paragraphs (3) and (4), so as to be two ems from the left margin.

(c) CLARIFICATION OF ACQUISITION WORKFORCE COVERED.—Section 1705(g) of such title, as amended by subsection (c), is further amended by striking “acquisition workforce positions” and inserting “of positions in the acquisition workforce, as defined in subsection (h),”.

SEC. 812. DUAL-TRACK MILITARY PROFESSIONALS IN OPERATIONAL AND ACQUISITION SPECIALITIES.

(a) Requirement for Service Chief Involvement.—Section 1722a(a) of title 10, United States Code, is amended by inserting after “military department)” the following: “, in collaboration with the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps (with respect to the Army, Navy, Air Force, and Marine Corps, respectively),”.

(b) Dual-Track Career Path.—Section 1722a(b) of such title is amended—
(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(2) in paragraph (1), by inserting “single-track” before “career path”; and

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

“(2) A dual-track career path that attracts the highest quality officers and enlisted personnel and allows them to gain experience in and receive credit for a primary career in combat arms and a functional secondary career in the acquisition field in order to more closely align the military operational, requirements, and acquisition workforces of each armed force.”.

SEC. 813. PROVISION OF JOINT DUTY ASSIGNMENT CREDIT FOR ACQUISITION DUTY.

Section 668(a)(1) of title 10, United States Code, is amended—

(1) by striking “or” at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting “; or”; and

(3) by adding at the end the following new subparagraph:
“(F) acquisition matters addressed by military personnel and covered under chapter 87 of this title.”.

SEC. 814. REQUIREMENT FOR ACQUISITION SKILLS ASSESSMENT BIENNIAL STRATEGIC WORKFORCE PLAN.

(a) Requirement.—Section 115b(b)(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (D) as subparagraph (E);

(2) in subparagraph (C), by striking “and” at the end; and

(3) by inserting after subparagraph (C) the following:

“(D) new or expanded critical skills and competencies needed by the existing civilian employee workforce of the Department to address new acquisition process requirements established by law or policy during the four years preceding the year of submission of the plan; and”.

(b) Conforming Amendments.—Section 115b of such title is further amended—

(1) in subparagraph (E) of subsection (b)(1), as redesignated by subsection (a)(1), by striking “(C)” and inserting “(D)”;}
(2) in paragraph (2) of subsection (b), in the matter preceding subparagraph (A), by striking “(1)(D)” and inserting “(1)(E)”;

(3) in paragraph (2)(A) of each of subsections (c), (d), and (e), by striking “through (D)” and inserting “through (E)”.

SEC. 815. MANDATORY REQUIREMENT FOR TRAINING RELATED TO THE CONDUCT OF MARKET RESEARCH.

(a) MANDATORY MARKET RESEARCH TRAINING.—Section 2377 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) MARKET RESEARCH TRAINING REQUIRED.—The Secretary of Defense shall provide mandatory training for members of the armed forces and employees of the Department of Defense responsible for the conduct of market research required under subsection (c). Such mandatory training shall, at a minimum—

“(1) provide comprehensive information on the subject of market research and the function of market research in the acquisition of commercial items;

“(2) teach best practices for conducting and documenting market research; and
“(3) provide methodologies for establishing standard processes and reports for collecting and sharing market research across the Department.”.

(b) INCORPORATION INTO MANAGEMENT CERTIFICATION TRAINING MANDATE.—The Chairman of the Joint Chiefs of Staff shall ensure that the requirements of section 2377(d) of title 10, United States Code, as added by subsection (a), are incorporated into the requirements management certification training mandate of the Joint Capabilities Integration Development System.

SEC. 816. INDEPENDENT STUDY OF IMPLEMENTATION OF DEFENSE ACQUISITION WORKFORCE IMPROVEMENT EFFORTS.

(a) REQUIREMENT FOR STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent research entity described in subsection (b) to carry out a comprehensive study of the strategic planning of the Department of Defense related to the defense acquisition workforce. The study shall provide a comprehensive examination of the Department’s efforts to recruit, develop, and retain the acquisition workforce with a specific review of the following:
(1) The implementation of the Defense Acquisition Workforce Improvement Act (including chapter 87 of title 10, United States Code).

(2) The application of the Department of Defense Acquisition Workforce Development Fund (as established under section 1705 of title 10, United States Code).

(3) The effectiveness of professional military education programs, including fellowships and exchanges with industry.

(b) INDEPENDENT RESEARCH ENTITY.—The entity described in this subsection is an independent research entity that is a not-for-profit entity or a federally funded research and development center with appropriate expertise and analytical capability.

(c) REPORTS.—

(1) TO SECRETARY.—Not later than one year after the date of the enactment of this Act, the independent research entity shall provide to the Secretary a report containing—

(A) the results of the study required by subsection (a); and

(B) such recommendations to improve the acquisition workforce as the independent research entity considers to be appropriate.
(2) To Congress.—Not later than 30 days after receipt of the report under paragraph (1), the Secretary of Defense shall submit such report, together with any additional views or recommendations of the Secretary, to the congressional defense committees.

SEC. 817. EXTENSION OF DEMONSTRATION PROJECT RELATING TO CERTAIN ACQUISITION PERSONNEL MANAGEMENT POLICIES AND PROCEDURES.

Section 1762(g) of title 10, United States Code, is amended by striking “2017” and inserting “2020”.

Subtitle C—Weapon Systems Acquisition and Related Matters

SEC. 821. SENSE OF CONGRESS ON THE DESIRED CHARACTERISTICS FOR THE WEAPON SYSTEMS ACQUISITION SYSTEM.

(a) Findings.—Congress makes the following findings:

(1) Current situation.—Despite significant and repeated attempts at acquisition reform, the Department of Defense still experiences case after case of expensive weapon system acquisition failures. The Department of Defense has a track record of too many cancellations, schedule slippages, cost over-runs, and failures to deliver timely solutions to the requirements of the Armed Forces. This situation is unacceptable.
For example, according to the Final Report of the 2010 Army Acquisition Review, between 1996 and 2010, the Army expended approximately $1 billion to $3 billion annually on two dozen programs that were eventually cancelled. No military service and no type of weapon acquisition has been immune.

(2) Problems in all phases of acquisitions.—

(A) Despite detailed weapon acquisition processes and procedures, there is only limited discipline in starting programs. Many programs begin without a solid foundation. They have too many requirements deemed “critical”, which are driven by too many organizations and individuals. Approved requirements are often set with only a limited understanding of the technical feasibility of achieving them. The resulting compromises of good program management and engineering judgment that allow the programs to proceed are the “spackle” of the acquisition system that covers up the risks and enables the system to operate.

(B) As these weapon systems proceed into engineering and manufacturing development, they often encounter development problems lead-
ing to cost growth, schedule delay, and performance reductions. Industry and Government officials frequently respond by taking additional development risks to resolve basic performance issues by reducing the time to analyze and assess development results, overlapping key development efforts, and reducing testing. The Department of Defense and Congress disrupt the planned funding of stable programs to find resources for troubled programs or to fund across-the-board spending cuts. Funding instability is the inevitable price that programs pay for survival because funding disruptions actually keep more programs alive.

(C) Finally, these weapons are often rushed into production only to encounter production problems, and are fielded with many unknowns or deficiencies leading to significantly reduced quantities and force structure reductions. The warfighter faces the challenge of operating weapons with poor reliability, high maintenance demands, reduced performance, and many capability shortfalls.

(b) Sense of Congress.—
(1) IN GENERAL.—It is the sense of Congress that, in accordance with the tenets described in section 800, to improve weapon system acquisitions, the Department of Defense, Congress, and industry should develop an acquisition system characterized by highly disciplined program initiation coupled with agile program execution and balanced oversight, as described in paragraphs (2), (3), and (4).

(2) HIGHLY DISCIPLINED PROGRAM INITIATION.—An acquisition system characterized by highly disciplined program initiation means that programs do not begin engineering development until firm requirements are matched to a flexible acquisition strategy structured to develop militarily useful capability that can be delivered in a relevant period of time with available technologies, funding, and management capacity. Such a highly disciplined program initiation includes—

(A) a workforce with smart requirements setters and expert buyers, with the knowledge, skills, and experience to successfully plan for and execute highly complex acquisitions;

(B) requirements that are well-defined, technically feasible, and affordable;
(C) acquisition strategies that are designed to minimize time to market of militarily useful capability, with the program concerned being structured so that—

(i) lower-risk, technically mature capabilities are matched to delivering capability to the warfighter in the near term, while remaining requirements are aligned and resources are programmed to support integration into later increments to meet the requirements of the Armed Forces;

(ii) capabilities are approved for an increment only when their developmental risks have been appropriately reduced; and

(iii) increments are planned to complete engineering and manufacturing development in a reasonable period of time;

(D) a science and technology development enterprise that is responsive to the acquisition process before engineering and manufacturing development begins, and sufficiently resourced to reduce risks and enable programs to make smart decisions without losing critical funds; and

(E) redtape reduction in order to free up program and Department officials to focus on
their mission of defining an executable program and understanding and addressing risks.

(3) AGILE PROGRAM EXECUTION.—An acquisition system characterized by agile program execution means a system in which acquisition speed and flexibility to make trade-offs are balanced with the need to achieve desired technical performance. Such agile program execution includes—

(A) program managers and program officials who are expert buyers and negotiators who anticipate problems, negotiate solutions, and are empowered to manage;

(B) a preference for fixed price contracting where appropriate for the size and complexity of the work and for the nature and scope of the capabilities being developed;

(C) program managers who avoid increasing program risk by resisting the addition of new requirements or the reduction of developmental activities;

(D) empowering program managers and senior decisionmakers to make decisions easily in order to move forward with capabilities that mature quickly, cancel those that encounter greater
difficulties than expected, and trade-off or reduce requirements to maintain cost and schedule;

(E) enabling program managers to focus on overcoming execution challenges and delivering success rather than concentrating on compliance with reporting, certifications, and other redtape; and

(F) senior decisionmakers who have knowledge of demonstrated performance as programs proceed through development, with robust developmental testing occurring before committing to production for operational use as a basis for decision making.

(4) BALANCED OVERSIGHT.—An acquisition system characterized by balanced oversight means that the focus is on ensuring discipline initiating programs and that appropriate adjustments are made during development, so that programs have the best chance to succeed. Such balanced oversight includes—

(A) involvement by decisionmakers early to ensure that an understanding of trade-offs, risks, and needs are considered, resourced, and validated, and that agreement is reached between the executive and legislative branches;
(B) acceptance by decisionmakers that complex weapon system developments are inherently risky and require expertise and flexibility to manage effectively;

(C) conscious decisions by decisionmakers regarding where to accept risk, while ensuring that risk mitigation plans are resourced (with time, funding, alternatives, and competent government and contractor officials);

(D) measuring and monitoring by decisionmakers of the right factors, such as technology maturation progress and systems engineering during risk reduction, development cost growth during engineering and manufacturing development, and reliability growth during system demonstration;

(E) work by Congress and the Department of Defense, once a program has begun, to resolve issues by considering trade-offs among cost, schedule, and performance necessary to best support the warfighter; and

(F) congressional understanding of risks and efforts to mitigate such risks even if they are through non-traditional means or other technological advances.
SEC. 822. ACQUISITION STRATEGY REQUIRED FOR EACH 

MAJOR DEFENSE ACQUISITION PROGRAM 

AND MAJOR SYSTEM. 

(a) CONSOLIDATION OF REQUIREMENTS RELATING TO 

ACQUISITION STRATEGY.— 

(1) NEW TITLE 10 SECTION.—Chapter 144 of 

title 10, United States Code, is amended byinserting 

after section 2431 the following new section: 

“§ 2431a. Acquisition strategy 

“(a) ACQUISITION STRATEGY REQUIRED.—There shall 

be an acquisition strategy for each major defense acquisi-

tion program and each major system approved by a Mile-

stone Decision Authority. 

“(b) RESPONSIBLE OFFICIAL.—For each acquisition 

strategy required by subsection (a), the Under Secretary of 

Defense for Acquisition, Technology, and Logistics is re-

sponsible for issuing and maintaining the requirements 

for— 

“(1) the content of the strategy; and 

“(2) the review and approval process for the 

strategy. 

“(c) CONSIDERATIONS.—(1) In issuing requirements 

for the content of an acquisition strategy for a major defense 

acquisition program or major system, the Under Secretary 

shall ensure that—
“(A) the strategy clearly describes the proposed business and technical management approach for the program or system, in sufficient detail to allow the Milestone Decision Authority to assess the viability of the proposed approach;

“(B) the strategy contains a clear explanation of how the strategy is designed to be implemented with available resources, such as time, funding, and management capacity; and

“(C) the strategy considers the items listed in paragraph (2).

“(2) Each strategy shall, at a minimum, consider the following:

“(A) An approach that delivers required capability in increments, each depending on available mature technology, and that recognizes up front the need for future capability improvements.

“(B) Acquisition approach, including industrial base considerations in accordance with section 2440 of this title.

“(C) Risk management, including such methods as competitive prototyping at the system, subsystem, or component level, in accordance with section 2431b of this title.
“(D) Business strategy, including measures to ensure competition at the system and subsystem level throughout the life-cycle of the program or system in accordance with section 2337 of this title.

“(E) Contracting strategy, including—

“(i) contract type and how the type selected relates to level of program risk in each acquisition phase;

“(ii) how the plans for the program or system to reduce risk enable the use of fixed-price elements in subsequent contracts and the timing of the use of those fixed price elements;

“(iii) market research; and

“(iv) consideration of small business participation.

“(F) Intellectual property strategy in accordance with section 2320 of this title.

“(G) International involvement, including foreign military sales and cooperative opportunities, in accordance with section 2350a of this title.

“(H) Multi-year procurement in accordance with section 2306b of this title.

“(I) Integration of current intelligence assessments into the acquisition process.
“(J) Requirements related to logistics, maintenance, and sustainment in accordance with sections 2464 and 2466 of this title.

“(d) REVIEW.—(1) Subject to the authority, direction, and control of the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Milestone Decision Authority shall review and approve, as appropriate, the acquisition strategy for a major defense acquisition program or major system at each of the following times:

“(A) Milestone A approval.

“(B) The decision to release the request for proposals for development of the program or system.

“(C) Milestone B approval.

“(D) Each subsequent milestone.

“(E) Review of any decision to enter into full-rate production.

“(F) When there has been—

“(i) a significant change to the cost of the program or system;

“(ii) a critical change to the cost of the program or system;

“(iii) a significant change to the schedule of the program or system; or
“(iv) a significant change to the performance of the program or system.

“(G) Any other time considered relevant by the Milestone Decision Authority.

“(2) If the Milestone Decision Authority revises an acquisition strategy for a program or system, the Milestone Decision Authority shall provide notice of the revision to the congressional defense committees.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘major defense acquisition program’ has the meaning provided in section 2430 of this title.

“(2) The term ‘major system’ has the meaning provided in section 2302(5) of this title.

“(3) The term ‘Milestone A approval’ means a decision to enter into technology maturation and risk reduction pursuant to guidance prescribed by the Secretary of Defense for the management of Department of Defense acquisition programs.

“(4) The term ‘Milestone B approval’ has the meaning provided in section 2366(e)(7) of this title.

“(5) The term ‘Milestone Decision Authority’, with respect to a major defense acquisition program or major system, means the official within the Department of Defense designated with the overall re-
sponsibility and authority for acquisition decisions for the program or system, including authority to approve entry of the program or system into the next phase of the acquisition process.

“(6) The term ‘management capacity’, with respect to a major defense acquisition program or major system, means the capacity to manage the program or system through the use of highly qualified organizations and personnel with appropriate experience, knowledge, and skills.

“(7) The term ‘significant change to the cost’, with respect to a major defense acquisition program or major system, means a significant cost growth threshold, as that term is defined in section 2433(a)(4) of this title.

“(8) The term ‘critical change to the cost’, with respect to a major defense acquisition program or major system, means a critical cost growth threshold, as that term is defined in section 2433(a)(5) of this title.

“(9) The term ‘significant change to the schedule’, with respect to a major defense acquisition program or major system, means any schedule delay greater than six months in a reported event.
“(f) Submission to Congressional Committees.—

Upon request by the chairman or ranking member of the Committee on Armed Services of the Senate or the House of Representatives, the Secretary of Defense shall submit to the committee the most recently approved acquisition strategy for a major defense acquisition program or major system. The strategy shall be submitted in unclassified form but may include a classified annex.”.

(2) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2431 the following new item:

“2431a. Acquisition strategy.”.

(b) Additional Amendments.—

(1) Section 2350a(e) of such title is amended—

(A) in the subsection heading, by striking “DOCUMENT”;

(B) in paragraph (1), by striking “the Under Secretary of Defense for” and all that follows through “of the Board” and inserting “opportunities for such cooperative research and development shall be addressed in the acquisition strategy for the project”; and

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—
(I) by striking “document” and inserting “discussion”; and

(II) by striking “include” and inserting “consider”;

(ii) in subparagraph (A), by striking “A statement indicating whether” and inserting “Whether”;

(iii) in subparagraph (B)—

(I) by striking “by the Under Secretary of Defense for Acquisition, Technology, and Logistics”; and

(II) by striking “of the United States under consideration by the Department of Defense”; and

(iv) in subparagraph (D), by striking “The recommendation of the Under Secretary” and inserting “A recommendation to the Milestone Decision Authority”.

SEC. 823. REVISION TO REQUIREMENTS RELATING TO RISK MANAGEMENT IN DEVELOPMENT OF MAJOR DEFENSE ACQUISITION PROGRAMS AND MAJOR SYSTEMS.

(a) Risk Management and Mitigation Requirements.—

(1) In general.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2431a (as added by section 813) the following new section:

“§ 2431b. Risk management and mitigation in major defense acquisition programs and major systems

“(a) Requirement.—(1) There shall be a risk management and mitigation strategy for each major defense acquisition program or major system.

“(2) The Secretary of Defense shall ensure that the initial acquisition strategy (required under section 2431a of this title) approved by the Milestone Decision Authority and any subsequent revisions include the following:

“(A) A comprehensive strategy for managing and mitigating risk (including technical, cost, and schedule risk) during each of the following periods:

“(i) The period preceding engineering manufacturing development, or its equivalent.
“(ii) The period preceding initial production.

“(iii) The period preceding full-rate production.

“(B) An identification of the major sources of risk in each of the periods listed in subparagraph (A).

“(3) In the case of a program or system with separate increments of capabilities that require Milestone Decision Authority approval to begin or proceed, paragraphs (1) and (2) shall apply to each increment.

“(b) Strategy to Manage and Mitigate Risks.—

(1) The comprehensive strategy to manage and mitigate risk included in the acquisition strategy for purposes of subsection (a)(2)(A) shall identify each individual risk and the risk management and mitigation activities to address each risk. For the mitigation activities identified, the strategy shall note whether they require cost and schedule margins and need to be included in funding requests.

“(2) The strategy shall be comprehensive and, at a minimum, include consideration of risk mitigation techniques such as the following:

“(A) Prototyping (including prototyping at the system, subsystem, or component level and competitive prototyping, where appropriate) and, if prototyping at either the system, subsystem, or component
level is not used, an explanation of why it is not ap-
propriate.

“(B) Modeling and simulation, the areas that
modeling and simulation will assess, and identifica-
tion of the need for development of any new modeling
and simulation tools in order to support the com-
prehensive strategy.

“(C) Technology demonstrations and decision
points for disciplined transition of planned tech-
tologies into programs or the selection of alternative
technologies.

“(D) Multiple design approaches.

“(E) Alternative designs, including any designs
that meet requirements but do so with reduced per-
formance.

“(F) Phasing of program activities or related
technology development efforts in order to address
high risk areas as early as feasible.

“(c) DEFINITIONS.—In this section, the terms ‘major
defense acquisition program’ and ‘major system’ have the
meanings provided in section 2431a of this title.”.

(2) CLERICAL AMENDMENT.—The table of sec-
tions at the beginning of such chapter is amended by
inserting after the item relating to section 2431a, as
so added, the following new item:
"2431b. Risk reduction in major defense acquisition programs and major systems."

(b) **Repeal of Superseded Provision.—**Section 203 of the Weapon Systems Acquisition Reform Act of 2009 (10 U.S.C. 2430 note) is repealed.

SEC. 824. **Modification to Requirements Relating to Determination of Contract Type for Major Defense Acquisition Programs and Major Systems.**

(a) **Determination of Contract Type.—**Section 2306 of title 10, United States Code, is amended by adding at the end the following new subsection:

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"(i) Required Elements of Guidance Relating to Contract Type.—(1) The Secretary of Defense shall ensure that the guidance of the Department of Defense relating to major defense acquisition programs, major systems, and major automated information systems includes a requirement that the acquisition strategy required under section 2431a of this title for such a program or system includes—

"(A) a separate identification of the contract type for each acquisition phase of the program or system; and

"(B) a justification of the contract type identified.
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“(2) The contract type identified in accordance with paragraph (1)(A) may be—

“(A) a fixed-price type contract (including a fixed-price incentive contract); or

“(B) a cost-type contract (including a cost-plus-incentive-fee contract).

“(3) The guidance referred to in paragraph (1) shall require that the justification for the contract type selected explain—

“(A) how the level of program risk in each acquisition phase relates to the contract type selected;

“(B) how the use of incentives (especially cost incentives) in the contract, if any, supports the program or system objectives during each acquisition phase; and

“(C) how the plans for the program or system to reduce risk enable the use of fixed-price elements in subsequent contracts.

“(4) The guidance shall also specify that the use of contracts with target costs, target profits or fees, and profit or fee adjustment formulas can be an appropriate contract type.”.

(b) REPEAL.—Section 818 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Pub-
§HR 1735 RH

SEC. 825. REQUIRED DETERMINATION BEFORE MILESTONE A APPROVAL OR INITIATION OF MAJOR DE- FENSE ACQUISITION PROGRAMS.

(a) DETERMINATION RATHER THAN CERTIFICATION REQUIRED.—Subsection (a) of section 2366a of title 10, United States Code, is amended—

(1) in the subsection heading, by striking “CERTIFICATION” and inserting “WRITTEN DETERMINATION REQUIRED”; and

(2) in the matter preceding paragraph (1), by striking “certifies” and inserting “determines, in writing,”.

(b) SUBMISSION OF WRITTEN DETERMINATION TO CONGRESS.—Subsection (b) of such section is amended to read as follows:

“(b) SUBMISSION TO CONGRESS.—At the request of any of the congressional defense committees, the Secretary of Defense shall submit to the committee an explanation of the basis for a determination made under subsection (a) with respect to a major defense acquisition program, together with a copy of the written determination. The explanation shall be submitted in unclassified form, but may include a classified annex.”.
(c) **Repeal of Unused Definitions.**—Subsection (c) of such section is amended—

(1) by striking paragraphs (2) and (4); and

(2) by redesignating paragraphs (3), (5), (6), and (7) as paragraphs (2), (3), (4), and (5), respectively.

(d) **Clerical Amendments.**—

(1) **Section Heading.**—The heading of section 2366a of title 10, United States Code, is amended to read as follows:

“§2366a. Major defense acquisition programs: determination required before Milestone A approval”.

(2) **Table of Sections.**—The table of sections at the beginning of chapter 139 of such title is amended by striking the item relating to section 2366a and inserting the following new item:

“2366a. Major defense acquisition programs: determination required before Milestone A approval.”.

**SEC. 826. REQUIRED CERTIFICATION AND DETERMINATION BEFORE MILESTONE B APPROVAL OF MAJOR DEFENSE ACQUISITION PROGRAMS.**

(a) **Determination Required in Addition to Certification.**—Subsection (a) of section 2366b of title 10, United States Code, is amended—
(1) in the subsection heading, by striking “CERTIFICATION” and inserting “CERTIFICATION AND DETERMINATION REQUIRED”;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by striking “(3) further certifies that—” and inserting the following:

“(3) further certifies that the technology in the program has been demonstrated in a relevant environment, as determined by the Milestone Decision Authority on the basis of an independent review and assessment by the Assistant Secretary of Defense for Research and Engineering, in consultation with the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation;

“(4) determines, in writing, that—”.

(b) SUBMISSION OF WRITTEN DETERMINATION TO CONGRESS.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

“(3) At the request of any of the congressional defense committees, the Secretary of Defense shall submit to the committee an explanation of the basis for a determination made under subsection (a)(4) with respect to a major defense acquisition program, together with a copy of the writ-
ten determination. The explanation shall be submitted in
unclassified form, but may include a classified annex.”.

(c) NATIONAL SECURITY WAIVER.—Subsection (d) of
such section is amended—

(1) in paragraph (1), by striking “certification
requirement” and inserting “certification and deter-
mination requirements”; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph
(A) and in subparagraph (A), by inserting
“waiver” before “determination” each place it
appears; and

(B) in subparagraph (B), by striking “cer-
tification components” both places it appears
and inserting “certification and determination
components”.

(d) CONFORMING AMENDMENTS.—Section 2366b of
title 10, United States Code, is further amended—

(1) in subsection (b)(1), by striking “paragraph
(1) or (2) of subsection (a)” and inserting “para-
graph (1), (2), or (3) of subsection (a)”;

(2) in subsection (d)(1), by striking “paragraph
(1), (2), or (3) of subsection (a)” and inserting
“paragraph (1), (2), (3), or (4) of subsection (a)”;

and
(3) in subsection (d)(2)(B), by striking “paragraphs (1), (2), and (3) of subsection (a)” and inserting “paragraphs (1), (2), (3) and (4) of subsection (a)”.

(e) Clerical Amendments.—

(1) Section Heading.—The heading of section 2366b of title 10, United States Code, is amended to read as follows:

“§2366b. Major defense acquisition programs: certification and determination required before Milestone B approval”.

(2) Table of Sections.—The table of sections at the beginning of chapter 139 of such title is amended by striking the item relating to section 2366b and inserting the following new item:

“2366b. Major defense acquisition programs: certification and determination required before Milestone B approval.”.

Subtitle D—Industrial Base Matters

SEC. 831. CODIFICATION AND AMENDMENT OF MENTOR-PROTEGE PROGRAM.

(a) In General.—Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1607; 10 U.S.C. 2302 note) is transferred to chapter 137 of title 10, United States Code, inserted so as to appear after section 2323a, redesignated as section 2323b, and amended—
(1) by amending the section heading to read as follows:

“§ 2323b. Mentor-Protege Program”;

(2) by striking “pilot” each place such term appears;

(3) by amending subsection (e)(1) to read as follows:

“(1) A developmental program for the protege firm, in such detail as may be reasonable, including—

“(A) factors to assess the protege firm’s developmental progress under the program; and

“(B) the anticipated number and type of subcontracts to be awarded to the protege firm.”;

(4) in subsection (g)(2)(B), by striking “under subsection (l)(2)”;


(6) by striking subsection (j) and redesignating subsections (k) and (l) as subsections (j) and (k), respectively;

(7) by amending subsection (j) (as so redesignated) to read as follows:

“(j) REGULATIONS.—The regulations implementing the Mentor-Protege Pilot Program established under section
347
1 831 of the National Defense Authorization Act for Fiscal
2 Year 1991 (Public Law 101–510; 104 Stat. 1607; 10 U.S.C.
3 2302 note) as in effect on the date of enactment of the Na-
4 tional Defense Authorization Act for Fiscal Year 2016 shall
5 apply to this section. The Secretary of Defense may revise
6 such regulations or prescribe additional regulations nec-
7 essary to carry out this section. The Department of Defense
8 policy regarding the Mentor-Protege Program shall be pub-
9 lished and maintained as an appendix to the Department
10 of Defense Supplement to the Federal Acquisition Regula-
11 tion.”;
12
13 (8) by striking “prescribed pursuant to sub-
14 section (k)” each place such term appears and insert-
15 ing “described in subsection (j)”;
16
17 (9) in subsection (k) (as so redesignated)—
18
19 (A) in paragraph (1), by striking “means a
20 business concern that meets the requirements of
21 section 3(a) of the Small Business Act (15
22 U.S.C. 632(a)) and the regulations promulgated
23 pursuant thereto” and inserting “has the mean-
24 ing given such term under section 3 of the Small
26
27 (B) in paragraph (2)—
(i) in subparagraph (D), by striking “the severely disabled” and inserting “severely disabled individuals”; and

(ii) in subparagraph (G), by inserting “(15 U.S.C. 632(p))” after “Small Business Act”; and

(C) by amending paragraph (8) to read as follows:

“(8) The term ‘severely disabled individual’ means an individual who is blind (as defined in section 8501 of title 41) or a severely disabled individual (as defined in such section).”.

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2323a the following new item:

“2323b. Mentor-Protege Program.”.

SEC. 832. AMENDMENTS TO DATA QUALITY IMPROVEMENT PLAN.

(a) In General.—Section 15(s) of the Small Business Act (15 U.S.C. 644(s)) is amended—

(1) by redesignating paragraph (4) as paragraph (6); and

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

“(4) Implementation.—Not later than the first day of fiscal year 2017, the Administrator of the...
Small Business Administration shall implement the plan described in this subsection.

“(5) CERTIFICATION.—The Administrator shall annually provide to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a certification of the accuracy and completeness of data reported on bundled and consolidated contracts.”.

(b) GAO STUDY.—

(1) STUDY.—Not later than the first day of fiscal year 2018, the Comptroller General of the United States shall initiate a study on the effectiveness of the plan described in section 15(s) of the Small Business Act (15 U.S.C. 644(s)) that shall assess whether contracts were accurately labeled as bundled or consolidated.

(2) CONTRACTS EVALUATED.—For the purposes of conducting the study described in paragraph (1), the Comptroller General of the United States—

(A) shall evaluate, for work in each of sectors 23, 33, 54, and 56 (as defined by the North American Industry Classification System), not fewer than 100 contracts in each sector;

(B) shall evaluate only those contracts—
(i) awarded by an agency listed in section 901(b) of title 31, United States Code; and

(ii) that have a Base and Exercised Options Value, an Action Obligation, or a Base and All Options Value (as such terms are defined in the Federal procurement data system described in section 1122(a)(4)(A) of title 41, United States Code, or any successor system); and

(C) shall not evaluate contracts that have used any set aside authority.

(3) REPORT.—Not later than 12 months after initiating the study required by paragraph (1), the Comptroller General of the United States shall report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the results from such study and, if warranted, any recommendations on how to improve the quality of data reported on bundled and consolidated contracts.

SEC. 833. NOTICE OF CONTRACT CONSOLIDATION FOR ACQUISITION STRATEGIES.

(a) NOTICE REQUIREMENT FOR THE SENIOR PROCUREMENT EXECUTIVE OR CHIEF ACQUISITION OFFI-

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Section 44(c)(2) of the Small Business Act (15 U.S.C. 657q(c)(2)) is amended by adding at the end the following:

“(C) NOTICE.—Not later than 7 days after making a determination that an acquisition strategy involving a consolidation of contract requirements is necessary and justified under subparagraph (A), the senior procurement executive or Chief Acquisition Officer shall publish a notice on a public website that such determination has been made. Any solicitation for a procurement related to the acquisition strategy may not be published earlier than 7 days after such notice is published. Along with the publication of the solicitation, the senior procurement executive or Chief Acquisition Officer shall publish a justification for the determination, which shall include the information in subparagraphs (A) through (E) of paragraph (1).”.

(b) NOTICE REQUIREMENT FOR THE HEAD OF A CONTRACTING AGENCY.—Section 15(e)(3) of the Small Business Act (15 U.S.C. 644(e)(3)) is amended to read as follows:

“(3) STRATEGY SPECIFICATIONS.—If the head of a contracting agency determines that an acquisition plan for a procurement involves a substantial bun-
dling of contract requirements, the head of a contracting agency shall publish a notice on a public website that such determination has been made not later than 7 days after making such determination. Any solicitation for a procurement related to the acquisition plan may not be published earlier than 7 days after such notice is published. Along with the publication of the solicitation, the head of a contracting agency shall publish a justification for the determination, which shall include following information:

“(A) The specific benefits anticipated to be derived from the bundling of contract requirements and a determination that such benefits justify the bundling.

“(B) An identification of any alternative contracting approaches that would involve a lesser degree of bundling of contract requirements.

“(C) An assessment of—

“(i) the specific impediments to participation by small business concerns as prime contractors that result from the bundling of contract requirements; and

“(ii) the specific actions designed to maximize participation of small business
concerns as subcontractors (including suppliers) at various tiers under the contract or contracts that are awarded to meet the requirements.”.

(c) Technical Amendment.—Section 44(c)(1) of the Small Business Act (15 U.S.C. 657q(c)(1)) is amended by striking “Subject to paragraph (4), the head” and inserting “The head”.

SEC. 834. CLARIFICATION OF REQUIREMENTS RELATED TO SMALL BUSINESS CONTRACTS FOR SERVICES.

(a) Procurement Contracts.—Section 8(a)(17) of the Small Business Act (15 U.S.C. 637(a)(17)) is amended—

(1) in subparagraph (A), by striking “any procurement contract” and all that follows through “section 15” and inserting “any procurement contract, which contract has as its principal purpose the supply of a product to be let pursuant to this subsection or subsection (m), or section 15(a), 31, or 36,”; and

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

“(C) Limitation.—This paragraph shall not apply to a contract that has as its principal purpose the acquisition of services or construction.”.
(b) Subcontractor Contracts.—Section 46(a)(4) of the Small Business Act (15 U.S.C. 657s(a)(4)) is amended by striking “for supplies from a regular dealer in such supplies” and inserting “which is principally for supplies from a regular dealer in such supplies, and which is not a contract principally for services or construction,”.

SEC. 835. REVIEW OF GOVERNMENT ACCESS TO INTELLECTUAL PROPERTY RIGHTS OF PRIVATE SECTOR FIRMS.

(a) Review Required.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity with appropriate expertise to conduct a review of Department of Defense regulations and practices related to Government access to and use of intellectual property rights of private sector firms. The contract shall require that in conducting the review, the independent entity shall consult with the National Defense Technology and Industrial Base Council (described in section 2502 of title 10, United States Code).

(b) Report.—Not later than March 1, 2016, the Secretary shall submit to the congressional defense committees a report on the findings of the independent entity, along with a description of any actions that the Secretary proposes to revise and clarify laws or that the Secretary may
take to revise or clarify regulations related to intellectual
property rights.

SEC. 836. REQUIREMENT THAT CERTAIN SHIP COMPONENTS BE MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) ADDITIONAL PROCUREMENT LIMITATION.—Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6) COMPONENTS FOR AUXILIARY SHIPS.—Subject to subsection (k), the following components:

“(A) Auxiliary equipment, including pumps, for all shipboard services.

“(B) Propulsion system components, including engines, reduction gears, and propellers.

“(C) Shipboard cranes.

“(D) Spreaders for shipboard cranes.”.

(b) IMPLEMENTATION.—Such section is further amended by adding at the end the following new subsection:

“(k) IMPLEMENTATION OF AUXILIARY SHIP COMPONENT LIMITATION.—Subsection (a)(6) applies only with respect to contracts awarded by the Secretary of a military department for new construction of an auxiliary ship after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 using funds available for Na-
tional Defense Sealift Fund programs or Shipbuilding and Conversion, Navy.”.

SEC. 837. POLICY REGARDING SOLID ROCKET MOTORS USED IN TACTICAL MISSILES.

(a) POLICY.—The Secretary of Defense shall ensure that every tactical missile program of the Department of Defense that uses solid propellant as the primary propulsion system shall have at least one rocket motor supplier within the national technology and industrial base (as defined in section 2500(1) of title 10, United States Code).

(b) WAIVER.—The Secretary may waive subsection (a) in the case of compelling national security reasons.

SEC. 838. FAR COUNCIL MEMBERSHIP FOR ADMINISTRATOR OF SMALL BUSINESS ADMINISTRATION.

(a) ADDITION OF ADMINISTRATOR OF SMALL BUSINESS ADMINISTRATION TO FEDERAL ACQUISITION REGULATORY COUNCIL.—Section 1302(b)(1) of title 41, United States Code, is amended—

(1) by striking “and” at the end of subparagraph (C);

(2) by striking the period and inserting “; and” at the end of subparagraph (D); and

(3) by adding at the end the following new subparagraph:
“(E) the Administrator of the Small Business Administration.”.

(b) CONFORMING AMENDMENTS.—Such title is amended—

(1) in section 1303(a)(1)—

(A) by striking “and the Administrator of National Aeronautics and Space,” and inserting “the Administrator of National Aeronautics and Space, and the Administrator of the Small Business Administration,”; and


(2) in section 1121(d), by striking “and the General Services Administration” and inserting “the General Services Administration, and the Small Business Administration”.

SEC. 839. SURETY BOND REQUIREMENTS AND AMOUNT OF GUARANTEE.

(a) SURETY BOND REQUIREMENTS.—Chapter 93 of subtitle VI of title 31, United States Code, is amended—

(1) by adding at the end the following:
§ 9310. Individual sureties

“If another applicable law or regulation permits the acceptance of a bond from a surety that is not subject to sections 9305 and 9306 and is based on a pledge of assets by the surety, the assets pledged by such surety shall—

“(1) consist of eligible obligations described under section 9303(a); and

“(2) be submitted to the official of the Government required to approve or accept the bond, who shall deposit the assets with a depository described under section 9303(b).”; and

(2) in the table of contents for such chapter, by adding at the end the following:

“9310. Individual sureties.”.

(b) Amount of Surety Bond Guarantee from Small Business Administration.—Section 411(c)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(c)(1)) is amended by striking “70” and inserting “90”.

(c) Comptroller General Study on Surety Bonds.—

(1) Study.—The Comptroller General of the United States shall carry out a study on the following:

(A) All instances during the 10-year period beginning on January 31, 2006, in which a sur-
(i) rejected by a Federal contracting officer; or
(ii) accepted by a Federal contracting officer, but was later found to have been backed by insufficient collateral or to be otherwise deficient or with respect to which the surety did not perform.

(B) The consequences to the Federal Government, subcontractors, and suppliers of the instances described under subparagraph (A).

(C) The percentages of all Federal contracts that were awarded to new startup businesses (including new startup businesses that are small disadvantaged businesses or disadvantaged business enterprises), small disadvantaged businesses, and disadvantaged business enterprises as prime contractors during—

(i) the 2-year period beginning on January 31, 2014 and ending on January 31, 2016; and
(ii) the 2-year period beginning on January 31, 2016 and ending on January 31, 2018.
(D) An assessment of the impact of the amendments made by this section upon the percentages described in subparagraph (C).

(2) REPORT.—Not later than January 31, 2019, the Comptroller General shall issue a report to the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Government Affairs of the Senate containing all findings and determinations made in carrying out the study required under paragraph (1).

(3) DEFINITIONS.—In this subsection:

(A) DISADVANTAGED BUSINESS ENTERPRISE.—The term “disadvantaged business enterprise” has the meaning given that term under section 26.5 of title 49, Code of Federal Regulations.

(B) NEW STARTUP BUSINESS.—The term “new startup business” means a business that was formed in the 2-year period ending on the date on which the business bids on a Federal contract that requires giving a surety bond.

(C) SMALL DISADVANTAGED BUSINESS.—The term “small disadvantaged business” has the meaning given the term “socially and economically disadvantaged small business concern”
under section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4)).

SEC. 840. CERTIFICATION REQUIREMENTS FOR PROCUREMENT CENTER REPRESENTATIVES, BUSINESS OPPORTUNITY SPECIALISTS, AND COMMERCIAL MARKET REPRESENTATIVES.

(a) PROCUREMENT CENTER REPRESENTATIVE REQUIREMENTS.—Section 15(l)(5)(A)(iii) of the Small Business Act (15 U.S.C. 644(l)(5)(A)(iii)) is amended by striking “except that” and all that follows through the period at the end and inserting the following: “except that—

“(I) any person serving in such a position on or before January 3, 2013, may continue to serve in that position for a period of 5 years beginning on such date without the required certification; and

“(II) any person hired for such position after January 3, 2013, may have up to one calendar year from the date of employment to obtain the required certification.”.

(b) BUSINESS OPPORTUNITY SPECIALIST REQUIREMENTS.—
(1) IN GENERAL.—Section 4 of the Small Business Act (15 U.S.C. 633) is amended by adding at the end the following new subsection:

“(g) Certification Requirements for Business Opportunity Specialists.—A Business Opportunity Specialist described under section 7(j)(10)(D) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that—

“(1) a Business Opportunity Specialist who was serving on or before January 3, 2013, may continue to serve as a Business Opportunity Specialist for a period of 5 years beginning on such date without such a certification; and

“(2) any person hired as a Business Opportunity Specialist after January 3, 2013, may have up to one calendar year from the date of employment to obtain the required certification.”.

(2) CONFORMING AMENDMENT.—Section 7(j)(10)(D)(i) of such Act (15 U.S.C. 636(j)(10)(D)(i)) is amended by striking the second sentence.

(c) COMMERCIAL MARKET REPRESENTATIVE REQUIREMENTS.—Section 4 of the Small Business Act (15
U.S.C. 633), as amended by section 9 of this Act, is further amended by adding at the end the following new subsection:

“(h) Certification Requirements for Commercial Market Representatives.—A commercial market representative referred to in section 15(q)(3) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that—

“(1) a commercial market representative who was serving on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 may continue to serve as a commercial market representative for a period of 5 years beginning on such date without such a certification; and

“(2) any person hired as a commercial market representative after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 may have up to one calendar year from the date of employment to obtain the required certification.”.

SEC. 841. INCLUDING SUBCONTRACTING GOALS IN AGENCY RESPONSIBILITIES.

Section 1633(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2076; 15 U.S.C. 631 note) is amended by striking “assume responsibility for of the agency’s success in achieving small
business contracting goals and percentages” and inserting
“assume responsibility for the agency’s success in achieving
each of the small business prime contracting and subcon-
tracting goals and percentages”.

SEC. 842. MODIFICATIONS TO REQUIREMENTS FOR QUALI-
FIED HUBZONE SMALL BUSINESS CONCERNS

LOCATED IN A BASE CLOSURE AREA.

(a) PERIOD FOR BASE CLOSURE AREAS.—

(1) EXTENSION OF PERIOD.—

(A) IN GENERAL.—Section 152(a)(2) of title
I of division K of the Consolidated Appropria-
tions Act, 2005 (15 U.S.C. 632 note) is amended
by striking “for a period of 5 years” and insert-
ing “for the later of—

“(A) 8 years from the date of final closure;
or

“(B) the date designated by the Adminis-
trator of the Small Business Administration that
is based on data of the Bureau of the Census ob-
tained from the first decennial census conducted
after the date of final closure.”.

(B) CONFORMING AMENDMENT.—Section
1698(b)(2) of National Defense Authorization Act
for Fiscal Year 2013 (15 U.S.C. 632 note) is
amended by striking “5 years” and inserting “the later of—

“(A) 8 years; or

“(B) the date designated by the Administrator of the Small Business Administration described in section 152(a)(2)(B) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note).”.

(2) Effective date; applicability.—The amendments made by paragraph (1) shall—

(A) take effect on the date of the enactment of this Act; and

(B) apply to—

(i) a base closure area (as defined in section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D))) that, on the day before the date of the enactment of this Act, is treated as a HUBZone described in section 3(p)(1)(E) of the Small Business Act (15 U.S.C. 632(p)(1)(E)) under—

(I) section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note); or
(II) section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note); and

(ii) a base closure area relating to the closure of a military installation under the authority described in clauses (i) through (iv) of section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D)) that occurs on or after the date of the enactment of this Act.


(1) in item (aa), by striking “or” at the end;

(2) by redesignating item (bb) as item (cc); and

(3) by inserting after item (aa) the following new item:

“(bb) pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (3), that its principal office is located within a base closure area and that not fewer than 35 percent of its employees reside
in such base closure area or in another HUBZone; or”.

(c) Expansion of Area Included in Base Area Closure Definition.—Section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D)) is amended—

(1) in clause (iv), by striking the period at the end and inserting “; and”;

(2) by redesignating clauses (i) through (iv) as subclauses (I) through (IV), respectively;

(3) in the matter preceding subclause (I), as so redesignated, by striking “means lands within” and inserting the following: “means—

“(i) lands within”; and

(4) by adding at the end the following new clause:

“(ii) lands within 25 miles of the external boundaries of a military installation described in clause (i), excluding any such lands that are not within a qualified non-metropolitan county.”.

SEC. 843. JOINT VENTURING AND TEAMING.

(a) Joint Venture Offers for Bundled or Consolidated Contracts.—Section 15(e)(4) of the Small Business Act (15 U.S.C. 644(e)(4)) is amended to read as follows:
“(4) CONTRACT TEAMING.—

“(A) IN GENERAL.—In the case of a solicitation of offers for a bundled or consolidated contract that is issued by the head of an agency, a small business concern that provides for use of a particular team of subcontractors or a joint venture of small business concerns may submit an offer for the performance of the contract.

“(B) EVALUATION OF OFFERS.—The head of the agency shall evaluate an offer described in subparagraph (A) in the same manner as other offers, with due consideration to the capabilities of all of the proposed subcontractors or members of the joint venture as follows:

“(i) TEAMS.—When evaluating an offer of a small business prime contractor that includes a proposed team of small business subcontractors, the head of the agency shall consider the capabilities and past performance of each first tier subcontractor that is part of the team as the capabilities and past performance of the small business prime contractor.

“(ii) JOINT VENTURES.—When evaluating an offer of a joint venture of small
business concerns, if the joint venture does not have sufficient capabilities or past performance to be considered for award of a contract opportunity, the head of the agency shall consider the capabilities and past performance of each member of the joint venture as the capabilities past performance of the joint venture.

“(C) STATUS AS A SMALL BUSINESS CONCERN.—Participation of a small business concern in a team or a joint venture under this paragraph shall not affect the status of that concern as a small business concern for any other purpose.”.

(b) TEAM AND JOINT VENTURES OFFERS FOR MULTIPLE AWARD CONTRACTS.—Section 15(q)(1) of such Act (15 U.S.C. 644(q)(1)) is amended—

(1) in the heading, by inserting “AND JOINT VENTURE” before “REQUIREMENTS”;

(2) by striking “Each Federal agency” and inserting the following:

“(A) IN GENERAL.—Each Federal agency”; and

(3) by adding at the end the following new sub-paragraph:
“(B) TEAMS.—When evaluating an offer of a small business prime contractor that includes a proposed team of small business subcontractors for any multiple award contract above the substantial bundling threshold of the Federal agency, the head of the agency shall consider the capabilities and past performance of each first tier subcontractor that is part of the team as the capabilities and past performance of the small business prime contractor.

“(C) JOINT VENTURES.—When evaluating an offer of a joint venture of small business concerns for any multiple award contract above the substantial bundling threshold of the Federal agency, if the joint venture does not have sufficient capabilities or past performance to be considered for award of a contract opportunity, the head of the agency shall consider the capabilities and past performance of each member of the joint venture as the capabilities and past performance of the joint venture.”.
Subtitle E—Other Matters

SEC. 851. ADDITIONAL RESPONSIBILITY FOR DIRECTOR OF OPERATIONAL TEST AND EVALUATION.

(a) ADDITIONAL RESPONSIBILITY.—Section 139 of title 10, United States Code, is amended—

(1) by redesignating subsections (c), (d), (e), (f), (g), (h), (i), (j), and (k) as subsections (d), (e), (f), (g), (h), (i), (j), (k), and (l), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) The Director shall consider the potential for increases in program cost estimates or delays in schedule estimates in the implementation of policies, procedures, and activities related to operational test and evaluation and shall take appropriate action to ensure that operational test and evaluation activities do not unnecessarily increase program costs or impede program schedules.”.

(b) CONFORMING AMENDMENT.—Section 196(c)(1)(A)(ii) of such title is amended by striking “section 139(i)” and inserting “section 139(k)”.
SEC. 852. USE OF RECENT PRICES PAID BY THE GOVERNMENT IN THE DETERMINATION OF PRICE REASONABILITY.

Section 2306a(b) of title 10, United States Code, as amended by section 804, is further amended by adding at the end the following new paragraph:

“(5) A contracting officer shall consider evidence provided by an offeror of recent purchase prices paid by the Government for the same or similar commercial items in establishing price reasonableness on a subsequent purchase if the contracting officer is satisfied that the prices previously paid remain a valid reference for comparison after considering the totality of other relevant factors such as the time elapsed since the prior purchase and any differences in the quantities purchased or applicable terms and conditions.”.

SEC. 853. CODIFICATION OF OTHER TRANSACTION AUTHORITY FOR CERTAIN PROTOTYPE PROJECTS.

(a) In General.—Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2371 note) is transferred to chapter 139 of title 10, United States Code, inserted so as to appear after section 2371a, redesignated as section 2371b, and amended—

(1) by amending the section heading to read as follows:

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§2371b. Authority of the Advanced Research Projects Agency to carry out certain prototype projects;

(2) by striking “of title 10, United States Code” each place it appears and inserting “of this title”;

(3) by striking “of title 41, United States Code” each place it appears and inserting “of title 41”;

(4) by amending subparagraph (B) of subsection (d)(1) to read as follows:

“(B) all parties to the transaction other than the Federal Government are innovative small business and nontraditional contractors with unique capabilities relevant to the prototype project.”; and

(5) by striking subsection (i).

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2371a the following new item:

“2371b. Authority of the Advanced Research Projects Agency to carry out certain prototype projects.”.

SEC. 854. AMENDMENTS TO CERTAIN ACQUISITION THRESHOLDS.

(a) Simplified Acquisition Threshold Generally.—Section 134 of title 41, United States Code, is amended by striking “$100,000” and inserting “$500,000”.

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(b) **Micro-purchase Threshold.**—Section 1902(a) of title 41, United States Code, is amended by striking “$3,000” and inserting “$5,000”.

(c) **Special Emergency Procurement Authority.**—Section 1903(b)(2) of title 41, United States Code, is amended—

(1) in subparagraph (A), by striking “$250,000” and inserting “$750,000”; and

(2) in subparagraph (B), by striking “$1,000,000” and inserting “$1,500,000”.

(d) **Small Business Concern Reservation.**—Section 15(j)(1) of the Small Business Act (15 U.S.C. 644(j)(1)) is amended by striking “$100,000” and inserting “$500,000”.

**SEC. 855. Revision of Method of Rounding When Making Inflation Adjustment of Acquisition-related Dollar Thresholds.**

Section 1908(e)(2) of title 41, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “on the day before the adjustment” and inserting “as calculated under paragraph (1)”; and

(2) by striking “and” at the end of subparagraph (C); and
(3) by striking subparagraph (D) and inserting the following new subparagraphs:

“(D) not less than $1,000,000, but less than $10,000,000, to the nearest $500,000;

“(E) not less than $10,000,000, but less than $100,000,000, to the nearest $5,000,000;

“(F) not less than $100,000,000, but less than $1,000,000,000, to the nearest $50,000,000;

and

“(G) $1,000,000,000 or more, to the nearest $500,000,000.”.

SEC. 856. REPEAL OF REQUIREMENT FOR STAND-ALONE MANPOWER ESTIMATES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REPEAL OF REQUIREMENT.—Subsection (a)(1) of section 2434 of title 10, United States Code, is amended by striking “and a manpower estimate for the program have” and inserting “has”.

(b) CONFORMING AMENDMENTS RELATING TO REGULATIONS.—Subsection (b) of such section is amended—

(1) by striking paragraph (2);

(2) by striking “shall require—” and all that follows through “that the independent” and inserting “shall require that the independent”;
(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and realigning those paragraphs so as to be two ems from the left margin; and

(4) in paragraph (2), as so redesignated—

(A) by striking “and operations and support,” and inserting “operations and support, and manpower to operate, maintain, and support the program upon full operational deployment,”; and

(B) by striking “; and” at the end and inserting a period.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“§2434. Independent cost estimates”.

(2) TABLE OF SECTIONS.—The item relating to such section in the table of sections at the beginning of chapter 144 of such title is amended to read as follows:

“2434. Independent cost estimates.”.

SEC. 857. EXAMINATION AND GUIDANCE RELATING TO OVERSIGHT AND APPROVAL OF SERVICES CONTRACTS.

Not later than March 1, 2016, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—
(1) complete an examination of the decision authority related to acquisition of services; and

(2) develop and issue guidance to improve capabilities and processes related to requirements development and source selection for, and oversight and management of, services contracts.

**SEC. 858. STREAMLINING OF REQUIREMENTS RELATING TO DEFENSE BUSINESS SYSTEMS.**

(a) In General.—

(1) Revision.—Section 2222 of title 10, United States Code, is amended to read as follows:

“§ 2222. Defense business systems: business process reengineering; enterprise architecture; management

“(a) Defense Business Systems Generally.—The Secretary of Defense shall ensure that each covered defense business system developed, deployed, and operated by the Department of Defense—

“(1) supports efficient business processes that have been reviewed, and as appropriate revised, through business process reengineering;

“(2) is integrated into a comprehensive defense business enterprise architecture; and
“(3) is managed in a manner that provides visibility into, and traceability of, expenditures for the system.

“(b) Issuance of Guidance.—

“(1) Secretary of defense guidance.—The Secretary shall issue guidance to provide for the coordination of, and decision making for, the planning, programming, and control of investments in covered defense business systems.

“(2) Supporting guidance.—The Secretary shall direct the Deputy Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Chief Information Officer, and the Chief Management Officer of each of the military departments to issue and maintain supporting guidance, as appropriate, for the guidance of the Secretary issued under paragraph (1).

“(c) Guidance elements.—The guidance issued under subsection (b)(1) shall include the following elements:

“(1) Policy to ensure that the business processes of the Department of Defense are continuously reviewed and revised—

“(A) to implement the most streamlined and efficient business processes practicable; and
“(B) to enable the use of commercial off-the-shelf business systems with the fewest changes necessary to accommodate requirements and interfaces that are unique to the Department of Defense.

“(2) A process to establish requirements for covered defense business systems.

“(3) Mechanisms for the planning and control of investments in covered defense business systems, including a process for the collection and review of programming and budgeting information for covered defense business systems.

“(4) Policy requiring the periodic review of covered defense business systems that have been fully deployed, by portfolio, to ensure that investments in such portfolios are appropriate.

“(d) DEFENSE BUSINESS ENTERPRISE ARCHITECTURE.—

“(1) BLUEPRINT.—The Secretary, working through the Deputy Chief Management Officer of the Department of Defense, shall develop and maintain a blueprint to guide the development of integrated business processes within the Department of Defense. Such blueprint shall be known as the ‘defense business enterprise architecture’.
“(2) PURPOSE.—The defense business enterprise architecture shall be sufficiently defined to effectively guide implementation of interoperable defense business system solutions and shall be consistent with the policies and procedures established by the Director of the Office of Management and Budget.

“(3) ELEMENTS.—The defense business enterprise architecture shall—

“(A) include policies, procedures, business data standards, business performance measures, and business information requirements that apply uniformly throughout the Department of Defense; and

“(B) enable the Department of Defense to—

“(i) comply with all applicable law, including Federal accounting, financial management, and reporting requirements;

“(ii) routinely produce verifiable, timely, accurate, and reliable business and financial information for management purposes; and

“(iii) integrate budget, accounting, and program information and systems.

“(4) INTEGRATION INTO INFORMATION TECHNOLOGY ARCHITECTURE.—(A) The defense business
enterprise architecture shall be integrated into the in-
formation technology enterprise architecture required
under subparagraph (B).

“(B) The Chief Information Officer of the De-
partment of Defense shall develop an information
technology enterprise architecture. The architecture
shall describe a plan for improving the information
technology and computing infrastructure of the De-
partment of Defense, including for each of the major
business processes conducted by the Department of De-
fense.

“(e) DEFENSE BUSINESS COUNCIL.—

“(1) REQUIREMENT FOR COUNCIL.—The Sec-
retary shall establish a Defense Business Council to
provide advice to the Secretary on developing the de-
fense business enterprise architecture, reengineering
the Department’s business processes, and requirements
for defense business systems. The Council shall be
chaired by the Deputy Chief Management Officer and
the Chief Information Officer of the Department of
Defense.

“(2) MEMBERSHIP.—The membership of the
Council shall include the following:

“(A) The Chief Management Officers of the
military departments, or their designees.
“(B) The following officials of the Department of Defense, or their designees:

“(i) The Under Secretary of Defense for Acquisition, Technology, and Logistics with respect to acquisition, logistics, and installations management processes.

“(ii) The Under Secretary of Defense (Comptroller) with respect to financial management and planning and budgeting processes.

“(iii) The Under Secretary of Defense for Personnel and Readiness with respect to human resources management processes.

“(f) APPROVALS REQUIRED FOR DEVELOPMENT.—

“(1) INITIAL APPROVAL REQUIRED.—The Secretary shall ensure that a covered defense business system program cannot proceed into development (or, if no development is required, into production or fielding) unless the appropriate approval official (as specified in paragraph (2)) approves the program by determining that the covered defense business system concerned—

“(A) supports a business process that has been, or is being as a result of the acquisition program, reengineered to be as streamlined and
efficient as practicable consistent with the guidance issued pursuant to subsection (b), including business process mapping;

“(B) is in compliance with the defense business enterprise architecture developed pursuant to subsection (d) or will be in compliance as a result of modifications planned;

“(C) has valid, achievable requirements; and

“(D) is in compliance with the Department’s auditability requirements.

“(2) APPROPRIATE OFFICIAL.—For purposes of paragraph (1), the appropriate approval official with respect to a covered defense business system is the following:

“(A) In the case of a system of a military department, the Chief Management Officer of that military department.

“(B) In the case of a system of a Defense Agency or Defense Field Activity or a system that will support the business process of more than one military department or Defense Agency or Defense Field Activity, the Deputy Chief Management Officer of the Department of Defense.
“(C) In the case of any system, such official other than the applicable official under subparagraph (A) or (B) as the Secretary designates for such purpose.

“(3) ANNUAL CERTIFICATION.—For any fiscal year in which funds are expended for development pursuant to a covered defense business system program, the Defense Business Council shall review the system and certify (or decline to certify as the case may be) that it continues to satisfy the requirements of paragraph (1). If the Council determines that certification cannot be granted, the chairman of the Council shall notify the appropriate approval official and the acquisition Milestone Decision Authority for the program and provide a recommendation for corrective action.

“(4) OBLIGATION OF FUNDS IN VIOLATION OF REQUIREMENTS.—The obligation of Department of Defense funds for a covered defense business system program that has not been certified in accordance with paragraph (3) is a violation of section 1341(a)(1)(A) of title 31.

“(g) RESPONSIBILITY OF MILESTONE DECISION AUTHORITY.—The Secretary shall ensure that, as part of the defense acquisition system, the requirements of this section
are fully addressed by the Milestone Decision Authority for a covered defense business system program as acquisition process approvals are considered for such system.

“(h) ANNUAL REPORT.—Not later than March 15 of each year from 2016 through 2020, the Secretary shall submit to the congressional defense committees a report on activities of the Department of Defense pursuant to this section. Each report shall include the following:

“(1) A description of actions taken and planned with respect to the guidance required by subsection (b) and the defense business enterprise architecture developed pursuant to subsection (d).

“(2) A description of actions taken and planned for the reengineering of business processes by the Defense Business Council established pursuant to subsection (e).

“(3) A summary of covered defense business system funding and covered defense business systems approved pursuant to subsection (f).

“(4) Identification of any covered defense business system program that during the preceding fiscal year was reviewed and not approved pursuant to subsection (f) and the reasons for the lack of approval.

“(5) Identification of any covered defense business system program that during the preceding fiscal
year failed to achieve initial operational capability within five years after the date the program received Milestone B approval.

“(6) For any program identified under paragraph (5), a description of the plan to address the issues that caused the failure.

“(7) A discussion of specific improvements in business operations and cost savings resulting from successful covered defense business systems programs.


“(i) DEFINITIONS.—In this section:

“(1)(A) DEFENSE BUSINESS SYSTEM.—The term ‘defense business system’ means an information system that is operated by, for, or on behalf of the Department of Defense, including any of the following:

“(i) A financial system.

“(ii) A financial data feeder system.

“(iii) A contracting system.

“(iv) A logistics system.
“(v) A planning and budgeting system.
“(vi) An installations management system.
“(vii) A human resources management system.
“(viii) A training and readiness system.
“(B) The term does not include—
“(i) a national security system; or
“(ii) an information system used exclusively by and within the defense commissary system or the exchange system or other instrumentality of the Department of Defense conducted for the morale, welfare, and recreation of members of the armed forces using nonappropriated funds.
“(2) COVERED DEFENSE BUSINESS SYSTEM.—The term ‘covered defense business system’ means a defense business system that is expected to have a total amount of budget authority, over the period of the current future-years defense program submitted to Congress under section 221 of this title, in excess of the threshold established for the use of special simplified acquisition procedures pursuant to section 2304(g)(1)(B) of this title.
“(3) Covered defense business system program.—The term ‘covered defense business system program’ means a defense acquisition program to develop and field a covered defense business system or an increment of a covered defense business system.

“(4) Enterprise architecture.—The term ‘enterprise architecture’ has the meaning given that term in section 3601(4) of title 44.

“(5) Information system.—The term ‘information system’ has the meaning given that term in section 11101 of title 40.

“(6) National security system.—The term ‘national security system’ has the meaning given that term in section 3542(b)(2) of title 44.

“(7) Milestone decision authority.—The term ‘Milestone Decision Authority’, with respect to a defense acquisition program, means the individual within the Department of Defense designated with the responsibility to grant milestone approvals for that program.

“(8) Business process mapping.—The term ‘business process mapping’ means a procedure in which the steps in a business process are clarified and documented in both written form and in a flow chart.”.
(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“2222. Defense business systems: business process reengineering; enterprise architecture; management.”.

(b) **DEADLINE FOR GUIDANCE.**—The guidance required by subsection (b)(1) of section 2222 of title 10, United States Code, as amended by subsection (a)(1), shall be issued not later than December 31, 2016.

(c) **REPEAL.**—Section 811 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2222 note) is repealed.

**SEC. 859. CONSIDERATION OF STRATEGIC MATERIALS IN PRELIMINARY DESIGN REVIEW.**

(a) **CONSIDERATION.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall ensure that Department of Defense Instruction 5000.02 and other applicable guidance receive full consideration, during preliminary design review for a product, with respect to any strategic materials required for sustainment of the product over the life cycle of the product.

(b) **STRATEGIC MATERIALS.**—In this section, the term “strategic materials” means—

(1) materials critical to national security, as defined in section 187(e)(1) of title 10, United States Code; and
(2) any specialty metal, as defined in section 2533b(l) of such title.

SEC. 860. PROCUREMENT OF PERSONAL PROTECTIVE EQUIPMENT.

(a) REQUIREMENT.—The Secretary of Defense shall use best value tradeoff source selection methods to the maximum extent practicable when procuring an item of personal protective equipment or critical safety items.

(b) PERSONAL PROTECTIVE EQUIPMENT DEFINED.—In this section, the term “personal protective equipment” includes the following:

(1) Body armor components.

(2) Combat helmets.

(3) Combat protective eyewear.

(4) Environmental and fire resistant clothing.

(5) Footwear.

(6) Organizational clothing and individual equipment.

(7) Other critical safety items as determined appropriate by the Secretary.
SEC. 861. AMENDMENTS CONCERNING DETECTION AND AVOIDANCE OF COUNTERFEIT ELECTRONIC PARTS.

Section 818(c)(2)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2302 note) is amended—

(1) in clause (i), by inserting “electronic” after “avoid counterfeit”; 

(2) in clause (ii)—

(A) by inserting “covered” after “provided to the”; and

(B) by inserting “or were obtained by the covered contractor in accordance with regulations described in paragraph (3)” after “Regulation”; and

(3) in clause (iii), by inserting “discovers the counterfeit electronic parts or suspect counterfeit electronic parts and” after “contractor”.

SEC. 862. REVISION TO DUTIES OF THE DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR DEVELOPMENTAL TEST AND EVALUATION AND THE DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR SYSTEMS ENGINEERING.

Section 139b of title 10, United States Code, is amended—

(1) in subsection (a)(5)—
(A) in subparagraph (B), by striking “review and approve or disapprove” and inserting “advise in writing the milestone decision authority regarding review and approval of”; and

(B) in subparagraph (C), by inserting “in order to advise relevant technical authorities for such programs on the incorporation of best practices for developmental test from across the Department” after “programs”; and

(2) in subsection (b)(5)—

(A) in subparagraph (B), by striking “review and approve” and inserting “advise in writing the milestone decision authority regarding review and approval of”; and

(B) in subparagraph (C), by inserting “in order to advise relevant technical authorities for such programs on the incorporation of best practices for systems engineering from across the Department” after “programs”.

SEC. 863. EXTENSION OF LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1489), as most recently amended by section 813 of the National

(1) in subsections (a) and (b), by striking “or 2015” and inserting “2015, or 2016”;

(2) in subsection (c)(3), by striking “and 2015” and inserting “2015, and 2016”;

(3) in subsection (d)(4), by striking “or 2015” and inserting “2015, or 2016”; and

(4) in subsection (e), by striking “2015” and inserting “2016”.

SEC. 864. USE OF LOWEST PRICE, TECHNICALLY ACCEPTABLE EVALUATION METHOD FOR PROCUREMENT OF AUDIT OR AUDIT READINESS SERVICES.

(a) FINDINGS.—Congress finds the following:

(1) Given the size and scope of the Department of Defense, the effort to finish and institutionalize auditability is one of the more challenging management tasks that has ever faced the Department.

(2) The acquisition of services by the Department abides by many rules and parameters, one of which is the lowest price, technically acceptable (LPTA) evaluation method.

(3) The Department’s audit effort is extremely complicated, requiring personnel and assistance who
have the financial management and auditor skills that a non-independent public accounting firm or a non-credentialed firm offering the lowest price may not have.

(4) In order for the Department to meet the September 30, 2017, audit readiness statutory deadline and the March 31, 2019, audit of fiscal year 2018 statutory deadline, it is imperative that the Department not sacrifice contracts with firms who have the proper credentials and expertise to meet these deadlines.

(5) The LPTA evaluation method is appropriate for commercial or non-complex services or supplies where the requirement is clearly definable and the risk of unsuccessful contract performance is minimal. However, audit and audit readiness services are complex and evolving.

(b) REQUIREMENTS BEFORE USING LPTA EVALUATION METHOD.—Before using the lowest price, technically acceptable evaluation method for the procurement of audit or audit readiness services, the Secretary of Defense shall—

(1) establish the values and metrics for the services being procured, including domain expertise and experience, size and scope of offeror’s team, personnel
qualifications and certifications, technology, and tools; and

(2) review each offeror’s past performance requirements.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT


(a) Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps.—

(1) Redesignation of military department.—The military department designated as the Department of the Navy is redesignated as the Department of the Navy and Marine Corps.

(2) Redesignation of secretary and other statutory offices.—

(A) Secretary.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(B) Other statutory offices.—The positions of the Under Secretary of the Navy, the four Assistant Secretaries of the Navy, and the
General Counsel of the Department of the Navy
are redesignated as the Under Secretary of the
Navy and Marine Corps, the Assistant Secre-
taries of the Navy and Marine Corps, and the
General Counsel of the Department of the Navy
and Marine Corps, respectively.

(b) Conforming Amendments to Title 10, United
States Code.—

(1) Definition of “Military Department”.—
Paragraph (8) of section 101(a) of title 10, United
States Code, is amended to read as follows:

“(8) The term ‘military department’ means the
Department of the Army, the Department of the Navy
and Marine Corps, and the Department of the Air
Force.”.

(2) Organization of Department.—The first
sentence of section 5011 of such title is amended to
read as follows: “The Department of the Navy and
Marine Corps is separately organized under the Sec-
retary of the Navy and Marine Corps.”.

(3) Position of Secretary.—Section
5013(a)(1) of such title is amended by striking “There
is a Secretary of the Navy” and inserting “There is
a Secretary of the Navy and Marine Corps”.

(4) Chapter Headings.—
(A) The heading of chapter 503 of such title is amended to read as follows:

“CHAPTER 503—DEPARTMENT OF THE NAVY AND MARINE CORPS”.

(B) The heading of chapter 507 of such title is amended to read as follows:


(5) OTHER AMENDMENTS.—

(A) Title 10, United States Code, is amended by striking “Department of the Navy” and “Secretary of the Navy” each place they appear other than as specified in paragraphs (1), (2), (3), and (4) (including in section headings, subsection captions, tables of chapters, and tables of sections) and inserting “Department of the Navy and Marine Corps” and “Secretary of the Navy and Marine Corps”, respectively, in each case with the matter inserted to be in the same typeface and typestyle as the matter stricken.

(B)(i) Sections 5013(f), 5014(b)(2), 5016(a), 5017(2), 5032(a), and 5042(a) of such title are amended by striking “Assistant Secretaries of the
Navy” and inserting “Assistant Secretaries of the Navy and Marine Corps”.

(ii) The heading of section 5016 of such title, and the item relating to such section in the table of sections at the beginning of chapter 503 of such title, are each amended by inserting “and Marine Corps” after “of the Navy”, with the matter inserted in each case to be in the same typeface and typestyle as the matter amended.

(c) Other Provisions of Law and Other References.—

(1) Title 37, United States Code.—Title 37, United States Code, is amended by striking “Department of the Navy” and “Secretary of the Navy” each place they appear and inserting “Department of the Navy and Marine Corps” and “Secretary of the Navy and Marine Corps”, respectively.

(2) Other References.—Any reference in any law other than in title 10 or title 37, United States Code, or in any regulation, document, record, or other paper of the United States, to the Department of the Navy shall be considered to be a reference to the Department of the Navy and Marine Corps. Any such reference to an office specified in subsection (a)(2)
shall be considered to be a reference to that office as redesignated by that section.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first month beginning more than 60 days after the date of the enactment of this Act.

SEC. 902. CHANGE OF PERIOD FOR CHAIRMAN OF THE JOINT CHIEFS OF STAFF REVIEW OF THE UNIFIED COMMAND PLAN.

Section 161(b)(1) of title 10, United States Code, is amended by striking “two years” and inserting “four years”.

SEC. 903. UPDATE OF STATUTORY SPECIFICATION OF FUNCTIONS OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF RELATING TO JOINT FORCE DEVELOPMENT ACTIVITIES.

Section 153(a)(5) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(F) Advising the Secretary on development of joint command, control, communications, and cyber capability, including integration and interoperability of such capability, through requirements, integrated architectures, data standards, and assessments.”.
SEC. 904. SENSE OF CONGRESS ON THE UNITED STATES MARINE CORPS.

(a) FINDINGS.—Congress finds the following:

(1) As senior United States statesman Dr. Henry Kissinger wrote in testimony submitted to the Senate Armed Services Committee on January 29, 2015, “The United States has not faced a more diverse and complex array of crises since the end of the Second World War.”.

(2) The rise of non-state forces and near peer competitors has introduced destabilizing pressures around the globe.

(3) Advances in information and weapons technology have reduced the time available for the United States to prepare for and respond to crises against both known and unknown threats.

(4) The importance of the maritime domain cannot be overstated. As acknowledged in the March 2015 Navy, Marine Corps, and Coast Guard maritime strategy, “A Cooperative Strategy for 21st Century Seapower”: “Oceans are the lifeblood of the interconnected global community. . . 90 percent of trade by volume travels across the oceans. Approximately 70 percent of the world’s population lives within 100 miles of the coastline.”.
(5) The United States must be prepared to rapidly respond to crises around the world regardless of the nation’s fiscal health.

(6) In this global security environment, it is critical that the nation possess a maritime force whose mission and ethos is readiness—a fight tonight force, forward deployed, that can respond immediately to emergent crises across the full range of military operations around the globe either from the sea or home station.

(7) The need for such a force was recognized by the 82nd Congress after the major wars of the twentieth century, when it mandated a core mission for the nation’s leanest force—the Marine Corps—to be most ready when the nation is least ready.

(b) SENSE OF CONGRESS.—

(1) It is the sense of Congress that—

(A) the Marine Corps, within the Department of the Navy, remain the Nation’s expeditionary, crisis response force;

(B) the need for such a force with such a capability has never been greater; and

(C) accordingly, in recognition of this need and the wisdom of the 82nd Congress, the 114th Congress reaffirms section 5063 of title 10,
United States Code, uniquely charging the United States Marine Corps with this responsibility.

(2) It is further the sense of Congress that the Marine Corps—

(A) shall—

(i) be organized to include not less than three combat divisions and three air wings, and such other land combat, aviation, and other services as may be organic therein;

(ii) be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign; and

(iii) provide detachments and organizations for service on armed vessels of the Navy, shall provide security detachments for the protection of naval property at naval stations and bases, and shall perform such other duties as the President may direct;
but these additional duties may not detract from
nor interfere with the operations for which the
Marine Corps is primarily organized;

(B) shall develop, in coordination with the
Army and the Air Force, those phases of amphib-
ious operations that pertain to the tactics, tech-
niques, and equipment used by landing forces;

and

(C) is responsible, in accordance with the
integrated joint mobilization plans, for the ex-
pansion of peacetime components of the Marine
Corps to meet the needs of war.

SEC. 905. ADDITIONAL REQUIREMENTS FOR STREAMLINING
OF DEPARTMENT OF DEFENSE MANAGEMENT
HEADQUARTERS.

(a) FINDINGS.—

(1) On July 31, 2013, the then Secretary of De-
fense stated that the Department would “reduc[e] the
Department’s major headquarters budgets by 20 per-
cent. . Although the 20 percent cut applies to budget
dollars, organizations will strive for a goal of 20 per-
cent reductions in government civilians and military
personnel.” The then Secretary further stated that
“these management reforms. . .will reduce the De-
department’s overhead and operating costs by...$10 billion over the next five years.”.

(2) Furthermore, the President’s budget request for the Department of Defense for fiscal year 2015 stated that reductions to management headquarters staff and consolidation of duplicative efforts across the Department would result in a savings of $5.3 billion over 5 years—through fiscal year 2019. However, as noted by the Government Accountability Office in a January 2015 report (GAO-15-10), the Department accounted for $5.3 billion as efficiency savings in its budget request, but has not provided specific details on the reductions to management headquarters’ staff it plans to make.

(3) In June 2014, the Government Accountability Office found (in GAO-14-439) that the Department did not have an accurate accounting of the resources being devoted to management headquarters to use as a starting point for tracking reductions to such headquarters. In April 2015, the Government Accountability Office reported (in GAO-15-404SP) that focusing reductions on management headquarters budgets and personnel, which tend to be inconsistently defined and often represent a small portion of the
overall headquarters, shields much of the resources identified for potential reduction.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of Defense’s commitment in July 2013 to a goal of a 20 percent reduction in headquarters budgets and personnel and a goal of $10 billion in cost savings over five years is worthwhile and should be fully implemented;

(2) without a clear baseline for management headquarters, it is difficult to demonstrate and track progress achieving actual savings;

(3) any reduction in personnel should not be implemented as an across-the-board cut, but rather should be strategically designed to retain critical functions, capabilities, and skill sets—including but not limited to depots and the acquisition workforce—and eliminate unnecessary or redundant functions or skill sets that do not benefit or support mission requirements;

(4) functions should be performed at the lowest appropriate organizational level and those organizations should be empowered and held accountable;

(5) duplicative functions at higher level organizations should be eliminated; and
(6) the movement of a function from a management headquarters to a different Department of Defense organization or a lower level organization does not result in an efficiency, since the same budget is still required to perform that function.

(c) REQUIREMENT TO IMPLEMENT 20 PERCENT REDUCTION IN MANAGEMENT HEADQUARTERS FUNCTIONS.—Section 904 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 111 note) is amended by adding at the end the following new subsection:

“(e) IMPLEMENTATION OF MANAGEMENT HEADQUARTERS REDUCTION.—The Secretary of Defense shall implement the 20 percent reduction directed by the Secretary in July 2013 in management headquarters budget and personnel by September 30, 2019, for the covered organizations in the National Capital Region (as defined in section 2674(f) of title 10, United States Code). Such reductions shall be strategically designed to retain critical functions, capabilities, and skill sets. Management, functions, programs, or offices shall be moved to the lowest appropriate organizational level. In any report issued pursuant to subsection (d), the Secretary may not claim a cost savings solely based on moving management, functions, programs, or offices from one organization to another.”.
(d) Limitation on Working-Capital Fund Positions.—Section 904 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 111 note) is further amended by adding at the end the following new subsection:

“(f) Limitation on Working-Capital Fund Positions.—In implementing the 20 percent reduction referred to in subsection (e), the Secretary of Defense may not reduce the number of Department of Defense civilian employees whose salaries are funded from working-capital funds except in accordance with section 2472 of title 10, United States Code.”.

(e) Change in Deadline for Required Plan.—Section 904(a) of the such Act is amended by striking “180 days after the date of the enactment of this Act” and inserting “March 31, 2016”.

(f) Additional Elements of Plan.—Section 904(b) of such Act is amended—

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

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph (1):

“(1) An accurate baseline accounting of defense headquarters budgets and personnel as of fiscal year 2014, including what is and is not included as part
of management headquarters accounting, and a de-
tailed description of the number of personnel, budgets,
functions, capabilities, and skill sets.”;

(3) in paragraph (2), as so redesignated—

(A) by inserting “actual and” before
“planned changes”; 

(B) by striking “staffing” and inserting
“personnel”; and

(C) by inserting before the period at the end
the following: “, set forth separately by fiscal
year, from fiscal year 2014 through fiscal year
2019”;

(4) in paragraph (3), as so redesignated—

(A) by striking “description of the planned
changes” and inserting “detailed description of
the actual and planned changes”; and

(B) by inserting before the period at the end
the following: “, set forth separately by fiscal
year, from fiscal year 2014 through fiscal year
2019”; and

(5) in paragraph (4), as so redesignated, by
striking “fiscal year 2015, and estimated savings to
be achieved for each of fiscal years 2015 through
2024” and inserting “fiscal year 2014, and estimated
savings to be achieved, along with associated changes
or reductions in budget, for each of fiscal years 2014 through 2024’’.

(g) ADDITIONAL REPORT REQUIREMENTS.—Section 904(d) of such Act is amended—

(1) in paragraph (1), by striking ‘‘180 days after the date of the enactment of this Act’’ and inserting ‘‘March 31, 2016’’; and

(2) in paragraph (2)—

(A) in subparagraph (C), by striking ‘‘including’’ and all that follows through the end of the subparagraph and inserting the following:

‘‘and specific detailed information on how the changes, consolidations, or reductions were prioritized and resulted in functions no longer being performed, in the fiscal year covered by such report.’’;

(B) in subparagraph (F), by striking ‘‘, including’’ and all that follows through ‘‘management review’’; and

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

‘‘(II) A separate description of—

‘‘(i) the management functions, programs, or offices that were eliminated and
how each represents a redundant management or oversight function; and

“(ii) the management, functions, programs, or offices that were moved, and how moving each will result in efficiency.”.

SEC. 906. SENSE OF CONGRESS ON PERFORMANCE MANAGEMENT AND WORKFORCE INCENTIVE SYSTEM.

(a) FINDINGS.—Congress finds the following:

(1) Section 1113 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) required the Department of Defense to institute a fair, credible, and transparent performance appraisal system, given the name “New Beginnings,” for employees, which—

(A) links employee bonuses and other performance-based action to employee performance appraisals;

(B) ensures ongoing performance feedback and dialogue among supervisors, managers, and employees throughout the appraisal period, with timetables for review; and

(C) develops performance assistance plans to give employees formal training, on-the-job
training, counseling, mentoring, and other assistance.

(2) The military components and defense agencies of the Department of Defense are currently reviewing the proposed “New Beginnings” performance management and workforce incentive system developed in response to section 1113 of Public Law 111–84.

(3) The Department of Defense anticipates it will begin implementation of the “New Beginnings” performance management and workforce incentive system in April 2016.

(4) The authority provided in section 1113 of Public Law 111–84 provided the Secretary of Defense, in coordination with the Director of the Office of Personnel Management, flexibilities in promulgating regulations to redesign the procedures which are applied by the Department of Defense in making appointments to positions within the competitive service in order to—

(A) better meet mission needs;
(B) respond to managers’ needs and the needs of applicants;
(C) produce high-quality applicants;
(D) support timely decisions;
(E) uphold appointments based on merit system principles; and

(F) promote competitive job offers.

(5) In implementing the “New Beginnings” performance management and workforce incentive system, section 113 of Public Law 111–84 requires the Secretary of Defense to comply with veterans’ preference requirements.

(6) Among the criteria for the new performance management and workforce incentive system authorized under section 1113 of Public Law 111–84, the Secretary of Defense is required to—

(A) adhere to merit principles;

(B) include a means for ensuring employee involvement (for bargaining unit employees, through their exclusive representatives) in the design and implementation of the performance management and workforce incentive system;

(C) provide for adequate training and retraining for supervisors, managers, and employees in the implementation and operation of the performance management and workforce incentive system;

(D) develop a comprehensive management succession program to provide training to em-
ployees to develop managers for the agency and a program to provide training to supervisors on actions, options, and strategies a supervisor may use in administering the performance management and workforce incentive system;

(E) include effective transparency and accountability measures and safeguards to ensure that the management of the performance management and workforce incentive system is fair, credible, and equitable, including appropriate independent reasonableness reviews, internal assessments, and employee surveys;

(F) use the annual strategic workforce plan required by section 115b of title 10; and

(G) ensure that adequate agency resources are allocated for the design, implementation, and administration of the performance management and workforce incentive system.

(7) Section 1113 of Public Law 111–84 also requires the Secretary of Defense to develop a program of training—to be completed by a supervisor every three years—on the actions, options, and strategies a supervisor may use in—

(A) developing and discussing relevant goals and objectives with the employee, communicating
and discussing progress relative to performance
goals and objectives, and conducting performance
appraisals;

(B) mentoring and motivating employees,
and improving employee performance and pro-
ductivity;

(C) fostering a work environment character-
ized by fairness, respect, equal opportunity, and
attention to the quality of the work of employees;

(D) effectively managing employees with
unacceptable performance;

(E) addressing reports of a hostile work en-
vironment, reprisal, or harassment of or by an-
other supervisor or employee; and

(F) allowing experienced supervisors to
mentor new supervisors by sharing knowledge
and advice in areas such as communication,
critical thinking, responsibility, flexibility, moti-
vating employees, teamwork, leadership, and
professional development, and pointing out
strengths and areas of development.

(b) SENSE OF CONGRESS.—It is the sense of Congress
that the Secretary of Defense should proceed with the col-
laborative work with employee representatives on the “New
Beginnings” performance management and workforce in-
centive system and begin implementation of the new system
at the earliest possible date.

SEC. 907. GUIDELINES FOR CONVERSION OF FUNCTIONS
PERFORMED BY CIVILIAN OR CONTRACTOR
PERSONNEL TO PERFORMANCE BY MILITARY
PERSONNEL.

Section 129a of title 10, United States Code, is amend-
ed by adding at the end the following new subsection:

“(g) GUIDELINES FOR PERFORMANCE OF CERTAIN
FUNCTIONS BY MILITARY PERSONNEL.—(1) Except as pro-
vided in paragraph (2), no functions performed by civilian
personnel or contractors may be converted to performance
by military personnel unless—

“(A) there is a direct link between the functions
to be performed and a military occupational spe-
cialty; and

“(B) the conversion to performance by military
personnel is cost effective, based on Department of De-
fense instruction 7041.04 (or any successor adminis-
trative regulation, directive, or policy).

“(2) Paragraph (1) shall not apply to the following
functions:

“(A) Functions required by law or regulation to
be performed by military personnel.

“(B) Functions related to—
“(i) missions involving operation risks and combatant status under the Law of War;

“(ii) specialized collective and individual training requiring military-unique knowledge and skills based on recent operational experience;

“(iii) independent advice to senior civilian leadership in the Department of Defense requiring military-unique knowledge and skills based on recent operational experience; and

“(iv) command and control arrangements under chapter 47 of this title (the Uniform Code of Military Justice).”.

**TITLE X—GENERAL PROVISIONS**

**Subtitle A—Financial Matters**

**SEC. 1001. GENERAL TRANSFER AUTHORITY.**

(a) Authority to Transfer Authorizations.—

(1) Authority.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2016 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and
be available for the same purposes as the authorization to which transferred.

(2) **LIMITATION.**—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $5,000,000,000.

(3) **EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.**—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) **LIMITATIONS.**—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.
(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. AUTHORITY TO TRANSFER FUNDS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO SUSTAIN NUCLEAR WEAPONS MODERNIZATION AND NAVAL REACTORS.

(a) TRANSFER AUTHORIZED.—If the amount authorized to be appropriated for the weapons activities of the National Nuclear Security Administration under section 3101 or otherwise made available for fiscal year 2016 is less than $8,900,000,000 (the amount projected to be required for such activities in fiscal year 2016 as specified in the report under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549)), the Secretary of Defense may transfer, from amounts authorized to be appropriated for the Department of Defense for fiscal year 2016 pursuant to this Act, to the Secretary of Energy an amount, not to exceed $150,000,000, to be available only for naval reactors or weapons activities of the National Nuclear Security Administration.

(b) NOTICE TO CONGRESS.—In the event of a transfer under subsection (a), the Secretary of Defense shall promptly notify Congress of the transfer, and shall include in such
notice the Department of Defense account or accounts from
which funds are transferred.

(c) TRANSFER MECHANISM.—Any funds transferred
under this section shall be transferred in accordance with
established procedures for reprogramming under section
1001 or successor provisions of law.

(d) CONSTRUCTION OF AUTHORITY.—The transfer au-
theticity provided under subsection (a) is in addition to any
other transfer authority provided under this Act.

SEC. 1003. ACCOUNTING STANDARDS TO VALUE CERTAIN
PROPERTY, PLANT, AND EQUIPMENT ITEMS.

(a) REQUIREMENT FOR CERTAIN ACCOUNTING STAN-
ARDS.—The Secretary of Defense shall work in coordination
with the Federal Accounting Standards Advisory Board to
establish accounting standards to value large and
unordinary general property, plant, and equipment items.

(b) DEADLINE.—The accounting standards required by
subsection (a) shall be established by not later than Sep-
tember 30, 2017, and be available for use for the full audit
on the financial statements of the Department of Defense
for fiscal year 2018, as required by section 1003(a) of the
Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.


(b) Maximum Amount of Support.—Subsection (e)(2) of such section 1033, as so amended, is further amended by striking “2016” and inserting “2017”.

SEC. 1012. STATEMENT OF POLICY ON PLAN CENTRAL AMERICA.

(a) Findings.—Congress makes the following findings:

(1) The stability and security of Central American nations have a direct impact on the stability and security of the United States.

(2) Over the past decade, stability and increased security in the Republic of Colombia has pushed illicit trafficking to Central America bringing increased violence and instability.
(3) Much of Central America has seen spikes in violence and homicides. In fiscal year 2013, the United Nations Office on Drugs and Crime released its Global Study on Homicide 2013. Four of the top five countries with the highest homicide rates in the world were Central American nations including Honduras, Belize, El Salvador, and Guatemala.

(4) In calendar year 2014, approximately 65,000 unaccompanied alien children from Central America entered the United States through its southwest border. This number of such children who enter the United States during calendar year 2015 is expected to be approximately the same.

(5) The southwest border of the United States continues to be porous to illicit trafficking of narcotics, weapons, cash, and people.

(6) In November 2014, Guatemala, Honduras, and El Salvador announced a Plan for the Alliance for Prosperity of the Northern Triangle. This plan is a comprehensive approach to address the ongoing violence and instability facing these three nations by stimulating economic opportunities, improving public safety and rule of law, and strengthening institutions to increase trust in the state.
(7) The United States Government has stated its support for the Alliance for Prosperity and included in the President’s fiscal year 2016 budget request $1,000,000,000 in Department of State funds, to support the strategy for United States engagement in Central America. According to the strategy, this funding will be focused on promoting prosperity and regional economic integration, enhancing security, and promoting improved governance.

(8) None of the President’s $1,000,000,000 budget request for the strategy for United States engagement in Central America includes any funding for Department of Defense programs in the region.

(9) The Department of Defense provides training, equipment, education, and interdiction efforts to address security challenges in Central America through detection and monitoring of illicit trafficking, assistance in illicit trafficking interdictions, and building partnership capacities.

(10) The Department of Defense through its roles and missions, is executing a plan to address security challenges in Central America in conjunction with the United States Strategy for Engagement in Central America.
(b) **POLICY.**—It shall be the policy of the United States to prioritize a Plan Central America to address the threatening levels of violence, instability, illicit trafficking, and transnational organized crime that challenge the sovereignty of Central American nations and security of the United States. In order to address such issues, the Department of Defense shall—

1. increase the efforts of the Department of Defense as the lead agency to detect and monitor the aerial and maritime illicit trafficking into the United States;

2. increase the efforts of the Department of Defense to support aerial and maritime illicit trafficking interdiction efforts;

3. increase the efforts of the Department of Defense to build partnership capacity with partner nations in Central America to confront security challenges through increased training opportunities, education, and exercises;

4. enforce human rights requirements consistent with section 2249e of title 10, United States Code, and increase the training and education regarding human rights provided in Central American nations; and
(5) support interagency efforts in Central America addressing all levels of instability including development, education, economic, political, and security challenges.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. RESTRICTIONS ON THE OVERHAUL AND REPAIR OF VESSELS IN FOREIGN SHIPYARDS.

(a) In General.—Section 7310(b)(1) of title 10, United States Code, is amended—

(1) by striking “In the case” and inserting “(A) Except as provided in subparagraph (B), in the case”;

(2) by striking “during the 15-month” and all that follows through “United States)”;

(3) by inserting before the period at the end the following: “, other than in the case of voyage repairs”; and

(4) by adding at the end the following new subparagraph:

“(B) The Secretary of the Navy may waive the application of subparagraph (A) to a contract award if the Secretary determines that the waiver is essential to the national security interests of the United States.”.
(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of the following dates:


(2) October 1, 2016.

SEC. 1022. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF EXPENSES FOR CERTAIN NAVY MESS OPERATIONS AFOAT.


(b) TECHNICAL AND CLARIFYING AMENDMENTS.—Subsection (a) of such section is amended—

(1) in the matter preceding paragraph (1), by striking “not more that” and inserting “not more than”; and

(2) in paragraph (2), by striking “Naval vessels” and inserting “such vessels”.

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SEC. 1023. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA CLASS CRUISERS OR DOCK LANDING SHIPS.

(a) LIMITATION ON THE AVAILABILITY OF FUNDS.—Except as otherwise provided in this section, none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2016 may be obligated or expended to retire, prepare to retire, inactivate, or place in storage a cruiser or dock landing ship.

(b) CRUISER MODERNIZATION.—

(1) IN GENERAL.—As provided by section 1026 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3490), the Secretary of the Navy shall begin the modernization of two cruisers during fiscal year 2016 only after the receipt of the materiel required to begin such modernization. Such modernization shall include—

(A) hull, mechanical, and electrical upgrades; and

(B) combat systems modernizations.

(2) DURATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the time period for such modernization shall not exceed two years.
(B) Extension.—If the Secretary of the Navy determines that the scope of the modernization cannot be reasonably completed in two years, the Secretary may extend the time period under subparagraph (A) for an additional six months. If the Secretary issues such an extension, the Secretary shall submit to the congressional defense committees notice of the extension and the reasons the Secretary made such determination.

(3) Delay.—The Secretary of the Navy may delay the modernization required under paragraph (1) if the materiel required to begin the modernization has not been received.

SEC. 1024. LIMITATION ON THE USE OF FUNDS FOR REMOVAL OF BALLISTIC MISSILE DEFENSE CAPABILITIES FROM TICONDEROGA CLASS CRUISERS.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense may be used to remove ballistic missile defense capabilities from any of the 5 Ticonderoga class cruisers equipped with such capabilities until the Secretary of the Navy certifies to the congressional defense committees that the Navy has—
(1) obtained the ballistic missile capabilities re-
quired by the most recent Navy Force Structure As-
sessment; or

(2) determined to upgrade such cruisers with an
equal or improved ballistic missile defense capability.

Subtitle D—Counterterrorism

SEC. 1031. PERMANENT AUTHORITY TO PROVIDE REWARDS

THROUGH GOVERNMENT PERSONNEL OF AL-
LIED FORCES AND CERTAIN OTHER MODI-
FICATIONS TO DEPARTMENT OF DEFENSE

PROGRAM TO PROVIDE REWARDS.

(a) In General.—Section 127b(c)(3) of title 10,
United States Code, is amended—

(1) in subparagraph (A), by striking “subpara-
graphs (B) and (C)” and inserting “subparagraph
(B)”; and

(2) by striking subparagraphs (C) and (D).

(b) Clerical Amendments.—

(1) Section heading.—The section heading for
section 127b of title 10, United States Code, is
amended to read as follows:

“§ 127b. Department of Defense rewards program”.

(2) Table of sections.—The table of sections
at the beginning of chapter 3 of such title is amended
by striking the item relating to section 127b and inserting the following new item:

“127b. Department of Defense rewards program.”.

SEC. 1032. CONGRESSIONAL NOTIFICATION OF SENSITIVE MILITARY OPERATIONS.

Section 130f of title 10, United States Code, is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

SEC. 1033. REPEAL OF SEMIANNUAL REPORTS ON OBLIGATION AND EXPENDITURE OF FUNDS FOR COMBATING TERRORISM PROGRAM.

Section 229 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 1034. REPORTS TO CONGRESS ON CONTACT BETWEEN TERRORISTS AND INDIVIDUALS FORMERLY DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) Section 319(c) of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1874; 10 U.S.C. 801 note) is amended by inserting after paragraph (5) the following new paragraphs:
“(6) A summary of all contact by any means of communication, including telecommunications, electronic or technical means, in person, written communications, or any other means of communication, regardless of content, between any individual formerly detained at Naval Station, Guantanamo Bay, Cuba, and any individual known or suspected to be associated with a foreign terrorist group.

“(7) A description of whether any of the contact described in the summary required by paragraph (6) included any information or discussion about hostilities against the United States or its allies or partners.”.

(b) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to terminate, alter, modify, override, or otherwise affect any reporting of information required under section 319(c) of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1874; 10 U.S.C. 801 note) prior to the enactment of this section.
SEC. 1035. INCLUSION IN REPORTS TO CONGRESS INFORMATION ABOUT RECIDIVISM OF INDIVIDUALS FORMERLY DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 319(c) of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1874; 10 U.S.C. 801 note), as amended by section 1034, is further amended by inserting after paragraph (7), as added by such section, the following new paragraphs:

“(8) For each individual described in paragraph (4), the period of time between the date on which the individual was released or transferred from Naval Station, Guantanamo Bay, Cuba, and the date on which it is confirmed that the individual is suspected or confirmed of reengaging in terrorist activities.

“(9) The average period of time described in paragraph (8) for all the individuals described in paragraph (4).”.

SEC. 1036. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer,
release, or assist in the transfer or release to or within the
United States, its territories, or possessions of Khalid
Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member
of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009,
at United States Naval Station, Guantanamo Bay,
Cuba, by the Department of Defense.

SEC. 1037. PROHIBITION ON USE OF FUNDS TO CONSTRUCT
OR MODIFY FACILITIES IN THE UNITED
STATES TO HOUSE DETAINES TRANS-
FERRED FROM UNITED STATES NAVAL STA-
TION, GUANTANAMO BAY, CUBA.

(a) **In General.**—No amounts authorized to be ap-
propriated or otherwise made available to the Department
of Defense may be used during the period beginning on the
date of the enactment of this Act and ending on December
31, 2016, to construct or modify any facility in the United
States, its territories, or possessions to house any individual
detained at Guantanamo for the purposes of detention or
imprisonment in the custody or under the control of the
Department of Defense.

(b) **Exception.**—The prohibition in subsection (a)
shall not apply to any modification of facilities at United
States Naval Station, Guantanamo Bay, Cuba.
(c) **INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.**—In this section, the term “individual detained at Guantanamo” has the meaning given that term in section 1039(f)(2).

SEC. 1038. PROHIBITION ON USE OF FUNDS TO TRANSFER OR RELEASE INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO COMBAT ZONES.

(a) **IN GENERAL.**—No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used, during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to a combat zone.

(b) **COMBAT ZONE DEFINED.**—In this section, the term “combat zone” means any area designated as a combat zone for purposes of section 112 of the Internal Revenue Code of 1986 (26 U.S.C. 112) for which the income of a member of the Armed Forces was excluded during 2014, 2015, or 2016 by reason of the member’s service on active duty in such area.
SEC. 1039. REQUIREMENTS FOR CERTIFICATIONS RELATING TO THE TRANSFER OF DETAINEEs AT UNITED STATES NAVAL STATION, GUMANTANOMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) Certification Required Prior to Transfer.—

(1) In general.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer any individual detained at Guantanamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) Exception.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the
Secretary shall notify Congress of promptly after
issuance).

(b) CERTIFICATION.—A certification described in this
subsection is a written certification made by the Secretary
of Defense that—

(1) the government of the foreign country or the
recognized leadership of the foreign entity to which
the individual detained at Guantanamo is to be
transferred—

(A) is not a designated state sponsor of ter-
rorism or a designated foreign terrorist organi-
ization;

(B) maintains control over each detention
facility in which the individual is to be detained
if the individual is to be housed in a detention
facility;

(C) is not, as of the date of the certification,
facing a threat that is likely to substantially af-
fact its ability to exercise control over the indi-

(D) has taken or agreed to take effective ac-
tions to ensure that the individual cannot take
action to threaten the United States, its citizens,
or its allies in the future;
(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications.

(c) PROHIBITION IN CASES OF PRIOR CONFO RMED REC IDIVISM.—

(1) PROHIBITION.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise made available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United...
States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(d) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible
to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) REPORTS.—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—
(i) an explanation why the transfer is in the national security interests of the United States;

(ii) in the case of a waiver of paragraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated; and

(iii) a classified summary of—

(I) the individual’s record of cooperation while in the custody of or under the effective control of the Department of Defense; and

(II) the agreements and mechanisms in place to provide for continuing cooperation.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the paragraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) RECORD OF COOPERATION.—In assessing the risk that an individual detained at Guantanamo will engage
in terrorist activity or other actions that could affect the
security of the United States if released for the purpose of
making a certification under subsection (b) or a waiver
under subsection (d), the Secretary of Defense may give fa-
vorable consideration to any such individual—

(1) who has substantially cooperated with United
States intelligence and law enforcement authorities,
pursuant to a pre-trial agreement, while in the cus-
tody of or under the effective control of the Depart-
ment of Defense; and

(2) for whom agreements and effective mecha-

isms are in place, to the extent relevant and nec-

essary, to provide for continued cooperation with
United States intelligence and law enforcement au-
thorities.

(f) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Con-
gress” means—

(A) the Committee on Armed Services, the
Committee on Appropriations, the Committee on
Foreign Relations, and the Select Committee on
Intelligence of the Senate; and

(B) the Committee on Armed Services, the
Committee on Appropriations, the Committee on
Foreign Affairs, and the Permanent Select Com-

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mittee on Intelligence of the House of Represent-
atives.

(2) The term “individual detained at Guanta-
namo” means any individual located at United
States Naval Station, Guantanamo Bay, Cuba, as of
October 1, 2009, who—

(A) is not a citizen of the United States or
a member of the Armed Forces of the United
States; and

(B) is—

(i) in the custody or under the control
of the Department of Defense; or

(ii) otherwise under detention at
United States Naval Station, Guantanamo
Bay, Cuba.

(3) The term “foreign terrorist organization”
means any organization so designated by the Sec-
retary of State under section 219 of the Immigration

(g) **REPEAL OF SUPERSEDED REQUIREMENTS AND
LIMITATIONS.**—Section 1035 of the National Defense Au-
thorization Act for Fiscal Year 2014 (Public Law 113–66;
127 Stat. 851; 10 U.S.C. 801 note) is repealed.
SEC. 1040. SUBMISSION TO CONGRESS OF CERTAIN DOCUMENTS RELATING TO TRANSFER OF INDIVIDUALS DETAINED AT GUANTANAMO TO QATAR.

(a) Submission to Congress.—Not later than 30 days after the date of the enactment of this Act, the Attorney General and the Secretary of Defense shall submit to the congressional defense committees and the Committees on the Judiciary of the Senate and House of Representatives all covered correspondence.

(b) Covered Correspondence.—For purposes of this section, the term “covered correspondence”—

(1) means any correspondence between the Department of Defense and the Department of Justice or any other agency or entity of the United States Government that—

(A) relates to the transfer of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to Qatar;

(B) is dated any time between January 1, 2013, and June 1, 2014; and

(C) is in the custody of the Department of Justice or the Department of Defense; and

(2) includes—

(A) all relevant correspondence, including the email exchange described in June 11, 2014, testimony to the Committee on Armed Services of
the House of Representatives by the Secretary of
Defense and the General Counsel of the Depart-
ment of Defense; and

(B) any analysis of—

(i) section 1035 of the National Defense
Authorization Act for Fiscal Year 2014
(Public Law 113–66; 127 Stat. 851; 10
U.S.C. 801 note);

(ii) section 8111 of the Consolidated
Appropriations Act, 2014 (Public Law 113–
76; 128 Stat. 131);

(iii) section 1341 of title 31, United
States Code (popularly known as “the
Antideficiency Act”); or

(iv) Article II of the Constitution.

(c) LIMITATION ON THE USE OF FUNDS.—Of the
amounts authorized to be appropriated or otherwise made
available for the Office of the Secretary of Defense for fiscal
year 2016, not more than 75 percent may be obligated or
expended until the date of the submission of all covered cor-
respondence.
SEC. 1041. SUBMISSION OF UNREDACTED COPIES OF DOCUMENTS RELATING TO THE TRANSFER OF CERTAIN INDIVIDUALS DETAINED AT GUANTANAMO TO QATAR.

(a) UNREDACTED DOCUMENTS REQUIRED.—

(1) FUTURE SUBMISSIONS.—The Secretary of Defense shall submit an unredacted copy of any document submitted to the Committee on Armed Services of the House of Representatives in response to a request from the Committee dated June 9, 2014, for information regarding the transfer of five individuals from United States Naval Station, Guantanamo Bay, Cuba, to Qatar.

(2) PRIOR SUBMISSIONS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives an unredacted copy of any redacted document that was submitted, before the date of the enactment of this Act, in response to a request dated June 9, 2014, for information regarding the transfer of five individuals from United States Naval Station, Guantanamo Bay, Cuba, to Qatar.

(b) LIMITATION ON THE USE OF FUNDS.—Of the amounts authorized to be appropriated or otherwise made available for the Office of the Secretary of Defense for fiscal
year 2016, not more than 75 percent may be obligated or
expended until the date of the submission of all documents
required to be submitted under subsection (a)(2).

Subtitle E—Miscellaneous
Authorities and Limitations

SEC. 1051. ENHANCEMENT OF AUTHORITY OF SECRETARY
OF NAVY TO USE NATIONAL SEA-BASED
DEFENSE FUND.

(a) In General.—Section 2218a of title 10, United
States Code, is amended—

(1) in subsection (c)(1), by striking “national
sea-based deterrence vessels” and inserting “a class of
twelve national sea-based deterrence vessels, and cross-
program coordinated procurement efforts with other
nuclear powered vessels”;

(2) in subsection (d), by inserting before the pe-
riod at the end the following: “and cross program co-
ordinated procurement efforts with other nuclear pow-
ered vessels”;

(3) by redesignating subsections (f) and (g) as
subsections (j) and (l), respectively;

(4) by inserting after subsection (e) the following
new subsections:

“(f) AUTHORITY TO ENTER INTO ECONOMIC ORDER
QUANTITY CONTRACTS.—(1) The Secretary of the Navy
may use funds deposited in the Fund to enter into contracts
known as ‘economic order quantity contracts’ with private
shipyards and other commercial or government entities to
achieve economic efficiencies based on production economies
for major components or subsystems. The authority under
this subsection extends to the procurement of parts, compo-

dents, and systems (including weapon systems) common
with and required for other nuclear powered vessels under
joint economic order quantity contracts.

“(2) A contract entered into under paragraph (1) shall
provide that any obligation of the United States to make
a payment under the contract is subject to the availability
of appropriations for that purpose, and that total liability
to the Government for termination of any contract entered
into shall be limited to the total amount of funding obli-
gated at time of termination.

“(g) AUTHORITY TO BEGIN MANUFACTURING AND
FABRICATION EFFORTS PRIOR TO SHIP AUTHORIZA-

TION.—(1) The Secretary of the Navy may use funds depos-
ited into the Fund to enter into contracts for advance con-
struction of national sea-based deterrence vessels to support
achieving cost savings through workload management, man-
ufacturing efficiencies, or workforce stability, or to phase
fabrication activities within shipyard and manage sub-tier
manufacturer capacity.
“(2) A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.

“(h) Authority to Use Incremental Funding to Enter Into Contracts for Certain Items.—(1) The Secretary of the Navy may use funds deposited into the Fund to enter into incrementally funded contracts for advance procurement of high value, long lead time items for nuclear powered vessels to better support construction schedules and achieve cost savings through schedule reductions and properly phased installment payments.

“(2) A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.

“(i) Facilities Funding.—The Secretary of the Navy may use funds deposited into the Fund to provide incentives for investments in critical infrastructure at nuclear capable
shipyards and critical sub-tier vendors. Additionally, the Secretary of the Navy may use such funds for certain cancellation costs in the event of significant changes to the Long Range Shipbuilding Strategy for nuclear powered vessels.”;

(5) by inserting after subsection (j), as redesignated by paragraph (3), the following new subsection:

“(k) REPORT TO CONGRESS.—(1) The Secretary of the Navy shall submit to the congressional defense committees, by March 1, 2016, and annually through the year 2025, a report on the Fund. Each such report shall identify separately the amount allocated by ship for programs, projects, and activities for construction (including design of vessels), purchase, alteration, and conversion. At a minimum, each such report shall include—

“(A) information about the activities carried out using funds deposited into the Fund during the fiscal year covered by the report, including the status of class design and construction efforts, including programmatic schedules, procurement schedules, and funding requirements.

“(B) a plan detailing forecasted obligations and expenditures for construction (including design of vessels), purchase, alteration, and conversion of vessels
by ship for the fiscal year following the fiscal year
during which the report is submitted; and

“(C) the identification of the stable need and de-
design for items, together with a description of any sav-
ings associated with the authorities provided in sub-
sections (e) and (f), as documented in cost estimates.

“(2) The Secretary of the Navy shall provide to the
congressional defense committees notice in writing at least
30 days before executing any significant deviation to the
annual plan required under paragraph (1)(B).”; and

(6) in subsection (m), as so redesignated, by add-
ing at the end the following new paragraph:

“(3) The term ‘advance construction’ means
shipyard manufacturing and fabrication activities
(including sub-tier manufacturing of major compo-
nents or subsystems).”.

(b) AVAILABILITY OF CERTAIN UNOBLIGATED FUNDS
FOR TRANSFER.—Section 1022(b)(1) of the National De-
fense Authorization Act for Fiscal Year 2015 (Public Law
113–291; 128 Stat. 3487) is amended by striking “for the
Navy for the Ohio Replacement Program” and inserting “to
the Department of Defense”.
SEC. 1052. DEPARTMENT OF DEFENSE EXCESS PROPERTY PROGRAM.

(a) Website Required.—Section 2576a of title 10, United States Code is amended by adding at the end the following new subsection:

“(e) Publicly Accessible Website.—(1) The Secretary of Defense, acting through the Director of the Defense Logistics Agency, shall create and maintain a publicly available Internet website that provides information on the property transferred under this section and the recipients of such property.

“(2) The contents of the Internet website required under paragraph (1) shall include all unclassified information pertaining to the request, transfer, denial, and repossession of controlled property under this section, including—

“(A) a current inventory of all controlled property transferred to law enforcement agencies under this section, listed by recipient, that includes the recipient’s location, by county and State, and the year of the transfer;

“(B) all outstanding requests for transfers of controlled property under this section; and

“(C) information provided by the law enforcement agencies requesting transfers referred to in subparagraph (B).
“(3) The Secretary may not authorize the transfer of any property under this section to a Federal or State agency to which property has been transferred previously unless the agency submits to the Secretary for publication on the Internet website required under paragraph (1) each of the following:

“(A) A description of any controlled property transferred to the agency under this section, which shall be submitted by not later than 30 days after the date on which the agency takes possession of the property.

“(B) An annual report on the use of any controlled property so transferred to the agency, including a description of the context in which the property was used.

“(4) The Secretary may not authorize the transfer of any property under this section to a Federal or State agency until 30 days after a request for the transfer has been published on the Internet website required under paragraph (1).”.

(b) ELIGIBILITY REQUIREMENTS.—Subsection (b) of such section is amended—

(1) in paragraph (3), by striking “and” at the end;
(2) in paragraph (4), by striking the period and inserting “; and”; and

(3) by adding at the end the following new paragraphs:

“(5) in the case of property that is controlled property, the recipient submits to the Secretary written notice of the intent of the recipient to apply for the controlled property, including authorization of such application by the entity charged with legal oversight of the recipient agency; and

“(6) the recipient agency is located in a State with a State coordinator for the program under this section who—

“(A) has law enforcement experience and is employed by a law enforcement agency or entity with oversight of law enforcement functions;

“(B) serves as the custodian of controlled property transferred to recipients located in that State; and

“(C) has the authority to non-concur with proposed uses of such property.”.

(c) Definition of Controlled Property.—Such section is further amended by adding at the end the following new subsection:
“(f) Controlled Property.—In this section, the term ‘controlled property’ means any item assigned a demilitarization code of B, C, D, E, F, G, or Q under Department of Defense Manual 4160.21-M, ‘Defense Materiel Disposition Manual’, or any successor document.”.

(d) Examination of Training Requirements.—The Director of the Defense Logistics Agency shall enter into an agreement with a federally funded research and development center to conduct an assessment of the Department of Defense excess property program under section 2576a of title 10, United States Code, as amended by this section. Such assessment shall include an evaluation of the policies and controls governing the determination of the suitability of recipients of controlled property transferred under the program, including specific recommendations relating to the training that law enforcement agencies that receive such property should receive, at no cost to the Department of Defense, to ensure end-user proficiency in the use, maintenance, and sustainment of such property.

(e) One-Year Mandatory Use Policy Assessment.—The Director of the Defense Logistics Agency shall enter into an agreement with a federally funded research and development center for the conduct of an assessment of the Department of Defense excess property program under section 2576a of title 10, United States Code, to de-
termine if the requirement that all controlled property transferred under the program be used within one year of being transferred is achieving its intended effect. Such assessment shall also include recommendations on process improvement, including legislative proposals.

(f) **Comptroller General Assessment.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an assessment of the Department of Defense excess property program under section 2576a of title 10, United States Code. Such assessment shall include—

(1) an evaluation of the transfer of controlled property under the program, including the manner in which the property was used in community law enforcement and the effectiveness of the Internet website required under subsection (e) of section 2576a, as added by subsection (a), in providing transparency to the public; and

(2) a determination of whether the transfer of property under the program enhances the ability of law enforcement agencies to carry out counter-drug and counter-terrorism activities in accordance with the purposes of the program as set forth in section 2576a of title 10, United States Code.
SEC. 1053. LIMITATION ON TRANSFER OF CERTAIN AH–64 APACHE HELICOPTERS FROM ARMY NATIONAL GUARD TO REGULAR ARMY AND RELATED PERSONNEL LEVELS.

Section 1712(b) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended by striking “before March 31, 2016” and inserting “before the later of March 31, 2016, or the end of the 60-day period beginning on the date on which the congressional defense committees receive the report of the Commission under section 1703(c)”.

SEC. 1054. SPACE AVAILABLE TRAVEL FOR ENVIRONMENTAL MORALE LEAVE BY CERTAIN SPOUSES AND CHILDREN OF DEPLOYED MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall revise the Air Transportation Eligibility Regulation, DOD 4515.13-R, to authorize space-available travel for environmental morale leave by unaccompanied spouses and dependent children of members of the Armed Forces who are deployed for at least 30 consecutive days under priority category IV. The Secretary shall also update any other instructions, directives, or internal policies necessary to facilitate such revision.
SEC. 1055. INFORMATION-RELATED AND STRATEGIC COMMUNICATIONS CAPABILITIES ENGAGEMENT PILOT PROGRAM.

(a) Pilot Program Required.—The Secretary of Defense may carry out a pilot program or multiple pilot programs under which the Secretary assesses information-related and strategic communications capabilities to support the tactical, operational, and strategic requirements of the geographic and functional combatant commanders, including the urgent and emergent operational needs and the operational and theater security cooperation plans of such combatant commanders, to further United States national security objectives and strategic communications requirements.

(b) Elements.—Any pilot program carried out under subsection (a) shall include each of the following elements:

(1) Clearly defined goals and end-state objectives for the pilot program, including the traceability of such goals and objectives to the tactical, operational, or strategic requirements of the combatant commanders.

(2) A process for measuring the performance and effectiveness of the pilot program.

(3) A demonstration of a technology capability or concept to support the tactical, operational, or strategic needs of the combatant commanders.
(4) Supporting activities and coordinating elements with joint, interagency, intergovernmental, and multinational partners.

(c) Governance.—The Secretary shall create a governance structure for executing any pilot program carried out under subsection (a) that allows for centralized oversight and planning of the program with program execution decentralized to the combatant commands. The Secretary shall provide a written charter for such a governance structure by not later than the date that is 30 days after the date on which the Secretary decides to carry out such a pilot program.

(d) Notification Required.—By not later than 14 days after the date on which the Secretary decides to carry out a pilot program under subsection (a), the Secretary shall submit to the congressional defense committees written notice of the decision. Such notice shall include the scope of activities, funding required, sponsoring combatant commander, anticipated participants, and expected duration of the pilot program.

(e) Termination.—The authority to carry out a pilot program under this section shall terminate on September 30, 2022.
SEC. 1056. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF HELICOPTER SEA COMBAT SQUADRON 84 AND 85 AIRCRAFT.

(a) Prohibitions.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Navy may be obligated or expended to—

(1) retire, prepare to retire, transfer, or place in storage any Helicopter Sea Combat Squadron 84 (HSC 84) or Helicopter Sea Combat Squadron 85 (HSC-85) aircraft; or

(2) make any changes to manning levels with respect to any HSC-84 or HSC-85 aircraft squadron.

(b) Waiver.—The Secretary of the Navy may waive subsection (a), if the Secretary certifies to the congressional defense committees that the Secretary has—

(1) conducted a cost-benefit analysis identifying savings to Department of the Navy regarding decommissioning or deactivation of an HSC-84 or HSC-85 squadron;

(2) identified a replacement capability to meet all operational requirements, including special operational-peculiar requirements of the combatant commands, currently being met by the HSC-84 or HSC-85 squadrons and aircraft to be retired, transferred, or placed in storage; and
(3) deployed such capability.

SEC. 1057. LIMITATION ON AVAILABILITY OF FUNDS FOR DESTRUCTION OF CERTAIN LANDMINES.

(a) LIMITATION.—Except as provided under subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended for the destruction of anti-personnel landmines of the United States (as defined in the announcement of the President on September 23, 2014) until—

(1) the Secretary of Defense publishes a comprehensive study on—

(A) the tactical and operational effects of a ban on such landmines; and

(B) the current state of research into operational alternatives to such landmines;

(2) such alternatives are specifically authorized by law and provided appropriations;

(3) such alternatives are fully deployed;

(4) members of the Armed Forces of the United States and allies of the United States are trained in the use of such alternatives; and

(5) the Secretary certifies to the congressional defense committees that the replacement of such landmines by such alternatives will not endanger members
of the Armed Forces of the United States or allies of
the United States or pose any operational challenges
and that adequate stockpiles and manufacturing ca-
pacity exists to meet the needs of the Armed Forces
of the United States and allies of the United States
in current deployments and anticipated contin-
gencies.

(b) EXCEPTION FOR SAFETY.—The limitation under
subsection (a) shall not apply to any anti-personnel land
mine that the Secretary certifies has become unsafe or poses
a safety risk if not demilitarized or destroyed.

SEC. 1058. LIMITATION ON AVAILABILITY OF FUNDS FOR
MODIFYING COMMAND AND CONTROL OF
UNITED STATES PACIFIC FLEET.

None of the funds authorized to be appropriated or oth-
erwise made available for fiscal year 2016 may be obligated
or expended to modify command and control relationships
to give Fleet Forces Command operational and administra-
tive control of Navy forces assigned to the Pacific Fleet. The
command and control relationships in effect on October 1,
2004, shall remain in effect unless a change to such rela-
tionships is specifically authorized by a law.
SEC. 1059. PROHIBITION ON THE CLOSURE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States military presence in the Republic of Cuba began in 1898, and United States military basing began in Cuba in 1903.

(2) In 1934, the United States and Cuba entered into the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934. Under Article III, the treaty stipulates the perpetual lease agreement between the United States and Cuba for the 45 square miles of land encompassing Guantanamo Bay, Cuba.

(3) On March 12, 2015, Commander of United States Southern Command, General John Kelly, testified before the Committee on Armed Services of the Senate, highlighting, “Its [Naval Station Guantanamo Bay] airfield and port facilities are indispensable to the Departments of Defense, Homeland Security, and State’s operational and contingency plans. . . As the only permanent U.S. military base in Latin America and the Caribbean, its location provides persistent U.S. presence and immediate access to the region, as well as supporting a layered de-
fense to secure the air and maritime approaches to the United States”.

(4) Former Commander of United States Southern Command, retired Admiral James Stavridis, recently stated “Guantanamo Bay Naval Station has immense strategic value above and beyond its reputation as a detention facility. It is the logistic, planning, surveillance and basing linchpin for the U.S. Fourth Fleet, crucial to the military for disaster relief, humanitarian work, medical diplomacy, and counternarcotics, all key missions for the U.S. Navy in Latin America and the Caribbean. The U.S. should do all in its power to maintain its legal control over the base”.

(5) In testimony in front of the Committee on Armed Services of the House of Representatives in 2012, then-Commander of United States Southern Command, General Douglas Fraser, stated, “Absent a detention facility and even following the eventual demise of the Castro regime, the strategic capability provided by the U.S. Naval Station Guantanamo Bay remains essential for executing national priorities throughout the Caribbean, Latin America, and South America”.

(6) As part of “normalizing” relations with the government of Cuba, announced in December 2014, ongoing negotiations are occurring to determine the diplomatic framework between the governments of the United States and Cuba.

(7) In January 2015, soon after negotiations began between the United States and Cuba, Cuban President Raul Castro demanded the return of United States Naval Station, Guantanamo Bay, Cuba, to Cuba.

(8) In February 2015, Assistant Secretary of State for Western Hemisphere Affairs Roberta Jacobson, in testimony in front of the Foreign Affairs Committee of the House of Representatives, stated that the return of United States Naval Station, Guantanamo Bay, Cuba, is “not on the table in these conversations”, referencing current diplomatic negotiations. Later in her testimony Assistant Secretary Jacobson pointed out, referring to the possible closure of the Naval Station, that she is not a “high enough ranking person to know. . .whether it could be in the future”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the strategic, logistic, and postural significance of United States Naval Station Guantanamo Bay, Cuba, is vital to the security of the United States; and

(2) the United States must not relinquish control of Guantanamo Bay to the Republic of Cuba.

(c) PROHIBITION.—United States Naval Station, Guantanamo Bay, Cuba, may not be closed or abandoned, and the President shall ensure that the obligations of the United States under Article III of the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934 are met, including the payment of the annual lease sum to the government of Cuba, unless otherwise specifically provided—

(1) by law;

(2) in a treaty that is ratified with the advice and consent of the Senate; or

(3) by a modification of the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934, that is ratified with the advice and consent of the Senate.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commander of United States Southern Command shall submit to
appropriate committees of Congress, a report setting forth a military assessment of the strategic implications of United States Naval Station Guantanamo Bay, Cuba.

(2) ELEMENTS.—The report required under paragraph (1) shall include each of the following:

(A) An historical analysis of the use and significance of the basing at United States Naval Station, Guantanamo Bay, Cuba.

(B) A description of the personnel, resources, and base operations based out of United States, Naval Station Guantanamo Bay, Cuba, as of the date of the enactment of this Act.

(C) An assessment of United States Naval Station, Guantanamo Bay, Cuba, in support of the National Security Strategy, the National Defense Strategy, and the National Military Strategy.

(D) An assessment of missions and military requirements that United States Naval Station, Guantanamo Bay, Cuba, currently supports.

(E) A description of the uses of United States Naval Station, Guantanamo Bay, Cuba by other United States Government agencies.
(F) Any other related matter at the discretion of the Commander.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—

In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate.

Subtitle F—Studies and Reports

SEC. 1061. PROVISION OF DEFENSE PLANNING GUIDANCE AND CONTINGENCY PLANNING GUIDANCE INFORMATION TO CONGRESS.

(a) In General.—Section 113(g) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) At the time of the budget submission by the President for a fiscal year, the Secretary of Defense shall include in the budget materials submitted to Congress for that year summaries of the guidance developed under paragraphs (1) and (2), as well as summaries of any plans developed in accordance with the guidance developed under paragraph
(2). Such summaries shall be sufficient to allow the congressional defense committees to evaluate fully the requirements for military forces, acquisition programs, and operation and maintenance funding in the President’s annual budget request for the Department of Defense.”.

(b) REPORT REQUIRED.—Notwithstanding the requirement under paragraph (3) of section 113(g) of title 10, United States Code, as added by subsection (a), that the Secretary of Defense submit summaries under that paragraph at the time of the President’s annual budget submission, by not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report containing—

(1) summaries of the guidance developed under paragraphs (1) and (2) of subsection (g) of section 113 of title 10, United States Code; and

(2) summaries of any plans developed in accordance with the guidance developed under paragraph (2) of such subsection.

(c) LIMITATION ON OBLIGATION OF FUNDS PENDING REPORT.—Of the funds authorized to be appropriated by this Act for Operation and Maintenance, Defense-wide, for the office of the Secretary of Defense, not more than 75 percent may be obligated or expended before the date that is
15 days after the date on which the Secretary submits the
report described in subsection (b).

SEC. 1062. MODIFICATION OF CERTAIN REPORTS SUB-
MITTED BY COMPTROLLER GENERAL OF THE
UNITED STATES.

(a) REPORT ON NNSA BUDGET REQUESTS.—Section
3255(a)(2) of the National Nuclear Security Administra-
tion Act (50 U.S.C. 2455) is amended by inserting before
“the Comptroller General” the following: “in an even-
numbered year, and not later than 150 days after the date
on which the Administrator submits such materials in an
odd-numbered year”.

(b) REPORT ON ENVIRONMENTAL MANAGEMENT.—Sec-
tion 3134 of the National Defense Authorization Act for Fis-
cal Year 2010 (Public Law 111–84; 123 Stat. 2713), as
amended by section 3134 of the National Defense Authoriza-
tion Act for Fiscal Year 2013 (Public Law 112–239; 126
Stat. 2193), is further amended—

(1) in subsection (a), by striking “a series of
three reviews, as described in subsections (b), (c), and
(d),” and inserting “reviews as described in sub-
sections (b) and (c)”;

(2) by striking subsection (d); and

(3) by redesignating subsection (e) as subsection
(d).
SEC. 1063. REPORT ON IMPLEMENTATION OF THE GEOGRAPHICALLY DISTRIBUTED FORCE LAYDOWN IN THE AREA OF RESPONSIBILITY OF UNITED STATES PACIFIC COMMAND.

(a) Report Required.—Not later than March 1, 2016, the Secretary of Defense, in consultation with the Commander of the United States Pacific Command, shall submit to the congressional defense committees a report on Department of Defense plans for implementing the geographically distributed force laydown in the area of responsibility of United States Pacific Command.

(b) Matters to Be Included.—The report required under subsection (a) shall include the following:

(1) A description of the force laydown.

(2) A discussion of how the force laydown affects the operational and contingency plans in the area of responsibility of United States Pacific Command, including a discussion on how timeliness, availability of forces, and risk in meeting the military objectives contained in those plans are affected.

(3) A discussion of the specific support asset requirements derived from the force laydown, including logistical sustainment, pre-positioned stocks, sea and air lift, command and control, and intelligence, surveillance, and reconnaissance.
(4) A discussion of the specific infrastructure and military construction requirements derived from the force laydown.

(5) A discussion on how Department of Defense plans to meet the requirements identified in paragraphs (3) and (4), including the ability of United States Transportation Command, the United States Combat Logistics Force, and the Armed Forces to meet those requirements.

(6) Any other matters the Secretary of Defense determines to be appropriate.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1064. INDEPENDENT STUDY OF NATIONAL SECURITY STRATEGY FORMULATION PROCESS.

(a) REQUIREMENT FOR STUDY.—The Secretary of Defense shall enter into a contract with an independent research entity described in subsection (c) to carry out a comprehensive study of the role of the Department of Defense and its process for the formulation of national security strategy.

(b) MATTERS COVERED.—The study required by subsection (a) shall include, at a minimum, the following:
(1) Case studies of the role of the Department of Defense and its process for the formulation of previous national security strategies in place throughout the history of the United States, including an examination of the development and execution of previous strategies, as well as the factors that contributed to the development and execution of successful previous strategies with specific emphasis on—

(A) the frequency of strategy updates;

(B) the synchronization of timelines and content among different strategies;

(C) the prioritization of objectives;

(D) the assignment of roles and responsibilities among relevant agencies;

(E) the links between strategy and resourcing;

(F) the implementation of strategy within the planning documents of relevant agencies; and

(G) the value of a competition of ideas.

(2) A complete review and analysis of the current national security strategy formulation process, as it relates to the Department of Defense, including an analysis of the following:

(A) All major Government products and documents of national security strategy relevant
to the Department of Defense and how they fit together, including—

(i) the National Military Strategy prepared by the Chairman of the Joint Chiefs of Staff under section 153(b)(1) of title 10, United States Code;

(ii) the most recent quadrennial defense review conducted by the Secretary of Defense pursuant to section 118 of title 10, United States Code;

(iii) the national security strategy report required under section 108 of the National Security Act of 1947 (50 U.S.C. 3043); and

(iv) any other relevant national security strategy products and documents.

(B) The time periods during which the products and documents covered by subparagraph (A) are prepared and published, and how they fit together.

(C) The interaction between the White House and the agencies that develop such products and documents and formulate strategy.

(D) All the current entities in the Federal Government that contribute to the national secu-
iry strategy formulation process and how they
fit together.

(c) INDEPENDENT RESEARCH ENTITY.—The entity de-
scribed in this subsection is an independent research entity
that is a not-for-profit entity or a federally funded research
and development center with appropriate expertise and an-
alytical capability.

(d) REPORT.—Not later than 18 months after the date
of the enactment of this Act, the independent research entity
shall provide to the Secretary a report on the results of the
study. Not later than 30 days after receipt of the report,
the Secretary shall submit such report, together with any
additional views or recommendations of the Secretary, to
the congressional defense committees.

SEC. 1065. STUDY AND REPORT ON ROLE OF DEPARTMENT
OF DEFENSE IN FORMULATION OF LONG-
TERM STRATEGY.

The Secretary of Defense shall direct the Office of Net
Assessment to conduct a study on the role of the Department
of Defense in the formulation of long-term strategy. Not
later than two years after the date of the enactment of this
Act, the Secretary shall submit to the congressional defense
committees a report on the results of the study, which shall
include—
(1) historical lessons learned, and recommendations for both the executive and legislative branch on how to create an entity or entities, programs or projects, or supporting efforts or activities to study and formulate suggestions for Department of Defense long-term strategy across the combination of military, economic, scientific, technological, geopolitical, resources, international relations, and other relevant areas of study related to the role of the Department of Defense in national security.

(2) key recommendations for alternative or candidate courses of action for establishing such an entity or entities, programs or projects, or supporting efforts or activities within or outside of the Government, including identification of areas or components of the Government most suited to the formulation of Department of Defense long-term strategy, or identification of new offices, organizational units, or supporting efforts within or outside of the Government focused on the development of long-term strategies for the Department; and

(3) an analysis of the efforts of the Department of Defense to cultivate long-term strategists within and outside of the Department and the Government, including an examination of options of best methods
to improve and support the development, training,
and education of strategic thinkers within and outside
of the Department and the Government.

SEC. 1066. REPORT ON POTENTIAL THREATS TO MEMBERS
OF THE ARMED FORCES OF UNITED STATES
NAVAL FORCES CENTRAL COMMAND AND
UNITED STATES FIFTH FLEET IN BAHRAIN.

(a) In General.—Not later than 180 days after the
date of the enactment of this Act, the Secretary of Defense
shall submit to the Committees on Armed Services of the
Senate and the House of Representatives a report on the
threat posed to members of the Armed Forces of the United
States Naval Forces Central Command and the United
States Fifth Fleet from Naval Support Activity Bahrain
and their family members should an increase in violent
clashes in Bahrain make their presence in that nation un-
tenable.

(b) Content of Report.—The report required by
subsection (a) shall include the following:

(1) An assessment of the current security situa-
tion in Bahrain, marked by escalating violence be-
tween security forces and protesters, and the potential
impact increased instability could have on—

(A) the physical safety and security of
United States personnel and their families living
in Bahrain, both inside and outside the confines of military installations;

(B) the freedom of movement of United States personnel and their families living in Bahrain; and

(C) the future operations of Naval Support Activity in Bahrain as it relates to ongoing regional missions.

(2) Safety measures and contingency planning to protect Navy personnel in the event of such an increase in instability, including an analysis of viable alternative locations for both the United States Naval Forces Central Command and the United States Fifth Fleet.

Subtitle G—Repeal or Revision of National Defense Reporting Requirements

SEC. 1071. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO MILITARY PERSONNEL ISSUES.

(a) Reports on Health Protection Quality and Health Assessment Data.—

(1) Repeal.—Section 1073b of title 10, United States Code, is repealed.
(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 55 of title 10, United States Code, is amended by striking the item relating to section 1073b.

(b) **REPORT ON VOTING ASSISTANCE PROGRAMS EFFECTIVENESS AND COMPLIANCE.**—Section 1566(c) of title 10, United States Code, is amended—

(1) by striking ``(1)'' after the subsection heading; and

(2) by striking paragraphs (2) and (3).

(c) **REPORT ON AVIATION OFFICER RETENTION BONUSES.**—Section 301b(i) of title 37, United States Code, is amended—

(1) by striking ``(1)'' after the subsection heading; and

(2) by striking paragraph (2).

(d) **REPORT ON FOREIGN LANGUAGE PROFICIENCY INCENTIVE PAY.**—Section 316a of title 37, United States Code, as amended by section 615(5) of this Act, is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

(e) **REPORT ON USE OF WAIVER AUTHORITY FOR MILITARY SERVICE ACADEMY APPOINTMENTS.**—Section
553 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 4346 note) is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

(f) REPORT ON INCREASE IN JUNIOR RESERVE OFFICERS’ TRAINING CORPS UNITS.—Subsection (e) of section 548 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4466) is repealed.

(g) REPORT ON IMPLEMENTATION OF YELLOW RIBBON REINTEGRATION PROGRAM.—

(1) REPORTING REQUIREMENT.—Section 582(e) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended by striking paragraph (4).

(2) CONFORMING REPEAL.—Section 597 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 10101 note) is repealed.

(h) REPORT ON STANDARDS OF FACILITIES.—Section 1648 of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note) is amended by striking subsection (f).
(i) **Report on Inspections of Facilities.**—Section 1662 of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note) is amended—

(1) by striking “(a) Required Inspections of Facilities.”; and

(2) by striking subsection (b).

(j) **Report on Inspections of Other Facilities.**—Section 3307 of the U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28; 10 U.S.C. 1073 note) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).


(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.
SEC. 1072. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATING TO READINESS.

(a) Biannual Reports on Allocation of Funds Within Operation and Maintenance Budget Activities.—

(1) In general.—Chapter 9 of title 10, United States Code, is amended by striking section 228.

(2) Clerical amendment.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 228.

(b) Annual Report on Naval Petroleum Reserves.—Section 7431 of title 10, United States Code, is amended by striking subsection (c).

(c) Annual Report on Army National Guard Combat Readiness.—

(1) In general.—Chapter 1013 of title 10, United States Code, is amended by striking section 10542.

(2) Clerical amendment.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 10542.


(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).


(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

(k) Quarterly Report on End Strength.—Section 8104 of the Department of Defense Appropriations Act, 2014 (Division C of Public Law 113–76) is repealed.

(l) Quarterly Report on End Strength.—Section 8105 of the Department of Defense Appropriations Act, 2013 (Division C of Public Law 113–6) is repealed.


SEC. 1073. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO NAVAL VESSELS AND MERCHANT MARINE.

(a) Report on Naming of Naval Vessels.—Section 7292 of title 10, United States Code, is amended by striking subsection (d).
(b) Report on Transfer of Vessels Stricken From Naval Vessel Register.—Section 7306 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(c) Reports on Mission Modules of Littoral Combat Ship.—Section 126 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1657) is amended—

(1) by striking “(a) Designation Required.—

”;

and

(2) by striking subsection (b).


(f) Annual Report of Maritime Administration.—
(1) Elimination of report and revision of remaining requirement.—Section 50111 of title 46, United States Code, is amended to read as follows:

“§ 50111. Submission of annual MARAD authorization request

“(a) Submission of legislative proposal.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Secretary of Transportation shall submit to the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the Maritime Administration authorization request for that fiscal year.

“(b) Maritime Administration request defined.—In this section, the term ‘Maritime Administration authorization request’ means a proposal for legislation that, for a fiscal year—

“(1) recommends authorizations of appropriations for the Maritime Administration for that fiscal year, including with respect to matters described in subsection 109(j) of title 49 or authorized in subtitle V of this title; and
“(2) addresses any other matter with respect to the Maritime Administration that the Secretary determines is appropriate.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 501 of title 46, United States Code, is amended by striking the item relating to section 50111 and inserting the following new item:

“50111. Submission of annual MARAD authorization request.”.

(g) DISCRETIONARY REPORTS NO LONGER NEEDED.—The Secretary of the Navy is not required to submit to the congressional defense committees—

(1) a report, or updates to such a report, on open architecture as described in Senate Report 110–077; or

(2) a monthly report on Ford class aircraft carriers not otherwise required by law.

SEC. 1074. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO NUCLEAR, PROLIFERATION, AND RELATED MATTERS.

(a) Report on Nuclear Weapons Council.—Section 179 of title 10, United States Code, is amended by striking subsection (g).

(b) Report on Proliferation Security Initiative.—Section 1821(b) of the Implementing Recommendations.
tions of the 9/11 Commission Act of 2007 (50 U.S.C. 2911) is amended—

(1) by striking “(1) In General.—”; and

(2) by striking paragraphs (2) and (3).

(c) Briefings on Dialogue Between United States and Russian Federation on Nuclear Arms.—

Section 1282 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 22 U.S.C. 5951 note) is amended—

(1) by striking subsection (a); and

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.


(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

SEC. 1075. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO MISSILE DEFENSE.

(a) Report on Missile Defense Executive Board Activities.—Section 232 of the National Defense Author-

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

(b) Report on Ground-Based Midcourse Defense Program.—Section 234 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1340) is amended—

(1) by striking “(a) Sense of Congress.—”;

and

(2) by striking subsection (b).

Sec. 1076. Repeal or Revision of Reporting Requirements Related to Acquisition.

(a) Report on Foreign Purchases.—Section 8305 of title 41, United States Code, is repealed.

(b) Report on Cost Assessment Activities.—Section 2334 of title 10, United States Code, is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

(c) Report on Performance Assessments and Root Cause Analyses.—Section 2438 of title 10, United States Code, is amended by striking subsection (f).
SEC. 1077. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO CIVILIAN PERSONNEL.

(a) Report on Pilot Program for Exchange of Information Technology Personnel.—Section 1110 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2493) is amended—

(1) by striking subsection (i);
(2) by redesignating subsection (j) as subsection (i); and
(3) in subsection (i), as so redesignated, by striking paragraph (2) and inserting the following new paragraph:

“(2) any employee whose assignment is allowed to continue by virtue of paragraph (1) shall be taken into account for purposes of the numerical limitation under subsection (h).”.


SEC. 1078. REPEAL OR REVISION OF MISCELLANEOUS REPORTING REQUIREMENTS.

(a) Report on Rewards for Combating Terrorism.—Section 127b of title 10, United States Code, is amended—
(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

(b) REPORT ON TECHNOLOGICAL MATURITY AND INTEGRATION RISK OF CRITICAL TECHNOLOGIES.—Section 138(b)(8) of title 10, United States Code, is amended—

(1) by striking subparagraph (B);

(2) by striking “shall—” and all that follows through “assess the technological maturity” and inserting “shall periodically review and assess the technological maturity”; and

(3) by striking “; and” and inserting a period.

(c) REPORT ON SYSTEMS ENGINEERING.—Section 139b(d) of title 10, United States Code, is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraph (3) as paragraph (2);

(3) in paragraph (2), as so redesignated—

(A) by striking “or (2)”; 

(B) in subparagraph (A), by striking “systems engineering master plans and”;

(C) in subparagraph (B), by striking “; systems engineering master plans,”;
(D) in subparagraph (C); by striking “systems engineering, development planning,” and inserting “development planning”; and

(E) by redesignating subparagraph (D) as subparagraph (F);

(4) by transferring subparagraphs (A) and (B) of paragraph (4) to the end of paragraph (2), as so redesignated, and redesignating those subparagraphs as subparagraphs (D) and (E), respectively; and

(5) by striking paragraph (4).

(d) Report on Regional Defense Counterterrorism Fellowship Program.—Section 2249c of title 10, United States Code, is amended by striking subsection (c).

(e) Report on DARPA.—

(1) Repeal.—Section 2352 of title 10, United States Code, is repealed.

(2) Clerical Amendment.—The table of sections at the beginning of chapter 139 of title 10, United States Code, is amended by striking the item relating to section 2352.

(g) **Report on In-kind Payments.**—Section 2805 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2149) is repealed.

(h) **Report on Airborne Signals Intelligence, Surveillance, and Reconnaissance Capabilities.**—Section 112(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4153) is amended—

1. by striking paragraph (3); and
2. by redesignating paragraph (4) as paragraph (3).


### Subtitle H—Other Matters

**SEC. 1081. TECHNICAL AND CLERICAL AMENDMENTS.**

(a) **Amendments To Title 10, United States Code.**—Title 10, United States Code, is amended as follows:

1. The heading of section 153(a)(5) is amended to read as follows: “Joint Force Development Activities.”
(2) The table of sections at the beginning of chapter 21 is amended by inserting after the item relating to section 429 the following new item:

“430. Tactical exploitation of national capabilities executive agent.”

(3) Section 2679, as transferred, redesignated, and amended by section 351 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3346), is amended in subsection (a)(1) by striking “with” before “, on a sole source”.

(4) Section 2687a(d)(2) is amended by inserting “fair market” before “value”.

(5) Section 2926, as added and amended by section 901(g) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3464), is amended in subsections (a), (b), (c), and (d) by striking “for Installations, Energy,” each place it appears and inserting “for Energy, Installations,”.

(6) Section 9314a(b) is amended by striking “only so long at” and inserting “only so long as”.

(b) National Defense Authorization Act for Fiscal Year 2015.—Effective as of December 19, 2014, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended as follows:
(1) Section 351(b)(1) (128 Stat. 3346) is amended by striking the period at the end of subparagraph (C) and inserting “; and”.

(2) Section 901(g)(1)(F) (128 Stat. 3465) is amended by inserting “paragraph (4) of” before “subsection (b) of section 2926”.

(3) Section 1072(a)(2) (128 Stat. 3516) is amended by inserting “in the table of sections” before “at the beginning of”.


(5) Section 1104(b)(2) (128 Stat. 3526) is amended by striking “paragraph (2)” and inserting “paragraph (1)(A)”.

(6) Section 1208 (128 Stat. 3541) is amended by striking “of Fiscal Year” each place it appears and inserting “for Fiscal Year”.

(7) Section 2803(a) (128 Stat. 3696) is amended in paragraph (2) of the subsection (f) being added by the amendment to be made by that section by inserting “section” before “1105 of title 31”.

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(8) Section 2832(c)(3) (128 Stat. 3704) is amended by striking “United State Code” and inserting “United States Code”.

(9) Section 3006(i) (128 Stat. 3744) is amended—

(A) in paragraph (1), by striking “Section 8” and inserting “Section 18”; and

(B) in paragraph (2), by striking “S1/2 N1/2 SE” and inserting “S1/2 N1/2 SE1/4”.

(10) Section 3023 (128 Stat. 3762) is amended—

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

(B) in paragraph (2), as so redesignated, in the matter being added by subparagraph (C)—

(i) by inserting “has been waived,” after “expired,”; and

(ii) by striking “the permit or lease required” and inserting “the allotment management plan, permit, or lease required”;

(C) in paragraph (4), as so redesignated, in the matter being added as subsection (h)(1)—

(i) by striking “a grazing permit or lease” in the matter preceding subpara-
graph (A) of such subsection and inserting
“an allotment management plan or grazing
permit or lease”; 

(ii) in subparagraph (A) of such sub-
section, by striking “permit or lease” and
inserting “allotment management plan, per-
mit, or lease”; and

(iii) in subparagraph (B)(i) of such
subsection, by striking “lease or permit”
and inserting “allotment management plan,
permit, or lease”; and

(D) by inserting before paragraph (2), as so
redesignated, the following new paragraph:

“(1) in subsection (a), by striking ‘by the Sec-
retary of Agriculture, with respect to lands within
National Forests in the sixteen contiguous Western
States’ and inserting ‘on National Forest System
land by the Secretary of Agriculture (notwith-
standing, for purposes of this section, the definition
in section 103(p))’;”.

3764) is amended—

(A) in subsection (e), by inserting before the
period at the end the following: “report using
National Median Price values”; and
(B) in subsection (f)(3)—

(i) in subparagraph (A), by striking “by regulation establish criteria pursuant to which the annual fee determined in accordance with this section may be suspended or reduced temporarily” and inserting “provide for suspension or reduction temporarily of the annual fee determined in accordance with this section”; and

(ii) in subparagraph (B), by striking “by regulation”.


(1) by redesignating the paragraphs (1) through (8) added by section 1202(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat 2512) as subparagraphs (A) through (H), respectively; and

(2) by moving the margins of such subparagraphs, as so redesignated, two ems to the right.

(e) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1082. EXECUTIVE AGENT FOR THE OVERSIGHT AND MANAGEMENT OF ALTERNATIVE COMPENSATORY CONTROL MEASURES.

(a) EXECUTIVE AGENT.—

(1) IN GENERAL.—Subchapter I of chapter 21 of title 10, United States Code, is amended by adding at the end of the following new section:

“§ 430a. Executive agent for management and oversight of alternative compensatory control measures

“(a) EXECUTIVE AGENT.—The Secretary of Defense shall designate a senior official from among the personnel
of the Department of Defense to act as the Department of Defense executive agent for the management and oversight of alternative compensatory control measures.

“(b) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—
The Secretary of Defense shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a). Such roles, responsibilities, and authorities shall include the development of an annual management and oversight plan for Department-wide accountability and reporting to the congressional defense committees.”.

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

“430a. Executive agent for management and oversight of alternative compensatory control measures.”.

(b) REPORT.—Not later than 30 days after the close of each of fiscal years 2016 through 2020, the Secretary of Defense shall submit to the congressional defense committees a report on the oversight and management of alternative compensatory control measures. Each such report shall include—

(1) the annual management and oversight plan required under section 430a(b) of title 10, United States Code, as added by subsection (a);
(2) a discussion of the scope and number of alternative compensatory control measures in effect; and

(3) any other matters the Secretary of Defense determines appropriate.

SEC. 1083. NAVY SUPPORT OF OCEAN RESEARCH ADVISORY PANEL.

Section 7903 of title 10, United States Code, is amended by striking subsection (c).

SEC. 1084. LEVEL OF READINESS OF CIVIL RESERVE AIR FLEET CARRIERS.

(a) FINDINGS.—Congress finds the following:

(1) The National Airlift Policy states that “[t]he national defense airlift objective is to ensure that military and civil airlift resources will be able to meet defense mobilization and deployment requirements in support of US defense and foreign policies.”.

(2) The National Airlift Policy also emphasizes the need for “dialogue and cooperation with our national aviation industry,” and it states that “[i]t is of particular importance that the aviation industry be apprised by the Department of Defense of long-term requirements for airlift in support of national defense.”.
(3) The National Airlift Policy emphasizes the importance of both military and civil airlift resources and their interdependence in the fulfillment of the national defense airlift objective, and it states that the “Department of Defense shall establish appropriate levels for peacetime cargo airlift augmentation in order to promote the effectiveness of Civil Reserve Air Fleet and provide training within the military airlift system.”.

(4) Civil Reserve Air Fleet carriers continue to be an important component of the military airlift system in support of United States defense and foreign policies.

(b) Level of Readiness of Civil Reserve Air Fleet Carriers.—

(1) In general.—Chapter 931 of title 10, United States Code, is amended by adding at the end the following new section:

“§9517. Level of readiness of Civil Reserve Air Fleet carriers

“(a) Policy.—The Civil Reserve Air Fleet program is an important component of the military airlift system in support of United States defense and foreign policies, and it is the policy of the United States to maintain the readiness and interoperability of Civil Reserve Air Fleet carriers
by providing appropriate levels of peacetime airlift augmentation to maintain networks and infrastructure, exercise the system, and interface effectively within the military airlift system.

“(b) REPORT REQUIREMENT.—On the day the President submits the budget for a fiscal year to Congress, the Secretary of Defense shall submit to Congress a report that sets forth, for each fiscal year during the period covered by the current future-years defense program under section 221 of this title, each of the following, expressed separately for passenger and cargo airlift services:

“(1) The results (including analytical and justification materials) of an assessment, conducted in consultation with the Civil Reserve Air Fleet carriers, of the level of commercial airlift augmentation necessary to maintain the readiness and interoperability of such carriers, maintain networks and infrastructure, exercise the system, and facilitate the regular interfacing between such carriers and the military airlift system, which shall include—

“(A) a projection of the number of block hours necessary to achieve such levels of commercial airlift augmentation;

“(B) a strategic plan for achieving such level of commercial airlift augmentation; and
“(C) an explanation of any deviation from
the previous fiscal year’s assessment of the pro-
jected number of block hours under subparagraph
(A).

“(2) A comparison (including analytical and
justification materials and explanations of any devi-
atations) of the forecasted number of block hours for
each fiscal year of the period covered by the report
with the projected number of block hours under para-
graph (1)(A) for each such fiscal year.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘budget’ has the meaning given
that term in section 231(f) of this title.

“(2) The term ‘defense budget materials’ has the
meaning given that term in section 231(f) of this
title.”.

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

“9517. Level of Readiness of Civil Reserve Air Fleet carriers.”.

(3) DEFINITION OF CIVIL RESERVE AIR FLEET
PROGRAM.—Section 9511 of title 10, United States
Code, is amended by adding at the end the following
new paragraph:

“(12) The term ‘Civil Reserve Air Fleet program’
means the program developed by the Department of
Defense through which the Department of Defense augments its airlift capability by use of civil aircraft.”.

SEC. 1085. AUTHORIZATION OF TRANSFER OF SURPLUS FIREARMS TO CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY.

(a) In General.—Section 40728 of title 36, United States Code, is amended by adding at the end the following new subsection:

“(h) AUTHORIZED TRANSFERS.—The Secretary may transfer to the corporation, in accordance with the procedure prescribed in this subchapter, surplus firearms and spare parts and related accessories for those firearms that on the date of the enactment of this subsection are under the control of the Secretary and are excess to the requirements of the Department of the Army, and such material as may be recovered by the Secretary pursuant to section 40728A(a) of this title. The Secretary shall determine a reasonable schedule for the transfer of these excess firearms.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Such title is further amended—

(1) in section 40278A—

(A) by striking “rifles” each place it appears and inserting “surplus firearms”; and
(B) in subsection (a), by striking “section 40731(a)” and inserting “section 40732(a)”; 

(2) in section 40729(a)—

(A) in paragraph (1), by striking “described in section 40728(a) of this title”; 

(B) in paragraph (2), by striking “firearms described in section 40728(a) of this title” and inserting “surplus firearms”; and 

(C) in paragraph (4), by striking “caliber .30 and caliber .22 rimfire rifles” and inserting “firearms”; and 

(3) in section 40732—

(A) by striking “caliber .22 rimfire and caliber .30 surplus rifles” both places it appears and inserting “surplus firearms”; and 

(B) in subsection (a), by striking “is over 18 years of age” and inserting “is legally of age”.

SEC. 1086. MODIFICATION OF REQUIREMENTS FOR TRANSFERRING AIRCRAFT WITHIN THE AIR FORCE INVENTORY.

(a) Modification of Requirements.—Section 345 of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 8062 note) is amended—
(1) in subsection (a)—

   (A) by striking the first sentence and inserting the following: “Before making an aircraft transfer described in subsection (c), the Secretary of the Air Force shall ensure that a written agreement regarding such transfer has been entered into between the Chief of Staff of the Air Force and the Director of the Air National Guard or the Chief of Air Force Reserve.”; and

   (B) in paragraph (3), by striking “depot”;

(2) by striking subsection (b) and inserting the following:

   “(b) SUBMITTAL OF AGREEMENTS TO THE DEPARTMENT OF DEFENSE AND CONGRESS.—The Secretary of the Air Force may not take any action to transfer an aircraft until the Secretary ensures that the Air Force has complied with applicable Department of Defense regulations and, for a transfer described in subsection (c)(1), until the Secretary submits to the congressional defense committees an agreement entered into pursuant to subsection (a) regarding the transfer of the aircraft.”; and

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

   “(c) COVERED AIRCRAFT TRANSFERS.—
“(1) COVERED TRANSFERS.—An aircraft transfer described in this subsection is the transfer (other than as specified in paragraph (2)) from a reserve component of the Air Force to the regular component of the Air Force of—

“(A) the permanent assignment of an aircraft that terminates a reserve component’s equitable interest in the aircraft; or

“(B) possession of an aircraft for a period in excess of 90 days.

“(2) EXCEPTIONS.—Paragraph (1) does not apply to the following:

“(A) A routine temporary transfer of possession of an aircraft from a reserve component that is made solely for the benefit of the reserve component for the purpose of maintenance, upgrade, conversion, modification, or testing and evaluation.

“(B) A routine permanent transfer of assignment of an aircraft that terminates a reserve component’s equitable interest in the aircraft if notice of the transfer has previously been provided to the congressional defense committees and the transfer has been approved by the Secretary
of Defense pursuant to Department of Defense regulations.

“(C) A transfer described in paragraph (1)(A) when there is a reciprocal permanent assignment of an aircraft from the regular component of the Air Force to the reserve component that does not degrade the capability of, or reduce the total number of, aircraft assigned to the reserve component.

“(d) RETURN OF AIRCRAFT AFTER ROUTINE TEMPORARY TRANSFER.—In the case of an aircraft transferred from a reserve component of the Air Force to the regular component of the Air Force for which an agreement under subsection (a) is not required by reason of subsection (c)(2)(A), possession of the aircraft shall be transferred back to the reserve component upon completion of the work described in subsection (c)(2)(A).”.

(b) CONFORMING AMENDMENT.—Subsection (a)(7) of such section is amended by striking “Commander of the Air Force Reserve Command” and inserting “Chief of Air Force Reserve”.

(c) TECHNICAL AMENDMENTS TO DELETE REFERENCES TO AIRCRAFT OWNERSHIP.—Subsection (a) of such section is further amended by striking “the ownership of” in paragraphs (2)(A), (2)(C), and (3).
SEC. 1087. REESTABLISHMENT OF COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE ATTACK.


(b) MEMBERSHIP.—The Commission as reestablished shall have the same membership as the Commission had as of the date of the submission of the report of the Commission pursuant to section 1403(a) of such Act, as amended by such section 1052. Service on the Commission is voluntary, and Commissioners may elect to terminate their service on the Commission. If a Commissioner is unwilling or unable to serve on the Commission, the Secretary of Defense, in consultation with the chairmen and ranking members of the Committees on Armed Services of the House of Representatives and the Senate, shall appoint a new member to fill that vacancy.

(c) COMMISSION CHARTER DEFINED.—In this section, the term “Commission charter” means title XIV of the

(d) Expanded Purpose.—Section 1401(b) of the Commission charter (114 Stat. 1654A-345) is amended by inserting before the period at the end the following: “, from non-nuclear EMP weapons, from natural EMP generated by geomagnetic storms, and from proposed uses in the military doctrines of potential adversaries of using EMP weapons in combination with other attack vectors.”.

(e) Duties of Commission.—Section 1402 of the Commission charter (114 Stat. 1654A-346) is amended to read as follows:

“SEC. 1402. DUTIES OF COMMISSION.

“The Commission shall assess the following:

“(1) The vulnerability of electric-dependent military systems in the United States to a manmade or natural EMP event, giving special attention to the progress made by the Department of Defense, other Government departments and agencies of the United
States, and entities of the private sector in taking
steps to protect such systems from such an event.

“(2) The evolving current and future threat from
state and non-state actors of a manmade EMP attack
employing nuclear or non-nuclear weapons.

“(3) New technologies, operational procedures,
and contingency planning that can protect electronics
and electric-dependent military systems from a man-
made or natural EMP event.

“(4) Among the States, if State grids are
islanded for protection against manmade or natural
EMP, which States should receive highest priority for
protecting critical defense assets and for maximizing
survival of the national population.”.

(f) REPORT.—Section 1403 of the Commission charter
(114 Stat. 1654A-345) is amended by striking “September
30, 2007” and inserting “June 30, 2017”.

(g) TERMINATION.—Section 1049 of the Commission
charter (114 Stat. 1654A-348) is amended by inserting be-
fore the period at the end the following: “, as amended by
the National Defense Authorization Act for Fiscal Year
2016”.
SEC. 1088. DEPARTMENT OF DEFENSE STRATEGY FOR COUNTERING UNCONVENTIONAL WARFARE.

(a) Strategy Required.—The Secretary of Defense, in consultation with the President and the Chairman of the Joint Chiefs of Staff, shall develop a strategy for the Department of Defense to counter unconventional warfare threats posed by adversarial state and non-state actors.

(b) Elements.—The strategy required under subsection (a) shall include each of the following:

(1) An articulation of the activities that constitute unconventional warfare being waged upon the United States and allies.

(2) A clarification of the roles and responsibilities of the Department of Defense in providing indications and warning of, and protection against, acts of unconventional warfare.

(3) The current status of authorities and command structures related to countering unconventional warfare.

(4) An articulation of the goals and objectives of the Department of Defense with respect to countering unconventional warfare threats.

(5) An articulation of related or required interagency capabilities and whole-of-Government activities required by the Department of Defense to support a counter-unconventional warfare strategy.
(6) Recommendations for improving the counter-unconventional warfare capabilities, authorities, and command structures of the Department of Defense.

(7) Recommendations for improving interagency coordination and support mechanisms with respect to countering unconventional warfare threats.

(8) Recommendations for the establishment of joint doctrine to support counter-unconventional warfare capabilities within the Department of Defense.

(9) Any other matters the Secretary of Defense and the Chairman of the Joint Chiefs of Staff determine necessary.

(c) Submittal to Congress.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the strategy required by subsection (a). The strategy shall be submitted in unclassified form, but may include a classified annex.

(d) Definition of Unconventional Warfare.—In this section, the term “unconventional warfare” means activities conducted to enable a resistance movement or insurgency to coerce, disrupt, or overthrow a government or occupying power by operating through or with an underground, auxiliary, or guerrilla force in a denied area.
SEC. 1089. MINE COUNTERMEASURES MASTER PLAN.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—At the same time the budget is submitted to Congress for each of fiscal years 2018 through 2023, the Secretary of the Navy shall submit to the congressional defense committees a mine countermeasures (hereinafter in this section referred to as “MCM”) master plan. Each such plan shall include each of the following:

(A) An evaluation of the capabilities, capacities, requirements, and readiness levels of the defensive capabilities of the Navy for MCM, including an assessment of the dedicated MCM force as well as the capabilities of ships, aircraft, and submarines that are not yet dedicated to MCM but could be modified to carry mine warfare capabilities.

(B) An evaluation of the ability of units to properly command and control air and surface MCM forces from fleet level down through to element level and to provide necessary operational and tactical control and awareness of such forces to facilitate mission accomplishment and defense.

(C) An assessment of technologies having promising potential for use for improving mine warfare and of programs for transitioning such
technologies from the testing and evaluation phases to procurement.

(D) A fiscal plan to support the master plan through the Future Years Defense Plan.

(E) A plan for inspection of each asset with mine warfare responsibilities, requirements, and capabilities, which shall include proposed methods to ensure the material readiness of each asset and the training level of the force, a general summary, and readiness trends.

(2) Form of Submission.—Each plan submitted under paragraph (1)(E) shall be in unclassified form, but may include a classified annex addressing the capability and capacity to meet operational plans and contingency requirements.

(b) Report to Congress.—Not later than one year after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report containing the recommendations of the Secretary regarding the force structure and ensuring the operational effectiveness of the surface mine warfare force through 2025 based on current capabilities and capacity, replacement schedules, and service life extensions or retirement schedules. Such report shall include an assessment of the MCM vessels, including the decommissioned MCM-1 and
MCM-2 ships and the potential of such ships for reserve operating status.

SEC. 1090. CONGRESSIONAL NOTIFICATION AND BRIEFING REQUIREMENT ON ORDERED EVACUATIONS OF UNITED STATES EMBASSIES AND CONSULATES INVOLVING THE USE OF UNITED STATES ARMED FORCES.

(a) Notification Requirement.—The Secretary of Defense and the Secretary of State shall provide joint notification to the appropriate congressional committees as soon as practicable after the initiation of an ordered evacuation of a United States embassy or consulate involving the use of United States Armed Forces.

(b) Briefing Requirement.—The Secretary of Defense and the Secretary of State shall provide a joint briefing to the appropriate congressional committees not later than 15 days after the initiation of an ordered evacuation of a United States embassy or consulate involving the use of the United States Armed Forces.

(c) Elements.—Each notification under subsection (a) and briefing under subsection (b) shall include the following:

(1) An overview of the ordered evacuation.
(2) The status of all personnel assigned to the embassy or consulate, including United States citizens and locally-employed staff:

(3) The status of the embassy or consulate, including whether the embassy or consulate was secured and all classified or otherwise sensitive material destroyed upon departure.

(4) An overview of the manner and location from which the Department of State will continue to conduct the duties and responsibilities of the embassy or consulate.

(5) A description of the disposition of United States Government property and whether such property was destroyed, disabled, abandoned or otherwise left behind, or remains in the possession of United States Government personnel.

(6) Any other matters the Secretary of Defense and Secretary of State determine to be relevant.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.
SEC. 1091. DETERMINATION AND DISCLOSURE OF TRANS-
PORTATION COSTS INCURRED BY SECRETARY 
OF DEFENSE FOR CONGRESSIONAL TRIPS 
OUTSIDE THE UNITED STATES.

(a) DETERMINATION AND DISCLOSURE OF COSTS BY 
SECRETARY.—In the case of a trip taken by a Member, offi-
cer, or employee of the House of Representatives or Senate 
in carrying out official duties outside the United States for 
which the Department of Defense provides transportation, 
the Secretary of Defense shall—

(1) determine the cost of the transportation pro-
vided with respect to the Member, officer, or employee;

(2) not later than 10 days after completion of the 
trip involved, provide a written statement of the 
cost—

(A) to the Member, officer, or employee in-
volved, and

(B) to the Committee on Armed Services of 
the House of Representatives (in the case of a 
trip taken by a Member, officer, or employee of 
the House) or the Committee on Armed Services 
of the Senate (in the case of a trip taken by a 
Member, officer, or employee of the Senate); and

(3) upon providing a written statement under 
paragraph (2), make the statement available for view-
ing on the Secretary’s official public website until the
expiration of the 4-year period which begins on the final day of the trip involved.

(b) EXCEPTIONS.—This section does not apply with respect to any trip the sole purpose of which is to visit one or more United States military installations or to visit United States military personnel in a war zone (or both).

(c) DEFINITIONS.—In this section:

(1) MEMBER.—The term “Member”, with respect to the House of Representatives, includes a Delegate or Resident Commissioner to the Congress.

(2) UNITED STATES.—The term “United States” means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States.

(d) EFFECTIVE DATE.—This section shall apply with respect to trips taken on or after the date of the enactment of this Act, except that this section does not apply with respect to any trip which began prior to such date.
TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.


SEC. 1102. 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:

“(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 em-
ployee in a defense intelligence position who is assigned to the Defense Clandestine Service allowances and benefits under paragraph (1) of section 9904 of title 5 without regard to the limitations in that section—

“(1) that the employee be assigned to activities outside the United States; or

“(2) that the activities to which the employee is assigned be in support of Department of Defense activities abroad.”.

SEC. 1103. EXTENSION OF RATE OF OVERTIME PAY FOR DEPARTMENT OF THE NAVY EMPLOYEES Performing Work Aboard or Dockside in Support of the Nuclear-Powered Air-Craft Carrier Forward Deployed in Japan.

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking “September 30, 2015” and inserting “September 30, 2017”.

SEC. 1104. MODIFICATION TO TEMPORARY AUTHORITIES FOR CERTAIN POSITIONS AT DEPARTMENT OF DEFENSE RESEARCH AND ENGINEERING FACILITIES.

Section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 888) is amended—
(1) in subsection (a), by adding at the end the following:

“(4) NONCOMPETITIVE CONVERSION TO PERMANENT APPOINTMENT.—With respect to any student appointed by the director of an STRL under paragraph (3) to an indefinite or term appointment, upon graduation from the applicable institution of higher education (as defined in such paragraph), the director may noncompetitively convert such student to a permanent appointment within the STRL without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such title), provided the student meets all eligibility and Office of Personnel Management qualification requirements for the position.”;

(2) in subsection (c)(1), by striking “3 percent” and inserting “6 percent”;  

(3) in subsection (c)(2), by striking “1 percent” and inserting “3 percent”; and

(4) in subsection (f)(2), by striking “1 percent” and inserting “2 percent”. 
SEC. 1105. PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES APPOINTED TO COMPETITIVE SERVICE; CLARIFICATION OF APPEAL RIGHTS.

(a) Preference Eligibility.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (G)(iii), by striking “and” at the end;

(B) by inserting the following after subparagraph (H):

“(I) an individual who is a member of a reserve component of the armed forces:

“(i) who has—

“(I) successfully completed officer candidate training or entry level and skill training; and

“(II) incurred, or is performing, an initial period of obligated service in a reserve component of the armed forces of not less than 6 consecutive years; or

“(ii) who has completed at least 10 years of service in a reserve component of the armed forces in each of which the individual was credited with at least 50 points
under section 12732 of title 10 toward the
computation of years of service under sec-
tion 12732 of title 10 for purposes of eligi-
bility for retired pay under chapter 1223 of
title 10; and
“(J) an individual who is—
“(i) retired from service in a reserve
component of the armed forces; and
“(ii) eligible for, but has not yet com-
menced receipt of, retired pay for non-reg-
ular service under chapter 1223 of title
10;”;
(2) in paragraph (4)—
(A) in subparagraph (A), by striking “or”
at the end;
(B) in subparagraph (B), by striking “and”
at the end and inserting “or”; and
(C) by adding at the end the following:
“(C) the individual is a retiree described in
paragraph (3)(J);”;
(3) in paragraph (5) by striking the period at
the end and inserting a semicolon; and
(4) by adding at the end the following:
“(6) ‘entry level and skill training’ has the meaning given that term in section 3301(2) of title 38; and

“(7) ‘reserve component of the armed forces’ means a reserve component specified in section 101(27) of title 38.”.

(b) Tiered Hiring Preference for Members of Reserve Components of the Armed Forces.—Section 3309 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “and” at the end; and

(2) by striking paragraph (2) and inserting the following:

“(2) a preference eligible under subparagraph (A), (B), or (J) of section 2108(3) of this title-5 points;

“(3) a preference eligible under section 2108(3)(I)(ii) of this title-4 points; and

“(4) a preference eligible under section 2108(3)(I)(i) of this title-3 points.”.

(c) Clarification of Appeal Rights.—

(1) In General.—Section 3330a of title 5, United States Code, is amended—

(A) in subsection (a)(1)(A), by inserting “, including a preference eligible appointed pursu-
(B) in subsection (d)(1), by inserting “, including a complaint so filed by a preference eligible appointed pursuant to section 7401 of title 38 or otherwise employed by the Veterans Health Administration,” after “If the Secretary of Labor is unable to resolve a complaint under subsection (a)”.

(2) COORDINATION RULE.—Section 3330a of title 5, United States Code, is amended by adding at the end the following new subsection:

“(f) If any part of this section is deemed to be inconsistent with any provision of chapter 74 of title 38, this section shall be deemed to supersede, override or otherwise modify such provision of chapter 74 of title 38.”.
TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. ONE-YEAR EXTENSION OF LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING CERTAIN UNITED STATES MILITARY OPERATIONS.


(1) in subsection (a), by striking “fiscal year 2015” and inserting “fiscal year 2016”; (2) in subsection (d), by striking “during the period beginning on October 1, 2014, and ending on December 31, 2015” and inserting “during the period beginning on October 1, 2015, and ending on December 31, 2016”; and (3) in subsection (e)(1), by striking “December 31, 2015” and inserting “December 31, 2016”.

SEC. 1202. STRATEGIC FRAMEWORK FOR DEPARTMENT OF DEFENSE SECURITY COOPERATION.

(a) Strategic Framework.—
(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State, shall develop a strategic framework for Department of Defense security cooperation to guide prioritization of resources and activities.

(2) ELEMENTS.—The strategic framework required by paragraph (1) shall include the following:

(A) Discussion of the strategic goals of Department of Defense security cooperation programs, and the extent to which these programs complement Department of State security assistance programs to achieve United States Government goals globally, regionally, and, if appropriate, within specific programs.

(B) Identification of the primary objectives, priorities, and desired end-states of Department of Defense security cooperation programs.

(C) Identification of challenges to achieving the primary objectives, priorities, and desired end-states identified under subparagraph (B), including—

(i) constraints on Department of Defense resources, authorities, and personnel;
(ii) partner nation variables, such as political will, absorptive capacity, corruption, and instability risk;

(iii) constraints or limitations due to bureaucratic impediments, interagency processes, or congressional requirements;

(iv) validation of requirements; and

(v) assessment, monitoring, and evaluation.

(D) A methodology for assessing the effectiveness of Department of Defense security cooperation programs in making progress toward achieving the primary objectives, priorities, and desired end-states identified under subparagraph (B), including an identification of key benchmarks for such progress and the implications of failing to achieve such primary objectives, priorities, and desired end-states.

(E) An analysis of overlap, duplication, or gaps among Department of Defense security cooperation authorities and how these authorities complement or overlap with Department of State security assistance authorities.

(F) Any other matters the Secretary of Defense determines appropriate.
(b) **Report.**—

(1) **In General.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report on the strategic framework required by subsection (a).

(2) **Form.**—The report required by paragraph (1) shall be submitted in an unclassified form, but may include a classified annex.

(3) **Definition.**—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1203. MODIFICATION AND TWO-YEAR EXTENSION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.**

(a) **Authority.**—Subsection (a)(1) of section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 897; 32 U.S.C. 107 note) is amended by adding at the end before the period the following: “to support the national interests and secu-
rity cooperation goals and objectives of the United States, including applicable policy and guidelines for United States security sector assistance”.

(b) LIMITATION.—Subsection (b) of such section is amended by inserting “that is not” after “an activity that the Secretary of Defense determines is a matter”.

(c) PROCEDURES.—Such section, as so amended, is further amended—

(1) by redesignating subsections (c) through (i) as subsections (d) through (j), respectively; and

(2) by inserting after subsection (b) the following:

“(c) PROCEDURES.—

“(1) IN GENERAL.—The Chief of the National Guard Bureau shall—

“(A) establish, maintain, and update as appropriate a list of core competencies to support each program established under subsection (a), collectively and for each State and territory, and shall submit for approval to the Secretary of Defense the list of core competencies and additional information needed to make use of such core competencies; and

“(B) designate a director for each State and territory who shall be responsible for the conduct
of activities under a program established under subsection (a) for such State or territory and reporting on activities under the program.

“(2) MILITARY-TO-CIVILIAN CORE COMPETENCIES.—The Secretary of Defense, with the concurrence of the Secretary of State, may conduct an activity under a program established under subsection (a) relating to military-to-civilian core competencies.”.

(d) NATIONAL GUARD STATE PARTNERSHIP PROGRAM FUND.—Subsection (e) of such section (as redesignated) is amended by adding at the end the following:

“(3) NATIONAL GUARD STATE PARTNERSHIP PROGRAM FUND.—

“(A) Establishment.—

“(i) In general.—Except as provided in clause (ii), the Secretary of Defense shall establish on the books of the Department of Defense a National Guard State Partnership Program Fund.

“(ii) Exception.—The Secretary is not required to establish a Fund under clause (i) if, not later than February 1, 2016, the Secretary determines and reports to the appropriate congressional committees
(as defined in subsection (h)(1)) that in the opinion of the Secretary such a Fund should be established on the books of the Department of the Treasury.

“(B) Criteria.—In administering the Fund established under subparagraph (A)(i), the Secretary shall, to the extent the Secretary determines it to be appropriate, provide for the following amounts to be credited to the Fund:

“(i) Amounts authorized and appropriated to carry out the program under this section.

“(ii) Amounts that the Secretary of Defense transfers, in such amounts as provided in appropriations Acts, to the Fund from amounts authorized and appropriated to the Department of Defense, including amounts authorized to be appropriated for the Army National Guard and the Air National Guard.

“(C) Inclusion in Annual Budget.—The President shall include the Fund established under subparagraph (A)(i) or such a Fund established on the books of the Department of the Treasury in the budget that the President sub-
mits to Congress under section 1105(a) of title 31, United States Code for each fiscal year in which the authority under subsection (a) is in effect.”.

(e) **ANNUAL REPORT.**—Paragraph (2)(B) of subsection (f) of such section (as redesignated) is amended—

(1) in clause (iii), by inserting “or other government organizations” after “and security forces”;

(2) in clause (iv), by adding at the end before the period the following: “and country”;

(3) in clause (v), by striking “training” and inserting “activities”; and

(4) by adding at the end the following:

“(vi) An assessment of the extent to which the activities conducted during the previous year met the objectives described in clause (v).

“(vii) The list of core competencies required by subsection (c)(1) and any update to any changes to the list of core competencies required by subsection (c)(1).”.

(f) **DEFINITIONS.**—Subsection (h) of such section (as redesignated) is amended—

(1) in paragraph (1), by striking subparagraphs (A) and (B) and inserting the following:
“(A) the congressional defense committees;

and

“(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.”;

(2) by redesigning paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) (as amended) the following:

“(2) CORE COMPETENCIES.—The term “core competencies” means military-to-military and military-to-civilian skills and capabilities of the National Guard, consistent with the roles and missions of the Armed Forces as established by the Secretary of Defense.”; and

(4) by adding at the end the following:

“(4) STATE.—The term ‘State’ means each of the several States and the District of Columbia.

“(5) TERRITORY.—The term ‘territory’ means the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.”.

(g) TERMINATION.—Section 1205(i) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 899; 32 U.S.C. 107 note) is amended
by striking “September 30, 2016” and inserting “September 30, 2018”.

SEC. 1204. EXTENSION OF AUTHORITY FOR NON-RECIPROCAL EXCHANGES OF DEFENSE PERSONNEL BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES.


Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. COMMANDERS’ EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.


•HR 1735 RH
(b) **Funds Available During Fiscal Year 2016.**—Subsection (a) of such section, as so amended, is further amended by striking “$10,000,000” and inserting “$5,000,000”.

**SEC. 1212. Extension and Modification of Authority for Reimbursement of Certain Coalition Nations for Support Provided to United States Military Operations.**


(b) Limitation on Amounts Available.—Subsection (d)(1) of such section, as so amended, is further amended—

(1) in the second sentence, by striking “during fiscal year 2015 may not exceed $1,200,000,000” and inserting “during fiscal year 2016 may not exceed $1,260,000,000”; and

(2) in the third sentence, by striking “fiscal year 2015” and inserting “fiscal year 2016”.

(c) Extension of Notice Requirement Relating to Reimbursement of Pakistan for Support Pro-
VIDED BY PAKISTAN.—Section 1232(b)(6) of the National
393), as most recently amended by section 1222(d) of the
(128 Stat. 3548), is further amended by striking “Sept-
ember 30, 2015” and inserting “September 30, 2016”.

(d) EXTENSION OF LIMITATION ON REIMBURSEMENT
OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—
Section 1227(d)(1) of the National Defense Authorization
Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.
2001), as most recently amended by section 1222(e) of the
(128 Stat. 3548), is further amended by striking “fiscal
year 2015” and inserting “fiscal year 2016”.

(e) ADDITIONAL LIMITATION ON REIMBURSEMENT OF
PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Of the
total amount of reimbursements and support authorized for
Pakistan during fiscal year 2016 pursuant to the third sen-
tence of section 1233(d)(1) of the National Defense Author-
ization Act for Fiscal Year 2008 (as amended by subsection
(b)(2)), $400,000,000 shall not be eligible for the waiver
under section 1227(d)(2) of the National Defense Authoriza-
tion Act for Fiscal Year 2013 (126 Stat. 2001) unless the
Secretary of Defense certifies to the congressional defense
committees that—
(1) Pakistan continues to conduct military operations in North Waziristan to disrupt the safe haven and freedom of movement of the Haqqani Network in Pakistan;

(2) Pakistan has prevented the Haqqani Network from using North Waziristan as a safe haven; and

(3) the Government of Pakistan actively coordinates with the Government of Afghanistan to restrict the movement of militants, such as the Haqqani Network, along the Afghanistan-Pakistan border.

SEC. 1213. SENSE OF CONGRESS ON UNITED STATES POLICY AND STRATEGY IN AFGHANISTAN.

It is the sense of Congress that—

(1) the United States continues to have vital national security interests in ensuring that Afghanistan is a stable, sovereign country;

(2) President Ashraf Ghani of Afghanistan should be applauded for his leadership and commitment to ensuring that Afghanistan remains stable, secure, and a friend of the United States;

(3) the decision by the President of the United States to maintain 9,800 United States troops in Afghanistan through all of 2015 to train, advise, and assist and conduct counterterrorism missions in Afghanistan is the appropriate approach, is consistent
with United States national security interests, and should be supported by Congress;

(4) the President should withdraw United States troops only on a pace that is consistent with the ability of the Afghan National Security Forces to sustain itself and secure Afghanistan and should review maintaining the United States advisory mission in Afghanistan beyond 2016;

(5) the United States should provide monetary and advisory support for the 352,000 Afghan National Security Forces personnel and 30,000 Afghan Local Police, including intelligence, surveillance, and reconnaissance support, through 2018;

(6) the Afghan National Security Forces should have the independent capability to prevent groups such as al-Qaeda, the Haqqani Network, the Quetta Shura Taliban, and other terrorist and insurgent groups from being able to conduct de-stabilizing attacks and military operations inside Afghanistan or against the United States and its allies and holding or governing territory; and

(7) the United States should continue to vigorously conduct counterterrorism operations in Afghanistan beyond 2016, including against the Haqqani
Network, to preserve the vital national security interests of the United States.

SEC. 1214. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.


SEC. 1215. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.


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(b) QUARTERLY REPORTS.—Subsection (f)(1) of such section, as so amended, is further amended by striking “March 31, 2016” and inserting “March 31, 2017”.

(c) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section, as so amended, is further amended by striking “and 2015” each place it appears and inserting “, 2015, and 2016”.

SEC. 1216. SENSE OF CONGRESS REGARDING ASSISTANCE FOR AFGHAN TRANSLATORS, INTERPRETERS, AND ADMINISTRATIVE AIDS.

It is the sense of Congress that it is in the interest of the United States to continue to assist Afghan partners, and their immediate families, who have served as translators or interpreters and those who have performed sensitive and trusted activities for United States forces.

Subtitle C—Matters Relating to Syria and Iraq

SEC. 1221. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) EXTENSION OF AUTHORITY.—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 113 note), as most recently amended by section 1237 of the National Defense Authorization Act for Fiscal Year 2015 (Public
Law 113–291; 128 Stat. 3562), is further amended by strik-

ing “fiscal year 2015” and inserting “fiscal year 2016”.

(b) AMOUNT AVAILABLE.—Such section, as so amend-
ed, is further amended—

(1) in subsection (c), by striking “fiscal year
2015” and all that follows and inserting “fiscal year
2016 may not exceed $143,000,000.”; and

(2) in subsection (d), by striking “fiscal year
2015” and inserting “fiscal year 2016”.

(c) REPORT.—Not later than 180 days after the date
of the enactment of this Act, the Secretary of Defense and
the Secretary of State shall submit to the congressional de-
fense committees, the Committee on Foreign Relations of the
Senate, and the Committee on Foreign Affairs of the House
of Representatives a report on the activities of the Office
of Security Cooperation in Iraq. The report shall include
the following:

(1) A description of how the programs of the Of-
ice of Security Cooperation in Iraq, in conjunction
with other United States programs, such as Foreign
Military Financing program and the Foreign Mili-
tary Sales program, will address the capability gaps
of the Iraqi Security Forces and coordinate activities
to provide for the training and equipping of the Iraqi
Security Forces.
(2) A description of constraints, if any, caused by the operational environment in Iraq on the ability of the Office of Security Cooperation in Iraq to carry out its mission.

SEC. 1222. COMPREHENSIVE STRATEGY FOR THE MIDDLE EAST AND TO COUNTER ISIS.

(a) FINDINGS.—Congress finds the following:

(1) In testimony before the Committee on Armed Services of the House of Representatives, General Martin Dempsey, Chairman of the Joint Chiefs of Staff stated, “The global security environment is as uncertain as I have seen in my 40 years of service.”.

(2) In testimony before the Committee on Armed Services of the Senate, the Director of National Intelligence, James Clapper, stated: “Sunni violent extremists are gaining momentum and the number of Sunni violent extremist groups, members, and safe havens is greater than at any other point in history.”.

(3) In testimony to the Committee on Armed Services of the House of Representatives, Lieutenant General Michael Flynn, former Director of the Defense Intelligence Agency stated, “. . .whether it be the number of violent Islamist groups, the territory which they control, the scale and scope of the Islamic
State of Iraq and the Levant (ISIL) and associated movements, the number of terrorist attacks they perpetrate, the numbers of causalities they inflict, their broad expansion and use of the internet, or just their sheer barbarism; I can draw no other conclusion than to say that the threat of Islamic extremism has reached an unacceptable level and that it is growing.”.

(4) In testimony before the Committee on Armed Services of the Senate, James Clapper, the Director of National Intelligence, stated the following:

(A) “When the final counting is done, 2014 will have been the most lethal year for global terrorism in the 45 years such data has been compiled . . . about half of all attacks, as well as fatalities, in 2014 occurred in just three countries: Iraq, Pakistan and Afghanistan . . . the Islamic State in Iraq and the Levant (ISIL) conducted more attacks than any other terrorist group in the first nine months of 2014.”.

(B) “Since the conflict began, more than 20,000 Sunni foreign fighters have traveled to Syria from more than 90 countries to fight the Assad regime . . . of that number, at least 13,600 have extremist ties.”.
(C) “More than 3,400 Western fighters have gone to Syria and Iraq. Hundreds have returned home to Europe.”.

(D) “About 180 Americans or so have been involved in various stages of travel to Syria . . . and some number have come back.”.

(E) “ISIL, al-Qaeda and al-Qaeda in the Arabian Peninsula (AQAP), and, most recently, al-Shabaab are calling on their supporters to conduct lone-wolf attacks against the United States and other Western countries. Of the 13 attacks in the West since last May, 12 were conducted by individual extremists.”.

(5) AQAP continues to be one of al-Qaeda’s most capable affiliates, has the intent and capability to attack the United States and its allies, and attempted attacks inside the United States on December 25, 2009, and October 27, 2010.

(6) Iran has been a Department of State-designated state sponsor of terrorism since January 19, 1984, and continues to sponsor and support terrorism throughout the Middle East region and around the world.

(7) In testimony before the Committee on Armed Services of the Senate, former Vice Chief of Staff of
the Army, General Jack Keane (retired), stated, “Is it possible to . . . claim that the United States policy and strategy is working or that al-Qaeda is on the run? It is unmistakable that our policies have failed . . . And the unequivocal explanation is U.S. policy has focused on disengaging from the Middle East.”.

(8) In testimony before the Committee on Armed Services of the Senate, former commander of United States Central Command, General James Mattis (retired), stated, “We have lived too long in a strategy-free mode . . . America needs a refreshed national strategy . . . And our Nation’s strategy demands a comprehensive approach.”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Islamic extremism is growing in the Middle East and elsewhere;

(2) Iran continues to be a leading state sponsor of terrorism in the Middle East and across the globe and continues to actively work against United States interests;

(3) the threat of terrorist attacks in the United States and threats against United States interests have increased due to the growth of Islamic extremism, the proliferation of terrorist groups across the
world, and the instability in the Middle East in
countries such as Libya, Yemen, Iraq, and Syria;

(4) the approach of Building Partnership Capac-
ity (BPC) and conducting limited counterterrorism
operations has had some positive effects in some loca-
tions, but has not prevented the proliferation and vio-
ence of terrorist groups or instability in the Middle
East;

(5) the United States should articulate, develop,
and implement an effective strategy to work with its
allies and partners to defeat Islamic extremist groups
that threaten the interests of the United States and its
allies;

(6) support for United States allies and partners
in the Middle East is a critical component of the ef-
fort to prevent the spread of Islamic extremism;

(7) other actors, such as Russia, China, and Iran
are trying to work against United States interests in
the Middle East;

(8) the United States should take a greater lead-
ership role in fighting Islamic extremism and sup-
porting stability in the Middle East to include coordi-
nating actions of United States allies and partners in
the region;
(9) the United States plays a vital leadership role in coordinating the activities of the United States and its allies and partners and should seek opportunities to expand such cooperation to contribute to greater stability in the Middle East;

(10) the United States should continue to take steps to prevent the spread of malign Iranian influence in Iraq, Syria, Yemen, and the region;

(11) the United States remains an indispensable actor in the Middle East, and the President should ensure that United States Armed Forces remain forward postured in the region to deter adversaries, fight threats to the United States and its interests, and support United States allies and partners in the region.

(c) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than February 15, 2016, the Secretary of Defense and the Secretary of State shall submit to the specified congressional committees a comprehensive strategy for the Middle East and to counter Islamic extremism.

(2) MATTERS TO BE INCLUDED.—The strategy required by paragraph (1) shall include the following:
(A) A detailed description of the objectives and end state for the United States in the Middle East and with respect to Islamic extremism.

(B) A description of the roles and responsibilities of the Department of State in such strategy.

(C) A description of the roles and responsibilities of the Department of Defense in such strategy.

(D) A detailed description of actions to prevent the weakening and failing of states in the Middle East.

(E) A detailed description of actions to counter Islamic extremism, including Islamic ideology, strategy, and tactics globally.

(F) A detailed definition of those states and non-state actors the United States will address to counter Islamic extremism.

(G) A detailed description of actions to establish a coalition to carry out the strategy.

(3) SPECIFIED CONGRESSIONAL COMMITTEES.— In the section, the term “specified congressional committees” means—

(A) the congressional defense committees; and
(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1223. MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND THE LEVANT.

(a) QUARTERLY PROGRESS REPORT.—Subsection (d) of section 1236 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3561) is amended by striking “30 days” and inserting “90 days”.

(b) FUNDING.—Of the amounts authorized to be appropriated in this Act for Overseas Contingency Operations in title XV for fiscal year 2016, there are authorized to be appropriated $715,000,000 to carry out such section.

(c) WAIVER AUTHORITY.—Subsection (j)(1)(B) of such section is amended—

(1) by striking “the following:” and all that follows through “Any provision of law” and inserting “any provision of law”; and

(2) by striking clause (ii).

(d) REQUIREMENTS RELATING TO ASSISTANCE FOR FISCAL YEAR 2016.—Such section, as so amended, is further amended by adding at the end the following:

“(l) REQUIREMENTS RELATING TO ASSISTANCE FOR FISCAL YEAR 2016.—
“(1) ASSESSMENT.—

“(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this subsection, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees an assessment of the extent to which the Government of Iraq is meeting the conditions described in subparagraph (B).

“(B) CONDITIONS.—The conditions described in this subparagraph are that the Government of Iraq—

“(i) is addressing the grievances of ethnic and sectarian minorities;

“(ii) is increasing political inclusiveness;

“(iii) is conducting efforts sufficient to reduce support for the Islamic State of Iraq and the Levant and improve stability in Iraq;

“(iv) is legislating the Iraqi Sunni National Guard;

“(v) is ensuring that minorities are represented in adequate numbers, trained, and equipped in government security organizations;
“(vi) is ending support to Shia militias and stopping abuses of elements of the Iraqi population by such militias;

“(vii) is ensuring that supplies, equipment, and weaponry supplied by the United States are appropriately distributed to security forces with a national security mission in Iraq, including the Kurdish Peshmerga, Sunni tribal security forces with a national security mission, and the Iraqi Sunni National Guard;

“(viii) is releasing prisoners from ethnic or sectarian minorities who have been arrested and held without trial or to charge and try such prisoners in a fair, transparent, and prompt manner; and

“(ix) is taking such other actions as the Secretaries consider appropriate.

“(C) UPDATE.—The Secretary of Defense and the Secretary of State may submit an update of the assessment required under subparagraph (A) to the extent necessary.

“(D) SUBMISSION.—The assessment required under subparagraph (A) and the update of the assessment authorized under subparagraph
(C) may be submitted as part of the quarterly re-
port required under subsection (d).

“(2) Restriction on direct assistance to
Government of Iraq.—If the Secretary of Defense
and the Secretary of State do not submit the assess-
ment required by paragraph (1) or if the Secretaries
submit the assessment required by paragraph (1) but
the assessment indicates that the Government of Iraq
has not substantially achieved the conditions con-
tained in the assessment, the Secretaries shall with-
hold the provision of assistance pursuant to subsection
(a) directly to the Government of Iraq for fiscal year
2016 until such time as the Secretaries submit an up-
date of the assessment that indicates that the Govern-
ment of Iraq has substantially achieved the conditions
contained in the assessment.

“(3) Direct assistance to certain covered
groups.—

“(A) In general.—Of the funds authorized
to be appropriated under this section for fiscal
year 2016, not less than 25 percent of such funds
shall be obligated and expended for assistance di-
rectly to the groups described in subparagraph
(E) (of which not less than 12.5 percent of such
funds shall be obligated and expended for assist-
ance directly to the group described in clause (i) of such subparagraph).

“(B) ADDITIONAL DIRECT ASSISTANCE.—If the Secretary of Defense and the Secretary of State withhold the provision of assistance pursuant to subsection (a) directly to the Government of Iraq for fiscal year 2016 in accordance with paragraph (2) of this subsection, the Secretaries shall obligate and expend not less than an additional 60 percent of all unobligated funds authorized to be appropriated under this section for fiscal year 2016 for assistance directly to the groups described in subparagraph (E).

“(C) COST-SHARING REQUIREMENT INAPPLICABLE.—The cost-sharing requirement of subsection (k) shall not apply with respect to funds that are obligated or expended for assistance directly to the groups described in subparagraph (E).

“(D) RULE OF CONSTRUCTION.—Notwithstanding any other provision of law, the groups described in subparagraph (E) shall each be deemed to be a country for purposes of meeting the eligibility requirements of section 3 of the Arms Export Control Act (22 U.S.C. 2753) and
chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.).

“(E) COVERED GROUPS.—The groups described in this subparagraph are—

“(i) the Kurdish Peshmerga;

“(ii) Sunni tribal security forces with a national security mission; and

“(iii) the Iraqi Sunni National Guard.”.

SEC. 1224. REPORT ON UNITED STATES ARMED FORCES DEPLOYED IN SUPPORT OF OPERATION INHERENT RESOLVE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it should continue to be a top priority to provide United States Armed Forces deployed in support of Operation Inherent Resolve with the necessary force protection and combat search and rescue support;

(2) United States military personnel who are tasked with the mission of providing combat search and rescue support, casualty evacuation, and medical support for Operation Inherent Resolve should not be counted as part of any limitation on the number of United States ground forces for Operation Inherent Resolve;
(3) military assets required to support United States Armed Forces deployed in support of Operation Inherent Resolve should be staged as forward as possible and as proximate to such United States Armed Forces as practicable given the operating environment and also should not be subject to any limitation on the number of United States ground forces for Operation Inherent Resolve; and

(4) the President, the Secretary of Defense, and military commanders on the ground in support of Operation Inherent Resolve should continuously evaluate the force protection and combat search and rescue support requirements, and the associated measures that are being taken to support such requirements, in order to ensure that such requirements and associated measures are sufficient given the operating environment and optimally postured.

(b) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on United States Armed Forces deployed in support of Operation Inherent Resolve.

(c) MATTERS TO BE INCLUDED.—The report shall include the following:
(1) The total number of members of the United States Armed Forces deployed in support of Operation Inherent Resolve for the most recent month for which data is available, delineated by service, component, country, and military task.

(2) The total number of members of the United States Armed Forces conducting force protection and combat search and rescue, delineated by country, location in such country, and capability.

(3) An estimate for the three-month period following the date on which the report is submitted of the total number of members of the United States Armed Forces expected to be deployed in support of Operation Inherent Resolve, delineated by service, component, country, and military task.

(4) A description of the authorities and limitations on the number of United States Armed Forces deployed in support of Operation Inherent Resolve.

(5) A description of military functions that are and are not subject to the authorities and limitations described in paragraph (3).

(6) Any changes to the authorities and limitations described in paragraph (3) and the rationale for such changes.
(7) Any changes to United States policy and authorities for United States Armed Forces deployed in support of Operation Inherent Resolve.

(8) Any other matters that the Secretary of Defense determines to be necessary.

(d) Sunset.—The requirement to submit reports under this section shall terminate on the date on which Operation Inherent Resolve terminates or the date that is 5 years after the date of the enactment of this Act, whichever occurs earlier.

SEC. 1225. MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.

Section 1209 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) is amended by striking subsection (f) and inserting the following:

“(f) Funding.—Of the amounts authorized to be appropriated in this Act for Overseas Contingency Operations in title XV for fiscal year 2016, there are authorized to be appropriated $531,500,000 to carry out this section.”.

SEC. 1226. ASSISTANCE TO THE GOVERNMENT OF JORDAN FOR BORDER SECURITY OPERATIONS.

(a) Authority to Provide Assistance.—
(1) In general.—The Secretary of Defense, with the concurrence of the Secretary of State, may provide assistance on a reimbursement basis to the Government of Jordan for purposes of supporting and enhancing efforts of the armed forces of Jordan to sustain security along the border of Jordan with Syria and Iraq.

(2) Frequency.—Assistance may be provided under this subsection on a quarterly basis.

(b) Funds available for assistance.—

(1) In general.—Of the amounts authorized to be appropriated in this Act for “Assistance for the Border Security of Jordan” in title XV for fiscal year 2016, there are authorized to be appropriated $300,000,000 to carry out this section.

(2) Prohibition on contractual obligations.—The Secretary of Defense may not enter into any contractual obligation to provide assistance under the authority in subsection (a).

(c) Notice before exercise.—Not later than 15 days before providing assistance under the authority in subsection (a), the Secretary of Defense shall submit to the specified congressional committees a report setting forth a full description of the assistance to be provided, including the
amount of assistance to be provided, and the timeline for
the provision of such assistance.

(d) SPECIFIED CONGRESSIONAL COMMITTEES.—In the
section, the term “specified congressional committees”
means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the
Senate and the Committee on Foreign Affairs of the
House of Representatives.

(e) EXPIRATION OF AUTHORITY.—No assistance may
be provided under the authority in subsection (a) after De-
cember 31, 2016.

SEC. 1227. REPORT ON EFFORTS OF TURKEY TO FIGHT TERRORISM.

Not later than 180 days after the date of the enactment
of this Act, the Secretary of Defense shall submit to Congress
a report on the following:

(1) Turkey’s bilateral and multilateral efforts to
combat the flow of foreign fighters through its country
into Syria.

(2) Turkey’s relationship with Hamas, including
its harboring of leaders of Hamas.

(3) The efforts of Turkey to fight terrorism, in-
cluding Turkey’s military and humanitarian role in
the anti-ISIS coalition.
Subtitle D—Matters Relating to Iran

SEC. 1231. EXTENSION OF ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) MATTERS TO BE INCLUDED.—Subsection (b) of section 1245 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2544), as amended by section 1232 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 920), is further amended by adding at the end the following:

“(5) An assessment of transfers to Iran of military equipment, technology, and training from non-Iranian sources.”.

(b) TERMINATION.—Subsection (d) of such section, as amended by section 1277 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3592), is further amended by striking “December 31, 2016” and inserting “December 31, 2025”.

SEC. 1232. SENSE OF CONGRESS ON THE GOVERNMENT OF IRAN’S NUCLEAR PROGRAM AND ITS MALIGN MILITARY ACTIVITIES.

(a) FINDINGS.—Congress finds the following:

(1) The understanding announced on April 2, 2015, between the countries of the P5+1 (the United
States, the United Kingdom, France, Germany, Russia, and China) and Iran on a Comprehensive Joint Plan of Action (CJPOA) provides sanctions relief in exchange for constraints on Iran’s nuclear program for a limited period of time.

(2) Iran continues to develop ballistic missiles in violation of United Nations Security Council Resolutions 1747 (2007) and 1929 (2010), has developed medium-range ballistic missiles to target Israel and other United States allies, is working towards an intercontinental ballistic missile (ICBM) capability and the CJPOA places no limitations on Iran’s ballistic and cruise missile development efforts.

(3) The Secretary of State has designated Iran as a state-sponsor of terrorism since 1984 and for the past decade has characterized Iran as the “most active state sponsor of terrorism” in the world.

(4) Iran continues to support Hezbollah in Lebanon, the Bashar al-Assad regime in Syria, Shia militias in Iraq, Hamas in Gaza, the Houthi rebels in Yemen, and other terrorist organizations and extremists globally.

(5) Iran continues to conduct malign military activities across the Middle East and around the globe, which has and will continue to destabilize the
region. As the Commander of United States Central
Command testified to the Committee on Armed Serv-
ces of the House of Representatives on March 3,
2015, “the leaders in the region... are also equally
concerned about Iran’s ability to mine the Straits,
Iran’s cyber capabilities, Iran’s... ballistic missile
capability, as well as the activity of their Quds
forces... And so whether we get a deal or don’t get a
deal, I think they will still share those concerns.”.

(6) Iran’s destabilizing activities throughout the
region pose a threat to United States interests, the in-
terests of United States allies in the region, and inter-
national security.

(b) SENSE OF CONGRESS.—It is the sense of Congress
that—

(1) Iran’s illicit pursuit, development, or acqui-
sition of a nuclear weapons capability and its malign
military activities overall constitute a grave threat to
regional stability and the national security interests
of the United States and its allies and partners;

(2) Iran continues to expand its malign activi-
ties in the Middle East and globally, which may well
increase under a CJPOA;

(3) sanctions relief under the CJPOA will pro-
vide Iran the ability to increase funding for its bal-
nostic missile development programs, acquisition of destabilizing types and amounts of conventional weapons, support for terrorism, and other malign activities throughout the Middle East and globally;

(4) United States bilateral and multilateral sanctions against Iran, once relieved, will be extremely difficult to reconstitute in response to Iranian violations of its international obligations;

(5) Iran would be an internationally-approved nuclear-threshold state under the framework of the CJPOA, which will likely lead to the proliferation of nuclear weapons across the Middle East;

(6) Congress should review and assess all elements of any agreement entered into between the countries of the P5+1 and Iran and it should approve or disapprove of any sanctions relief that results from such an agreement;

(7) the United States must continue to support the defense of allies and partners in the region, including Israel, strengthening ballistic missile defense capabilities, and increasing security assistance;

(8) Congress supports efforts to reach a peaceful, diplomatic solution to permanently and verifiably end Iran’s pursuit, development, and acquisition of a nuclear weapons capability, and it reaffirms that it
is United States policy that Iran will not be allowed
to develop a nuclear weapons capability and that all
instruments of United States power must be consid-
ereed to prevent Iran from acquiring a nuclear weap-
on; and

(9) Congress reaffirms the rights of United States
allies to exercise their legitimate right to self-defense
against the Government of Iran.

SEC. 1233. REPORT ON MILITARY POSTURE REQUIRED IN
THE MIDDLE EAST TO DETER IRAN FROM DE-
VELOPING A NUCLEAR WEAPON.

(a) In General.—Not later than 90 days after the
date of the enactment of this Act, the Secretary of Defense
shall submit to Congress a report regarding the military
posture required in the Middle East to deter Iran from de-
veloping a nuclear weapon.

(b) Matters to Be Included.—The report required
by subsection (a) shall include a discussion of the military
forces, bases and capabilities required to—

(1) maintain a military option of preventing
Iran from achieving a nuclear weapon;

(2) counter Iran’s military activities; and

(3) protect the United States military and other
interests in the region.
Subtitle E—Matters Relating to the Russian Federation

SEC. 1241. NOTIFICATIONS AND UPDATES RELATING TO TESTING, PRODUCTION, DEPLOYMENT, AND SALE OR TRANSFER TO OTHER STATES OR NON-STATE ACTORS OF THE CLUB-K CRUISE MISSILE SYSTEM BY THE RUSSIAN FEDERATION.

(a) NOTIFICATIONS.—

(1) Regarding testing, production, deployment, and sale or transfer.—The Secretary of Defense shall submit to the appropriate committees of Congress quarterly notifications on the testing, production, deployment, and sale or transfer to other states or non-state actors of the Club-K cruise missile system by the Russian Federation.

(2) Upon deployment or sale or transfer.—Not later than seven days after the Secretary determines that there is reasonable grounds to believe that the Russian Federation has deployed or sold or transferred to other states or non-state actors the Club-K cruise missile system, the Secretary shall submit to the appropriate committees of Congress a notification of such determination.
(3) **FORM.**—A notification required under paragraph (1) or (2) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(b) **QUARTERLY UPDATES.**—

(1) **IN GENERAL.**—The Secretary shall submit to the appropriate committees of Congress not less than quarterly updates on the coordination of allied responses to the deployment or sale or transfer to other states or non-state actors of the Club-K cruise missile system by the Russian Federation.

(2) **FORM.**—The update required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(c) **STRATEGY.**—

(1) **DEVELOPMENT.**—The Chairman of the Joint Chiefs of Staff shall develop a strategy to detect, defend against, and defeat the Club-K cruise missile system, including opportunities for allied contributions to such efforts based on consultations with such allies.

(2) **SUBMISSION.**—Not later than September 30, 2016, the Chairman of the Joint Chiefs of Staff shall submit to the appropriate committees of Congress the strategy developed under paragraph (1).

(d) **DEFINITION.**—In this section, the term “appropriate committees of Congress” means—
(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(e) SUNSET.—The provisions of this section shall not be in effect on and after the date that is 5 years after the date of the enactment of this Act.

SEC. 1242. NOTIFICATIONS OF DEPLOYMENT OF NUCLEAR WEAPONS BY RUSSIAN FEDERATION TO TERRITORY OF UKRAINIAN REPUBLIC.

(a) Notifications.—

(1) Regarding possible deployment.—The Secretary of Defense shall submit to the appropriate congressional committees quarterly notifications on the status of the Russian Federation conducting exercises with, planning or preparing to deploy, or deploying covered weapons systems onto the territory of the Ukranian Republic.

(2) Upon deployment.—Not later than seven days after the Secretary determines that there is reasonable grounds to believe that the Russian Federation has deployed covered weapons systems onto the territory of the Ukranian Republic, the Secretary shall submit to the appropriate congressional committees a notification of such determination.
(3) **FORM.**—A notification required under paragraph (1) or (2) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(b) **STRATEGY.**—

(1) **DEVELOPMENT.**—The Chairman of the Joint Chiefs of Staff shall develop a strategy to respond to the military threat posed by the Russian Federation deploying covered weapons systems onto the territory of the Ukranian Republic, including opportunities for allied cooperation in developing such responses based on consultation with such allies.

(2) **SUBMISSION.**—Not later than June 30, 2016, the Chairman of the Joint Chiefs of Staff shall submit to the congressional defense committees the following:

(A) The strategy developed under paragraph (1).

(B) The views of the Secretary of Defense with respect to the strategy developed under paragraph (1), if any.

(c) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the congressional defense committees; and
(B) the Committee on Foreign Relations of
the Senate and the Committee on Foreign Affairs
of the House of Representatives.

(2) COVERED WEAPONS SYSTEMS.—The term
“covered weapons systems” means weapons systems
that can perform both conventional and nuclear mis-
sions, nuclear weapon delivery systems, and nuclear
warheads.

(d) SUNSET.—The provisions of this section shall not
be in effect on and after the date that is 5 years after the
date of the enactment of this Act.

SEC. 1243. NON-COMPLIANCE BY THE RUSSIAN FEDERA-
TION WITH ITS OBLIGATIONS UNDER THE INF
TREATY.

(a) FINDINGS.—Congress finds the following:

(1) The Department of State, on July 31, 2014,
released the Annual Report on the “Adherence to and
Compliance With Arms Control, Nonproliferation,
and Disarmament Agreements and Commitments”
which included the finding that, “The United States
has determined that the Russian Federation is in vio-
lation of its obligations under the INF Treaty not to
possess, produce, or flight-test a ground-launched
cruise missile (GLCM) with a range capability of 500
km to 5,500 km, or to possess or produce launchers of such missiles.”.

(2) According to the testimony of senior officials of the Department of State, the Russian Federation is not complying with numerous treaties and agreements, including the INF Treaty, the Open Skies Treaty, the Biological Weapons Convention, the Chemical Weapons Convention, the Vienna Document, the Budapest Memorandum, the Istanbul Commitments, the Presidential Nuclear Initiatives, the Missile Technology Control Regime, and the Russian Federation has recently withdrawn from the Treaty on Conventional Armed Forces in Europe (CFE).

(3) The Commander of U.S. European Command, and Supreme Allied Commander of Europe, General Philip Breedlove, USAF, stated that “[a] weapon capability that violates the I.N.F., that is introduced into the greater European land mass is absolutely a tool that will have to be dealt with . . . I would not judge how the alliance will choose to react, but I would say they will have to consider what to do about it, [i]t can’t go unanswered.”.

(4) General Breedlove has further stated that “we need to first and foremost signal that we cannot accept this change and that, if this change is contin-
ued, that we will have to change the cost calculus for
Russia in order to help them to find their way to a
less bellicose position.”.

(5) General Martin Dempsey, Chairman, Joint
Chiefs of Staff testified that, “I think we have to make
it very clear that things like their compliance with
the INF treaty that there will be political, diplomatic
and potentially military costs in terms of the way we
posture ourselves and the way we plan and work with
our allies to address those provocations. . .It concerns
me greatly. I certainly would counsel them not to roll
back the clock.”.

(6) The Secretary of Defense, Ashton B. Carter,
testified that, “On the military side, we have begun
to consider . . . what our options are, because the INF
treaty is a treaty, meaning that it’s a two-way street.
We accepted constraints in return for constraints of
the then Soviet Union. It is a two-way street, and we
need to remind them that it’s a two-way street, mean-
ing that we, without an INF treaty, can take action
also that we both decided years ago was best for nei-
ther of us to take.”.

(7) The Department of Defense has been consid-
ering a range of military options to respond to the
Russian Federation’s violation of the INF Treaty and
these options would “aim to negate any advantage
Russia might gain from deploying an INF-prohibited
system, and all of these would be designed to make us
more secure”, and these options “fall into three broad
categories: active defenses to counter intermediate-
range ground-launched cruise missiles; counterforce
capabilities to prevent intermediate-range ground-
launched cruise missile attacks; and countervailing
strike capabilities to enhance U.S. or allied forces.”.

(8) President Barack Obama stated in Prague in
2009 that, “Rules must be binding. Violations must
be punished. Words must mean something.”.

(b) SENSE OF THE CONGRESS.—It is the sense of the
Congress that—

(1) the Russian Federation should return to com-
pliance with the INF Treaty;

(2) the continuing violation of the INF Treaty
by the Russian Federation threatens the viability of
the INF Treaty;

(3) the United States has reportedly been under-
taking diplomatic efforts to address with the Russia
Federation its violations of the INF Treaty since
2013, and the Russian Federation has failed to re-
spond to these efforts in any meaningful way;
(4) not only should the Russian Federation end its cheating with respect to the INF Treaty, but also its illegal occupation of the sovereign territory of another nation, its plans for stationing nuclear weapons on that nation’s territory, and its cheating and violation of as many as eight of its 12 arms control obligations and agreements; and

(5) there are several United States military requirements that would be addressed by the development and deployment of systems currently prohibited by the INF Treaty.

(c) Notification of Russian Violations of INF Treaty.—

(1) In general.—The President shall submit to the appropriate congressional committees a notification of—

(A) whether the Russian Federation has flight-tested, deployed, or possesses a military system that has achieved an initial operating capability of a covered missile system; and

(B) whether the Russian Federation has begun steps to return to full compliance with the INF Treaty, including by agreeing to inspections and verification measures necessary to achieve high confidence that any covered missile system

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will be eliminated, as required by the INF Treaty upon its entry into force.

(2) DEADLINE.—The notification required under paragraph (1) shall be submitted not later than 30 days after the date of the enactment of this Act and not later than 30 days after the date on which the Russian Federation meets any of the requirements of subparagraphs (A) and (B) of paragraph (1).

(3) FORM.—The notification required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(d) NOTIFICATION OF COORDINATION WITH ALLIES REGARDING INF TREATY.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment, and every 120-day period thereafter for a period of 5 years, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, in coordination with the Secretary of State and the Director of National Intelligence, shall jointly submit to the appropriate congressional committees a notification on the status and content of updates provided to the North Atlantic Treaty Organization (NATO) and allies of the United States in East Asia, on the Russian Federation’s flight testing, operating capability and deployment of a covered missile system, in-
cluding updates on the status and a description of ef-
forts with such allies to develop collective responses,
including economic and military responses, to the
Russian Federation’s arms control violations, includ-
ing violations of the INF Treaty.

(2) FORM.—The notification required under
paragraph (1) shall be submitted in unclassified form,
but may contain a classified annex if necessary.

(e) MILITARY RESPONSE OPTIONS TO RUSSIAN FED-
ERATION VIOLATION OF THE TREATY ON INTERMEDIATE
RANGE NUCLEAR FORCES.—

(1) DEVELOPMENT OF CAPABILITIES.—If, as of
the date of the enactment of this Act, the President de-
determines that the Russian Federation has not begun
steps to return to full compliance with the INF Trea-
ty, including by agreeing to inspections and
verification measures necessary to achieve high con-
fidence that any covered missile system will be elimi-
nated, as required by the INF Treaty upon its entry
into force, the President shall begin developing the fol-
lowing military capabilities:

(A) Counterforce capabilities to prevent in-
termediate-range ground-launched ballistic mis-
sile and cruise missile attacks, including capa-
bilities that may be acquired from allies.
(B) Countervailing strike capabilities to en-
hance the Armed Forces of the United States or
allies of the United States, including capabilities
that may be acquired from allies.

(2) Availability of funds for recommended
capabilities.—The Secretary of Defense may use
funds authorized to be appropriated by this Act or
otherwise made available for fiscal year 2016 for re-
search, development, test, and evaluation, Defense-
wide, as specified in the funding table in section
4201, to carry out the development of capabilities
pursuant to paragraph (1) that are recommended by
the Chairman of the Joint Chiefs of Staff to meet
military requirements and current capability gaps.
In making such a selection, the Chairman shall give
priority to such capabilities that the Chairman deter-
mines could be tested and fielded most expeditiously,
with the most priority given to capabilities that the
Chairman determines could be fielded in two years.

(3) Reports on development.—

(A) In general.—During each 180-day pe-
period beginning on the date on which funds are
first obligated to develop capabilities under
paragraph (2), the Chairman shall submit to the
appropriate congressional committees a report
on such capabilities, including the costs of development (and estimated total costs of each system if pursued to deployment) and the timeline for development flight testing and deployment.

(B) SUNSET.—The provisions of subparagraph (A) shall not be in effect on and after the date on which the President certifies to the appropriate congressional committees that the INF Treaty is no longer in force or the Russian Federation has fully returned to compliance with its obligations under the INF Treaty.

(4) REPORT ON DEPLOYMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report on the following:

(A) Potential deployment locations of the military capabilities described in paragraph (1) in East Asia and Eastern Europe, including any potential basing agreements that may be required to facilitate such deployments.

(B) Any required safety and security measures, estimates of potential costs of deployments described in subparagraph (A) and an assessment of whether or not such deployments in
Eastern Europe may require a decision of the North Atlantic Council.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the following:

(A) The congressional defense committees.

(B) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(C) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) COVERED MISSILE SYSTEM.—The term “covered missile system” means ground-launched ballistic missiles or ground-launched cruise missiles with a flight-tested range of between 500 and 5500 kilometers.

(3) INF TREATY.—The term “INF Treaty” means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty,
signed at Washington, December 8, 1987, and entered
into force June 1, 1988.

SEC. 1244. MODIFICATION OF NOTIFICATION AND ASSESS-
MENT OF PROPOSAL TO MODIFY OR INTRO-
DUCE NEW AIRCRAFT OR SENSORS FOR
FLIGHT BY THE RUSSIAN FEDERATION
UNDER OPEN SKIES TREATY.

Section 1242(b)(1) of the National Defense Authoriza-
tion Act for Fiscal Year 2015 (Public Law 113–291; 128
Stat. 3563) is amended—

(1) by striking “30 days” and inserting “90
days”; and

(2) by striking “and the Chairman of the Joint
Chiefs of Staff” and inserting “, the Chairman of the
Joint Chiefs of Staff, and the commander of each rel-
evant combatant command”.

SEC. 1245. SENSE OF CONGRESS ON SUPPORT FOR ESTO-
NIA, LATVIA, AND LITHUANIA.

(a) FINDINGS.—Congress finds the following:

(1) The Baltic States of Estonia, Latvia, and
Lithuania are highly valued allies of the United
States, and they have repeatedly demonstrated their
commitment to advancing our mutual interests as
well as those of the NATO Alliance.
(2) Operation Atlantic Resolve is a series of exercises and coordinating efforts meant to demonstrate the United States’ commitment to the Baltic States of Estonia, Latvia, and Lithuania, and the United States-Baltic partnership’s shared goal of peace and stability in the region. Built upon the common values of peace, stability and prosperity, Operation Atlantic Resolve strengthens communication and understanding, and is an important effort to deter Russian aggression against the Baltic States.

(3) As part of Operation Atlantic Resolve, the European Reassurance Initiative undertakes exercises, training, and rotational presence necessary to reassure and integrate our Baltic State allies into a common defense framework.

(4) All three Baltic States contributed to the NATO-led International Security Assistance Force in Afghanistan, sending disproportionate numbers of troops and operating with few caveats. They also continue to engage in the Resolute Support Mission in Afghanistan.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its support for the principle of collective defense as enshrined in Article 5 of the North
Atlantic Treaty for our NATO allies, Estonia, Latvia, and Lithuania;

(2) supports the sovereignty, independence, territorial integrity, and inviolability of Estonia, Latvia, and Lithuania as well as their internationally recognized borders, and expresses concerns over increasingly aggressive military maneuvering by Russia near their borders and airspace;

(3) expresses concerns over increasingly aggressive military maneuvering by the Russian Federation near Baltic state borders and airspace, and condemns reported subversive and destabilizing activities by the Russian Federation within the Baltic states; and

(4) encourages the Administration to further enhance defense cooperation efforts with Estonia, Latvia, and Lithuania and supports the efforts of their Governments to provide for the defense of their people and sovereign territory.

**SEC. 1246. SENSE OF CONGRESS ON SUPPORT FOR GEORGIA.**

(a) FINDINGS.—Congress finds the following:

(1) Georgia is a valued friend of the United States and has repeatedly demonstrated its commitment to advancing the mutual interests of both countries, including the deployment of Georgian forces as
part of the NATO-led International Security Assistance Force (ISAF) in Afghanistan and the Multi-National Force in Iraq.

(2) The European Reassurance Initiative builds the partnership capacity of Georgia so it can work more closely with the United States and NATO, as well as provide for their own defense.

(3) In addition to the European Reassurance Initiative, Georgia’s participation in the NATO initiative Partnership for Peace is paramount to interoperability with the United States and NATO, and establishing a more peaceful environment in the region.

(4) Despite the heavy and painful losses suffered during the ISAF, as a NATO partner Georgia is engaged in the Resolute Support Mission in Afghanistan with the second largest contingent on the ground.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms United States support for Georgia’s sovereignty and territorial integrity within its internationally-recognized borders, and does not recognize the Abkhazia and South Ossetia regions, currently occupied by Russia, as independent; and

(2) supports continued cooperation between the United States and Georgia and the efforts of the Gov-
ernment of Georgia to provide for the defense of its people and sovereign territory.

Subtitle F—Matters Relating to the Asia-Pacific Region

SEC. 1251. SENSE OF CONGRESS RECOGNIZING THE 70TH ANNIVERSARY OF THE END OF ALLIED MILITARY ENGAGEMENT IN THE PACIFIC THEATER.

(a) FINDINGS.—Congress makes the following findings

(1) September 2, 2015, marks the 70th anniversary of the end of Allied military engagement in the Pacific theater, also marking the end of the Second World War.

(2) The United States entered the Second World War in December 1941, following the Empire of Japan’s attack on Pearl Harbor, and over the next four years Americans participated in what was arguably the greatest national endeavor in the Nation’s history.

(3) The casualty toll of Americans in the Pacific theater during the Second World War was approximately 92,904 killed, 208,333 wounded, and tens of thousands missing in action and prisoners of war, with civilians and military forces of the Allied Powers suffering equally devastating tolls.
(4) American military forces displayed extraordinary courage and suffered significant casualties in battles across the Pacific theater, including in the Battle of the Philippine Sea, the Battle of Leyte Gulf, the Philippines Campaign, the Battle of Iwo Jima, and the Battle of Okinawa.

(5) Japanese military forces and the Japanese civilian population also suffered staggering losses.

(6) On August 15, 1945, Emperor Hirohito of Japan announced the unconditional surrender of Japan’s military forces, made formal on September 2, 1945, aboard the U.S.S. Missouri in Tokyo Bay, Japan, thus ending the most devastating war in human history.

(7) Japan is now a free and prosperous democracy; a valued ally with shared values and mutual interests based on the principles of democracy, individual liberty, and the rule of law, who serves as a cornerstone for peace and security in the region and for whom the United States seeks to further enhance security, economic, and diplomatic ties.

(8) The bravery and sacrifice of the members of the United States Armed Forces and the military forces of the Allied Powers who served valiantly to
rescue the Pacific nations from tyranny and aggression should be always remembered.

(b) SENSE OF CONGRESS.—Congress—

(1) recognizes the 70th anniversary of the end of Allied military engagement in the Pacific theater, and also marking the end of Second World War;

(2) joins with a grateful nation in expressing respect and appreciation to the members of the United States Armed Forces who served in the Pacific theater during the Second World War;

(3) remembers and honors those Americans who made the ultimate sacrifice and gave their lives for their country during the campaigns in the Pacific theater during the Second World War; and

(4) preserves and applies the lessons learned from the history of the Second World War in the Pacific theater and recognizes the close alliance between the United States and Japan, codified in the 1960 Treaty of Mutual Cooperation and Security between the United States and Japan, that continues to be enhanced to maintain peace and prosperity in the region.
SEC. 1252. SENSE OF CONGRESS REGARDING CONSOLIDATION OF UNITED STATES MILITARY FACILITIES IN OKINAWA, JAPAN.

(a) FINDINGS.—Congress finds the following:

(1) The defense alliance between the United States and Japan remains important and strong.

(2) Progress continues to be made in the United States and Japan to fulfill the April 27, 2012, agreement of the United States-Japan Security Consultative Committee that modified the United States-Japan Roadmap for Realignment Implementation, originally codified on May 1, 2006, including the Governor of Okinawa signing the landfill permit for Henoko construction on December 27, 2013, and the elimination of restrictions on Government of Japan contributions for the realignment of Marine Corps forces in the Asia-Pacific region by section 2821 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291).

(3) The Government of Japan has made significant and unprecedented direct financial contributions of more than $3,000,000,000 to the Support for United States Relocation to Guam Account pursuant to section 2350k of title 10, United States Code, for the relocation of Marine Corps forces from Okinawa to Guam and the relocation of certain training from
Okinawa to the Marianas region, of which nearly $1,000,000,000 has already been received from the Government of Japan, and a significant amount of these funds has already been obligated and expended to support the relocation of Marine Corps forces on Guam.

(4) It is important to return formerly used United States military property in Okinawa to the local government.

(5) Consolidation of United States facilities and the return of formerly used United States military property in Okinawa will be implemented as soon as possible, while ensuring operational capability, including training capability, throughout the consolidation process.

(6) Under the April 27, 2012, agreement referred to in paragraph (2), the United States is authorized to establish Marine Air-Ground Task Forces at additional locations in the Asia-Pacific region, including Guam, Hawaii, and Australia, which will enhance their readiness posture through flexibility and speed to respond to regional threats and maintain regional peace, stability, and security.

(7) Even though realignment of Marine Corps forces from Okinawa to Guam is “de-linked” from
progress on the construction of the Futenma Replacement Facility in Henoko, there must be continued progress on Guam and Okinawa to meet the agreement.

(b) Sense of Congress.—It is the sense of Congress that the Henoko location for the Futenma Replacement Facility—

(1) has been studied and analyzed for several decades, reaffirmed by both the United States and Japan on several occasions, including the 2010 Futenma Replacement Facility Bilateral Experts study and the independent assessment required by section 346 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1373); and

(2) remains the only option for the Futenma Replacement Facility.

SEC. 1253. STRATEGY TO PROMOTE UNITED STATES INTERESTS IN THE INDO-ASIA-PACIFIC REGION.

(a) Strategy.—The President shall develop an overall strategy to promote United States interests in the Indo-Asia-Pacific region. Such strategy shall be informed by the following:

(1) The national security strategy of the United States for 2015 set forth in the national security

(2) The strategy to prioritize United States defense interests in the Asia-Pacific region as contained in the report required by section 1251(a) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291).

(3) The integrated, multi-year planning and budget strategy for a rebalancing of United States policy in Asia submitted to Congress pursuant to section 7043(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of the Consolidated Appropriations Act, 2014 (Public Law 113–76)).

(b) PRESIDENTIAL POLICY DIRECTIVE.—The President shall issue a Presidential Policy Directive to relevant Federal departments and agencies that contains the strategy developed under subsection (a) and includes implementing guidance to such departments and agencies.

(c) RELATION TO AGENCY PRIORITY GOALS AND ANNUAL BUDGET.—

(1) AGENCY PRIORITY GOALS.—In identifying agency priority goals under section 1120(b) of title
31, United States Code, for each relevant Federal department and agency, the head of such department or agency, or as otherwise determined by the Director of the Office of Management and Budget, shall take into consideration the strategy developed under subsection (a) and the Presidential Policy Directive issued under subsection (b).

(2) ANNUAL BUDGET.—The President, acting through the Director of the Office of Management and Budget, shall ensure that the annual budget submitted to Congress under section 1105 of title 31, United States Code, includes a separate section that clearly highlights programs and projects that are being funded in the annual budget that relate to the strategy developed under subsection (a) and the Presidential Policy Directive issued under subsection (b).

SEC. 1254. SENSE OF CONGRESS ON THE UNITED STATES ALLIANCE WITH JAPAN.

It is the sense of Congress that—

(1) the United States highly values its alliance with the Government of Japan as a cornerstone of peace and security in the region, based on shared values of democracy, the rule of law, free and open markets, and respect for human rights in order to pro-
mote peace, security, stability, and economic prosperity in the Asia-Pacific region;

(2) the United States welcomes Japan’s decision to contribute more proactively to regional and global peace and security;

(3) the United States supports recent changes in Japanese defense policy, including the adoption of collective self-defense and the new bilateral Guidelines for U.S.-Japan Defense Cooperation which were approved on April 27, 2015, and will promote a more balanced and effective alliance to meet the emerging security challenges of this century;

(4) the United States and Japan should continue to improve joint interoperability and collaborate on developing future capabilities with which to maintain regional stability in an increasingly uncertain security environment;

(5) the United States and Japan should continue efforts to strengthen regional multilateral institutions that promote economic and security cooperation based on internationally accepted rules and norms;

(6) the United States acknowledges that the Senkaku Islands are under the administration of Japan and opposes any unilateral actions that would seek to undermine such administration and remains
committed under the Treaty of Mutual Cooperation
and Security to respond to any armed attack in the
territories under the administration of Japan; and

(7) the United States reaffirms its commitment
to the Government of Japan under Article V of the
Treaty of Mutual Cooperation and Security that
“[e]ach Party recognizes that an armed attack
against either Party in the territories under the ad-
ministration of Japan would be dangerous to its own
peace and safety and declares that it would act to
meet the common danger in accordance with its con-
stitutional provisions and processes”.

Subtitle G—Other Matters

SEC. 1261. NON-CONVENTIONAL ASSISTED RECOVERY CA-
PABILITIES.

(a) Extension.—Subsection (h) of section 943 of the
Duncan Hunter National Defense Authorization Act for
Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4579),
as most recently amended by section 1261 of the National
Defense Authorization Act for Fiscal Year 2015 (Public
Law 113–291; 128 Stat. 3579), is further amended by strik-
ing “2016” and inserting “2017”.

(b) Revision to Annual Limitation on Funds.—
Subsection (a) of such section is amended—
(1) by striking “Upon” and inserting the following:

“(1) IN GENERAL.—Upon;

(2) by striking “an amount” and all that follows through “may be” and inserting “amounts appropriated or otherwise made available for the Department of Defense for operation and maintenance may be”; and

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

“(2) ANNUAL LIMIT.—The total amount made available for support of non-conventional assisted recovery activities under this subsection in any fiscal year may not exceed $25,000,000.”.

SEC. 1262. AMENDMENT TO THE ANNUAL REPORT UNDER ARMS CONTROL AND DISARMAMENT ACT.

Subsection (e) of section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a) is amended to read as follows:

“(e) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than June 15 of each year described in paragraph (2), the Director of National Intelligence shall submit to the appropriate congressional committees a report that contains a detailed assessment, consistent with the provision of
classified information and intelligence sources and methods, of the adherence of other nations to obligations undertaken in all arms control, nonproliferation, and disarmament agreements or commitments to which the United States is a party, including information of cases in which any such nation has behaved inconsistently with respect to its obligations undertaken in such agreements or commitments.

“(2) COVERED YEAR.—A year described in this paragraph is a year in which the President fails to submit the report required by subsection (a) by not later than April 15 of such year.

“(3) FORM.—The report required by this subsection shall be submitted in unclassified form, but may contain a classified annex if necessary.”.

SEC. 1263. PERMANENT AUTHORITY FOR NATO SPECIAL OPERATIONS HEADQUARTERS.

Section 1244(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2541), as most recently amended by section 1272 of the National Defense Authorization Act of Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2023), is further amended by striking “for each of fiscal years 2013, 2014, and 2015 pursuant to section 301” and inserting “for any fiscal year”.

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SEC. 1264. EXTENSION OF AUTHORIZATION TO CONDUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF FOREIGN COUNTRIES TO RESPOND TO INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION.


SEC. 1265. LIMITATION ON AVAILABILITY OF FUNDS FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE, FOR ARMS CONTROL IMPLEMENTATION.

(a) IN GENERAL.—Not more than 50 percent of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Air Force, for arms control implementation (PE 0305145F) may be obligated or expended until the Secretary of Defense, in coordination with the Secretary of State, submits to the appropriate committees of Congress a report on the following:

(1) A description of any meetings of the Open Skies Consultative Commission during the prior year.

(2) A description of any agreements entered into during such meetings of the Open Skies Consultative Commission.
(3) A description of any future year proposals for modifications to the aircraft or sensors of any State Party to the Open Skies Treaty that will be subject to the Open Skies Treaty.

(b) DEFINITIONS.—In this section:

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

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.


SEC. 1266. MODIFICATION OF AUTHORITY FOR SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

Law 113–291; 128 Stat. 3541), is further amended by strik-
ing “$75,000,000” and inserting “$100,000,000”.

(b) ANNUAL REPORT.—Subsection (f)(1) of such sec-
tion 1208, as most recently amended by section 1202(c) of
the National Defense Authorization Act for Fiscal Year
2010 (Public Law 111–84; 123 Stat. 2512), is further
amended by striking “120 days” and inserting “30 days
and not later than 180 days”.

(c) EFFECTIVE DATE.—The amendments made by sub-
sections (a) and (b) take effect on the date of the enactment
of this Act and apply with respect to each fiscal year that
begins on or after such date of enactment.

SEC. 1267. UNITED STATES-ISRAEL ANTI-TUNNEL DEFENSE
COOPERATION.

(a) FINDINGS AND SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) Tunnels have been used for centuries
around the world as a means of avoiding detec-
tion or circumventing defenses.

(B) Tunnels can be used for criminal pur-
poses, such as smuggling drugs, weapons, or hu-
mans, or for terrorist or military purposes, such
as launching surprise attacks or detonating ex-
plosives underneath infrastructure.
(C) Tunnels have been a growing threat on the southern border of the United States for more than 11 years, and the Department of Homeland Security has been working to address this threat.

(D) The conflict in Gaza in 2014 showed that terrorists are now actively using tunnels as a means of attack, and news reports indicate that tunnels are being used in Syria as well.

(E) Terrorist organizations are quick to adopt successful tactics, and it is only a matter of time before other terrorist organizations begin using tunnels.

(F) The facilities of the United States, and those of the allies of the United States, could be under threat very quickly if tunnel threats continue to proliferate.

(G) Hamas, Hezbollah, and the Palestinian Islamic Jihad are United States-designated terrorist organizations.

(H) Designated Palestinian terrorist organizations have killed hundreds of Israelis and dozens of Americans in rocket attacks and suicide bombings.

(I) Hamas has used underground tunnels to Israel and Egypt to smuggle weapons, money,
and supplies into Gaza and to send members of Hamas out of Gaza for training and to bring trainers in to Gaza to teach Hamas how to manufacture rockets and build better tunnels. Tunnels in Gaza have also been used as underground rocket launching sites, weapons caches, bunkers, transportation networks and command and control centers.

(J) In 2006, Hamas kidnapped Israeli soldier Gilad Shalit through a tunnel and held him for five years.

(K) The Israel Defense Forces discovered 32 tunnels during the conflict with Hamas in the summer of 2014, 14 of which crossed into Israel.

(L) Hamas intentionally uses civilians as human shields by placing its underground tunnel network in densely populated areas and schools, hospitals, and mosques.

(M) Hamas’s placement of explosive material in its vast network of tunnels in Gaza has caused civilian casualties through secondary and tertiary explosions.

(N) While the unemployment rate in Gaza is at 38 percent, it is estimated that Hamas spends $3,000,000 per tunnel.
United Nations Secretary-General Ban Ki-moon said he was “shocked by the tunnels used for the infiltration of terrorists”.

Hamas has claimed to be rebuilding tunnels in Gaza after the war with Israel in the summer of 2014.

Hezbollah has used underground tunnels in southern Lebanon to move Hezbollah fighters and to launch attacks.

The Palestinian Islamic Jihad claims to be digging new tunnels on the Gaza border. Israel has a right to defend itself from the violence of Palestinian terrorist groups, including the violence that is facilitated through terrorist tunnel networks.

The United States is working cooperatively with the Government of Israel to develop technologies to detect and neutralize tunnels penetrating the territory of Israel.

It is the sense of Congress that—

it is in the best interests of the United States to develop technology to detect and counter tunnels, and the best way to do this is to partner with other affected countries; and
(B) Israel is facing serious threats posed by tunnels and should be the first partner of the United States in addressing this significant challenge.

(b) Assistance to Israel to Establish an Anti-Tunneling Defense System.—

(1) In general.—The President, upon request of the Government of Israel, is authorized to carry out research, development, and test activities on a joint basis with Israel to establish an anti-tunneling defense system to detect, map, and neutralize underground tunnels into and directed at the territory of Israel.

(2) Certification.—None of the funds authorized to be appropriated to carry out this section may be obligated or expended to carry out subsection (a) until the President certifies to Congress the following:

(A) The President has finalized a memorandum of understanding or other formal agreement between the United States and Israel regarding sharing of research and development costs for the system described in paragraph (1).

(B) The understanding or agreement—

(i) requires sharing of costs of projects, including the cost of claims and in-kind
support, between the United States and Israel on an equitable basis unless the President determines, on a case-by-case basis, the Government of Israel is unable to contribute on an equitable basis;

(ii) requires the designation of payment of non-recurring engineering costs in connection with the establishment of a capacity for co-production in the United States;

(iii) establishes a framework to negotiate the rights to any intellectual property developed under the cooperative research and development projects; and

(iv) requires the United States Government to receive quarterly reports on expenditure of funds by the Government of Israel, including a description of what the funds have been used for, when funds were expended, and an identification of entities that expended the funds.

(3) ASSISTANCE.—The President, upon request of the Government of Israel, is authorized to provide assistance to Israel for the procurement, maintenance,
and sustainment of an anti-tunneling system described in paragraph (1).

(c) ASSISTANCE TO OTHER ALLIES TO ESTABLISH AN ANTI-TUNNELING DEFENSE SYSTEM.—In addition to the memorandum of understanding or other formal agreement described in subsection (b), the President is authorized to seek to enter into a similar memorandum of understanding or other formal agreement with any other ally of the United States upon request of the government of such ally.

(d) DESIGNATION OF LEAD DEVELOPMENT AGENCY.—The Secretary of Defense, with the concurrence of the Secretary of State, shall designate a military department or other element of the Department of Defense to carry out subsections (b) and (c) as the lead agency of the Federal Government for developing technology to detect and counter tunnels.

(e) REPORTING.—

(1) INITIAL REPORT.—The President shall submit to Congress a report that contains a copy of the memorandum of understanding or other formal agreement between the United States and Israel as described in subsection (b)(2)(A) or similar agreement described in subsection (c).

(2) QUARTERLY REPORTS.—The President shall submit to Congress a quarterly report that contains
a copy of the most-recent quarterly report provided by
the Government of Israel to the Department of De-
fense pursuant to subsection (b)(2)(B)(iv).

(3) COMPREHENSIVE REPORT.—Not later than 1
year after the date of the enactment of this Act, the
Secretary of Defense shall submit to Congress a report
containing the following:

(A) Instances of tunnels being used to at-
tack installations of the United States or allies
of the United States.

(B) Trends or developments in tunnel at-
tacks throughout the world.

(C) Key technologies used and challenges
faced by potential adversaries of the United
States with respect to using tunnels.

(D) The capabilities of the Department of
Defense for defending fixed or forward locations
from tunnel attacks.

(E) Partnerships entered into with allies of
the United States under this section, and poten-
tial opportunities for increased partnerships
with other allies with respect to researching tun-
nel detection technologies and the opportunities
for co-development or co-production.
(F) The plans, including with respect to funding, of the Secretary for countering threats posed by tunnels.

SEC. 1268. EFFORTS OF THE DEPARTMENT OF DEFENSE TO PREVENT AND RESPOND TO GENDER-BASED VIOLENCE GLOBALLY.

(a) Findings and Statement of Policy.—

(1) Findings.—Congress finds the following:

(A) Gender-based violence reaches every corner of the world, affecting millions of people every year and one in three women in her lifetime. This epidemic not only undermines the safety, dignity, and human rights of the individual, family and community, it affects public health, economic stability, and security of nations, which in turn has a direct impact upon United States foreign policy, defense interests, democracy, governance, and peace-building efforts.

(B) With one of the largest international footprints in the United States government, the Department of Defense is an integral part of combating the epidemic of gender-based violence, especially in conflict regions.

(C) Section 7061 of the Joint Explanatory Statement of the Committee of Conference accom-
panying the Consolidated Appropriations Act, 2012 directed the Secretary of State and the Administrator of the United States Agency for International Development to develop and submit to Congress a multi-year strategy to prevent and respond to gender-based violence.

(D) Executive Order 13623 of August 10, 2012 (77 Fed. Reg. 49345) established the United States Strategy to Prevent and Respond to Gender-Based Violence Globally, which required the Department of Defense to participate in an Interagency Working Group co-chaired by the Department of State and the United States Agency for International Development to implement the Strategy.

(F) Executive Order 13623 requires within 3 years of August 12, 2012, that the Interagency Working Group shall complete a final evaluation of the Strategy and within 180 days of completing its final evaluation, the Interagency Working Group shall update or revise the Strategy to take into account the information learned and the progress made during and through the implementation of the Strategy.

(2) STATEMENT OF POLICY.—It is in the national security interest of the United States to—

(A) prevent gender-based violence which will promote regional and global stability and advance sustainable peace and security;

(B) have a multi-year strategy in place that will effectively prevent and respond to gender-based violence globally; and

(C) ensure that existing laws and regulations relating to the Department of Defense are fully implemented to prevent gender-based violence globally.

(b) REQUIREMENT TO CONTINUE IMPLEMENTATION OF A UNITED STATES GLOBAL STRATEGY ON GENDER-BASED VIOLENCE PREVENTION AND RESPONSE.—The Secretary of Defense shall ensure that the Department of Defense—
(1) continues to implement the United States Strategy to Prevent and Respond to Gender-Based Violence Globally, as appropriate; and

(2) pursuant to the intent laid out in Executive Order 13623, continues to participate in any Interagency Working Group described in subsection (a)(1)(D) or in interagency collaborative efforts to develop or update a United States Strategy to Prevent and Respond to Gender-Based Violence Globally, as appropriate

(c) DEPARTMENT OF DEFENSE GENDER-BASED TRAINING.—The Secretary of Defense is authorized to—

(1) provide training for the United States Armed Forces, Department of Defense personnel, and contractors and military observers on preventing and responding to violence against women and girls globally in conflict, post-conflict, and humanitarian relief settings; and

(2) utilize the Department of Defense’s operational capabilities to train professional foreign military, police forces, and judicial officials on preventing and responding to violence against women and girls globally.

(d) REPORT.—
(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the specified congressional committees a report on efforts to prevent and respond to gender-based violence globally made under a United States strategy.

(2) CONTENT.—The report required under paragraph (1) shall—

(A) describe the efforts of the Department of Defense in the Interagency Working Group described in subsection (a)(1)(D) to implement the international gender-based violence prevention and response strategy, funding allocations, programming, and associated outcomes; and

(B) provide an assessment of human and financial resources necessary to fulfill the purposes and duties of such strategy.

(3) PUBLIC AVAILABILITY.—The report required under paragraph (1) shall be made publicly accessible in a timely manner.

(4) DEFINITION.—In this subsection, the term "specified congressional committees" means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and
(B) the Committee on Armed Services and
the Committee on Foreign Affairs of the House
of Representatives.

TITLE XIII—COOPERATIVE
THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) Fiscal Year 2016 Cooperative Threat Reduction Funds Defined.—In this title, the term “fiscal year 2016 Cooperative Threat Reduction funds” means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711).

(b) Availability of Funds.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2016, 2017, and 2018.

SEC. 1302. FUNDING ALLOCATIONS.

Of the $358,496,000 authorized to be appropriated to the Department of Defense for fiscal year 2016 in section
301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $1,289,000.

(2) For chemical weapons destruction, $942,000.

(3) For global nuclear security, $20,555,000.

(4) For cooperative biological engagement, $264,618,000.

(5) For proliferation prevention, $38,945,000.

(6) For threat reduction engagement, $2,827,000.

(7) For activities designated as Other Assessments/Administrative Costs, $29,320,000.

**TITLE XIV—OTHER AUTHORIZATIONS**

**Subtitle A—Military Programs**

**SEC. 1401. WORKING CAPITAL FUNDS.**

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.
SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) Use.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for Drug Interdiction and Counter-
Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

SEC. 1407. NATIONAL SEA-BASED DETERRENCE FUND.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the National Sea-Based Deterrence Fund, as specified in the funding table in section 4501.
Subtitle B—National Defense Stockpile

SEC. 1411. EXTENSION OF DATE FOR COMPLETION OF DESTRUCTION OF EXISTING STOCKPILE OF LETHAL CHEMICAL AGENTS AND MUNITIONS.


Subtitle C—Working-Capital Funds

SEC. 1421. LIMITATION ON FURLOUGH OF DEPARTMENT OF DEFENSE EMPLOYEES PAID THROUGH WORKING-CAPITAL FUNDS.

Section 2208 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(s) FURLOUGH OF EMPLOYEES.—(1) Except as provided under paragraph (2), the Secretary of Defense or the Secretary of a military department may not furlough any employee of the Department of Defense whose salary is funded by a working-capital fund unless the Secretary determines that—

“(A) the working-capital fund is insolvent; or

“(B) there are insufficient funds in the working-capital fund to pay the labor costs of the employee.
“(2) The Secretary of Defense or the Secretary of a military department may waive the restriction under paragraph (1) if the Secretary determines such a waiver is in the interest of the national security of the United States.

“(3) In this subsection, the term ‘furlough’ means the placement, for nondisciplinary reasons, of an employee in a temporary status in which the employee has no duties and is not paid, but does not include administrative leave or an excused absence.”.

SEC. 1422. WORKING-CAPITAL FUND RESERVE ACCOUNT FOR PETROLEUM MARKET PRICE FLUCTUATIONS.

Section 2208 of title 10, United States Code, as amended by section 1421, is further amended by adding at the end the following new subsection:

“(t) MARKET FLUCTUATION ACCOUNT.—(1) From amounts available for Working Capital Fund, Defense, the Secretary shall reserve up to $1,000,000,000, to remain available without fiscal year limitation, for petroleum market price fluctuations. Such amounts may only be disbursed if the Secretary determines such a disbursement is necessary to absorb volatile market changes in fuel prices without affecting the standard price charged for fuel.
“(2) A budget request for the anticipated costs of fuel may not take into account the availability of funds reserved under paragraph (1).”

Subtitle D—Other Matters

SEC. 1431. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) Authority for Transfer of Funds.—Of the funds authorized to be appropriated for section 1406 and available for the Defense Health Program for operation and maintenance, $120,387,000 may be transferred by the Secretary of Defense to the Joint Department of 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. 1432. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2016 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

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE.

(a) In General.—The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2016 to provide additional funds—

(1) for overseas contingency operations being carried out by the Armed Forces; and
(2) pursuant to section 1504, for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4303.

(b) SUPPORT OF BASE BUDGET REQUIREMENTS;

TREATMENT.—Funds identified in subsection (a)(2) are being authorized to be appropriated in support of base budget requirements as requested by the President for fiscal year 2016 pursuant to section 1105(a) of title 31, United States Code. The Director of the Office of Management and Budget shall apportion the funds identified in such subsection to the Department of Defense without restriction, limitation, or constraint on the execution of such funds in support of base requirements, including any restriction, limitation, or constraint imposed by, or described in, the document entitled “Criteria for War/Overseas Contingency Operations Funding Requests” transmitted by the Director to the Department of Defense on September 9, 2010, or any successor or related guidance.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.
SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in—

(1) the funding table in section 4302, or
(2) the funding table in section 4303.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.
SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.
(1) **AUTHORITY.**—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2016 between any such authorizations for that fiscal year (or any subdivisions thereof).

(2) **EFFECT OF TRANSFER.**—Amounts of authorizations transferred under this subsection shall be merged with and be available for the same purposes as the authorization to which transferred.

(3) **LIMITATIONS.**—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $3,500,000,000.

(4) **EXCEPTION.**—In the case of the authorization of appropriations contained in section 1504 that is provided for the purpose specified in section 1501(2), the transfer authority provided under section 1001, rather than the transfer authority provided by this subsection, shall apply to any transfer of amounts of such authorization.

(b) **TERMS AND CONDITIONS.**—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.
(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—European Reassurance Initiative and Related Matters

SEC. 1531. STATEMENT OF POLICY REGARDING EUROPEAN REASSURANCE INITIATIVE.

(a) FINDINGS.—Congress makes the following findings:

(1) In February 2015, Lieutenant General James Clapper (retired), Director of National Intelligence, testified to the Committee on Armed Services of the Senate that “Russian dominance over the former Soviet space is Russia’s highest foreign policy goal”.

(2) Russia, under the direction of President Vladimir Putin, has demonstrated its intent to expand its sphere of influence beyond its borders and limit Western influence in the region.

(3) The Russian military is aggressively postured on the Ukrainian boarder and continues its buildup of military personnel and material. These aggressive and unwarranted actions serve to intimidate, with a show of force, the Ukrainian people as well as the other nations in the region including Georgia, the Baltic States, and the Balkan States.
(4) In December 2014, Congress enacted the Ukraine Freedom Support Act of 2014 (Public Law 113–272), which gives the President the authority to expand assistance to Ukraine, increase economic sanctions on Russia, and provide equipment to counter offensive weapons.

(5) In February 2015, the Atlantic Council, the Brookings Institute, and the Chicago Council on Global Affairs published a report entitled “Preserving Ukraine’s Independence, Resisting Russian Aggression: What the United States and NATO Must Do” advocating for increased United States assistance to Ukraine with nonlethal and lethal defensive equipment.

(6) Despite Russia signing the February 2015 Minsk Agreement, it has continued to violate the terms of the agreement, as noted by Assistant Secretary of State for European and Eurasian Affairs, Victoria Nuland, at the German Marshall Fund Brussels Forum in March 2015: “We’ve seen month on month, more lethal weaponry of a higher caliber...poured into Ukraine by the separatist Russian allies...the number one thing is for Russia to stop sending arms over the border so we can have real politics.”.
(7) The military of the Russian Federation continues to increase their show of force globally, including frequent international military flights, frequent snap exercises of thousands of Russian troops, increased global naval presence, and the threat of the use of nuclear weapons in defense of the annexation of Crimea in March 2014.

(8) The Government of the Russian Federation continues to exert and increase undue influence on the free will of sovereign nations and people with intimidation tactics, covert operations, cyber warfare, and other unconventional methods.

(9) In testimony to the Committee on Armed Services of the House of Representatives in February 2015, Commander of European Command, General Philip Breedlove, United States Air Force, stated that “Russia has employed ‘hybrid warfare’...to illegally seize Crimea, foment separatist fever in several sovereign nations, and maintain frozen conflicts within its so-called ‘sphere of influence’ or ‘near abroad’”.

(10) The use of unconventional methods of warfare by Russia presents challenges to the United States and its partners and allies in addressing the threat.
(11) An enhanced United States military presence and readiness posture and the provision of security assistance in Europe are key elements to deterring further Russian aggression and reassuring United States allies and partners.


(13) The European Reassurance Initiative expands United States military presence in Europe, through—

(A) bolstered and continual United States military presence;

(B) bilateral and multilateral exercises with partners and allies;

(C) improved infrastructure;

(D) increased prepositioning of United States equipment throughout Europe; and

(E) building partnership capacity for allies and partners.

(14) The European Reassurance Initiative has served as a valuable tool in strengthening the partner-
ships with the North Atlantic Treaty Organization (NATO) as well as partnerships with non-member allies in the region.

(15) As a result of the NATO 2014 Summit in Wales, NATO has initiated a Readiness Action Plan to increase partner nation funding and resourcing to combat Russian aggression. NATO’s efforts with the Readiness Action Plan and United States investment in regional security through the European Reassurance Initiative will serve to continue and reinforce the strength and fortitude of the alliance against nefarious actors.

(16) The President’s Budget Request for fiscal year 2016 includes $789.3 million to continue the European Reassurance Initiative focus on increased United States military troop rotations in support of Operation Atlantic Resolve, maintaining and further expanding increasing regional exercises, and building partnership capacity.

(b) STATEMENT OF POLICY.—It is the policy of the United States to continue and expand its efforts in Europe to reassure United States allies and partners and deter further aggression and intimidation by the Russian Government, in order to enhance security and stability in the region. This policy shall include—
(1) continued use of conventional methods, including increased United States military presence in Europe, exercises and training with allies and partners, increasing infrastructure, prepositioning of United States military equipment in Europe, and building partnership capacity;

(2) increased emphasis on countering unconventional warfare methods in areas such as cyber warfare, economic warfare, information operations, and intelligence operations, including increased efforts in the development of strategy, operational concepts, capabilities, and technologies; and

(3) increased security assistance to allies and partners in Europe, including the provision of both non-lethal equipment and lethal equipment of a defensive nature to Ukraine.

SEC. 1532. ASSISTANCE AND SUSTAINMENT TO THE MILITARY AND NATIONAL SECURITY FORCES OF UKRAINE.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—The Secretary of Defense is authorized, with the concurrence of the Secretary of State, to provide assistance, including training, equipment, lethal weapons of a defensive nature, logistics support, supplies and services, and sustainment to the military and national security forces of Ukraine, through
September 30, 2016, to assist the government of Ukraine for the following purposes:

(1) Securing its sovereign territory against foreign aggressors.

(2) Protecting and defending the Ukrainian people from attacks posed by Russian-backed separatists.

(3) Promoting the conditions for a negotiated settlement to end the conflict.

(b) NOTICE BEFORE PROVISION OF ASSISTANCE.—Of the funds authorized to be appropriated to carry out this section, not more than 10 percent of such funds may be obligated or expended until not later than 15 days after the Secretary of Defense, in coordination with the Secretary of State, submits to the appropriate congressional committees a report in unclassified form with a classified annex as appropriate that contains a description of the plan for providing such assistance, including a description of the types of training and equipment to be provided, the estimated number and role of United States Armed Forces personnel involved, the potential or actual locations of any training, and any other relevant details.

(c) QUARTERLY REPORTS.—Not later than 105 days after the date on which the Secretary of Defense submits the report required in subsection (b), and every 90 days thereafter, the Secretary of Defense, in coordination with
the Secretary of State, shall provide to the appropriate congressional committees a report on the activities carried out under this section. Such report shall include a description of the following:

(1) Updates or changes to the plan required under subsection (b).

(2) A description of the forces provided with training, equipment, or other assistance under this section during the preceding 90-day period.

(3) A description of the equipment provided under this section during the preceding 90-day period, including a detailed breakout of any lethal assistance provided.

(4) A statement of the amount of funds expended during the preceding 90-day period.

(d) VETTING.—The Secretary of Defense, in coordination with the Secretary of State, shall ensure that all assistance provided under this section is carried out in full accordance with the provisions of section 2249e of title 10, United States Code.

(e) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives; and
(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.

(f) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 2016 by this title for overseas contingency operations, $200,000,000 shall be available to carry out this section.

(g) AUTHORITY TO ACCEPT CONTRIBUTIONS.—The Secretary of Defense may accept and retain contributions, including in-kind contributions, from foreign governments, to provide assistance authorized under subsection (a). Any funds so accepted by the Secretary may be credited to the account from which funds are made available to provide assistance authorized under subsection (a) and may remain available to provide assistance authorized under subsection (a) until September 30, 2016.

(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations in which hostilities are clearly indicated by the circumstances.

(i) RELATIONSHIP TO EXISTING AUTHORITIES.—Assistance provided under the authority of subsection (a) shall be subject to the non-transfer and end-use provisions of the

Subtitle D—Limitations, Reports, and Other Matters

SEC. 1541. CONTINUATION OF EXISTING LIMITATION ON USE OF AFGHANISTAN SECURITY FORCES FUND.

(a) IN GENERAL.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2016 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) PROMOTION OF RECRUITMENT AND RETENTION OF WOMEN.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated in this Act for fiscal year 2016 for the Afghanistan Security Forces Fund, there are authorized to be appropriated $50,000,000 to be used for the recruitment and retention of women in the Afghanistan National Security Forces, including modification of facilities of the Ministry of the Interior.
and Ministry of Defense to accommodate female service members and police.

(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to modify the distribution of funds for programs and activities supported using the Afghanistan Security Forces Fund, but rather shall ensure attention to recruitment and retention of women within each program and activity.

(c) **INVENTORY AND PLAN REQUIRED.**—

(1) **INVENTORY.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the specified congressional committees an inventory of the facilities and services of the Afghan Ministry of Defense and the Ministry of the Interior that are lacking in adequate resources for Afghan female service members and police, including resources relating to training, improvement to buildings, transportation, security equipment, and new construction.

(2) **PLAN.**—Not later than 60 days after the submission of the inventory required under paragraph (1), the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the specified committees a plan to address the shortcomings of
those facilities and services that the Secretaries consider to be most significant. In developing the plan, the Secretaries shall, to the extent possible, utilize amounts authorized to be appropriated under subsection (b) to promote the recruitment and retention of Afghan female service members and police. The Secretaries shall also identify any additional funding shortcomings that would be required to fully address the identified shortcomings of those facilities and services.

(3) UPDATES.—The Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the specified congressional committees updates to the inventory required under paragraph (1) and plan required under paragraph (2) at the same time the President submits the budget under section 1105(a) of title 31, United States Code, for each fiscal year each year through fiscal year 2020.

(4) DEFINITION.—In this subsection, the term “specified congressional committees” means—

(A) the congressional defense committees;

and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.
SEC. 1542. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.


(1) to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund; or

(2) to the Director of the successor defense agency to the Joint Improvised Explosive Device Defeat Organization.

(b) EXTENSION OF INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS AUTHORITY.—

Section 1532(c)(4) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2057), as most recently amended by section 1533(c) of the National Defense Authorization Act For Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3616), is amended by strik-
ing “December 31, 2015” and inserting “December 31, 2016”.

(c) **REPEAL OF TIMELINE REQUIREMENT FOR CONSOLIDATION OF FUNDING SOURCES FOR RAPID ACQUISITION ORGANIZATIONS.**—Paragraph (3) of section 1533(b) of the National Defense Authorization Act For Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3615) is amended to read as follows:

“(3) **PLAN IMPLEMENTATION.**—The plan required by this subsection shall include a timeline for implementation of the consolidation and alignment decisions contained in the plan.”.

(d) **REPEAL OF PROHIBITION ON USE OF FUNDS.**—Subsection (d) of section 1533 of the National Defense Authorization Act For Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3616) is repealed.

(e) **TECHNICAL CORRECTION.**—Section 1533(a) of the National Defense Authorization Act For Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3615) is amended by striking “as amended by subsection (b)” and inserting “as modified by subsection (b)”.
TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1601. MAJOR FORCE PROGRAM AND BUDGET FOR NATIONAL SECURITY SPACE PROGRAMS.

(a) FINDINGS.—Congress finds the following:

(1) National security space capabilities are a key element of the national defense of the United States.

(2) Because of increasing foreign threats, the national security space advantage of the United States is facing the most challenging environment it has ever faced.

(3) To modernize and fully address the growing threat to the national security space advantage of the United States, further action is necessary to strengthen national security space leadership, management, and organization.

(4) Congress and independent expert commissions have previously stated the importance of establishing a major force program for space with separate authorities, as one of the elements to strengthen national security space.

(b) BUDGET MATTERS.—
(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 239. National security space programs: major force program and budget assessment

“(a) ESTABLISHMENT OF MAJOR FORCE PROGRAM.—
The Secretary of Defense shall establish a unified major force program for national security space programs pursuant to section 222(b) of this title to prioritize national security space activities in accordance with the requirements of the Department of Defense and national security.

“(b) BUDGET ASSESSMENT.—(1) The Secretary shall include with the defense budget materials for each of fiscal years 2017 through 2020 a report on the budget for national security space programs of the Department of Defense.

“(2) Each report on the budget for national security space programs of the Department of Defense under paragraph (1) shall include the following:

“(A) An overview of the budget, including—

“(i) a comparison between that budget, the previous budget, the most recent and prior future-years defense program submitted to Congress under section 221 of this title, and the amounts appropriated for such programs during the previous fiscal year; and

...
“(ii) the specific identification, as a budgetary line item, for the funding under such programs.

“(B) An assessment of the budget, including significant changes, priorities, challenges, and risks.

“(C) Any additional matters the Secretary determines appropriate.

“(3) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘budget’, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

“(2) The term ‘defense budget materials’, with respect to a fiscal year, means the materials submitted to Congress by the Secretary of Defense in support of the budget for that fiscal year.”.

(2) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan to carry out the unified major force program designation required by section 239(a) of title 10, United States Code, as added by paragraph
(1), including any recommendations for legislative ac-
tion the Secretary determines appropriate.

(3) CLERICAL AMENDMENT.—The table of sec-
tions at the beginning of such chapter 9 is amended
by inserting after the item relating to section 238 the
following new item:

“239. National security space programs: major force program and budget assess-
ment.”.

SEC. 1602. MODIFICATION TO DEVELOPMENT OF SPACE
SCIENCE AND TECHNOLOGY STRATEGY.

Section 2272 of title 10, United States Code, is amend-
ed to read as follows:

“§ 2272. Space science and technology strategy: coordi-
nation

“The Secretary of Defense and the Director of National
Intelligence shall jointly develop and implement a space
science and technology strategy and shall review and, as
appropriate, revise the strategy biennially. Functions of the
Secretary under this section shall be carried out jointly by
the Assistant Secretary of Defense for Research and Engi-
neering and the official of the Department of Defense des-
ignated as the Department of Defense Executive Agent for
Space.”.
SEC. 1603. ROCKET PROPULSION SYSTEM DEVELOPMENT PROGRAM.

(a) STREAMLINED ACQUISITION.—Section 1604 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c) STREAMLINED ACQUISITION.—In developing the rocket propulsion system required under subsection (a), the Secretary shall—

“(1) use a streamlined acquisition approach, including tailored documentation and review processes, that enables the effective, efficient, and expedient transition from the use of non-allied space launch engines to a domestic alternative for national security space launches; and

“(2) prior to establishing such acquisition approach, establish well-defined requirements with a clear acquisition strategy.”.

(b) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the rocket propulsion system required by section 1604 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), the
Secretary of Defense may obligate or expend such funds only for the development of such system, and the necessary interfaces to the launch vehicle, to replace non-allied space launch engines by 2019 as required by such section.

(c) BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate (and make available to any other congressional defense committee) a briefing on the streamlined acquisition approach, requirements, and acquisition strategy required under subsection (c) of section 1604 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), as inserted by subsection (a).

SEC. 1604. MODIFICATION TO PROHIBITION ON CONTRACTING WITH RUSSIAN SUPPLIERS OF ROCKET ENGINES FOR THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

Section 1608 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3626; 10 U.S.C. 2271 note) is amended to read as follows:

“(a) Prohibitions.—
“(1) Award or renewal of contract.—Except as provided by subsections (b) and (c), beginning on the date of the enactment of this Act, the Secretary of Defense may not award or renew a contract for the procurement of property or services for space launch activities under the evolved expendable launch vehicle program if such contract carries out such space launch activities using rocket engines designed or manufactured in the Russian Federation.

“(2) Modification of certain contract.—Except as provided by subsection (b), beginning on the date of the enactment of this Act, the Secretary may not modify the contract specified in subsection (c)(1)(A) if such modification increases the number of cores procured under such contract to a total of more than 35.

“(b) Waiver.—The Secretary may waive one or both of the prohibitions under paragraphs (1) and (2) of subsection (a) with respect to a contract for the procurement of property or services for space launch activities if the Secretary determines, and certifies to the congressional defense committees not later than 30 days before the waiver takes effect, that—

“(1) the waiver is necessary for the national security interests of the United States; and

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“(2) the space launch services and capabilities covered by the contract could not be obtained at a fair and reasonable price without the use of rocket engines designed or manufactured in the Russian Federation.

“(c) EXCEPTION.—

“(1) IN GENERAL.—The prohibition in subsection (a)(1) shall not apply to either—

“(A) the placement of orders or the exercise of options under the contract numbered FA8811–13–C–0003 and awarded on December 18, 2013; or

“(B) subject to paragraph (2), a contract awarded for the procurement of property or services for space launch activities that includes the use of rocket engines designed or manufactured in the Russian Federation if, prior to February 1, 2014, the contractor had fully paid for such rocket engines or had entered into a contract to procure such rocket engines.

“(2) CERTIFICATION.—The Secretary may not award or renew a contract for the procurement of property or services for space launch activities described in paragraph (1)(B) unless the Secretary, upon the advice of the General Counsel of the Department of Defense, certifies to the congressional defense
committees that the offeror has provided to the Secretary sufficient documentation to conclusively demonstrate that the offeror meets the requirements of such paragraph.”.

SEC. 1605. DELEGATION OF AUTHORITY REGARDING PURCHASE OF GLOBAL POSITIONING SYSTEM USER EQUIPMENT.

Section 913 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 2281 note) is amended by adding at the end the following new subsection:

“(d) LIMITATION ON DELEGATION OF WAIVER AUTHORITY.—The Secretary of Defense may not delegate the authority to make a waiver under subsection (c) to an official below the level of the Under Secretary of Defense for Acquisition, Technology, and Logistics.”.

SEC. 1606. ACQUISITION STRATEGY FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of the Air Force needs to develop an updated phased acquisition strategy and contracting plan for the evolved expendable launch vehicle program;
(2) beyond the contractual requirements as of the
date of the enactment of this Act, in recognition of the
emerging competitive environment, the acquisition
strategy and contracting plan should eliminate the
currently structured evolved expendable launch vehicle
launch capability arrangement;

(3) in further recognition of the emerging com-
petitive environment, the Secretary should acquire
launch services in a manner consistent with a full
and open competition;

(4) the Secretary should be consistent and fair
with evolved expendable launch vehicle providers re-
garding the requirement for certified cost and pricing
data, selection of contract types, and the appropriate
audits to protect the taxpayer; and

(5) the Secretary should—

(A) consider various contracting ap-
proaches, including launch capability arrange-
ments with multiple certified providers, to meet
the objectives identified in the acquisition strat-
egy developed under subsection (d); and

(B) continue to provide the necessary sta-
bility in budgeting and acquisition of capabili-
ties as well as the flexibility to the Federal Gov-
ernment to appropriately manage the launch
manifest in case of delays in the delivery of satellites or other changes to mission requirements.

(b) TREATMENT OF CERTAIN ARRANGEMENT.—

(1) DISCONTINUATION.—The Secretary of the Air Force shall discontinue the evolved expendable launch vehicle launch capability arrangement, as structured as of the date of the enactment of this Act, by the later of—

(A) the date on which the Secretary determines that the obligations of the contracts relating to such arrangement, as of the date of the enactment of this Act, have been met; or

(B) December 31, 2020.

(2) WAIVER.—The Secretary may waive paragraph (1) if the Secretary—

(A) determines that such waiver is necessary for the national security interests of the United States;

(B) notifies the congressional defense committees of such waiver; and

(C) a period of 90 days has elapsed following the date of such notification.

(c) CONSISTENT STANDARDS.—In accordance with section 2306a of title 10, United States Code, the Secretary shall—
(1) apply consistent and appropriate standards to certified evolved expendable launch vehicle providers with respect to certified cost and pricing data; and

(2) conduct the appropriate audits.

(d) ACQUISITION STRATEGY.—In accordance with subsections (b) and (c) and section 2273 of title 10, United States Code, the Secretary shall develop and carry out a ten-year phased acquisition strategy, including near and long term, for the evolved expendable launch vehicle program.

(e) ELEMENTS.—The acquisition strategy under subsection (d) for the evolved expendable launch vehicle program shall establish a contracting plan for such program that uses competitive procedures (as defined in section 2302 of title 10, United States Code) and ensures that a contract awarded for launch services, capability, or infrastructure—

(1) provides the necessary—

(A) stability in budgeting and acquisition of capabilities; and

(B) flexibility to the Federal Government;

and

(2) specifically takes into account the effect of—

(A) all contracts entered into by the Federal Government with, and any assistance provided
by the Federal Government to, certified evolved
expendable launch vehicle providers, including
the evolved expendable launch vehicle launch ca-
pability;

(B) the requirements of the Department of
Defense, including with respect to launch capa-
bilities and pricing data, that are met by such
providers;

(C) the cost of integrating a satellite onto a
launch vehicle; and

(D) any other matters the Secretary con-
siders appropriate.

(f) COMPETITION.—In awarding any contract for
launch services in a national security space mission pursu-
ant to a competitive acquisition, the evaluation shall ac-
count for the value of the evolved expendable launch vehicle
launch capability arrangement per contract line item num-
bers in the bid price of the offeror as appropriate per
launch.

(g) REPORT.—Not later than 180 days after the date
of the enactment of this Act, the Secretary shall submit to
the congressional defense committees, the Permanent Select
Committee on Intelligence of the House of Representatives,
and the Select Committee on Intelligence of the Senate a
report on the acquisition strategy developed under sub-
section (d).

SEC. 1607. PROCUREMENT OF WIDEBAND SATELLITE COM-
MUNICATIONS.

(a) ACQUISITION AGENT.—Except as provided by sub-
section (b)(1), not later than September 30, 2016, the Sec-
retary of Defense shall designate a single senior official of
the Department of Defense to procure wideband satellite
communications necessary to meet the requirements of the
Department of Defense for such communications, including
with respect to military and commercial satellite commu-
nications.

(b) EXCEPTION.—

(1) IN GENERAL.—Notwithstanding subsection
(a), an official described in paragraph (2) may carry
out the procurement of commercial wideband satellite
communications if the official determines that such
procurement is required to meet an urgent need.

(2) OFFICIAL DESCRIBED.—An official described
in this paragraph is any of the following:

(A) A Secretary of a military department.

(B) The Under Secretary of Defense for Ac-
quisition, Technology, and Logistics.

(C) The Chief Information Office of the De-
partment of Defense.
(D) A commander of a combatant command.

(3) ANNUAL REPORTS.—Not later than March 1, 2017, and each year thereafter through 2021, the Secretary of Defense shall submit to the congressional defense committees a report on procurement carried out under paragraph (1) during the year prior to the submission of the report, including—

(A) a brief description of the urgent need fulfilled by each such procurement;

(B) the date and length of the contract of each such procurement; and

(C) the value of each such contract.

(c) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for the Secretary to meet the requirements of the Department of Defense for satellite communications, including with respect to—

(1) the roles and responsibilities of officials of the Department; and

(2) carrying out subsections (a) and (b).
SEC. 1608. LIMITATION ON AVAILABILITY OF FUNDS FOR WEATHER SATELLITE FOLLOW-ON SYSTEM.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Air Force, for the weather satellite follow-on system may be obligated or expended until the date on which—

(1) the Secretary of Defense provides to the congressional defense committees a briefing on the plan developed under subsection (b); and

(2) the Chairman of the Joint Chiefs of Staff certifies to the congressional defense committees that such plan will—

(A) meet the requirements of the Department of Defense for cloud characterization and theater weather imagery; and

(B) not negatively affect the commanders of the combatant commands.

(b) PLAN REQUIRED.—The Secretary shall develop a plan to address the requirements of the Department of Defense for cloud characterization and theater weather imagery.
SEC. 1609. MODIFICATION OF PILOT PROGRAM FOR ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATION SERVICES.

Section 1605 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “may develop” and all that follows through “funds by the Secretary” and inserting “shall develop and carry out a pilot program”; and

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

“(4) METHODS.—In carrying out the pilot program under paragraph (1), the Secretary may use a variety of methods authorized by law to effectively and efficiently acquire commercial satellite communications services, including by carrying out multiple pathfinder activities under the pilot program.”; and

(2) in subsection (d)—

(A) in the heading, by striking “REPORTS.—” and inserting “REPORTS AND BRIEFINGS.—”; and

(B) in paragraph (1)—
(i) in the matter preceding subparagraph (A), by striking “90 days” and inserting “270 days”;

(ii) in subparagraph (A), by striking “; or” and inserting “; and”;

(iii) by amending subparagraph (B) to read as follows:

“(B) a description of the appropriate metrics established by the Secretary to meet the goals of the pilot program.”;

(C) by redesignating paragraph (2) as paragraph (3);

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

“(2) At the same time as the President submits to Congress the budget pursuant to section 1105 of title 31, for each of fiscal years 2017 through 2020, the Secretary shall provide to the congressional defense committees a briefing on the pilot program.”;

(E) in paragraph (3) (as redesignated by subparagraph (C))—

(i) in subparagraph (A), by striking “expanding the use of working capital funds to effectively and efficiently acquire” and inserting “the pilot program and whether
the pilot program effectively and efficiently
acquires”; and

(ii) subparagraph (B)(ii), by striking
“working capital funds as described in sub-
paragraph (A)” and inserting “the pilot
program”.

SEC. 1610. PROHIBITION ON RELIANCE ON CHINA AND RUS-
SIA FOR SPACE-BASED WEATHER DATA.

(a) PROHIBITION.—The Secretary of Defense shall en-
sure that the Department of Defense does not rely on, or
in the future plan to rely on, space-based weather data pro-
vided by the Government of China, the Government of Rus-
sia, or an entity owned or controlled by the Government
of China or the Government of Russia for national security
purposes.

(b) CERTIFICATION.—Not later than 90 days after the
date of the enactment of this Act, the Secretary shall submit
to the congressional defense committees a certification that
the Secretary is in compliance with the prohibition under
subsection (a).

SEC. 1611. EVALUATION OF EXPLOITATION OF SPACE-
BASED INFRARED SYSTEM AGAINST ADDI-
TIONAL THREATS.

(a) EVALUATION.—The Under Secretary of Defense for
Acquisition, Technology, and Logistics, in cooperation with
the Secretary of the Navy, the Secretary of the Air Force, and the Director of National Intelligence, shall conduct an evaluation of the space-based infrared system to detect, track, and target, or to develop the capability to detect, track and target, the full range of threats to the United States, deployed members of the Armed Forces, and the allies of the United States.

(b) Submission.—Not later than December 31, 2016, the Under Secretary shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate the evaluation under subsection (a).

SEC. 1612. PLAN ON FULL INTEGRATION AND EXPLOITATION OF OVERHEAD PERSISTENT INFRARED CAPABILITY.

(a) Plan.—Not later than 120 days after the date of the enactment of this Act, the Commander of the United States Strategic Command and the Director of Cost Assessment and Program Evaluation shall jointly submit to the appropriate congressional committees a plan for the integration of overhead persistent infrared capabilities to support the missions specified in subsection (b)(1).

(b) Elements.—The plan under subsection (a) shall—
(1) ensure that all overhead persistent infrared
capabilities of the United States, including such ca-
pabilities that are planned to be developed, are inte-
grated to allow for such capabilities to be exploited to
support the requirements of the missions of the De-
partment of Defense relating to—

(A) battle damage assessment;
(B) battlespace assessment;
(C) technical intelligence;
(D) strategic missile warning;
(E) tactical missile warning;
(F) missile defense tracking, fire control,
and kill assessment; and
(G) collection of weather data; and

(2) establish clear benchmarks by which to estab-
lish acquisition plans, manning, and budget require-
ments.

(c) ANNUAL DETERMINATION.—The Secretary of De-

fense shall include, together with, or not later than 30 days
after, the budget justification materials submitted to Con-
gress in support of the budget of the Department of Defense
for a fiscal year (as submitted with the budget of the Presi-
dent under section 1105(a) of title 31, United States Code),
a written determination of how the plan under subsection
(a) is being implemented.
(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1613. OPTIONS FOR RAPID SPACE RECONSTITUTION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Strategic Command has identified needs to rapidly reconstitute or replenish critical space capabilities;

(2) in accordance with section 915 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 826), the Department of Defense Executive Agent for Space is currently conducting a study and developing a plan regarding responsive launch in accordance with warfighter requirements; and

(3) rapid launch should avoid the creation of new Department of Defense-owned and operated infrastructure.

(b) EVALUATION.—The Secretary of Defense shall evaluate options for the use of current assets of the Depart-
ment of Defense for the purpose of rapid reconstitution of
critical space-based warfighter enabling capabilities.

(c) BRIEFING.—Not later than March 31, 2016, the
Secretary shall provide to the congressional defense commit-
tees a briefing on the evaluation conducted under subsection
(b), including development timelines, a test plan, and tech-
nology readiness levels of key systems and technologies.

SEC. 1614. SENSE OF CONGRESS ON SPACE DEFENSE.

It is the sense of Congress that, as outlined in the Na-
tional Space Policy of 2010, the United States should em-
ploy a variety of measures to help assure the use of space
for all responsible parties, and, consistent with the inherent
right of self-defense, deter others from interference and at-
tack, defend the space systems of the United States and con-
tribute to the defense of allied space systems, and, if deter-
rence fails, defeat efforts to attack them.

SEC. 1615. SENSE OF CONGRESS ON MISSILE DEFENSE SEN-
SORS IN SPACE.

(a) FINDINGS.—Congress finds the following:

(1) The Missile Defense Agency has run a suc-
cessful space sensor program with the space tracking
and surveillance system.

(2) The Missile Defense Agency is now executing
a promising and ground-breaking space sensor system
called space-based kill assessment.
(3) The future missile defense architecture will require significantly improved sensors in space to provide tracking, discrimination, and more.

(b) Sense of Congress.—It is the sense of Congress that a robust multi-mission space sensor network will be vital to ensuring a strong missile defense system.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

SEC. 1621. EXECUTIVE AGENT FOR OPEN-SOURCE INTELLIGENCE TOOLS.

(a) Executive Agent.—Subchapter I of chapter 21 of title 10, United States Code, as amended by section 1082, is further amended by adding at the end the following new section:

“§ 430b. Executive agent for open-source intelligence tools

“(a) Designation.—Not later than April 1, 2016, the Secretary of Defense shall designate a senior official of the Department of Defense to serve as the executive agent for the Department for open-source intelligence tools.

“(b) Roles, Responsibilities, and Authorities.—(1) Not later than July 1, 2016, in accordance with Directive 5101.1, the Secretary shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a).
“(2) The roles and responsibilities of the executive
agent designated under subsection (a) shall include the fol-
lowing:

“(A) Developing and maintaining a comprehen-
sive list of open-source intelligence tools and technical
standards.

“(B) Establishing priorities for the integration
of open-source intelligence tools into the intelligence
enterprise, and other command and control systems
as needed.

“(C) Certifying all open-source intelligence tools
with respect to compliance with the standards re-
quired by the framework and guidance for the Intel-
ligence Community Information Technology Enter-
prise, the Defense Intelligence Information Enterprise,
and the Joint Information Environment.

“(E) Performing such other assessments or anal-
yses as the Secretary considers appropriate.

“(c) Support Within Department of Defense.—
In accordance with Directive 5101.1, the Secretary shall en-
sure that the military departments, Defense Agencies, and
other components of the Department of Defense provide the
executive agent designated under subsection (a) with the ap-
propriate support and resources needed to perform the roles,
responsibilities, and authorities of the executive agent.
“(d) DEFINITIONS.—In this section:


“(2) The term ‘executive agent’ has the meaning given the term ‘DoD Executive Agent’ in Directive 5101.1.

“(3) The term ‘open-source intelligence tools’ means tools regarding relevant information derived from the systematic collection, processing, and analysis of publicly available information in response to known or anticipated intelligence requirements.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 430a, as added by section 1082, the following new item:

“430b. Executive agent for open-source intelligence tools.”.

SEC. 1622. WAIVER AND CONGRESSIONAL NOTIFICATION REQUIREMENTS RELATED TO FACILITIES FOR INTELLIGENCE COLLECTION OR FOR SPECIAL OPERATIONS ABROAD.

(a) ADDITION OF CONGRESSIONAL NOTIFICATION REQUIREMENT.—Section 2682(c) of title 10, United States Code, is amended—
(1) by inserting “(1)” before “The Secretary of Defense”; and

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

“(2) Not later than 48 hours after using the waiver authority under paragraph (1) for any facility for intelligence collection conducted under the authorities of the Department of Defense or special operations activity, the Secretary of Defense shall submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives written notification of the use of the authority, including the justification for the waiver and the estimated cost of the project for which the waiver applies.”.

(b) CODIFICATION OF SUNSET PROVISION.—

(1) CODIFICATION.—Section 2682(c) of title 10, United States Code, is further amended by inserting after paragraph (2), as added by subsection (a)(2), the following new paragraph:

“(3) The waiver authority provided by paragraph (1) expires December 31, 2017.”.

(2) CONFORMING REPEAL.—Subsection (b) of section 926 of the National Defense Authorization Act
for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1541; 10 U.S.C. 2682 note) is repealed.

SEC. 1623. PROHIBITION ON NATIONAL INTELLIGENCE PROGRAM CONSOLIDATION.

(a) PROHIBITION.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to execute—

(1) the separation of the National Intelligence Program budget from the Department of Defense budget;

(2) the consolidation of the National Intelligence Program budget within the Department of Defense budget; or

(3) the establishment of a new appropriations account or appropriations account structure for the National Intelligence Program budget.

(b) DEFINITIONS.—In this section:

(1) NATIONAL INTELLIGENCE PROGRAM.—The term “National Intelligence Program” has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) NATIONAL INTELLIGENCE PROGRAM BUDGET.—The term “National Intelligence Program budget—
et” means the portions of the Department of Defense budget designated as part of the National Intelligence Program.

SEC. 1624. LIMITATION ON AVAILABILITY OF FUNDS FOR DISTRIBUTED COMMON GROUND SYSTEM OF THE ARMY.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Army, for the distributed common ground system of the Army, not more than 75 percent may be obligated or expended until the Secretary of the Army—

(1) conducts a review of the program planning for the distributed common ground system of the Army; and

(2) submits to the appropriate congressional committees the report under subsection (b)(1).

(b) REPORT.—

(1) IN GENERAL.—The Secretary shall submit to the appropriate congressional committees a report on the review of the distributed common ground system of the Army conducted under subsection (a)(1).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:
(A) A review of the segmentation of the distributed common ground system program of the Army into discrete software components with the associated requirements of each component.

(B) Identification of each component of Increment 2 of the distributed common ground system of the Army for which commercial software exists that is capable of fulfilling most or all of the system requirements for each such component.

(C) A cost analysis of each such commercial software that compares performance with projected cost.

(D) Validation of the degree to which commercial software solutions are compliant with the standards required by the framework and guidance for the Intelligence Community Information Technology Enterprise, the Defense Intelligence Information Enterprise, and the Joint Information Environment.

(E) Identification of each component of Increment 2 of the distributed common ground system of the Army that the Secretary determines may be acquired through competitive means.
(F) An acquisition plan that prioritizes the acquisition of commercial software components, including a data integration layer, in time to meet the projected deployment schedule for Increment 2 of the distributed common ground system of the Army.

(G) A review of the timetable for the distributed common ground system program of the Army in order to determine whether there is a practical, executable acquisition strategy, including the use of operational capability demonstrations, that could lead to an initial operating capability of Increment 2 of the distributed common ground system of the Army prior to fiscal year 2017.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.
SEC. 1625. LIMITATION ON AVAILABILITY OF FUNDS FOR DISTRIBUTED COMMON GROUND SYSTEM OF THE UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Defense-wide, for the United States Special Operations Command for the distributed common ground system, not more than 75 percent may be obligated or expended until the Commander of the United States Special Operations Command—

(1) conducts a review of the program planning for the elements of the distributed common ground system special operations forces program, including the initiative known as “DCGS-Lite”; and

(2) submits to the appropriate congressional committees the report under subsection (b)(1).

(b) REPORT.—

(1) IN GENERAL.—The Commander shall submit to the appropriate congressional committees a report on the review of the distributed common ground system conducted under subsection (a)(1).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:
(A) A review of the segmentation of the distributed common ground system special operations forces program into discrete software components with the associated requirements of each component.

(B) Identification of each component of the distributed common ground system special operations forces program for which commercial software exists that is capable of fulfilling most or all of the system requirements for each such component.

(C) A cost analysis of each such commercial software that compares performance with projected cost.

(D) Validation of the degree to which commercial software solutions are compliant with the standards required by the framework and guidance for the Intelligence Community Information Technology Enterprise, the Defense Intelligence Information Enterprise, and the Joint Information Environment.

(E) Identification of each component of the distributed common ground system special operations forces program that the Commander deter-
mines may be acquired through competitive means.

(F) An assessment of the extent to which elements of the distributed common ground system special operations forces program could be modified to increase commercial acquisition opportunities.

(G) An acquisition plan that uses commercial software components in order to lead to initial operating capability prior to fiscal year 2017.

SEC. 1626. LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense for the Office of the Under Secretary of Defense for Intelligence, not more than 75 percent may be obligated or expended for such Office until the Secretary of Defense identifies the intelligence gaps and establishes the written policy required by section 922 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 828).
SEC. 1627. CLARIFICATION OF ANNUAL BRIEFING ON THE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE REQUIREMENTS OF THE COMBATANT COMMANDS.

Paragraph (1)(A) of section 1626 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3635) is amended by striking “each of the” and inserting “the United States Special Operations Command and each of the other”.

SEC. 1628. DEPARTMENT OF DEFENSE INTELLIGENCE NEEDS.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional defense committees and the congressional intelligence committees a report on how the Director ensures that the National Intelligence Program budgets for the elements of the intelligence community that are within the Department of Defense are adequate to satisfy the national intelligence needs of the Department as required under section 102A(p) of the National Security Act of 1947 (50 U.S.C. 3024(p)). Such report shall include a description of how the Director incorporates the needs of the Chairman of the Joint Chiefs of Staff and the commanders of the unified and specified commands into the metrics used to evaluate the performance of the elements of the intelligence community that are within the Department
of Defense in conducting intelligence activities funded under
the National Intelligence Program.

(b) DEFINITIONS.—In this section, the terms “congres-
sional intelligence committees”, “intelligence community”,
and “National Intelligence Program” have the meanings
given such terms in section 3 of the National Security Act

SEC. 1629. REPORT ON MANAGEMENT OF CERTAIN PRO-
GRAMS OF DEFENSE INTELLIGENCE ELE-
MENTS.

(a) REPORT.—Not later than 180 days after the date
of the enactment of this Act, the Under Secretary of Defense
for Intelligence shall submit to the appropriate congres-
sional committees a report on the management of science
and technology research and development programs and for-
eign materiel exploitation programs of Defense intelligence
elements.

(b) MATTERS INCLUDED.—The report under subsection
(a) shall include the following:

(1) An assessment of the management of each
Defense intelligence element that is responsible for
work relating to the programs described in subsection
(a), including with respect to the policies, procedures,
and organizational structures of such element relating
to the management and coordination of such work
across such elements.

(2) Recommendations to improve the coordination
and organization of such elements.

(3) Identification of options for realigning such
elements within the Department of Defense to better
meet the needs of the Department and reduce unnecessary overhead.

(c) DEFINITIONS.—In this section:

(1) The term “appropriate congressional com-
mittees” means—

(A) the congressional defense committees;

(B) the Permanent Select Committee on In-
telligence of the House of Representatives; and

(C) the Select Committee on Intelligence of
the Senate.

(2) The term “Defense intelligence element” has
the meaning given that term in section 429(e) of title
10, United States Code.

SEC. 1630. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW
OF INTELLIGENCE INPUT TO THE DEFENSE
ACQUISITION PROCESS.

(a) REVIEW.—The Comptroller General of the United
States shall carry out a comprehensive review of the proc-
cesses and procedures for the integration of intelligence into
the defense acquisition process, consistent with the provision of classified information, and intelligence sources and methods.

(b) REQUIREMENTS.—The review required by subsection (a) shall—

(1) identify processes and procedures for the integration of intelligence into the decision process, including with respect to the staffing and training of Defense intelligence personnel assigned to program offices, for the acquisition of weapon systems from initial requirements through the milestones process and upon final delivery; and

(2) include a review of processes and procedures for—

(A) the integration of intelligence on foreign capabilities into the acquisition process from initial requirement through deployment;

(B) identifying opportunities for weapons systems to collect intelligence, without regard to whether that is the primary mission of such systems, and the plans for exploiting the collection of such intelligence; and

(C) assessing the requirements weapon systems will place on the Defense Intelligence Enterprise once the weapons systems are deployed.
(c) Report.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives, a report containing the results of the review required by subsection (a).

Subtitle C—Cyberspace-Related Matters

Sec. 1641. Codification and Addition of Liability Protections Relating to Reporting on Cyber Incidents or Penetrations of Networks and Information Systems of Certain Contractors.

(a) Codification and Amendment.—Section 941 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1889; 10 U.S.C. 2224 note) is transferred to chapter 19 of title 10, United States Code, inserted so as to appear after section 392, redesignated as section 393, and amended—

(1) by amending the section heading to read as follows:
“§ 393. Reporting on penetrations of networks and information systems of certain contractors”;

and

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

“(d) PROTECTION FROM LIABILITY OF CLEARED DEFENSE CONTRACTORS.—(1) No cause of action shall lie or be maintained in any court against any cleared defense contractor, and such action shall be promptly dismissed, for compliance with this section that is conducted in accordance with the procedures established pursuant to subsection (a).

“(2)(A) Nothing in this section shall be construed—

“(i) to require dismissal of a cause of action against a cleared defense contractor that has engaged in willful misconduct in the course of complying with the procedures established pursuant to subsection (a); or

“(ii) to undermine or limit the availability of otherwise applicable common law or statutory defenses.

“(B) In any action claiming that paragraph (1) does not apply due to willful misconduct described in subparagraph (A), the plaintiff shall have the burden of proving by clear and convincing evidence the willful misconduct by each cleared defense contractor subject to such claim and...
that such willful misconduct proximately caused injury to the plaintiff.

“(C) In this subsection, the term ‘willful misconduct’ means an act or omission that is taken—

“(i) intentionally to achieve a wrongful purpose;

“(ii) knowingly without legal or factual justification; and

“(iii) in disregard of a known or obvious risk that is so great as to make it highly probable that the harm will outweigh the benefit.”.

(b) ADDITION OF LIABILITY PROTECTIONS FOR REPORTING ON CYBER INCIDENTS.—Section 391 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) PROTECTION FROM LIABILITY OF OPERATIONAL CRITICALLY CONTRACTORS.—(1) No cause of action shall lie or be maintained in any court against any operationally critical contractor, and such action shall be promptly dismissed, for compliance with this section that is conducted in accordance with procedures established pursuant to subsection (b).

“(2)(A) Nothing in this section shall be construed—
“(i) to require dismissal of a cause of action against an operationally critical contractor that has engaged in willful misconduct in the course of complying with the procedures established pursuant to subsection (b); or

“(ii) to undermine or limit the availability of otherwise applicable common law or statutory defenses.

“(B) In any action claiming that paragraph (1) does not apply due to willful misconduct described in subparagraph (A), the plaintiff shall have the burden of proving by clear and convincing evidence the willful misconduct by each operationally critical contractor subject to such claim and that such willful misconduct proximately caused injury to the plaintiff.

“(C) In this subsection, the term ‘willful misconduct’ means an act or omission that is taken—

“(i) intentionally to achieve a wrongful purpose;

“(ii) knowingly without legal or factual justification; and

“(iii) in disregard of a known or obvious risk that is so great as to make it highly probable that the harm will outweigh the benefit.”.

(c) CONFORMING AND TECHNICAL AMENDMENTS.—
(1) Section 391 of title 10, United States Code, is amended in subsection (a) by striking “with section 941 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2224 note)” and inserting “and section 393 of this title”.

(2) The table of sections for chapter 19 of such title is amended—

(A) by amending the item relating to section 391 to read as follows:

“391. Reporting on cyber incidents with respect to networks and information systems of operationally critical contractors and certain other contractors.”; and

(B) by inserting at the end the following new item:

“393. Reporting on penetrations of networks and information systems of certain contractors.”.

Subtitle D—Nuclear Forces

SEC. 1651. ORGANIZATION OF NUCLEAR DETERRENCE FUNCTIONS OF THE AIR FORCE.

(a) OVERSIGHT OF NUCLEAR DETERRENCE MISSION.—Subject to the authority, direction, and control of the Secretary of the Air Force, the Chief of Staff of the Air Force shall be responsible for overseeing the safety, security, reliability, effectiveness, and credibility of the nuclear deterrence mission of the Air Force.
(b) Deputy Chief of Staff.—Not later than March 1, 2016, the Chief of Staff shall designate a Deputy Chief of Staff to carry out the following duties:

(1) Provide direction, guidance, integration, and advocacy regarding the nuclear deterrence mission of the Air Force.

(2) Conduct monitoring and oversight activities regarding the safety, security, reliability, effectiveness, and credibility of the nuclear deterrence mission of the Air Force.

(3) Conduct periodic comprehensive assessments of all aspects of the nuclear deterrence mission of the Air Force and provide such assessments to the Secretary of the Air Force and the Chief of Staff of the Air Force.

(c) Role of Major Command.—

(1) Consolidation.—Not later than March 30, 2016, the Secretary of the Air Force shall consolidate, to the extent the Secretary determines appropriate, under a major command commanded by a single general officer the responsibility, authority, accountability, and resources for carrying out the nuclear deterrence mission of the Air Force.

(2) Functions.—The major command described in paragraph (1) shall be responsible, to the extent the
Secretary determines appropriate, for carrying out all elements and activities relating to the nuclear deterrence mission of the Air Force. Such elements include nuclear weapons, nuclear weapon delivery systems, and the nuclear command, control, and communication system. Such activities include the following:

(A) Planning and execution of modernization programs.

(B) Procurement and acquisition.

(C) Research, development, test, and evaluation.

(D) Sustainment.

(E) Operations.

(F) Training.

(G) Safety and security.

(H) Research, education, and applied science relating to nuclear deterrence and assurance.

(I) Such other functions of the nuclear deterrence mission as the Secretary determines appropriate.

(d) REPORT.—Not later than January 1, 2016, the Secretary of the Air Force shall submit to the congressional defense committees a report on the plans of the Secretary and the resources required to implement this section.
SEC. 1652. ASSESSMENT OF THREATS TO NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

Section 171a of title 10, United States Code, is amended—

(1) by redesignating subsections (f), (g), and (h), as subsections (g), (h), and (i), respectively;

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

“(f) COLLECTION OF ASSESSMENTS ON CERTAIN THREATS.—The Council shall collect and assess (consistent with the provision of classified information, and intelligence sources and methods) all reports and assessments otherwise conducted by the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) regarding foreign threats, including cyber threats, to the command, control, and communications system for the national leadership of the United States and the vulnerabilities of such system to such threats.”; and

(3) in subsection (e), by adding at the end the following new paragraph:

“(5) An assessment of the threats and vulnerabilities described in the reports and assessments collected under subsection (f) during the period covered by the report, including any plans to address such threats and vulnerabilities.”.
SEC. 1653. PROCUREMENT AUTHORITY FOR CERTAIN PARTS
OF INTERCONTINENTAL BALLISTIC MISSILE
FUZES.

(a) AVAILABILITY OF FUNDS.—Notwithstanding sec-
tion 1502(a) of title 31, United States Code, of the amount
authorized to be appropriated for fiscal year 2016 by sec-
tion 101 and available for Missile Procurement, Air Force
as specified in the funding table in section 4101,
$13,700,000 shall be available for the procurement of cov-
ered parts pursuant to contracts entered into under section
1645(a) of the National Defense Authorization Act for Fis-
cal Year 2015 (Public Law 113–291).

(b) COVERED PARTS DEFINED.—In this section, the
term “covered parts” means commercially available off the-
shelf items as defined in section 104 of title 41, United
States Code.

SEC. 1654. ANNUAL BRIEFING ON THE COSTS OF FORWARD-
DEPLOYING NUCLEAR WEAPONS IN EUROPE.

(a) IN GENERAL.—Not later than 30 days after the
date on which the President submits to Congress the budget
for each of fiscal years 2016 through 2020 under section
1105 of title 31, United States Code, the Secretary of De-
fense shall provide to the congressional defense committees
a briefing on the costs of forward-deploying nuclear weap-
ons in Europe.
(b) ELEMENTS.—Each briefing required under paragraph (1) shall include the following:

(1) The contributions of the United States, including with respect to sustainment (operations and maintenance) and manpower, to support forward-deployed nuclear weapons in Europe, during the fiscal year following the date of the briefing and the period covered by the future-years defense program submitted to Congress under section 221 of title 10, United States Code, for that fiscal year.

(2) Recent or planned contributions of the United States for security enhancements relating to such forward-deployed nuclear weapons.

(3) Any other contributions, including burden-share costs by the United States, for other security enhancements and upgrades relating to such forward-deployed nuclear weapons, including infrastructure upgrades at weapons storage sites in Europe.

SEC. 1655. SENSE OF CONGRESS ON IMPORTANCE OF CO-OPERATION AND COLLABORATION BETWEEN UNITED STATES AND UNITED KINGDOM ON NUCLEAR ISSUES.

It is the sense of Congress that—

(1) cooperation and collaboration under the 1958 Mutual Defense Agreement and the 1963 Polaris Sales
Agreement are fundamental elements of the security of the United States and the United Kingdom as well as international stability;

(2) the recent renewal of the Mutual Defense Agreement and the continued work under the Polaris Sales Agreement underscore the enduring and long-term value of the agreements to both countries; and

(3) the vital efforts performed under the purview of both the Mutual Defense Agreement and the Polaris Sales Agreement are critical to sustaining and enhancing the capabilities and knowledge base of both countries regarding nuclear deterrence, nuclear non-proliferation and counterproliferation, and naval nuclear propulsion.

SEC. 1656. SENSE OF CONGRESS ON ORGANIZATION OF NAVY FOR NUCLEAR DETERRENCE MISSION.

(a) FINDINGS.—Congress finds the following:

(1) The safety, security, reliability, and credibility of the nuclear deterrent of the United States is a vital national security priority.

(2) Nuclear weapons require special consideration because of the political and military importance of the weapons, the destructive power of the weapons, and the potential consequences of an accident or unauthorized act involving the weapons.
(3) The assured safety, security, and control of nuclear weapons and related systems are of paramount importance.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Navy has repeatedly demonstrated the commitment and prioritization of the Navy to the nuclear deterrence mission of the Navy;

(2) the emphasis of the Navy on ensuring a safe, secure, reliable, and credible sea-based nuclear deterrent force has been matched by an equal emphasis on ensuring the assured safety, security, and control of nuclear weapons and related systems ashore; and

(3) the Navy is commended for the actions the Navy has taken subsequent to the 2014 Nuclear Enterprise Review to ensure continued focus on the nuclear deterrent mission by all ranks within the Navy, including the clarification and assignment of specific responsibilities and authorities within the Navy contained in OPNAV Instruction 8120.1 and SECNAV Instruction 8120.1B.
Subtitle E—Missile Defense Programs

SEC. 1661. PROHIBITIONS ON PROVIDING CERTAIN MISSILE DEFENSE INFORMATION TO RUSSIAN FEDERATION.

(a) Prohibitions.—

(1) In general.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 130g. Prohibitions on providing certain missile defense information to Russian Federation

“(a) Certain ‘hit-to-kill’ Technology and Telemetry Data.—None of the funds authorized to be appropriated or otherwise made available for any fiscal year for the Department of Defense may be used to provide the Russian Federation with ‘hit-to-kill’ technology and telemetry data for missile defense interceptors or target vehicles.

“(b) Other Sensitive Missile Defense Information.—None of the funds authorized to be appropriated or otherwise made available for any fiscal year for the Department of Defense may be used to provide the Russian Federation with—

“(1) information relating to velocity at burnout of missile defense interceptors or targets of the United States; or
“(2) classified or otherwise controlled missile defense information.

“(c) ONE-TIME WAIVER.—The President, without delegation, may waive the prohibition in subsection (a) or (b) once if—

“(1) such one-time waiver is used only to provide, in a single instance, the Russian Federation with information regarding ballistic missile early warning; and

“(2) the Chairman of the Joint Chiefs of Staff, the Commander of the United States Strategic Command, and the Commander of the United States European Command, jointly certify to the President and the congressional defense committees that the provision of such information pursuant to such waiver is required because of a failure of the early warning system of the Russian Federation.

“(d) SUNSET.—The prohibitions in subsection (a) and (b) shall expire on January 1, 2031.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130f the following new item:

“130g. Prohibitions on providing certain missile defense information to Russian Federation.”.

(1) by striking subsection (c); and

(1) in the heading, by striking “AND LIMITATIONS” and all that follows through “FEDERATION”.

SEC. 1662. PROHIBITION ON INTEGRATION OF MISSILE DEFENSE SYSTEMS OF CHINA INTO MISSILE DEFENSE SYSTEMS OF UNITED STATES.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended to integrate a missile defense system of the People’s Republic of China into any missile defense system of the United States.

SEC. 1663. PROHIBITION ON INTEGRATION OF MISSILE DEFENSE SYSTEMS OF RUSSIAN FEDERATION INTO MISSILE DEFENSE SYSTEMS OF UNITED STATES AND NATO.

None of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2016 through 2031 for the Department of Defense or for contribu-
tions of the United States to the North Atlantic Treaty Or-
ganization may be obligated or expended to integrate a mis-
sile defense system of the Russian Federation into any mis-
sile defense system of the United States or NATO.

SEC. 1664. LIMITATION ON AVAILABILITY OF FUNDS FOR
LONG-RANGE DISCRIMINATING RADAR.

(a) SENSE OF THE CONGRESS.—It is the sense of the
Congress that—

(1) the long-range discriminating radar will be
a critically important addition to the ballistic missile
defense system;

(2) such radar will offer needed capability to re-
respond to emerging ballistic missile threats involving
countermeasures and decoys; and

(3) the Department of Defense should take all
appropriate steps to ensure that such radar is oper-
ational in 2020.

(b) LIMITATION.—No funds authorized to be appro-
priated may be obligated or expended for military construc-
tion for the long-range discriminating radar (other than
for planning and design) until—

(1) the Director of Cost Assessment and Program
Evaluation submits to the congressional defense com-
mittees the cost assessment conducted under subsection
(c)(1);
(2) the Commander of the United States Strategic Command and the Commander of the United States Northern Command jointly certify to the congressional defense committees that the site for the long-range discriminating radar proposed by the Director of the Missile Defense Agency—

(A) best supports missile defense and space situational awareness; and

(B) based on the cost assessment conducted under subsection (c)(1), is the most cost-effective option; and

(3) a period of 60 days elapses following the date of such certification.

(c) COST ASSESSMENT.—

(1) IN GENERAL.—The Director of Cost Assessment and Program Evaluation shall conduct a cost assessment providing the costs of the complete ground-based radar and other sensor configurations required to provide the same or comparable missile defense tracking and discrimination data as the long-range discriminating radar sites under consideration by the Director of the Missile Defense Agency.

(2) SUBMISSION.—Not later than 60 days after the date of the enactment of this Act, the Director of Cost Assessment and Program Evaluation shall sub-
mit to the congressional defense committees, the Director of the Missile Defense Agency, the Commander of the United States Strategic Command, and the Commander of the United States Northern Command the cost assessment conducted under paragraph (1).

SEC. 1665. LIMITATIONS ON AVAILABILITY OF FUNDS FOR PATRIOT LOWER TIER AIR AND MISSILE DEFENSE CAPABILITY OF THE ARMY.

(a) LIMITATION.—Except as provided by subsection (c), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for any program described in subsection (b) may be obligated or expended unless—

(1) the Secretary of the Army certifies to the congressional defense committees that the analysis of alternatives regarding the Patriot lower tier air and missile defense capability of the Army has been submitted to such committees;

(2) a period of 60 days has elapsed following the date on which the Secretary makes the certification under paragraph (1); and

(3) the Under Secretary of Defense for Acquisition, Technology, and Logistics certifies to such committees that such obligation or expenditure of funds on such programs is consistent with the findings of
the analysis of alternatives described in paragraph
(1) to modernize the Patriot lower tier air and mis-
sile defense capability of the Army.

(b) Program Described.—A program described in
this subsection are the following components and capabili-
ties of the Patriot air and missile defense system:

(1) Radar capability development, radar im-
provements, the digital sidelobe canceller, or the radar
digital processor of the lower tier air and missile de-
defense program of the Army.

(2) The enhanced launcher electronic system.

(c) Waiver.—The Under Secretary of Defense for Ac-
quision, Technology, and Logistics may waive the limita-
tions in subsection (a) if the Under Secretary—

(1) determines that such waiver—

(A) is caused by the delay of the analysis of
alternatives described in paragraph (1) of such
subsection; and

(B) is necessary to avoid an unacceptable
risk to mission performance;

(2) notifies the congressional defense committees
of such waiver; and

(3) pursuant to such waiver, obligates or expends
funds only in amounts necessary to avoid such unac-
ceptable risk to mission performance.
SEC. 1666. INTEGRATION AND INTEROPERABILITY OF AIR AND MISSILE DEFENSE CAPABILITIES OF THE UNITED STATES.

(a) Interoperability of Missile Defense Systems.—The Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff, acting through the Missile Defense Executive Board, shall ensure the interoperability and integration of the covered air and missile defense capabilities of the United States with such capabilities of allies of the United States, including by carrying out operational testing.

(b) Annual Demonstration.—

(1) Requirement.—Except as provided by paragraph (2), the Director of the Missile Defense Agency and the Secretary of the Army shall jointly ensure that not less than one intercept or flight test is carried out each year that demonstrates the interoperability and integration of the covered air and missile defense capability of the United States.

(2) Waiver.—The Director and the Secretary may waive the requirement in paragraph (1) with respect to an intercept or flight test carried out during the year covered by the waiver if the Under Secretary of Defense for Acquisition, Technology, and Logistics—
(A) determines that such waiver is necessary for such year; and

(B) submits to the congressional defense committees notification of such waiver, including an explanation for how such waiver will not negatively affect demonstrating the interoperability and integration of the covered air and missile defense capability of the United States.

(c) Definitions.—In this section, the term “covered air and missile defense capabilities” means Patriot air and missile defense batteries and associated interceptors and systems, Aegis ships and associated ballistic missile interceptors (including Aegis Ashore capability), AN/TPY–2 radars, and terminal high altitude area defense batteries and interceptors.

SEC. 1667. INTEGRATION OF ALLIED MISSILE DEFENSE CAPABILITIES.

(a) Assessments.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, each covered commander shall submit to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff an assessment on opportunities for the integration and interoperability of covered air and missile defense capabilities of the United States with such capabilities
of allies of the United States located in the area of
responsibility of the commander, particularly with re-
spect to such allies who acquired such capabilities
through foreign military sales by the United States.
Each assessment shall include an assessment of the
key technology, security, command and control, and
policy requirements necessary to achieve such an inte-
grated and interoperable air and missile defense ca-
pability in a manner that ensures burden sharing
and furthers the force multiplication goals of the
United States.

(2) SUBMISSION.—Not later than 30 days after
the date on which a covered commander submits to
the Secretary and the Chairman an assessment under
paragraph (1), the Secretary shall submit to the con-
gressional defense committees a report containing
such assessment, without change.

(b) INTEGRATION, INTEROPERABILITY, AND COMMAND-
AND-CONTROL.—The Secretary and the Chairman, in co-
ordination with the Secretary of the Army, the Chief of
Staff of the Army, the Secretary of the Navy, and the Chief
of Naval Operations, shall carry out the planning, risk as-
se ssments, policy development, and concepts of operations
necessary for each covered commander to ensure that the
integration, interoperability, and command-and-control of
air and missile defense capabilities described in subsection (a)(1) occur by not later than December 31, 2017.

(c) QUARTERLY BRIEFINGS.—Not later than 270 days after the date of the enactment of this Act, and each 90-day period thereafter through December 31, 2017, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly provide to the congressional defense committees a briefing that describes the progress made by the Secretary, the Chairman, and the covered commanders with respect to carrying out subsection (b), including an identification of each required action that has not been taken as of the date of the report.

(d) DEFINITIONS.—In this section:

(1) The term “covered air and missile defense capabilities” means Patriot air and missile defense batteries and associated interceptors and systems, Aegis ships and associated ballistic missile interceptors (including Aegis Ashore capability), AN/TPY–2 radars, and terminal high altitude area defense batteries and interceptors.

(2) The term “covered commander” means the following:

(A) The Commander of the United States European Command.
(B) The Commander of the United States Central Command.

(C) The Commander of the United States Pacific Command.

SEC. 1668. MISSILE DEFENSE CAPABILITY IN EUROPE.

(a) AEGIS ASHORE SITES.—

(1) POLAND.—The Secretary of Defense, in coordination with the Secretary of State, shall ensure that the Aegis Ashore site to be deployed in the Republic of Poland has anti-air warfare capability upon such site achieving full operating capability.

(2) ROMANIA.—The Secretary of Defense, in coordination with the Secretary of State, shall develop and implement a plan to provide anti-air warfare capability to the Aegis Ashore site deployed in the Republic of Romania by not later than December 31, 2018.

(3) EVALUATION OF CERTAIN MISSILES.—The Secretary shall evaluate the feasibility, benefit, and cost of using the evolved sea sparrow missile or the standard missile 2 in providing the anti-air warfare capability described in paragraphs (1) and (2).

(b) CAPABILITIES IN EUROPEAN COMMAND AREA OF RESPONSIBILITY.—
(1) Rotational deployment.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that a terminal high altitude area defense battery is available for rotational deployment to the area of responsibility of the United States European Command unless the Secretary notifies the congressional defense committees that such battery is needed in the area of responsibility of another combatant command.

(2) Pre-positioning sites.—The Secretary of Defense shall examine potential sites in the area of responsibility of the United States European Command to pre-position a terminal high altitude area defense battery.

(3) Studies.—

(A) Not later than 90 days after the date of the enactment of this Act, the Secretary shall conduct studies to evaluate—

(i) not fewer than three sites in the area of responsibility of the United States European Command for the deployment of a terminal high altitude area defense battery in the event that the deployment of such a battery is determined to be necessary; and
(ii) not fewer than three sites in such area for the deployment of a Patriot air and missile defense battery in the event that such a deployment is determined to be necessary.

(B) In evaluating sites under clauses (i) and (ii) of subparagraph (A), the Secretary shall determine which sites are best for defending—

(i) the Armed Forces of the United States; and

(ii) the member states of the North Atlantic Treaty Organization.

(4) AGREEMENTS.—If the Secretary of Defense determines that a deployment described in clause (i) or (ii) of paragraph (3)(A) is necessary and the appropriate host nation requests such a deployment, the President shall seek to enter into the necessary agreements with the host nation to carry out such deployment.

SEC. 1669. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.

(a) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by section 101 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $41,400,000 may be provided to the Government
of Israel to procure radars for the Iron Dome short-range rocket defense system as specified in the funding table in section 4101, including for co-production of such radars in the United States by industry of the United States.

(b) CONDITIONS.—

(1) AGREEMENT.—Funds described in subsection (a) to produce the Iron Dome short-range rocket defense program shall be available subject to the terms, conditions, and co-production targets specified for fiscal year 2015 in the “Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement,” signed on March 5, 2014. In negotiations by the Missile Defense Agency and the Missile Defense Organization of the Government of Israel regarding such production, the goal of the United States is to maximize opportunities for co-production of the radars described subsection (a) in the United States by industry of the United States.

(2) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in subsection (a), the Director of the Missile Defense Agency and the Under Secretary of Defense for Acqui-
sition, Technology, and Logistics shall jointly submit
to the appropriate congressional committees—

(A) a certification that the agreement specified in paragraph (1) is being implemented as
provided in such agreement; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1670. ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND POTENTIAL CO-PRODUCTION.

(a) AVAILABILITY OF FUNDS FOR CERTAIN PROGRAMS.—

(1) IN GENERAL.—Subject to subsections (b) and (c), of the funds authorized to be appropriated by section 101 for procurement, Defense-wide, and available for the Missile Defense Agency, as specified in the funding table in section 4101—
(A) not more than $150,000,000 may be provided to the Government of Israel to procure the David’s Sling weapon system; and

(B) not more than $15,000,000 may be provided to the Government of Israel to procure the Arrow 3 upper tier development program.

(2) PROCUREMENT AND CO-PRODUCTION.—The use of funds under subparagraphs (A) and (B) of paragraph (1) shall—

(A) be carried out only with respect to procurement activities; and

(B) include the co-production of parts and components in the United States by United States industry.

(b) CONDITION ON USE OF FUNDS.—The Director of the Missile Defense Agency may not carry out subparagraphs (A) or (B) of subsection (a)(1) unless—

(1) the Director and the Under Secretary of Defense for Acquisition, Technology, and Logistics jointly certify to the appropriate congressional committees that—

(A) the knowledge points and production readiness agreements of the research, development, test, and evaluation agreements for the David’s Sling weapon system or the Arrow 3
upper tier development program, respectively, have been successfully completed;

(B) such subparagraphs shall be carried out with the Government of Israel matching funds in an amount equal to the amount of funds provided by the United States; and

(C) the United States and the Government of Israel have entered into a bilateral agreement that—

(i) establishes the terms of co-production of parts and components described in subsection (a)(2) pursuant to the teaming agreements previously entered into regarding the co-development of such weapon system and development program in a manner that minimizes non-recurring engineering and facilitization expenses;

(ii) establishes complete transparency on the requirement of Israel for the number of interceptors and batteries of such weapon system and development program that will be procured;

(iii) allows the Director and Under Secretary to establish technical milestones for co-production and procurement of the
such weapon system and development program; and

(iv) establishes joint approval processes for third-party sales of such weapon system and development program; and

(2) a period of 90 days has elapsed following the date of such certification.

(c) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1671. DEVELOPMENT AND DEPLOYMENT OF MULTIPLE-OBJECT KILL VEHICLE FOR MISSILE DEFENSE OF THE UNITED STATES HOMELAND.

(a) Sense of Congress.—It is the sense of Congress that—

(1) the ballistic missile defense of the United States homeland is the highest priority of the Missile Defense Agency;

(2) the Missile Defense Agency is appropriately prioritizing the design, development, and deployment of the redesigned kill vehicle; and
(3) the multiple-object kill vehicle is critical to the future of the ballistic missile defense of the United States homeland.

(b) **MULTIPLE-OBJECT KILL VEHICLE.**—

(1) **DEVELOPMENT.**—The Director of the Missile Defense Agency shall develop a highly reliable multiple-object kill vehicle for the ground-based midcourse defense system using best acquisition practices.

(2) **DEPLOYMENT.**—The Director shall—

(A) conduct rigorous flight testing of the multiple-object kill vehicle developed under paragraph (1) by not later than 2020; and

(B) recognizing the primacy of developing the redesigned kill vehicle, produce and deploy the multiple-object kill vehicle as early as practicable after the date on which the Director carries out paragraph (1).

(c) **CAPABILITIES AND CRITERIA.**—The Director shall ensure that the multiple-object kill vehicle developed under subsection (b)(1) meets, at a minimum, the following capabilities and criteria:

(1) Vehicle-to-vehicle communications.

(2) Vehicle-to-ground communications.

(3) Kill assessment capability.
(4) The ability to counter advanced counter measures, decoys and penetration aids.

(5) Produceability and manufacturability.

(6) Use of technology involving high technology readiness levels.

(7) Options to be integrated onto other missile defense interceptor vehicles other than the ground-based interceptors of the ground-based midcourse defense system.

(d) PROGRAM MANAGEMENT.—The management of the multiple-object kill vehicle program under subsection (b) shall report directly to the Deputy Director of the Missile Defense Agency.

(e) REPORT ON FUNDING PROFILE.—Not later than 30 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a report on the funding profile of the multiple-object kill vehicle program under subsection (b).

SEC. 1672. BOOST PHASE DEFENSE SYSTEM.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) prioritize technology investments in the Department of Defense to support efforts by the Missile Defense Agency to develop and field a boost phase defense system by fiscal year 2022;
(2) ensure that development and fielding of a boost phase missile defense layer to the ballistic missile defense system supports multiple war fighter missile defense requirements, including, specifically, protection of the United States homeland and allies of the United States against ballistic missiles, particularly in the boost phase;

(3) continue development and fielding of high-energy lasers and high-power microwave systems as part of a layered architecture to defend ships and theater bases against air and cruise missile strikes; and

(4) encourage collaboration among the military departments and the Defense Advanced Research Projects Agency with respect to high energy laser efforts carried out in support of the Missile Defense Agency.

(b) Research and Development of Boost Phase Missile Defense.—

(1) Senior Level Advisory Group.—The Director of the Missile Defense Agency shall establish a senior level advisory group (consisting of individuals with expertise in industry, science, and Department of Defense program management) to recommend to the Director promising technologies, including such technologies recommended by industry, that the Direc-
tor can evaluate for use as a boost phase missile defense layer.

(2) BRIEFING.—Not later than May 1, 2016, the Director shall provide to the congressional defense committees a briefing on—

(A) the recommendations of the senior level advisory group under paragraph (1);

(B) a plan for developing one or more programs of record for boost phase missile defense systems; and

(C) the views of the Director regarding such recommendations and plan.

SEC. 1673. EAST COAST HOMEPORT OF SEA-BASED X-BAND RADAR.

(a) HOMEPORT.—Subject to subsection (b), not later than December 31, 2020, the Secretary of the Navy shall—

(1) reassign the homeport of the sea-based X-band radar to a homeport on the East Coast of the United States; and

(2) ensure that such vessel has an at-sea capability of not less than 120 days per year.

(b) CERTIFICATION.—The Secretary may not carry out subsection (a) until the date on which the Director of the Missile Defense Agency certifies to the congressional defense committees that Hawaii will have adequate missile defense
coverage prior to the reassignment of the homeport of the
sea-based X-band radar as described in such subsection.

(c) Required Studies and Evaluations.—Not later than 60 days after the date of the enactment of this Act, the Director shall commence any siting studies, environmental impact assessments or statements, homeport agreements for sea-based X-band radar support, evaluations of any needed pier modifications, and evaluations of any communications capabilities or other requirements to carry out the homeport reassignment under subsection (a)(1).

SEC. 1674. PLAN FOR MEDIUM RANGE BALLISTIC MISSILE DEFENSE SENSOR ALTERNATIVES FOR ENHANCED DEFENSE OF HAWAII.

(a) Sense of Congress.—It is the sense of Congress that—

(1) expanding persistent midcourse and terminal ballistic missile defense system discrimination capability is critically important to the defense of the Nation;

(2) such discrimination capability is needed to respond to emerging ballistic missile threats involving countermeasures and decoys; and

(3) the Department of Defense should take all appropriate steps to ensure Hawaii has adequate missile defense coverage.
(b) EVALUATION AND PLAN.—

(1) EVALUATION.—The Director of the Missile Defense Agency shall conduct an evaluation of potential options for fielding medium range ballistic missile defense sensor alternatives for the defense of Hawaii, including—

(A) the use of the Aegis Ashore Missile Defense Test Complex land-based system at the Pacific Missile Range Facility in Hawaii;

(B) the use of existing sensor assets in the region; and

(C) other options the Director determines appropriate.

(2) SUBMITTAL OF PLAN.—Not later than 60 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a plan for the missile defense of Hawaii, which shall include—

(A) a summary of the findings of the evaluation conducted under paragraph (1);

(B) estimated acquisition and operating costs for each sensor option; and

(C) a timeline for deployment of the sensor.
SEC. 1675. RESEARCH AND DEVELOPMENT OF NON-TERRESTRIAL MISSILE DEFENSE LAYER.

(a) In General.—Not later than 30 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall commence the concept definition, design, research, development, and engineering evaluation of a space-based ballistic missile intercept and defeat layer to the ballistic missile defense system that—

(1) shall provide increased access to ballistic missile targets, independent of adversary country size and threat trajectory;

(2) may provide a boost-phase layer for missile defense; and

(3) may provide additional defensive options against direct ascent anti-satellite weapons and hypersonic glide vehicles and maneuvering re-entry vehicles.

(b) Elements.—The activities carried out under subsection (a) shall include, at a minimum the following:

(1) Initiate formal steps for potential integration into the architecture of the ballistic missile defense system.

(2) Mature planning for early proof of concept component demonstrations.

(3) Draft operation concepts in the context of a multi-layer architecture.
(4) Identification of proof of concept vendor sources for demo components and subassemblies.

(5) The development of a multiyear technology and risk reduction investment plan.

(6) Commence development of proof of concept master program phasing schedule.

(7) Identification of proof of concept long lead items.

(8) Mature options for an acquisition strategy.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a report that includes—

(1) the findings of the concept development required by subsection (a);

(2) a plan for developing one or more programs of record for a non-terrestrial missile defense layer; and

(3) the views of the Director regarding such findings and plan.

(d) BRIEFING.—Not later the March 31, 2016, the Director shall provide to the congressional defense committees an interim briefing on the plan described in subsection (c)(2).
SEC. 1676. AEGIS ASHORE CAPABILITY DEVELOPMENT.

(a) Evaluation.—

(1) In general.—The Director of the Missile Defense Agency, in coordination with the Chief of Naval Operations and the Chief of Staff of the Army, shall evaluate the role, feasibility, cost, and cost benefit of additional Aegis Ashore sites and upgrades to current ballistic missile defense system sensors to offset capacity demands on current Aegis ships, Aegis Ashore sites, and Patriot and Terminal High Altitude Area Defense capability and to meet the requirements of the combatant commanders.

(2) Submission.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall—

(A) review the evaluation conducted under paragraph (1); and

(B) submit to the congressional defense committees such evaluation and the results of such review.

(b) Identification of FMS Obstacles.—

(1) In general.—The Under Secretary of Defense for Policy and the Secretary of State shall jointly identify any obstacles to foreign military sales of Aegis Ashore or co-financing of additional Aegis
Ashore sites. Such evaluation shall include, with appropriate coordination with other agencies and departments of the Federal Government as appropriate, the feasibility of host nation manning or dual manning with the United States and such host nation.

(2) Submission.—

(A) Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall provide to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate an interim briefing on the identification of obstacles under paragraph (1).

(B) Not later than one year after the date of the enactment of this Act, the Under Secretary shall submit to such committees a report on such identification.

(c) Negotiations.—

(1) In general.—The President shall seek to enter into host nation agreements for Aegis Ashore sites and co-financing and co-development opportunities as appropriate if the sites meet the requirements of the combatant commanders.
(2) Submission.—Not later than one year after the date of the enactment of this Act, the President shall transmit to the congressional defense, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate the status of efforts to seek to enter into agreements described in paragraph (1).

SEC. 1677. BRIEFINGS ON PROCUREMENT AND PLANNING OF LEFT-OF-LAUNCH CAPABILITY.

(a) Briefing on Current Capability.—Not later than 90 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall provide to the appropriate congressional committees a briefing on the military requirement for left-of-launch capability and any current gaps in meeting such requirement.

(b) Briefing on Joint Review and Plan to Develop and Procure Capabilities.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall jointly provide to the appropriate congressional committees a briefing on the plan of the Secretary and the Director to develop and procure the left-of-launch capabilities as described in the briefing under subsection (a).
(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2016”.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefore) shall expire on the later of—

(1) October 1, 2018; or
(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2018; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2019 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII and title XXIX shall take effect on the later of—

(1) October 1, 2015; or

(2) the date of the enactment of this Act.
TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Fort Greely</td>
<td>$7,800,000</td>
</tr>
<tr>
<td>California</td>
<td>Concord</td>
<td>$98,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$5,800,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>$90,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Fort Drum</td>
<td>$19,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>United States Military Academy</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Bliss</td>
<td>$69,400,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Lee</td>
<td>$33,000,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military construction project for the installation outside the United States, and in the amount, set forth in the following table:
720

Army: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Grafenwoehr</td>
<td>$51,000,000</td>
</tr>
</tbody>
</table>

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Camp Rudder</td>
<td>Family Housing</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Rock Island</td>
<td>Family Housing</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Camp Walker</td>
<td>Family Housing</td>
<td>$61,000,000</td>
</tr>
</tbody>
</table>

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with
respect to the construction or improvement of family housing units in an amount not to exceed $7,195,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed $3,500,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appro-
priated under subsection (a), as specified in the funding
table in section 4601.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT
CERTAIN FISCAL YEAR 2013 PROJECT.

In the case of the authorization contained in the table
in section 2101(a) of the Military Construction Authoriza-
tion Act for Fiscal Year 2013 (division B of Public Law
112–239; 126 Stat. 2119) for the United States Military
Academy, New York, for construction of a Cadet barracks
building at the installation, the Secretary of the Army may
install mechanical equipment and distribution lines suffi-
cient to provide chilled water for air conditioning the nine
existing historical Cadet barracks which are being ren-
ovated through the Cadet Barracks Upgrade Program.

SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN
FISCAL YEAR 2012 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the
Military Construction Authorization Act for Fiscal Year
2012 (division B of Public Law 112–81; 125 Stat. 1660),
the authorizations set forth in the table in subsection (b),
as provided in section 2101 of that Act (125 Stat. 1661)
and extended by section 2107 of the Military Construction
Authorization Act for Fiscal Year 2015 (division B of Pub-
lic Law 113–291; 128 Stat. 3673), shall remain in effect
until October 1, 2016, or the date of the enactment of an
Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) as follows:

Army: Extension of 2012 Project Authorizations

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Fort Benning</td>
<td>Land Acquisition</td>
<td>$5,100,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Land Acquisition</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>Road and Infrastructure Improvements</td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>

SEC. 2107. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (126 Stat. 2119), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later:

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2013 Project Authorizations

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District of Columbia</td>
<td>Fort McNair</td>
<td>Vehicle Storage Building, Installation</td>
<td>$7,191,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Riley</td>
<td>Unmanned Aerial Vehicle Complex</td>
<td>$12,184,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>Aerial Gunnery Range</td>
<td>$41,945,000</td>
</tr>
<tr>
<td>Texas</td>
<td>JB San Antonio</td>
<td>Barracks</td>
<td>$20,971,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>Secure Admin/Operations Facility</td>
<td>$93,876,000</td>
</tr>
</tbody>
</table>
SEC. 2108. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECTS.

(a) BRUSSELS.—The Secretary of the Army may carry out a military construction project to construct a multi-sport athletic field and track and perimeter road and fencing and acquire approximately 5 acres of land adjacent to the existing Sterrebeek Dependent School site to allow relocation of Army functions to the site in support of the European Infrastructure Consolidation effort, in the amount of $6,000,000.

(b) RHINE ORDNANCE BARRACKS.—

(1) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a military construction project to construct a vehicle bridge and traffic circle to facilitate traffic flow to and from the Medical Center at Rhine Ordnance Barracks, Germany, in the amount of $12,400,000.

(2) USE OF HOST-NATION PAYMENT-IN-KIND FUNDS.—The Secretary may use available host-nation payment-in-kind funding for the project described in paragraph (1).

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>Camp Ederle</td>
<td>barracks</td>
<td>$35,952,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Sagami</td>
<td>Vehicle Maintenance Shop</td>
<td>$17,976,000</td>
</tr>
</tbody>
</table>
TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Yuma</td>
<td>$50,635,000</td>
</tr>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>$44,540,000</td>
</tr>
<tr>
<td></td>
<td>Coronado</td>
<td>$4,856,000</td>
</tr>
<tr>
<td></td>
<td>Lemoore</td>
<td>$71,830,000</td>
</tr>
<tr>
<td></td>
<td>Point Mugu</td>
<td>$22,427,000</td>
</tr>
<tr>
<td></td>
<td>San Diego</td>
<td>$37,366,000</td>
</tr>
<tr>
<td></td>
<td>Twenty-ninth Palms</td>
<td>$9,160,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Jacksonville</td>
<td>$16,751,000</td>
</tr>
<tr>
<td></td>
<td>Mayport</td>
<td>$16,159,000</td>
</tr>
<tr>
<td></td>
<td>Pensacola</td>
<td>$18,347,000</td>
</tr>
<tr>
<td></td>
<td>Whiting Field</td>
<td>$10,421,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Albany</td>
<td>$7,851,000</td>
</tr>
<tr>
<td></td>
<td>Kings Bay</td>
<td>$8,099,000</td>
</tr>
<tr>
<td></td>
<td>Tocoroc</td>
<td>$48,279,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$181,768,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Barking Sands</td>
<td>$30,623,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$14,881,000</td>
</tr>
<tr>
<td></td>
<td>Kaneohe Bay</td>
<td>$106,618,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Patuxent River</td>
<td>$40,953,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$34,849,000</td>
</tr>
<tr>
<td></td>
<td>Cherry Point</td>
<td>$34,426,000</td>
</tr>
<tr>
<td></td>
<td>New River</td>
<td>$8,430,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Parris Island</td>
<td>$57,075,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Divine Neck</td>
<td>$23,066,000</td>
</tr>
<tr>
<td></td>
<td>Norfolk</td>
<td>$120,677,000</td>
</tr>
<tr>
<td></td>
<td>Portsmouth</td>
<td>$45,513,000</td>
</tr>
<tr>
<td></td>
<td>Quantico</td>
<td>$58,199,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Bangor</td>
<td>$34,177,000</td>
</tr>
<tr>
<td></td>
<td>Bremerton</td>
<td>$22,680,000</td>
</tr>
<tr>
<td></td>
<td>Indian Island</td>
<td>$4,472,000</td>
</tr>
</tbody>
</table>
(b) Outside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan</td>
<td>Camp Butler</td>
<td>$11,697,000</td>
</tr>
<tr>
<td></td>
<td>Iwakuni</td>
<td>$17,923,000</td>
</tr>
<tr>
<td></td>
<td>Kadena AB</td>
<td>$23,310,000</td>
</tr>
<tr>
<td></td>
<td>Yokosuka</td>
<td>$43,846,000</td>
</tr>
</tbody>
</table>

SEC. 2202. FAMILY HOUSING.

(a) Construction and Acquisition.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installation or location, in the number of units, and in the amount set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia</td>
<td>Wallops Island</td>
<td>Family Housing New Construction</td>
<td>$438,000</td>
</tr>
</tbody>
</table>
(b) **Planning and Design.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,588,000.

**Sec. 2203. Improvements to Military Family Housing Units.**

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $11,515,000.

**Sec. 2204. Authorization of Appropriations, Navy.**

(a) **Authorization of Appropriations.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.
(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2205. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (125 Stat. 1666) and extended by section 2208 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3678), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

•HR 1735 RH
Navy: Extension of 2012 Project Authorizations

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Camp Pendleton ..........</td>
<td>Infantry Squad Defense Range ....</td>
<td>$29,187,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Jacksonville ............</td>
<td>P-8A Hangar Upgrades ............</td>
<td>$6,085,00</td>
</tr>
<tr>
<td>Georgia</td>
<td>Kings Bay ...............</td>
<td>Crab Island Security Enclave ....</td>
<td>$52,943,000</td>
</tr>
</tbody>
</table>

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (126 Stat. 2122), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2013 Project Authorizations

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Camp Pendleton ..........</td>
<td>Comm. Information Systems Ops Complex .......</td>
<td>$78,897,000</td>
</tr>
<tr>
<td></td>
<td>Coronado ................</td>
<td>Bachelor Quarters ....</td>
<td>$76,063,000</td>
</tr>
<tr>
<td></td>
<td>Twentynine Palms .......</td>
<td>Land Expansion</td>
<td>$47,370,000</td>
</tr>
<tr>
<td>Greece</td>
<td>Souda Bay ...............</td>
<td>Intermodal Access Road ...........</td>
<td>$4,630,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Beaufort ...............</td>
<td>Recycling/Hazardous Waste Facility ....</td>
<td>$3,743,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Quantico ...............</td>
<td>Infrastructure—Widen Russell Road</td>
<td>$14,896,000</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Various Worldwide Locations</td>
<td>BAMS Operational Facilities ....</td>
<td>$34,048,000</td>
</tr>
</tbody>
</table>
SEC. 2207. TOWNSEND BOMBING RANGE EXPANSION, PHASE 2.

(a) Conveyance Authority.—With respect to the authorization contained in section 2201(a) for expansion of Townsend Bombing Range to support Marine Corps Air Station, Beaufort, Georgia, the Secretary of the Navy may convey, without consideration, to McIntosh County and Long County, Georgia (in this section referred to as the “County”), all right, title, and interest of the United States in and to two fire and emergency response stations to be constructed as part of the land acquisition.

(b) Use of Conveyed Property.—

(1) Provision of Secondary Fire and Emergency Support.—As a condition for the construction and conveyance under subsection (a) of the fire and emergency response stations, each County shall enter into a mutual support agreement with the Secretary of the Navy to provide secondary fire and emergency support for the Townsend Bombing Range. Each County shall agree to equip, staff, and operate the fire and emergency response station conveyed to that County in accordance with the terms of the agreement.

(2) Subsequent Payment of Consideration.—If the Secretary of the Navy determines that a fire and emergency response station conveyed to a
County under subsection (a) is ever put to a primary use other than as a fire and emergency response station, that County shall pay, at the election of the Secretary, an amount equal to the then current fair market value of the fire and emergency response station, as determined by the Secretary.

(c) **ENVIRONMENTAL AND ZONING REQUIREMENTS.**—Each County shall be responsible for meeting any environmental requirements associated with the County-owned land, including any permits, or other local zoning processes, in preparation for the construction of the fire and emergency response station on the land.

(d) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

(e) **CONVEYANCE AGREEMENT.**—The conveyance of real property under subsection (a) shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Navy and the County, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.
TITLE XXIII—AIR FORCE
MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND
LAND ACQUISITION PROJECTS.

(a) Inside the United States.—Using amounts ap-
propriated pursuant to the authorization of appropriations
in section 2304(a) and available for military construction
projects inside the United States as specified in the funding
table in section 4601, the Secretary of the Air Force may
acquire real property and carry out military construction
projects for the installations or locations inside the United
States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Eielson Air Force Base</td>
<td>$71,400,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$16,900,000</td>
</tr>
<tr>
<td></td>
<td>Luke Air Force Base</td>
<td>$56,700,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Air Force Academy</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Cape Canaveral Air Force Station</td>
<td>$21,000,000</td>
</tr>
<tr>
<td></td>
<td>Eglin Air Force Base</td>
<td>$8,700,000</td>
</tr>
<tr>
<td></td>
<td>Hurlburt Field</td>
<td>$14,300,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$50,800,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$46,000,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>McConnell Air Force Base</td>
<td>$4,300,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Whiteman Air Force Base</td>
<td>$29,500,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Malstrom Air Force Base</td>
<td>$19,700,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nellis Air Force Base</td>
<td>$68,950,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$7,800,000</td>
</tr>
<tr>
<td></td>
<td>Holloman Air Force Base</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Seymour Johnson Air Force Base</td>
<td>$15,100,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Altus Air Force Base</td>
<td>$8,400,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$106,000,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$38,400,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F.E. Warren Air Force Base</td>
<td>$95,000,000</td>
</tr>
<tr>
<td>CONUS Classified</td>
<td>Classified Location</td>
<td>$77,130,000</td>
</tr>
</tbody>
</table>

(b) Outside the United States.—Using amounts
appropriated pursuant to the authorization of appropria-
tions in section 2304(a) and available for military con-
struction projects outside the United States as specified in
the funding table in section 4601, the Secretary of the Air
Force may acquire real property and carry out the military
construction projects for the installations or locations out-
side the United States, and in the amounts, set forth in
the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenland</td>
<td>Thule Air Base</td>
<td>$41,965,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Kadena Air Base</td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td>Yokota Air Base</td>
<td>$8,461,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Croughton Royal Air Force</td>
<td>$130,615,000</td>
</tr>
</tbody>
</table>

**SEC. 2302. FAMILY HOUSING.**

Using amounts appropriated pursuant to the author-
ization of appropriations in section 2304(a) and available
for military family housing functions as specified in the
funding table in section 4601, the Secretary of the Air Force
may carry out architectural and engineering services and
construction design activities with respect to the construc-
tion or improvement of family housing units in an amount
not to exceed $9,849,000.

**SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

Subject to section 2825 of title 10, United States Code,
and using amounts appropriated pursuant to the author-
ization of appropriations in section 2304(a) and available
for military family housing functions as specified in the
funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $150,649,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2636) for Hickam Air Force Base, Ha-
waive, for construction of a ground control tower at the installation, the Secretary of the Air Force may install communications cabling.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

(a) AUTHORIZATION.—In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 993) for Royal Air Force Lakenheath, United Kingdom, for construction of a Guardian Angel Operations Facility at the installation, the Secretary of the Air Force may construct the facility at an unspecified location within the United States European Command’s area of responsibility.

(b) NOTICE AND WAIT REQUIREMENT.—Before the Secretary of the Air Force commences construction of the Guardian Angel Operations Facility at an alternative location, as authorized by subsection (a)—

(1) the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing a description of the project, including the rational for selection of the project location; and

(2) a period of 14 days has expired following the date on which the report is received by the committees
or, if over sooner, a period of 7 days has expired following the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of title 10, United States Code.

SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3679) for McConnell Air Force Base, Kansas, for construction of a KC-46A Alter Composite Maintenance Shop at the installation, the Secretary of the Air Force may construct a 696 square meter (7,500 square foot) facility consistent with Air Force guidelines for composite maintenance shops.

SEC. 2308. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2012 PROJECT.

until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Air Force: Extension of 2012 Project Authorization**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>Siganella Naval Air Station</td>
<td>UAS SATCOM Relay Pads and Facility</td>
<td>$15,000,000</td>
</tr>
</tbody>
</table>

SEC. 2309. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2013 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (126 Stat. 2126), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Air Force: Extension of 2013 Project Authorization**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Portugal</td>
<td>Lajes Field</td>
<td>Sanitary Sewer Lift/ Pump Station</td>
<td>$2,000,000</td>
</tr>
</tbody>
</table>
SEC. 2310. LIMITATION ON PROJECT AUTHORIZATION TO
CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

(a) Project Conditioned on Submission of Report.—No amounts may be expended for the construction of the Joint Intelligence Analysis Complex Consolidation, Phase 2, at Royal Air Force Croughton, United Kingdom, as authorized by section 2301(b) until the Secretary of the Air Force, in coordination with the Director of the Defense Intelligence Agency, submits a report to the congressional defense committees that provides—

(1) a summary of the alternatives considered to support continuity of operations of critical communications and intelligence capabilities located at, and to be consolidated to, Royal Air Force Croughton, United Kingdom; and

(2) a list of critical communications and intelligence capabilities that were considered under continuity of operations planning.

(b) Limitation on Related Realignment Actions.—On and after the date of the enactment of this Act, no additional action to realign forces at Lajes Air Force Base, Azores, shall be taken until the Secretary of Defense certifies to the congressional defense committees that the Secretary of Defense has determined, based on an analysis of operational requirements, that Lajes Air Force Base is
not an optimal location for the Joint Intelligence Analysis Complex, or any of the critical communications or intelligence capabilities considered pursuant to subsection (a)(2). The certification shall include a discussion of the basis for the Secretary’s determination.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Fort Rucker</td>
<td>$46,787,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Maxwell Air Force Base</td>
<td>$32,968,000</td>
</tr>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>$10,181,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$8,243,000</td>
</tr>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>$21,600,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Hurlburt Field</td>
<td>$17,989,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Moody Air Force Base</td>
<td>$10,900,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Kaneohe Bay</td>
<td>$122,071,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Campbell</td>
<td>$12,553,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade</td>
<td>$722,817,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Neliss Air Force Base</td>
<td>$39,900,000</td>
</tr>
</tbody>
</table>

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Defense Agencies: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$45,111,000</td>
</tr>
<tr>
<td>New York</td>
<td>United States Military Academy</td>
<td>$55,778,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$69,006,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bragg</td>
<td>$185,674,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Wright-Patterson Air Force Base</td>
<td>$6,623,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Klamath Falls International Airport</td>
<td>$2,500,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Philadelphia</td>
<td>$49,700,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Fort Jackson</td>
<td>$26,157,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$61,776,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Arlington National Cemetery</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Joint Base Langley-East</td>
<td>$38,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Expeditionary Base Little Creek-Story</td>
<td></td>
</tr>
</tbody>
</table>

(b) Outside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Garmisch</td>
<td>$14,676,000</td>
</tr>
<tr>
<td></td>
<td>Grafenwoehr</td>
<td>$38,138,000</td>
</tr>
<tr>
<td></td>
<td>Spangdahlem Air Base</td>
<td>$39,571,000</td>
</tr>
<tr>
<td></td>
<td>Stuttgart-Patch Barracks</td>
<td>$49,413,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Kadena Air Base</td>
<td>$37,385,000</td>
</tr>
<tr>
<td>Spain</td>
<td>Roba</td>
<td>$13,737,000</td>
</tr>
</tbody>
</table>

Sec. 2402. Authorized Energy Conservation Projects.

(a) Inside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation...
projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, in the amount set forth in the table:

Energy Conservation Projects: Inside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Edwards AFB</td>
<td>$4,550,000</td>
</tr>
<tr>
<td></td>
<td>Fort Hunter Liggett</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Schriever AFB</td>
<td>$4,400,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>N&amp;N Washington/Naval Research Lab</td>
<td>$10,990,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$13,780,000</td>
</tr>
<tr>
<td></td>
<td>MCR Kaneohe Bay</td>
<td>$5,740,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Mountain Home AFB</td>
<td>$9,122,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Malmstrom AFB</td>
<td>$4,260,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Pentagon/Arlington</td>
<td>$4,528,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$14,770,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Samoa</td>
<td>Wake Island</td>
<td>$5,331,000</td>
</tr>
<tr>
<td>Bahamas</td>
<td>Ascension Aux Airfield St Helena</td>
<td>$5,500,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Naval Base Guam</td>
<td>$5,820,000</td>
</tr>
<tr>
<td>Japan</td>
<td>CPA Yokoska</td>
<td>$13,940,000</td>
</tr>
</tbody>
</table>

(c) LIMITATION ON SET-ASIDE OF FACILITIES RESTORATION AND MODERNIZATION PROGRAM FUNDS FOR ENERGY PROJECTS.—Amounts appropriated pursuant to the
authorization of appropriation in Section 301 for operation and maintenance and made available for facilities restoration and modernization may not be set-aside for the exclusive purpose of funding energy projects on military installations. Installation energy projects must compete in the normal process of determining installation requirements.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.
SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

In the case of the authorization in the table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), as amended by section 2404(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 1632), for Fort Meade, Maryland, for construction of the High Performance Computing Center at the installation, the Secretary of Defense may construct a generator plant capable of producing up to 60 megawatts of back-up electrical power in support of the 60 megawatt technical load.

SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (125 Stat. 1672) and extended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3685), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.
(b) TABLE.—The table referred to in subsection (a) is as follows:

**Defense Agencies: Extension of 2012 Project Authorizations**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Naval Base Coronado</td>
<td>SOF Support Activity Operations Facility</td>
<td>$38,800,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Heliport Control</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tower and Fire Station</td>
<td>$6,457,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pedestrian Plaza</td>
<td>$2,285,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Pentagon Reservation</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2401(a) of that Act (126 Stat. 2127), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Defense Agencies: Extension of 2013 Project Authorizations**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Naval Base Coronado</td>
<td>SOF Support Activity Operations Facility</td>
<td>$9,327,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>High Altitude Medical Research Center</td>
<td>$3,600,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Pikes Peak</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl</td>
<td>SOF SDVT-1 Waterfront</td>
<td>$22,384,000</td>
</tr>
<tr>
<td></td>
<td>Harbor-Hickam</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Def Distribution</td>
<td>Replace Reservoir</td>
<td>$4,300,000</td>
</tr>
<tr>
<td></td>
<td>Depot New Cumberland</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SEC. 2407. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

(a) MODIFICATION.—In the case of the authorization contained in the table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 995), for Fort Knox, Kentucky, for construction of an Ambulatory Care Center at the installation, the Secretary of Defense may construct a 102,000-square foot medical clinic at the installation in the amount of $80,000,000 using appropriations available for the project pursuant to the authorization of appropriations in section 2403 of such Act (127 Stat. 998).

(b) DURATION OF AUTHORITY.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorization set forth in subsection (a) shall remain in effect until October 1, 2018, or the date of enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.
TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.
TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a) and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connecticut</td>
<td>Camp Hartell</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Palm Coast</td>
<td>$18,000,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Sparta</td>
<td>$1,900,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Salina</td>
<td>$6,700,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Easton</td>
<td>$13,800,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Reno</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Camp Ravenna</td>
<td>$3,200,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Salem</td>
<td>$16,500,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Fort Indiantown Gap</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>Vermont</td>
<td>North Hyde Park</td>
<td>$7,900,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Richmond</td>
<td>$29,000,000</td>
</tr>
</tbody>
</table>
SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION
AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a) and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Army Reserve</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>California</td>
</tr>
<tr>
<td>Florida</td>
</tr>
<tr>
<td>New York</td>
</tr>
<tr>
<td>Pennsylvania</td>
</tr>
</tbody>
</table>

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a) and available for the National Guard and Reserve as specified in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:
749

Navy Reserve and Marine Corps Reserve

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nevada</td>
<td>Fallon</td>
<td>$11,480,000</td>
</tr>
<tr>
<td>New York</td>
<td>Brooklyn</td>
<td>$2,479,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Dam Neck</td>
<td>$18,443,000</td>
</tr>
</tbody>
</table>

**SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a) and available for the National Guard and Reserve as specified in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

**Air National Guard**

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Dannelly Field</td>
<td>$7,600,000</td>
</tr>
<tr>
<td>California</td>
<td>Moffett Field</td>
<td>$6,500,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Air Force Base</td>
<td>$5,100,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Savannah/Hilton Head International Airport</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>Iowa</td>
<td>Des Moines Municipal Airport</td>
<td>$6,700,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Smokey Hill Range</td>
<td>$2,900,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>New Orleans</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Bangor International Airport</td>
<td>$7,200,000</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Ponce International Trade Port</td>
<td>$2,800,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Atlantic City International Airport</td>
<td>$10,200,000</td>
</tr>
<tr>
<td>New York</td>
<td>Niagara Falls International Airport</td>
<td>$7,700,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Charlotte/Douglas International Airport</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Hector International Airport</td>
<td>$7,200,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Will Rogers World Airport</td>
<td>$7,600,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Klamath Falls International Airport</td>
<td>$7,200,000</td>
</tr>
<tr>
<td>West Virginia</td>
<td>Yeager Airport</td>
<td>$8,900,000</td>
</tr>
</tbody>
</table>

**SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a) and available for the National Guard and Reserve as specified in section...
4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>March Air Force Base</td>
<td>$4,600,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Patrick Air Force Base</td>
<td>$3,400,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Youngstown</td>
<td>$9,400,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$9,900,000</td>
</tr>
</tbody>
</table>

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under sections 2601 through 2605 of this Act may not exceed the sum of the total amount au-
authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

Subtitle B—Other Matters

SEC. 2611. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

(a) Modification.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2135) for Aberdeen Proving Ground, Maryland, for construction of an Army Reserve Center at that location, the Secretary of the Army may construct a new facility in the vicinity of Aberdeen Proving Ground, Maryland.

(b) Duration of Authority.—Notwithstanding section 2002 of the Military Construction Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorization set forth in subsection (a) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

SEC. 2612. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year
2012 (division B of Public Law 112–81; 125 Stat. 1660),
the authorizations set forth in the table in subsection (b),
as provided in section 2602 of that Act (125 Stat. 1678),
and extended by section 2611 of the Military Construction
Authorization Act for Fiscal Year 2015 (division B of Pub-
lic Law 113–291; 128 Stat. 3690), shall remain in effect
until October 1, 2016, or the date of the enactment of an
Act authorizing funds for military construction for fiscal
year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is
as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kansas</td>
<td>Kansas City</td>
<td>Army Reserve Center</td>
<td>$13,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Attleboro</td>
<td>Army Reserve Center</td>
<td>$22,000,000</td>
</tr>
</tbody>
</table>

SEC. 2613. EXTENSION OF AUTHORIZATIONS OF CERTAIN
FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the
Military Construction Authorization Act for Fiscal Year
2013 (division B of Public Law 112–239; 126 Stat. 2118),
the authorizations set forth in the table in subsection (b),
as provided in sections 2601, 2602, and 2603 of that Act
(126 Stat. 2134, 2135) shall remain in effect until October
1, 2016, or the date of the enactment of an Act authorizing
funds for military construction for fiscal year 2017, which-
ever is later.
(b) **TABLE.—**The table referred to in subsection (a) is as follows:

*Extension of 2013 National Guard and Reserve Project Authorizations*

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Yuma</td>
<td>Reserve Training Facility</td>
<td>$5,379,000</td>
</tr>
<tr>
<td>California</td>
<td>Tustin</td>
<td>Army Reserve Center</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Iowa</td>
<td>Fort Des Moines</td>
<td>Joint Reserve Center</td>
<td>$19,162,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>New Orleans</td>
<td>Transient Quarters</td>
<td>$7,187,000</td>
</tr>
<tr>
<td>New York</td>
<td>Camp Smith (Stormville)</td>
<td>Combined Support</td>
<td>$24,000,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maintenance Shop Phase 1</td>
<td></td>
</tr>
</tbody>
</table>

**TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES**

**SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (divi-
sion B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. REVISION OF CONGRESSIONAL NOTIFICATION THRESHOLDS FOR RESERVE FACILITY EXPENDITURES AND CONTRIBUTIONS TO REFLECT CONGRESSIONAL NOTIFICATION THRESHOLDS FOR MINOR CONSTRUCTION AND REPAIR PROJECTS.

Section 18233a of title 10, United States Code, is amended—

(1) in subsection (a), by striking “in an amount in excess of $750,000” and inserting “in excess of the amount specified in section 2805(b)(1) of this title”; and
(2) in subsection (b)(3), by striking “section 2811(e) of this title) that costs less than $7,500,000” and inserting “subsection (e) of section 2811 of this title) that costs less than the amount specified in subsection (d) of such section”.

SEC. 2802. AUTHORITY FOR ACCEPTANCE AND USE OF CONTRIBUTIONS FROM KUWAIT FOR CONSTRUCTION, MAINTENANCE, AND REPAIR PROJECTS MUTUALLY BENEFICIAL TO THE DEPARTMENT OF DEFENSE AND KUWAIT MILITARY FORCES.

(a) AUTHORITY.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section:

“§2350n. Authority to accept and use contributions for construction, maintenance, and repair projects mutually beneficial to the Department of Defense and Kuwait military forces

“(a) AUTHORITY TO ACCEPT AND USE CONTRIBUTIONS.—The Secretary of Defense, with the concurrence of the Secretary of State, may accept cash contributions from the government of Kuwait for the purpose of paying costs in connection with construction (including military construction not otherwise authorized by law), maintenance,
and repair projects in Kuwait that are mutually beneficial to the Department of Defense and Kuwait military forces.

“(b) Deposit and Availability.—Contributions accepted under subsection (a) shall be deposited in an account established in the Treasury and shall be available to the Secretary of Defense, in such amounts as may be provided in advance in appropriation Acts, until expended for a purpose specified in subsection (a).

“(c) Determination of Mutually Beneficial.—A construction, maintenance, or repair project is mutually beneficial for purposes of subsection (a) if—

“(1) the project is in support of a bilateral United States and Kuwait defense cooperation agreement; or

“(2) the Secretary of Defense determines, with the concurrence of the Secretary of State, that the United States may derive a benefit from the project, including—

“(A) access to and use of facilities of Kuwait military forces;

“(B) ability or capacity for future posture; and

“(C) increased interoperability between United States armed forces and Kuwait military forces.
“(d) LIMITATION ON ANNUAL OBLIGATIONS.—The maximum amount that the Secretary of Defense, with the concurrence of the Secretary of State, may obligate in any fiscal year under this section is $50,000,000.

“(e) NOTICE AND WAIT.—When a decision is made to carry out a construction, maintenance, or repair project using contributions accepted under subsection (a) and the estimated cost of the project will exceed the thresholds prescribed by section 2805 of this title, the Secretary of Defense shall notify in writing the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives of that decision, of the justification for the project, and of the estimated cost of the project. The project may then be carried out only after the end of the 21-day period beginning on the date the notification is received by the committees or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.

“(f) EXPIRATION OF AUTHORITY.—The authority to carry out construction, maintenance, and repair projects under this section expires on September 30, 2020.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 138 of title 10,
United States Code, is amended by adding at the end the following new item:

“2350n. Authority to accept and use contributions for construction, maintenance, and repair projects mutually beneficial to the Department of Defense and Kuwait military forces.”.

SEC. 2803. DEFENSE LABORATORY MODERNIZATION PILOT PROGRAM.

(a) PROGRAM AUTHORIZED.—The Secretary of Defense may carry out, using amounts authorized to be appropriated to the Department of Defense for Research, Development, Test, and Evaluation, such military construction projects as are authorized in a Military Construction Authorization Act at—

(1) any Department of Defense Science and Technology Reinvention Laboratory (as designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note); and

(2) Department of Defense Federally Funded Research and Development Centers that function primarily as research laboratories located on a military installation on facilities owned by the Government.

(b) SCOPE OF PROJECT AUTHORITY.—Authority provided by law to carry out a military construction project under this section includes authority for—

(1) surveys, site preparation, and advanced planning and design;
(2) acquisition, conversion, rehabilitation, and installation of facilities;

(3) acquisition and installation of equipment and appurtenances integral to the project; acquisition and installation of supporting facilities (including utilities) and appurtenances incident to the project; and

(4) planning, supervision, administration, and overhead expenses incident to the project.

(c) Submission of Project Requests.—The Secretary of Defense shall include military construction projects proposed to be carried out under this section in the budget justification documents for the Department of Defense submitted to Congress in connection with the budget for a fiscal year submitted under 1105 of title 31, United States Code.

(d) Projects Described.—The authority provided by this section shall be used for military construction projects that—

(1) will support research and development activities at laboratories described in subsection (a)(1) of more than one military department or Defense Agency and centers described in subsection (a)(2);

(2) will establish facilities that will have significant potential for use by entities outside the Depart-
ment of Defense, including universities, industrial partners, and other Federal agencies; and

(3) are endorsed for funding by more than one military department or Defense Agency.

(e) FUNDING LIMITATION.—The maximum amount that may be obligated in any fiscal year under the authority provided by this section is $150,000,000.

(f) TERMINATION OF AUTHORITY.—The authority provided by this section shall terminate on October 1, 2020.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. ENHANCEMENT OF AUTHORITY TO ACCEPT CONDITIONAL GIFTS OF REAL PROPERTY ON BEHALF OF MILITARY SERVICE ACADEMIES.

Section 2601 of title 10, United States Code, is amended—

(1) by redesigning subsections (e), (f), (g), (h), and (i) as subsections (f), (g), (h), (i), and (j), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) ACCEPTANCE OF REAL PROPERTY GIFTS; NAMING RIGHTS.—(1) The Secretary concerned may accept a gift under subsection (a) or (b) consisting of the provision, acquisition, enhancement, or construction of real property of-
ferred to the United States Military Academy, the Naval Academy, the Air Force Academy, or the Coast Guard Academy even though the gift will be subject to the condition that the real property, or a portion thereof, bear a specified name.

“(2) A gift may not be accepted under paragraph (1) if—

“(A) the acceptance of the gift or the imposition of the naming-rights condition would reflect unfavorably upon the United States, as provided in subsection (d)(2); or

“(B) the real property to be subject to the condition, or portion thereof, has been named by an act of Congress.

“(3) The Secretaries concerned shall issue uniform regulations governing the circumstances under which gifts conditioned on naming rights may be accepted, appropriate naming conventions, and suitable display standards.”.

SEC. 2812. CONSULTATION REQUIREMENT IN CONNECTION WITH DEPARTMENT OF DEFENSE MAJOR LAND ACQUISITIONS.

Section 2664(a) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “No military department”;
(2) by inserting after the first sentence the following new paragraph:

“(2) If the real property acquisition is a major land acquisition inside a State, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, or any territory or possession of the United States, the Secretary concerned shall consult with the chief executive officer of the State, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, or the territory or possession in which the land is located to determine options for completing the real property acquisition.”;

(3) by striking “The foregoing limitation” and inserting the following:

“(3) The limitations imposed by paragraphs (1) and (2); and

(4) by adding at the end the following new paragraph:

“(4) In this subsection, the term ‘major land acquisition’ means any land acquisition not covered by the authority to acquire low-cost interests in land under section 2663(c) of this title.”.
SEC. 2813. ADDITIONAL MASTER PLAN REPORTING REQUIREMENTS RELATED TO MAIN OPERATING BASES, FORWARD OPERATING SITES, AND COOPERATIVE SECURITY LOCATIONS OF CENTRAL COMMAND AND AFRICA COMMAND AREAS OF RESPONSIBILITY.

Section 2687a(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) In the case of each report under paragraph (1) submitted during fiscal years 2016 through 2020, the report also shall address or include the following with respect to each main operating base, forward operating site, or cooperative security location within the Area of Responsibility of the Central Command or Africa Command:

“(A) The strategic goal and operational requirements supported by the base, site, or location, and the basis for any infrastructure improvements to the base, site, or location.

“(B) The estimated steady-state population of the base, site, or location, including the number of military personnel, Department of Defense civilian personnel, and non-Department of Defense personnel, including contractors.

“(C) A prioritized list of all anticipated near-term, mid-term, and long-term infrastructure projects for the base, site, or location, an estimated total cost

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to complete each project, and expected start and completion dates.

“(D) A discussion of the medical services and support services, including capacities of commissaries, exchanges, or other support services, necessary to support the steady-state population of the base, site, or location, including any necessary investments in facilities to provide these services.

“(E) Current estimated costs, including United States appropriated funds and host-nation contributions, addressing all costs associated with constructing, sustaining, repairing, or modernizing the infrastructure necessary to support the United States military posture at the base, site, or location.

“(F) A long-term funding plan for the base, site, or location, identifying the military department or Defense Agency to be responsible for providing funding for the base, site, or location and the sources of funds for construction of new facilities, sustainment and restoration of existing facilities, and operations and maintenance costs.

“(G) A summary of the terms of agreements with the host nation, including access agreements, status-of-forces agreements, or other implementing agreements, and their specific terms (such as timeframe
and cost) and limitations on United States presence and operations.

“(H) A comparison and explanation of any changes made from the report submitted in the previous year regarding the items required by the preceding subparagraphs.”.

SEC. 2814. FORCE-STRUCTURE PLAN AND INFRASTRUCTURE INVENTORY AND ASSESSMENT OF INFRASTRUCTURE NECESSARY TO SUPPORT THE FORCE STRUCTURE.

(a) Preparation and Submission of Force-structure Plans and Infrastructure Inventory.—As part of the budget justification documents submitted to Congress in support of the budget for the Department of Defense for fiscal year 2017, the Secretary of Defense shall submit to Congress the following:

(1) A force-structure plan for each of the Army, Navy, Air Force, and Marine Corps based on an assessment by the Secretary of the probable threats to United States national security during the 20-year period beginning with fiscal year 2017, and the end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units)

(2) A comprehensive inventory of military installations world-wide for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department.

(b) RELATIONSHIP OF PLANS AND INVENTORY.—Using the force-structure plans and infrastructure inventory prepared under subsection (a), the Secretary of Defense shall prepare (and include as part of the submission of such plans and inventory) the following:

(1) A description of the infrastructure necessary to support the force structure described in each force-structure plan.

(2) A discussion of categories of excess infrastructure and infrastructure capacity, and the Secretary’s objective for the reduction of such excess capacity.

(3) An assessment of the value of retaining certain excess infrastructure to accommodate contingency, mobilization, or surge requirements.

(c) SPECIAL CONSIDERATIONS.—In determining the level of necessary versus excess infrastructure under sub-
section (b), the Secretary of Defense shall consider the follow-

(1) The anticipated continuing need for and availability of military installations outside the United States, taking into account current restrictions on the use of military installations outside the United States and the potential for future prohibitions or restrictions on the use of such military installations.

(2) Any efficiencies that may be gained from joint tenancy by more than one branch of the Armed Forces at a military installation or the reorganization or association of two or more military installations as a single military installation.

(d) COMPTROLLER GENERAL EVALUATION.—

(1) Evaluation required.—The Comptroller General of the United States shall prepare an evaluation of the force-structure plans and infrastructure inventory prepared under subsection (a), including an evaluation of the accuracy and analytical sufficiency of the plans and inventory.

(2) Submission.—The Comptroller General shall submit the evaluation to Congress not later than 60 days after the date on which the force-structure plans
and infrastructure inventory are submitted to Congress.

Subtitle C—Provisions Related to Asia-Pacific Military Realignment

SEC. 2821. RESTRICTION ON DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN CONNECTION WITH REALIGNMENT OF MARINE CORPS FORCES IN ASIA-PACIFIC REGION.

(a) Restriction.—If the Secretary of Defense determines that any grant, cooperative agreement, transfer of funds to another Federal agency, or supplement of funds available under Federal programs administered by agencies other than the Department of Defense will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, acquisition, or construction) of public infrastructure on Guam, the Secretary of Defense may not carry out such grant, transfer, cooperative agreement, or supplemental funding unless such grant, transfer, cooperative agreement, or supplemental funding will be used—

(1) to carry out a public infrastructure project—

(A) that was included in the report prepared by the Secretary of Defense under section 2822(d)(2) of the Military Construction Author-
(B) for which amounts have been appropriated or made available to be expended by the Department of Defense before the date of the enactment of this Act; or

(2) to perform planning and design work in connection with a public infrastructure project described in paragraph (1).

(b) Public Infrastructure Defined.—In this section, the term “public infrastructure” means any utility, method of transportation, item of equipment, or facility under the control of a public entity or State or local government that is used by, or constructed for the benefit of, the general public.

(c) Repeal of Superseded Law.—Subsection (b) of section 2821 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3701) is repealed.

SECT. 2822. ANNUAL REPORT ON GOVERNMENT OF JAPAN CONTRIBUTIONS TOWARD REALIGNMENT OF MARINE CORPS FORCES IN ASIA-PACIFIC REGION.

(a) Report Required.—Not later than the date of the submission of the budget of the President for each of
fiscal years 2017 through 2026 under section 1105 of title 31, United States Code, the Secretary of Defense shall submit to the congressional defense committees a report that specifies each of the following:

(1) The total amount contributed by the Government of Japan during the most recently concluded Japanese fiscal year under section 2350k of title 10, United States Code, for deposit in the Support for United States Relocation to Guam Account.

(2) The anticipated contributions to be made by the Government of Japan under such section during the current and next Japanese fiscal years.

(3) The projects carried out on Guam or the Commonwealth of the Northern Mariana Islands during the previous fiscal year using amounts in the Support for United States Relocation to Guam Account.

(4) The anticipated projects that will be carried out on Guam or the Commonwealth of the Northern Mariana Islands during the fiscal year covered by the budget submission using amounts in such Account.

(b) REPEAL OF SUPERSEDED REPORTING REQUIREMENT.—Subsection (e) of section 2824 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 10 U.S.C. 2687 note) is repealed.
Subtitle D—Land Conveyances

SEC. 2831. LAND EXCHANGE AUTHORITY, MARE ISLAND ARMY RESERVE CENTER, VALLEJO, CALIFORNIA.

(a) Exchange Authorized.—Subject to subsection (b), the Secretary of the Army may carry out a real property exchange with Touro University California (in this section referred to as the “University”), under which the Secretary will convey all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 3.42 acres of the former Mare Island Naval Shipyard on Azuar Drive in the City of Vallejo, California, and administered by the Secretary as part of the 63rd Regional Support Command, for the purpose of permitting the University to use the parcel for educational and administrative purposes.

(b) Conveyance Authority Conditional.—The conveyance authority provided by subsection (a) shall take effect only if the real property exchange process initiated by the Secretary of the Army in a notice of availability (DACW05-8-15-512) issued on January 28, 2015, and involving the real property described in subsection (a) is terminated unsuccessfully.
(c) **Conveyance Process.**—The Secretary shall carry out the real property exchange authorized by subsection (a) using the authority available to the Secretary under section 18240 of title 10, United States Code.

(d) **Facilities to Be Acquired.**—In exchange for the conveyance of the real property under subsection (a), the Secretary of the Army shall acquire, consistent with subsections (c) and (d) of section 18240 of title 10, United States Code, a facility, or addition to an existing facility, needed to rectify the parking shortage for the Mare Island Army Reserve Center.

(e) **Payment of Costs of Conveyance.**—

(1) **Payment Required.**—The Secretary of the Army shall require the University to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation related to the conveyance, and any other administrative costs related to the conveyance. If amounts are collected from the University in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Sec-
retary shall refund the excess amount to the University.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance or, if the period of availability for obligations for that appropriation has expired, to the appropriations or fund that is currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) and acquired under subsection (d) shall be determined by a survey satisfactory to the Secretary of the Army.

SEC. 2832. LAND EXCHANGE, NAVY OUTLYING LANDING FIELD, NAVAL AIR STATION, WHITING FIELD, FLORIDA.

(a) LAND EXCHANGE AUTHORIZED.—The Secretary of the Navy (in this section referred to as the “Secretary”) may convey to Escambia County, Florida (in this section
referred to as the “County”), all right, title, and interest
of the United States in and to a parcel of real property,
including any improvements thereon, containing Navy Out-
lying Landing Field Site 8 in Escambia County associated
with Naval Air Station, Whiting Field, Milton, Florida.

(b) LAND TO BE ACQUIRED.—In exchange for the
property described in subsection (a), the County shall con-
vey to the Secretary of the Navy land and improvements
thereon in Santa Rosa County, Florida, that is acceptable
to the Secretary and suitable for use as a Navy outlying
landing field to replace Navy Outlying Landing Field Site
8.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the
Navy shall require the County to fund costs to be in-
curred by the Secretary, or to reimburse the Secretary
for such costs incurred by the Secretary, to carry out
the land exchange under this section, including survey
costs, costs for environmental documentation, other
administrative costs related to the land exchange, and
all costs associated with relocation of activities and
facilities from Navy Outlying Landing Field Site 8
to the replacement location. If amounts are collected
from the County in advance of the Secretary incurring
the actual costs, and the amount collected exceeds
the costs actually incurred by the Secretary to carry
out the land exchange, the Secretary shall refund the
excess amount to the County.

(2) Treatment of amounts received.—
Amounts received as reimbursement under paragraph
(1) shall be credited to the fund or account that was
used to cover those costs incurred by the Secretary in
carrying out the land exchange. Amounts so credited
shall be merged with amounts in such fund or ac-
count, and shall be available for the same purposes,
and subject to the same conditions and limitations, as
amounts in such fund or account.

(d) Description of property.—The exact acreage
and legal description of the property to be exchanged under
this section shall be determined by surveys satisfactory to
the Secretary of the Navy.

(e) Conveyance agreement.—The exchange of real
property under this section shall be accomplished using a
quit claim deed or other legal instrument and upon terms
and conditions mutually satisfactory to the Secretary of the
Navy and the County, including such additional terms and
conditions as the Secretary considers appropriate to protect
the interests of the United States.
SEC. 2833. RELEASE OF PROPERTY INTERESTS RETAINED IN CONNECTION WITH LAND CONVEYANCE, FORT BLISS MILITARY RESERVATION, TEXAS.

(a) RELEASE OF RETAINED INTERESTS.—With respect to a parcel of real property in El Paso, Texas, consisting of approximately 20 acres and conveyed by deed for National Guard and military purposes by the United States to the State of Texas pursuant to section 708 of the Military Construction Authorization Act, 1972 (Public Law 92–145; 85 Stat. 412), the Secretary of the Army may release the rights reserved by the United States under subsections (d) and (e)(2) of such section and the reversionary interest retained by the United States under subsection (e)(1) of such section. The release of such rights and retained interests with respect to any portion of that parcel shall not be construed to alter the rights or interests retained by the United States with respect to the remainder of the real property conveyed to the State under such section.

(b) CONDITION OF RELEASE.—The release authorized by subsection (a) of rights and retained interests shall be subject to the condition that—

(1) the State of Texas sell the parcel of real property covered by the release for fair market value; and

(2) all proceeds from the sale shall be used to fund improvements or repairs for National Guard and military purposes on the remainder of the prop-

(c) Instrument of Release and Description of Property.—The Secretary of the Army may execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument reflecting the release of rights and retained interests under subsection (a). The exact acreage and legal description of the property for which rights and retained interests are released under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army.

(d) Payment of Administrative Costs.—

(1) Payment Required.—The Secretary of the Army may require the State of Texas to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the release of retained interests under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.
(2) **TREATMENT OF AMOUNTS RECEIVED.**—

Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release of retained interests under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the release of retained interests. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of the Army may require such additional terms and conditions in connection with the release of retained interests under subsection (a) as the Secretary considers appropriate to protect the interests of the United States, to include necessary munitions response actions by the State of Texas in accordance with subsection (e)(3) of section 708 of the Military Construction Authorization Act, 1972 (Public Law 92–145; 85 Stat. 412).
Subtitle E—Military Land Withdrawals

SEC. 2841. WITHDRAWAL AND RESERVATION OF PUBLIC LAND, NAVAL AIR WEAPONS STATION CHINA LAKE, CALIFORNIA.

(a) Withdrawal and Reservation of Additional Public Land.—Section 2971(b) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1044) is amended—

(1) by striking “The public land” and inserting the following:

“(1) Initial Withdrawal.—The public land”;

and

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

“(2) Additional Withdrawal.—

“(A) In general.—Except as provided in subparagraph (B), the public land (including interests in land) referred to in subsection (a) also includes the approximately 21,060 acres of public land in San Bernardino County, California, identified as ‘Proposed Navy Land’ on the map entitled ‘Proposed Navy Withdrawal’, dated March 10, 2015, and filed in accordance with section 2912.
“(B) EXCLUDED LANDS.—The withdrawal area referred to in subparagraph (A) specifically excludes section 36, township 29 south, range 43 east, San Bernardino meridian.

“(C) EXISTING RIGHTS AND ACCESS.—The withdrawal and reservation of public land pursuant to subparagraph (A) is subject to valid existing rights. The Secretary of the Navy shall ensure that the owners of the excluded private land identified in subparagraph (B) continue to have reasonable access to such land.”.

(b) PERMANENT WITHDRAWAL OR TRANSFER OF ADMINISTRATIVE JURISDICTION.—Section 2979 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1044) is amended by striking “on March 31, 2039.” and inserting the following: “only as follows:

“(1) If the Secretary of the Navy makes an election to terminate the withdrawal and reservation of the public land.

“(2) If the Secretary of the Interior, upon request by the Secretary of the Navy, transfers administrative jurisdiction over the public land to the Secretary of the Navy. A transfer under this paragraph may consist of a portion of the land, in which case the termi-
nation of the withdrawal and reservation applies only
with respect to the land so transferred.”.

SEC. 2842. BUREAU OF LAND MANAGEMENT WITHDRAWN
MILITARY LANDS EFFICIENCY AND SAVINGS.

(a) Elimination of Termination Date and Au-
thorization for Transfer of Administrative Juris-
diction.—Subsection (a) of section 3015 of the Military
Lands Withdrawal Act of 1999 (title XXX of Public Law
106–65; 113 Stat. 892) is amended to read as follows:

“(a) Permanent Withdrawal and Reservation;
Effect of Transfer on Withdrawal.—The withdrawal
and reservation of lands by section 3011 shall terminate
only as follows:

“(1) Upon an election by the Secretary of the
military department concerned to relinquish any or
all of the land withdrawn and reserved by section
3011.

“(2) Upon a transfer by the Secretary of the In-
terior, under section 3016 and upon request by the
Secretary of the military department concerned, of
administrative jurisdiction over the land to the Sec-
retary of the military department concerned. Such a
transfer may consist of a portion of the land, in
which case the termination of the withdrawal and res-
reservation applies only with respect to the land so transferred.”.

(b) TRANSFER PROCESS AND MANAGEMENT AND USE OF LANDS.—The Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65) is further amended—

(1) by redesignating sections 3022 and 3023 as sections 3027 and 3028, respectively; and

(2) by striking sections 3016 through 3021 and inserting the following new sections:

“SEC. 3016. TRANSFER PROCESS.

“(a) TRANSFER AUTHORIZED.—The Secretary of the Interior shall, upon the request of the Secretary concerned, transfer to the Secretary concerned administrative jurisdiction over the land withdrawn and reserved by section 3011, or a portion of the land as the Secretary concerned may request.

“(b) VALID EXISTING RIGHTS.—The transfer of administrative jurisdiction under subsection (a) shall be subject to any valid existing rights.

“(c) TIME FOR CONVEYANCE.—The transfer of administrative jurisdiction under subsection (a) shall occur pursuant to a schedule agreed upon by the Secretary of the Interior and the Secretary concerned.

“(d) MAP AND LEGAL DESCRIPTION.—
“(1) Preparation and publication.—The Secretary of the Interior shall publish in the Federal Register a legal description of the public land to be transferred under subsection (a).

“(2) Submission to Congress.—The Secretary of the Interior shall file with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives—

“(A) a copy of the legal description prepared under paragraph (1); and

“(B) the map referred to in subsection (a).

“(3) Availability for public inspection.—Copies of the legal description and map filed under paragraph (2) shall be available for public inspection in the appropriate offices of—

“(A) the Bureau of Land Management;

“(B) the commanding officer of the installation; and

“(C) the Secretary concerned.

“(4) Force of law.—The legal description and map filed under paragraph (2) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors in the legal description or map.
“(5) Reimbursement of Costs.—Any transfer entered into pursuant to subsection (a) shall be made without reimbursement, except that the Secretary concerned shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior to prepare the legal description and map under this subsection.

“SEC. 3017. ADMINISTRATION OF TRANSFERRED LAND.

“(a) Treatment and Use of Transferred Land.—Upon the transfer of administrative jurisdiction of land under section 3016—

“(1) the land shall be treated as property (as defined in section 102(9) of title 40, United States Code) under the administrative jurisdiction of the Secretary concerned; and

“(2) the Secretary concerned shall administer the land for military purposes.

“(b) Withdrawal of Mineral Estate.—Subject to valid existing rights, land for which the administrative jurisdiction is transferred under section 3016 is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws, for as long as the land is under the administrative jurisdiction of the Secretary concerned.
“(c) Integrated Natural Resources Management Plan.—Not later than one year after the transfer of land under section 3016, the Secretary concerned, in cooperation with the Secretary of the Interior, shall prepare an integrated natural resources management plan pursuant to the Sikes Act (16 U.S.C. 670a et seq.) for the transferred land.

“(d) Relation to General Provisions.—Sections 3018 through 3026 do not apply to lands transferred under section 3016 or to the management of such land.

“(e) Transfers Between Armed Forces.—Nothing in this subtitle shall be construed as limiting the authority to transfer administrative jurisdiction over the land transferred under section 3016 to another armed force pursuant to section 2696 of title 10, United States Code, and the provisions of this section shall continue to apply to any such lands.

“SEC. 3018. GENERAL APPLICABILITY; DEFINITIONS.

“(a) Applicability.—Sections 3014 through 3028 apply to the lands withdrawn and reserved by section 3011 except—

“(1) to the B-16 Range referred to in section 3011(a)(3)(A), for which only section 3019 applies;
“(2) to the ‘Shoal Site’ referred to in section 3011(a)(3)(B), for which sections 3014 through 3028 apply only to the surface estate;

“(3) to the ‘Pahute Mesa’ area referred to in section 3011(b)(2); and

“(4) to the Desert National Wildlife Refuge referred to in section 3011(b)(5)—

“(A) except for section 3024(b); and

“(B) for which sections 3014 through 3028 shall only apply to the authorities and responsibilities of the Secretary of the Air Force under section 3011(b)(5).

“(b) RULES OF CONSTRUCTION.—Nothing in this subtitle assigns management of real property under the administrative jurisdiction of the Secretary concerned to the Secretary of the Interior.

“(c) DEFINITIONS.—In this subtitle:

“(1) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

“(2) MANAGE; MANAGEMENT.—

“(A) INCLUSIONS.—The terms ‘manage’ and ‘management’ include the authority to exercise
jurisdiction, custody, and control over the lands withdrawn and reserved by section 3011.

“(B) Exclusions.—Such terms do not include authority for disposal of the lands withdrawn and reserved by section 3011.

“(3) Secretary concerned.—The term ‘Secretary concerned’ has the meaning given the term in section 101(a) of title 10, United States Code.

“SEC. 3019. ACCESS RESTRICTIONS.

“(a) Authority to impose restrictions.—If the Secretary concerned determines that military operations, public safety, or national security require the closure to the public of any road, trail, or other portion of land withdrawn and reserved by section 3011, the Secretary may take such action as the Secretary determines to be necessary to implement and maintain the closure.

“(b) Limitation.—Any closure under subsection (a) shall be limited to the minimum area and duration that the Secretary concerned determines are required for the purposes of the closure.

“(c) Consultation required.—

“(1) In general.—Subject to paragraph (3), before a closure is implemented under this section, the Secretary concerned shall consult with the Secretary of the Interior.
“(2) INDIAN TRIBE.—Subject to paragraph (3), if a closure proposed under this section may affect access to or use of sacred sites or resources considered to be important by an Indian tribe, the Secretary concerned shall consult, at the earliest practicable date, with the affected Indian tribe.

“(3) LIMITATION.—No consultation shall be required under paragraph (1) or (2)—

“(A) if the closure is provided for in an integrated natural resources management plan, an installation cultural resources management plan, or a land use management plan; or

“(B) in the case of an emergency, as determined by the Secretary concerned.

“(d) NOTICE.—Immediately preceding and during any closure implemented under subsection (a), the Secretary concerned shall post appropriate warning notices and take other appropriate actions to notify the public of the closure.

“SEC. 3020. CHANGES IN USE.

“(a) OTHER USES AUTHORIZED.—In addition to the purposes described in section 3011, the Secretary concerned may authorize the use of land withdrawn and reserved by section 3011 for defense-related purposes.

“(b) NOTICE TO SECRETARY OF THE INTERIOR.—
“(1) IN GENERAL.—The Secretary concerned shall promptly notify the Secretary of the Interior if the land withdrawn and reserved by section 3011 is used for additional defense-related purposes.

“(2) REQUIREMENTS.—A notification under paragraph (1) shall specify—

“(A) each additional use;

“(B) the planned duration of each additional use; and

“(C) the extent to which each additional use would require that additional or more stringent conditions or restrictions be imposed on otherwise-permitted nondefense-related uses of the withdrawn and reserved land or portions of withdrawn and reserved land.

“SEC. 3021. BRUSH AND RANGE FIRE PREVENTION AND SUPPRESSION.

“(a) REQUIRED ACTIVITIES.—Consistent with any applicable land management plan, the Secretary concerned shall take necessary precautions to prevent, and actions to suppress, brush and range fires occurring as a result of military activities on the land withdrawn and reserved by section 3011, including fires that occur on other land that spread from the withdrawn and reserved land.
“(b) COOPERATION OF SECRETARY OF THE INTERIOR.—

“(1) IN GENERAL.—At the request of the Secretary concerned, the Secretary of the Interior shall provide assistance in the suppression of fires under subsection (a). The Secretary concerned shall reimburse the Secretary of the Interior for the costs incurred by the Secretary of the Interior in providing such assistance.

“(2) TRANSFER OF FUNDS.—Notwithstanding section 2215 of title 10, United States Code, the Secretary concerned may transfer to the Secretary of the Interior, in advance, funds to be used to reimburse the costs of the Department of the Interior in providing assistance under this subsection.

“SEC. 3022. ONGOING DECONTAMINATION.

“(a) PROGRAM OF DECONTAMINATION REQUIRED.—During the period of a withdrawal and reservation of land by section 3011, the Secretary concerned shall maintain, to the extent funds are available to carry out this subsection, a program of decontamination of contamination caused by defense-related uses on the withdrawn land. The decontamination program shall be carried out consistent with applicable Federal and State law.
“(b) ANNUAL REPORT.—The Secretary of Defense shall include in the annual report required by section 2711 of title 10, United States Code, a description of decontamination activities conducted under subsection (a).

“SEC. 3023. WATER RIGHTS.

“(a) NO RESERVATION OF WATER RIGHTS.—Nothing in this subtitle—

“(1) establishes a reservation in favor of the United States with respect to any water or water right on the land withdrawn and reserved by section 3011; or

“(2) authorizes the appropriation of water on the land withdrawn and reserved by section 3011, except in accordance with applicable State law.

“(b) EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.—

“(1) IN GENERAL.—Nothing in this section affects any water rights acquired or reserved by the United States before October 5, 1999, on the land withdrawn and reserved by section 3011.

“(2) AUTHORITY OF SECRETARY CONCERNED.—The Secretary concerned may exercise any water rights described in paragraph (1).
“SEC. 3024. HUNTING, FISHING, AND TRAPPING.

“(a) IN GENERAL.—Section 2671 of title 10, United States Code, shall apply to all hunting, fishing, and trapping on the land—

“(1) that is withdrawn and reserved by section 3011; and

“(2) for which management of the land has been assigned to the Secretary concerned.


“SEC. 3025. RELINQUISHMENT.

“(a) NOTICE OF INTENTION TO RELINQUISH.—If, during the period of withdrawal and reservation made by section 3011, the Secretary concerned decides to relinquish any or all of the land withdrawn and reserved by section 3011, the Secretary concerned shall submit to the Secretary of the Interior notice of the intention to relinquish the land.

“(b) DETERMINATION OF CONTAMINATION.—The Secretary concerned shall include in the notice submitted under subsection (a) a written determination concerning whether and to what extent the land that is to be relinquished is
contaminated with explosive materials or toxic or hazardous substances.

“(c) **PUBLIC NOTICE.**—The Secretary of the Interior shall publish in the Federal Register the notice of intention to relinquish the land under this section, including the determination concerning the contaminated state of the land.

“(d) **DECONTAMINATION OF LAND TO BE RELINQUISHED.**—

“(1) **DECONTAMINATION REQUIRED.**—The Secretary concerned shall decontaminate land subject to a notice of intention under subsection (a) to the extent that funds are appropriated for that purpose, if—

“(A) the land subject to the notice of intention is contaminated, as determined by the Secretary concerned; and

“(B) the Secretary of the Interior, in consultation with the Secretary concerned, determines that—

“(i) decontamination is practicable and economically feasible, after taking into consideration the potential future use and value of the contaminated land; and

“(ii) on decontamination of the land, the land could be opened to operation of
some or all of the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

“(2) ALTERNATIVES TO RELINQUISHMENT.—The Secretary of the Interior shall not be required to accept the land proposed for relinquishment under subsection (a), if—

“(A) the Secretary of the Interior, after consultation with the Secretary concerned, determines that—

“(i) decontamination of the land is not practicable or economically feasible; or

“(ii) the land cannot be decontaminated sufficiently to be opened to operation of some or all of the public land laws; or

“(B) sufficient funds are not appropriated for the decontamination of the land.

“(3) STATUS OF CONTAMINATED LAND PROPOSED TO BE RELINQUISHED.—If, because of the contaminated state of the land, the Secretary of the Interior declines to accept land withdrawn and reserved by section 3011 that has been proposed for relinquishment—

“(A) the Secretary concerned shall take appropriate steps to warn the public of—
“(i) the contaminated state of the land;

and

“(ii) any risks associated with entry onto the land;

“(B) the Secretary concerned shall submit to the Secretary of the Interior and Congress a report describing—

“(i) the status of the land; and

“(ii) any actions taken under this paragraph.

“(e) Revocation Authority.—

“(1) In general.—If the Secretary of the Interior determines that it is in the public interest to accept the land proposed for relinquishment under subsection (a), the Secretary of the Interior may order the revocation of a withdrawal and reservation made by section 3011.

“(2) Revocation Order.—To carry out a revocation under paragraph (1), the Secretary of the Interior shall publish in the Federal Register a revocation order that—

“(A) terminates the withdrawal and reservation;

“(B) constitutes official acceptance of the land by the Secretary of the Interior; and
“(C) specifies the date on which the land will be opened to the operation of some or all of the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

“(f) ACCEPTANCE BY SECRETARY OF THE INTERIOR.—

“(1) IN GENERAL.—Nothing in this section requires the Secretary of the Interior to accept the land proposed for relinquishment if the Secretary determines that the land is not suitable for return to the public domain.

“(2) NOTICE.—If the Secretary makes a determination that the land is not suitable for return to the public domain, the Secretary shall provide notice of the determination to Congress.

“SEC. 3026. EFFECT OF TERMINATION OF MILITARY USE.

“(a) NOTICE AND EFFECT.—Upon a determination by the Secretary concerned that there is no longer a military need for all or portions of the land for which administrative jurisdiction was transferred under section 3016, the Secretary concerned shall notify the Secretary of the Interior of such determination. Subject to subsections (b), (c), and (d), the Secretary concerned shall transfer administrative jurisdiction over the land subject to such a notice back to
the administrative jurisdiction of the Secretary of the Interior.

“(b) CONTAMINATION.—Before transmitting a notice under subsection (a), the Secretary concerned shall prepare a written determination concerning whether and to what extent the land to be transferred is contaminated with explosive materials or toxic or hazardous substances. A copy of the determination shall be transmitted with the notice. Copies of the notice and the determination shall be published in the Federal Register.

“(c) DECONTAMINATION.—The Secretary concerned shall decontaminate any contaminated land that is the subject of a notice under subsection (a) if—

“(1) the Secretary of the Interior, in consultation with the Secretary concerned, determines that—

“(A) decontamination is practicable and economically feasible (taking into consideration the potential future use and value of the land); and

“(B) upon decontamination, the land could be opened to operation of some or all of the public land laws, including the mining laws; and

“(2) funds are appropriated for such decontamination.
“(d) No Required Acceptance.—The Secretary of the Interior is not required to accept land proposed for transfer under subsection (a) if the Secretary of the Interior is unable to make the determinations under subsection (c)(1) or if Congress does not appropriate a sufficient amount of funds for the decontamination of the land.

“(e) Alternative Disposal.—If the Secretary of the Interior declines to accept land proposed for transfer under subsection (a), the Secretary concerned shall dispose of the land in accordance with property disposal procedures established by law.”.

(c) Conforming and Clerical Amendments.—

(1) Conforming Amendments.—Section 3014 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 890) is amended by striking subsections (b), (d), and (f).

(2) Clerical Amendments.—The table of sections at the beginning of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885) is amended by striking the items relating to sections 3016 through 3023 and inserting the following new items:

Sec. 3016. Transfer process.
Sec. 3017. Administration of transferred land.
Sec. 3018. General applicability; definitions.
Sec. 3019. Access restrictions.
Sec. 3020. Changes in use.
Sec. 3021. Brush and range fire prevention and suppression.
Sec. 3022. Ongoing decontamination.
Subtitle F—Military Memorials, Monuments, and Museums

SEC. 2851. RENAMING SITE OF THE DAYTON AVIATION HERITAGE NATIONAL HISTORICAL PARK, OHIO.


SEC. 2852. EXTENSION OF AUTHORITY FOR ESTABLISHMENT OF COMMEMORATIVE WORK IN HONOR OF BRIGADIER GENERAL FRANCIS MARION.

Notwithstanding section 8903(e) of title 40, United States Code, the authority provided by section 331 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 122 Stat. 781; 40 U.S.C. 8903 note) shall continue to apply through May 8, 2018.

SEC. 2853. AMENDMENTS TO THE NATIONAL HISTORIC PRESERVATION ACT.

(a) Criteria and Regulations Relating to National Register, National Historic Landmarks, and World Heritage List.—Section 302103 of title 54, United States Code, is amended—
(1) in subparagraph (E), by striking “and”;

(2) in subparagraph (F), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(G) notifying the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the Senate if the property is owned by the Federal Government when the property is being considered for inclusion on the National Register, for designation as a National Historic Landmark, or for nomination to the World Heritage List.”.

(b) REGULATIONS.—Section 302107 of title 54, United States Code, is amended—

(1) in paragraph (2), by striking “and”;

(2) in paragraph (3), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(4) to allow for expedited removal of Federal property listed on the National Register of Historic Places if the managing agency of that Federal property submits to the Secretary a written request to remove the Federal property from the National Register of Historic Places for reasons of national security,
such as any impact the inclusion or designation would have on use of the property for military training or readiness purposes.”.

(c) Objection to Inclusion or Designation for Reasons of National Security.—Chapter 3021 of title 54, United States Code, is amended by adding at the end the following:

“§302109. Objection to inclusion or designation for reasons of national security

“If the head of the agency managing any Federal property objects to such inclusion or designation for reasons of national security, such as any impact the inclusion or designation would have on use of the property for military training or readiness purposes, that Federal property shall be neither included on the National Register nor designated as a National Historic Landmark until the objection is withdrawn”.

(d) Conforming Amendment.—The table of sections at the beginning of chapter 3021 of title 54, United States Code, is amended by adding at the end the following new item:

“302109. Objection to inclusion or designation for reasons of national security.”.
Subtitle G—Other Matters

SEC. 2861. MODIFICATION OF DEPARTMENT OF DEFENSE GUIDANCE ON USE OF AIRFIELD PAVEMENT MARKINGS.

The Secretary of Defense shall require such modifications of Unified Facilities Guide Specifications for pavement markings (UFGS 32 17 23.00 20 Pavement Markings, UFGS 32 17 24.00 10 Pavement Markings), Air Force Engineering Technical Letter ETL 97-18 (Guide Specification for Airfield and Roadway Marking), and any other Department of Defense guidance on airfield pavement markings as may be necessary to permit the use of Type III category of retro-reflective beads to reflectorize airfield markings. The Secretary shall develop appropriate policy to ensure that the determination of the category of retro-reflective beads used on an airfield is determined on an installation-by-installation basis, taking into consideration local conditions and the life-cycle maintenance costs of the pavement markings.

SEC. 2862. PROTECTION AND RECOVERY OF GREATER SAGE GROUSE.

(a) DEFINITIONS.—In this section:

(1) The term “Federal resource management plan” means—
(A) a land use plan prepared by the Bureau of Land Management for public lands pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for National Forest System lands pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(2) The term “Greater Sage Grouse” means a sage grouse of the species Centrocercus urophasianus.

(3) The term “State management plan” means a State-approved plan for the protection and recovery of the Greater Sage Grouse.

(b) PURPOSE.—The purpose of this section is—

(1) to facilitate implementation of State management plans over a period of multiple, consecutive sage grouse life cycles; and

(2) to demonstrate the efficacy of the State management plans for the protection and recovery of the Greater Sage Grouse.

(c) ENDANGERED SPECIES ACT OF 1973 FINDINGS.—

(1) DELAY REQUIRED.—Any finding by the Secretary of the Interior under clause (i), (ii), or (iii) of section 4(b)(3)(B) of the Endangered Species Act of
1973 (16 U.S.C. 1533(b)(3)(B)) with respect to the
Greater Sage Grouse made during the period begin-
ing on September 30, 2015, and ending on the date
of the enactment of this Act shall have no force or ef-
fact in law or in equity, and the Secretary of the In-
terior may not make any such finding during the pe-
riod beginning on the date of the enactment of this
Act and ending on September 30, 2025.

(2) **EFFECT ON OTHER LAWS.**—The delay im-
posed by paragraph (1) is, and shall remain, effective
without regard to any other statute, regulation, court
order, legal settlement, or any other provision of law
or in equity.

(3) **EFFECT ON CONSERVATION STATUS.**—Until
the date specified in paragraph (1), the conservation
status of the Greater Sage Grouse shall remain war-
ranted for listing under the Endangered Species Act
of 1973 (16 U.S.C. 1531 et seq.), but precluded by
higher-priority listing actions pursuant to clause (iii)
of section 4(b)(3)(B) of the Endangered Species Act of

(d) **COORDINATION OF FEDERAL LAND MANAGEMENT
AND STATE CONSERVATION AND MANAGEMENT PLANS.**—

(1) **PROHIBITION ON MODIFICATION OF FEDERAL
RESOURCE MANAGEMENT PLANS.**—In order to foster
coordination between a State management plan and
Federal resource management plans that affect the
Greater Sage Grouse, upon notification by the Gov-
ernor of a State with a State management plan, the
Secretary of the Interior and the Secretary of Agri-
culture may not amend or otherwise modify any Fed-
eral resource management plan applicable to Federal
lands in the State in a manner inconsistent with the
State management plan for a period, to be specified
by the Governor in the notification, of at least five
years beginning on the date of the notification.

(2) RETROACTIVE EFFECT.—In the case of any
State that provides notification under paragraph (1),
if any amendment or modification of a Federal re-
source management plan applicable to Federal lands
in the State was issued during the one-year period
preceding the date of the notification and the amend-
ment or modification altered management of the
Greater Sage Grouse or its habitat, implementation
and operation of the amendment or modification shall
be stayed to the extent that the amendment or modi-
fication is inconsistent with the State management
plan. The Federal resource management plan, as in
effect immediately before the amendment or modifica-
tion, shall apply instead with respect to management
of the Greater Sage Grouse and its habitat, to the extent consistent with the State management plan.

(3) DETERMINATION OF INCONSISTENCY.—Any disagreement regarding whether an amendment or other modification of a Federal resource management plan is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(e) RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—With regard to any Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the Greater Sage Grouse or its habitat under the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) shall not have a preclusive effect on the approval or implementation of the Federal action in that State.

(f) REPORTING REQUIREMENT.—Not later than one year after the date of the enactment of this Act and annually thereafter through 2021, the Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the Secretaries’ implementation and effectiveness of systems to monitor the status of Greater Sage Grouse on Federal lands under their jurisdiction.
(g) **JUDICIAL REVIEW.**—Notwithstanding any other provision of statute or regulation, this section, including determinations made under subsection (d)(3), shall not be subject to judicial review.

**TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION**

**SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECT.**

The Secretary of the Army may acquire real property and carry out the military construction project for the installation outside the United States, and in the amount, set forth in the following table:

*Army: Outside the United States*

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cuba</td>
<td>Guantanamo Bay</td>
<td>$76,000,000</td>
</tr>
</tbody>
</table>

**SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

The Secretary of the Navy may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

*Navy: Outside the United States*

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain</td>
<td>Bahrain Island</td>
<td>$37,700,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$52,091,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Sigonella</td>
<td>$62,302,000</td>
</tr>
<tr>
<td></td>
<td>Sigonella</td>
<td>$40,641,000</td>
</tr>
<tr>
<td>Poland</td>
<td>Redzikowo</td>
<td>$51,270,000</td>
</tr>
</tbody>
</table>
1 **SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND**

2 **LAND ACQUISITION PROJECTS.**

3 The Secretary of the Air Force may acquire real prop-
4 erty and carry out the military construction projects for
5 the installations outside the United States, and in the
6 amounts, set forth in the following table:

7 **Air Force: Outside the United States**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Niger</td>
<td>Agadez</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>Oman</td>
<td>Al Mussanah</td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>

8 **SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUC-
9 TION AND LAND ACQUISITION PROJECTS.**

10 The Secretary of Defense may acquire real property
11 and carry out the military construction projects for the in-
12 stallations outside the United States, and in the amounts,
13 set forth in the following table:

14 **Defense Agency: Outside the United States**

<table>
<thead>
<tr>
<th>Installation</th>
<th>Defense Agency</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Djibouti</td>
<td>Camp Lemonnier</td>
<td>$43,700,000</td>
</tr>
<tr>
<td>Poland</td>
<td>Redzikowo</td>
<td>$169,153,000</td>
</tr>
</tbody>
</table>

15 **SEC. 2905. AUTHORIZATION OF APPROPRIATIONS.**

16 Funds are hereby authorized to be appropriated for fis-
17 cal years beginning after September 30, 2015, for the mili-
18 tary construction projects outside the United States author-
19 ized by this title as specified in the funding table in section
20 4602.
DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) Authorization of New Plant Projects.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 16–D–621, Substation Replacement at TA–3, Los Alamos National Laboratory, Los Alamos, New Mexico, $25,000,000.
SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for other defense activities in carrying out programs as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. AUTHORIZED PERSONNEL LEVELS OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) Full-Time Equivalent Personnel Levels.—

Subsection (a) of section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) is amended—

(1) in paragraph (1)—

(A) by striking “2015” and inserting “2016”; and

(B) by striking “1,690” and inserting “1,350”; and

(2) in paragraph (2)—

(A) by striking “2016” and inserting “2017”; and
(B) by striking “1,690” and inserting “1,350”.

(b) COUNTING RULE FOR CERTAIN POSITIONS.—Subsection (b)(3) of such section is amended by adding at the end the following new subparagraph:

“(E) Employees appointed under section 3241.”.

(c) CERTAIN CONTRACTING AND TECHNICAL POSITIONS.—Section 3241 of such Act (50 U.S.C. 2441) is amended by striking “600” and inserting “450”.

(d) BUDGET INFORMATION.—

(1) IN GENERAL.—Such section 3241A is further amended—

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

(B) by inserting after subsection (d) the following new subsection (e):

“(e) BUDGET DISPLAY.—In the budget justification materials submitted to Congress in support of each budget submitted by the President to Congress under section 1105 of title 31, United States Code, the Administrator shall include information regarding the number of employees of the Office of the Administrator, including the number of employees who are described in each of subparagraphs (A) through (E) of subsection (b)(3).”.
(2) CONFORMING AMENDMENT.—Section 3251(b)(2) of such Act (50 U.S.C. 3251(b)(2)) is amended—

(A) by striking “testing, and” and inserting “testing,”; and

(B) by inserting before the period at the end the following: “, and the information regarding employees of the Administration required by section 3241A(c)”.

SEC. 3112. FULL-TIME EQUIVALENT CONTRACTOR PERSONNEL LEVELS.

Section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a), as amended by section 3111, is further amended by adding at the end the following new subsections:

“(g) FULL-TIME EQUIVALENT CONTRACTOR PERSONNEL LEVELS.—

“(1) TOTAL NUMBER.—The total number of full-time equivalent contractor employees working under a service support contract of the Administration may not exceed the number that is 30 percent of the number of employees of the Office of the Administrator authorized under subsection (a)(1).

“(2) EXCESS.—The Administrator may not exceed the total number of full-time equivalent con-
tractor employees authorized under paragraph (1) un-
less, during each fiscal year in which such total num-
ber of contractor employees exceeds such authorized
number, the Administrator submits to the congress-
sional defense committees a report justifying such ex-
cess.

“(g) Annual Report.—Together with each budget
submitted by the President to Congress under section 1105
of title 31, United States Code, the Administrator shall sub-
mit to the congressional defense committees a report con-
taining the following information as of the date of the re-
port:

“(1) The number of full-time equivalent employ-
ees of the Office of the Administrator, as counted
under subsection (a).

“(2) The number of service support contracts of
the Administration.

“(3) The number of full-time equivalent con-
tractor employees working under each contract identi-
fied under paragraph (2).

“(4) The number of full-time equivalent con-
tractor employees described in paragraph (2) that
have been employed under such a contract for a pe-
riod greater than two years.”.
SEC. 3113. IMPROVEMENT TO ACCOUNTABILITY OF DEPARTMENT OF ENERGY EMPLOYEES AND PROJECTS.

(a) Notifications.—

(1) In general.—Subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

“SEC. 3245. NOTIFICATION OF EMPLOYEE PRACTICES AFFECTING NATIONAL SECURITY.

“(a) Annual Notification.—At or about the time that the President’s budget is submitted to Congress under section 1105(a) of title 31, United States Code, the Secretary and the Administrator shall jointly notify the appropriate congressional committees of—

“(1) the number of covered employees whose security clearance was revoked during the year prior to the year in which the notification is made; and

“(2) for each employee counted under paragraph (1), the length of time such employee has been employed at the Department or the Administration, respectively, since such revocation.

“(b) Notification to Congressional Committees.—Whenever the Secretary or the Administrator terminates the employment of a covered employee or removes and reassigns a covered employee for cause, the Secretary or the
Administrator, as the case may be, shall notify the appropriate congressional committees of such termination or reassignment by not later than 30 days after the date of such termination or reassignment.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees; and

“(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

“(2) The term ‘covered employee’ means—

“(A) an employee of the Administration; or

“(B) an employee of an element of the Department of Energy (other than the Administration) involved in nuclear security.”.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 3244 the following new items:

“Sec. 3245. Notification of employee practices affecting national security.”.

(3) ONE-TIME CERTIFICATION.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Energy and the Administrator for
Nuclear Security shall jointly submit to the congressional defense committees, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate written certification that the Secretary and the Administrator possess the authorities needed to terminate the employment of an employee for cause relating to improper program management (as defined in section 3246(c) of the National Nuclear Security Administration Act, as added by subsection (b)(1)).

(b) LIMITATION ON BONUSES.—

(1) IN GENERAL.—Such subtitle, as amended by subsection (a)(1), is further amended by adding at the end the following:

“SEC. 3246. LIMITATION ON BONUSES.

“(a) LIMITATION.—The Secretary or the Administrator may not pay to a covered employee a bonus during the one-year period beginning on the date on which the Secretary or the Administrator determines that the covered employee committed improper program management.

“(b) WAIVER.—The Secretary or the Administrator may waive the limitation in subsection (a) on a case-by-case basis if—
“(1) the Secretary or the Administrator notifies
the appropriate congressional committees of such
waiver; and
“(2) a period of 60 days elapses following such
notification.
“(c) DEFINITIONS.—In this section:
“(1) The term ‘appropriate congressional com-
mittees’ means—
“(A) the congressional defense committees;
and
“(B) the Committee on Energy and Com-
merce of the House of Representatives and the
Committee on Energy and Natural Resources of
the Senate.
“(2) The term ‘bonus’ means a bonus or award
paid under title 5, United States Code, including
under chapters 45 or 53 of such title, or any other
provision of law.
“(3) The term ‘covered employee’ has the mean-
ing given that term in section 3245.
“(4) The term ‘covered project’ means—
“(A) a construction project of the Adminis-
tration that is not covered under section 4703(d)
of the Atomic Energy Defense Act (50 U.S.C.
2743(d));
“(D) a life extension program;
“(E) a defense nuclear nonproliferation project or program; or
“(F) an activity of the Office of the Administrator.
“(5) The term ‘improper program management’ means actions relating to the management of a covered project that significantly—
“(A) delays the project;
“(B) reduce the scope of the project;
“(C) increase the cost of the project; or
“(D) undermines health, safety, or security.”.
(2) Clerical Amendment.—The table of contents at the beginning of such Act, as amended by subsection (a), is amended by inserting after the item relating to section 3245 the following new items:
“Sec. 3246. Limitation on bonuses.”.
(c) Improvement To Program Management.—
(1) In General.—Subtitle A of title XLVII of the Atomic Energy Defense Act (50 U.S.C. 2741 et seq.) is amended by adding at the end the following new section:
“SEC. 4715. COMPLETION OF PROJECTS ON TIME, ON BUDGET, WITHIN PLANNED SCOPE, AND WHILE PROTECTING HEALTH, SAFETY, AND SECURITY.

“(a) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator should use all contractual remedies available to the Administrator, including through the withholding of all award fees, in cases in which the Administrator determines that a contractor of a covered project is responsible for significantly—

“(1) delaying the project;

“(2) reducing the scope of the project;

“(3) increasing the cost of the project; or

“(4) undermines health, safety, or security.

“(b) ANNUAL CERTIFICATIONS.—In addition to the requirements under section 4713, at or about the time that the President’s budget is submitted to Congress under section 1105(a) of title 31, United States Code, the Administrator shall certify to the appropriate congressional committees that each covered project is being carried out on time, on budget, within the planned scope of the project, and while protecting health, safety, and security.

“(c) NOTIFICATIONS OF DEFICIENCIES.—Not later than 30 days after the date on which the Administrator makes each certification under subsection (b), the Adminis-
trator shall notify the appropriate congressional committees of the following:

“(1) Any covered project for which the Administrator could not make such a certification.

“(2) Except as provided by paragraph (3), with respect to a covered project for which the Administrator could not make such a certification by reason of the actions of a contractor that the Administrator determines significantly delayed the project, reduced the scope of the project, increased the cost of the project, or undermined health, safety, or security—

“(A) an explanation as to whether termination of contract for the project is an appropriate remedy;

“(B) a description of the terms of the contract regarding award fees and performance; and

“(C) a description of how the Administrator plans to exercise contractual options.

“(3) In the case of a covered project described in paragraph (2) for which the Administrator is not able to submit the information described in subparagraphs (A) through (C) of such paragraph by reason of a contract enforcement action, a notification of such contract enforcement action and the date on which the
Administrator plans to submit the information described in such subparagraphs.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees;

and

“(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

“(2) The term ‘covered project’ means—

“(A) a construction project of the Administration that is not covered under section 4703(d);

“(B) a life extension program;

“(C) a defense nuclear nonproliferation project or program; or

“(D) an activity of the Office of the Administrator.”.

(3) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4714 the following new item:

“Sec. 4715. Completion of projects on time, on budget, within planned scope, and while protecting health, safety, and security.”.
SEC. 3114. COST-BENEFIT ANALYSES FOR COMPETITION OF
MANAGEMENT AND OPERATING CONTRACTS.

(a) Elements of Reports.—Subsection (b) of section
3121 of the National Defense Authorization Act for Fis-
cal Year 2013 (Public Law 112–239; 126 Stat. 2175), as
amended by section 3124 of the National Defense Authoriza-
tion Act for Fiscal Year 2014 (Public Law 113–66; 127
Stat. 1062), is further amended—

(1) in paragraph (4), by striking “; and” and
inserting a semicolon;

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

(3) by inserting after paragraph (4) the fol-
lowing new paragraphs:

“(5) the factors considered and processes used by
the Administrator to determine—

“(A) whether to compete or extend the con-
tract; and

“(B) which activities at the facility should
be covered under the contract rather than under
a different contract;

“(6) with respect to the matters included under
paragraphs (1) through (5), a detailed description of
the analyses conducted by the Administrator to reach
the conclusions presented in the report, including any
assumptions, limitations, and uncertainties relating
to such conclusions; and”.

(b) Fiscal Years Covered.—Subsection (d) of such
section 3121 is amended by striking “2017” and inserting
“2019”.

(c) Technical Amendments.—Such section 3121 is
further amended—

(1) in subsection (c), by striking “or (d)(2)”;
and

(2) in subsection (d)—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as
paragraph (2); and

(C) in paragraph (2), as so redesignated, by
striking “subsections (a) and (d)(2)” and insert-
ing “subsection (a)”.

(d) Sense of Congress.—It is the sense of Congress
that—

(1) in the past decade, competition of the man-
agement and operating contracts for the national se-
curity laboratories has resulted in significant in-
creases in fees paid to the contractors—funding that
otherwise could be used to support program and mis-
sion activities of the National Nuclear Security Ad-
ministration;
(2) competition of the management and operating contracts of the nuclear security enterprise is an important mechanism to help realize cost savings, seek efficiencies, improve performance, and hold contractors accountable;

(3) when the Administrator for Nuclear Security considers it appropriate to achieve these goals, the Administrator should conduct competition of these contracts while recognizing the unique nature of federally funded research and development centers; and

(4) the Administrator should ensure that fixed fees and performance-based fees contained in management and operating contracts are as low as possible to maintain a focus on national service while attracting high-quality contractors and achieving the goals of the competition.

SEC. 3115. NUCLEAR WEAPON DESIGN RESPONSIVENESS PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a modern and responsive nuclear weapons infrastructure is only one component of a nuclear posture that is agile, flexible, and responsive to change; and
(2) to ensure the nuclear deterrent of the United States remains safe, secure, reliable, credible, and responsive, the United States must continually exercise all capabilities required to conceptualize, study, design, develop, engineer, certify, produce, and deploy nuclear weapons.

(b) Establishment of Program.—

(1) In general.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

"SEC. 4220. NUCLEAR WEAPON DESIGN RESPONSIVENESS PROGRAM.

"(a) Statement of Policy.—It is the policy of the United States to sustain, enhance, and continually exercise all capabilities required to conceptualize, study, design, develop, engineer, certify, produce, and deploy nuclear weapons to ensure the nuclear deterrent of the United States remains safe, secure, reliable, credible, and responsive.

"(b) Program Required.—The Secretary of Energy, acting through the Administrator and in consultation with the Secretary of Defense, shall carry out a program, along with the stockpile stewardship program under section 4201 and the stockpile management program under section 4204, to sustain, enhance, and continually exercise all capabilities
required to conceptualize, study, design, develop, engineer, certify, produce, and deploy nuclear weapons.

“(c) OBJECTIVES.—The program under subsection (b) shall have the following objectives:

“(1) Correct deficiencies in, identify, sustain, enhance, and continually exercise all capabilities required to carry out all phases of the joint nuclear weapons life cycle process, with respect to both the nuclear security enterprise and relevant elements of the Department of Defense.

“(2) Identify, enhance, and transfer knowledge, skills, and direct experience with respect to all phases of the joint nuclear weapons life cycle process from one generation of nuclear weapon designers and engineers to the following generation.

“(3) Identify, sustain, and enhance the capabilities, infrastructure, tools, and technologies required for all phases of the joint nuclear weapons life cycle process.

“(4) Periodically demonstrate nuclear weapon design responsiveness throughout the range of capabilities required, including prototypes, flight testing, and development of plans for certification without the need for nuclear explosive testing.
“(5) Continually exercise processes for the integration and coordination of all relevant elements and processes of the Administration and the Department of Defense required to ensure nuclear weapon design responsiveness.

“(d) JOINT NUCLEAR WEAPONS LIFE CYCLE PROCESS DEFINED.—In this section, the term ‘joint nuclear weapons life cycle process’ means the process developed and maintained by the Secretary of Defense and the Secretary of Energy for the development, production, maintenance, and retirement of nuclear weapons.”.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4219 the following new item:

“Sec. 4220. Nuclear weapon design responsiveness program.”.

(c) INCLUSION IN STOCKPILE STEWARDSHIP, MANAGEMENT, AND INFRASTRUCTURE PLAN.—Section 4203 of such Act (50 U.S.C. 2523) is amended—

(1) in subsection (a), by inserting “design responsiveness,” after “stockpile management,”;

(2) in subsection (c)—

(A) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(B) by inserting after paragraphs (4) the following new paragraph (5):
“(5) A summary of the status, plans, and budgets for carrying out the nuclear weapons design responsiveness program under section 4220.”;

(3) in subsection (d)(1)—

(A) in the matter preceding subparagraph (A), by striking “stewardship and management” and inserting “stewardship, stockpile management, and design responsiveness”;

(B) in subparagraph (K), by striking “; and” and inserting a semicolon;

(C) in subparagraph (L), by striking the period and inserting a semicolon; and

(D) by adding at the end the following new subparagraphs:

“(M) the status, plans, activities, budgets, and schedules for carrying out the nuclear weapons design responsiveness program under section 4220; and

“(N) for each of the five fiscal years following the fiscal year in which the report is submitted, an identification of the funds needed to carry out the program required under section 4220.”; and

(4) in subsection (e)(1)(A)—
(A) in clause (i), by striking ‘‘; and’’ and inserting a semicolon;

(B) in clause (ii), by striking the period and inserting ‘‘; and’’; and

(C) by adding at the end the following new clause:

‘‘(iii) whether the plan supports the nuclear weapons design responsiveness program under section 4220 in a manner that meets the objectives of such program and an identification of any improvements that may be made to the plan to better carry out such program.’’.

(d) REPORT BY STRATCOM.—Section 4205(e)(4) of such Act (50 U.S.C. 2525(e)(4)) is amended—

(1) in subparagraph (A), by striking ‘‘; and’’ and inserting a semicolon;

(2) in subparagraph (B), by striking the period and inserting ‘‘; and’’; and

(3) by adding at the end the following new subparagraph:

‘‘(C) the views of the Commander on the nuclear weapons design responsiveness program under section 4220, the activities conducted
under such program, and any suggestions to improve such program.”.

SEC. 3116. DISPOSITION OF WEAPONS-USABLE PLUTONIUM.

(a) Mixed Oxide Fuel Fabrication Facility.—

(1) In General.—Using funds described in paragraph (2), the Secretary of Energy shall carry out construction and project support activities relating to the MOX facility.

(2) Funds Described.—The funds described in this paragraph are the following:

(A) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the National Nuclear Security Administration for the MOX facility for construction and project support activities.

(B) Funds authorized to be appropriated for a fiscal year prior to fiscal year 2016 for the National Nuclear Security Administration for the MOX facility for construction and project support activities that are unobligated as of the date of the enactment of this Act.

(b) Updated Performance Baseline.—The Secretary shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget (as submitted with the budget of the President
under section 1105(a) of title 31, United States Code) for fiscal year 2017 an updated performance baseline for construction and project support activities relating to the MOX facility conducted in accordance with Department of Energy Order 413.3B.

(c) DEFINITIONS.—In this section:

(1) The term “MOX facility” means the mixed-oxide fuel fabrication facility at the Savannah River Site, Aiken, South Carolina.

(2) The term “project support activities” means activities that support the design, long-lead equipment procurement, and site preparation of the MOX facility.

SEC. 3117. PROHIBITION ON AVAILABILITY OF FUNDS FOR FIXED SITE RADIOLOGICAL PORTAL MONITORS IN FOREIGN COUNTRIES.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 or any fiscal year thereafter for the National Nuclear Security Administration may be obligated or expended for the research and development, installation, or sustainment of fixed site radiological portal monitors or equipment for use in foreign countries.

(b) MOBILE RADIOLOGICAL INSPECTION EQUIPMENT.—The prohibition in subsection (a) may not be con-
strued to apply to mobile radiological inspection equip-
ment.

SEC. 3118. PROHIBITION ON AVAILABILITY OF FUNDS FOR

PROVISION OF DEFENSE NUCLEAR NON-
PROLIFERATION ASSISTANCE TO RUSSIAN
FEDERATION.

(a) Prohibition.—None of the funds authorized to be
appropriated by this Act or otherwise made available for
fiscal year 2016 for defense nuclear nonproliferation activi-
ties may be obligated or expended to enter into a contract
with, or otherwise provide assistance to, the Russian Fed-
eration.

(b) Waiver.—The Secretary of Energy, without dele-
gation, may waive the prohibition in subsection (a) if the
Secretary—

(1) submits to the appropriate congressional
committees a report containing—

(A) notification that such a waiver is in the
national security interest of the United States;

and

(B) justification for such a waiver; and

(2) a period of 15 days elapses following the date
on which the Secretary submits such report.
(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 3119. LIMITATION ON AUTHORIZATION OF PRODUCTION OF SPECIAL NUCLEAR MATERIAL OUTSIDE THE UNITED STATES BY FOREIGN COUNTRY WITH NUCLEAR NAVAL PROPULSION PROGRAM.

Section 57 of the Atomic Energy Act of 1954 (42 U.S.C. 2077), as amended by section 3118, is further amended by adding at the end the following new subsection:

“f.(1) The Secretary may not make an authorization under subsection b.(2) with respect to a foreign country with a nuclear naval propulsion program unless—

“(A) the Director of National Intelligence and the Chief of Naval Operations jointly submit to the appropriate congressional committees an assessment of the risks of diversion, and the likely consequences of such diversion, of the technology and material covered by such authorization;
“(B) following the date on which such assessment is submitted, the Administrator for Nuclear Security certifies to the appropriate congressional committees that—

“(i) there is sufficient diversion control as part of such transfer; and

“(ii) such transfer presents a minimal risk of diversion of such technology to a military program that would degrade the technical advantage of the United States; and

“(C) a period of 90 days has elapsed following the date of such certification.

“(2) In this subsection, the term ‘appropriate congressional committees’ means the following:

“(A) The congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code).

“(B) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

“(C) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.”.

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SEC. 3120. LIMITATION ON AVAILABILITY OF FUNDS FOR DEVELOPMENT OF CERTAIN NUCLEAR NON-PROLIFERATION TECHNOLOGIES.

(a) LIMITATION.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for defense nuclear nonproliferation for nonproliferation or arms control verification or monitoring technologies may be obligated or expended to develop such technologies beyond technology readiness level 5 unless, not later than 60 days after the date of the enactment of this Act, the Secretary of Energy submits to the appropriate congressional committees the following:

(1) Written certification that such technologies are being developed to fulfill the rights or obligations of the United States under—

(A) a current arms control or nonproliferation treaty or agreement requiring verification or monitoring that has entered into force with respect to the United States; or

(B) an arms control or nonproliferation treaty or agreement that—

(i) will require verification or monitoring; and

(iii) the Secretary expects will enter into force with respect to the United States
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during the two-year period beginning on the
date of the certification.

(2) With respect to each technology developed be-
yond technology readiness level 5 pursuant to this
subsection—

(A) an identification of the amount of such
funds made available for fiscal year 2016 for de-
fense nuclear nonproliferation that will be used
for such development; and

(B) how such development helps to fulfill the
rights or obligations of the United States as de-
scribed in subparagraphs (A) or (B) of para-
graph (1).

(b) WAIVER.—The Secretary may waive the limitation
in subsection (a) if—

(1) the Secretary—

(A) determines that the waiver is necessary
in the national security interests of the United
States; and

(B) submits to the appropriate congres-
sional committees a written certification of such
determination; and

(2) a period of 15 days elapses following the date
on which the Secretary submits such certification.

(c) DEFINITIONS.—In this section:
(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees;

and

(B) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) The term “technology readiness level 5” has the meaning given that term in the Department of Energy Guide 413.3-4A titled “Technology Readiness Assessment Guide” and approved on September 15, 2011.

SEC. 3121. LIMITATION ON AVAILABILITY OF FUNDS FOR UNILATERAL DISARMAMENT.

(a) Limitation on Maximum Amount for Dismantlement.—Of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2016 through 2020 for the National Nuclear Security Administration, not more than $50,000,000 may be obligated or expended in each such fiscal year to carry out the nuclear weapons dismantlement and disposition activities of the Administration.

(b) Limitation on Unilateral Disarmament.—

(1) In General.—Except as provided by paragraph (2) and subsection (d), none of the funds au-
authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2016 through 2020 for the National Nuclear Security Administration may be obligated or expended to dismantle a nuclear weapon of the United States.

(2) AUTHORIZED DISMANTLEMENT.—The limitation in paragraph (1) shall not apply with respect to a nuclear weapon of the United States that meets at least one of the following criteria:

(A) The nuclear weapon was retired on or before September 30, 2008.

(B) The Administrator for Nuclear Security certifies in writing to the congressional defense committees that the components of the nuclear weapon are directly required for the purposes of a current life extension program.

(C) The President certifies in writing to the congressional defense committees that the nuclear weapon is being dismantled pursuant to a nuclear arms reduction treaty or similar international agreement that—

(i) has entered into force after the date of the enactment of this Act; and

(ii) was approved—
(I) with the advice and consent of the Senate pursuant to Article II, section 2, clause 2 of the Constitution after the date of the enactment of this Act; or

(II) by an Act of Congress, as described in section 303(b) of the Arms Control and Disarmament Act (22 U.S.C. 2573(b)).

(c) Limitation on Unilateral Disarmament of Certain Cruise Missile Warheads.—Except as provided by subsection (d), and notwithstanding subsection (b)(2), none of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2016 through 2020 for the National Nuclear Security Administration may be obligated or expended to dismantle or dispose a W84 nuclear weapon.

(d) Exception.—The limitations in subsection (b) and (c) shall not apply to activities necessary to conduct maintenance or surveillance of the nuclear weapons stockpile or activities to ensure the safety or reliability of the nuclear weapons stockpile.
SEC. 3122. USE OF BEST PRACTICES FOR CAPITAL ASSET PROJECTS AND NUCLEAR WEAPON LIFE EXTENSION PROGRAMS.

(a) Analyses of Alternatives.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Energy, in coordination with the Administrator for Nuclear Security, shall ensure that analyses of alternatives are conducted (including through contractors, as appropriate) in accordance with best practices for capital asset projects and life extension programs of the National Nuclear Security Administration and capital asset projects relating to defense environmental management.

(b) Cost Estimates.—Not later than 30 days after the date of the enactment of this Act, the Secretary, in coordination with the Administrator, shall develop cost estimates in accordance with cost estimating best practices for capital asset projects and life extension programs of the National Nuclear Security Administration and capital asset projects relating to defense environmental management.

(c) Revisions to Departmental Project Management Order and Nuclear Weapon Life Extension Requirements.—As soon as practicable after the date of the enactment of this Act, but not later than two years after such date of enactment, the Secretary shall revise—

(1) the capital asset project management order of the Department of Energy to require the use of best
practices for preparing cost estimates and for conducting analyses of alternatives for National Nuclear Security Administration and defense environmental management capital asset projects; and

(2) the nuclear weapon life extension program procedures of the Department to require the use of use of best practices for preparing cost estimates and conducting analyses of alternatives for National Nuclear Security Administration life extension programs.

**Subtitle C—Plans and Reports**

**SEC. 3131. ROOT CAUSE ANALYSES FOR CERTAIN COST OVERRUNS.**

Section 4713(c) of the Atomic Energy Defense Act (50 U.S.C. 2753) is amended—

(1) in the heading, by inserting “AND ROOT CAUSE ANALYSES” after “PROJECTS”;

(2) in paragraph (1), by striking “and”; 

(3) in paragraph (2)(C), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following paragraph:

“(3) submit to the congressional defense committees an assessment of the root cause or causes of the growth in the total cost of the project, including the contribution of any shortcomings in cost, schedule, or
performance of the program, including the role, if any, of—

“(A) unrealistic performance expectations;
“(B) unrealistic baseline estimates for cost or schedule;
“(C) immature technologies or excessive manufacturing or integration risk;
“(D) unanticipated design, engineering, manufacturing, or technology integration issues arising during program performance;
“(E) changes in procurement quantities;
“(F) inadequate program funding or funding instability;
“(G) poor performance by personnel of the Federal Government or contractor personnel responsible for program management; or
“(H) any other matters.”.

SEC. 3132. EXTENSION AND MODIFICATION OF CERTAIN ANNUAL REPORTS ON NUCLEAR NON-PROLIFERATION.

Section 3122(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1710) is amended—

(1) in the matter preceding paragraph (1), by striking “2016” and inserting “2020”; and
(2) in paragraph (2), by inserting after “world,” the following: “including an identification of such uranium that is obligated by the United States,”; and

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

“(3) A list, by country and site, reflecting the total amount of separated plutonium around the world, including an identification of such plutonium that is obligated by the United States, and an assessment of the vulnerability of the plutonium to theft or diversion.”.

SEC. 3133. GOVERNANCE AND MANAGEMENT OF NUCLEAR SECURITY ENTERPRISE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) correcting the longstanding problems with the governance and management of the nuclear security enterprise will require robust, personal, and long-term engagement by the President, the Secretary of Energy, the Administrator for Nuclear Security, and leaders from the appropriate congressional committees;

(2) recent and past studies of the governance and management of the nuclear security enterprise have provided a list of reasonable, practical, and action-able steps that the Secretary and the Administrator
should take to make the nuclear security enterprise more efficient and more effective; and

(3) lasting and effective change to the nuclear security enterprise will require personal engagement by senior leaders, a clear plan, and mechanisms for ensuring follow-through and accountability.

(b) IMPLEMENTATION PLAN.—

(1) IMPLEMENTATION ACTION TEAM.—

(A) The Secretary and the Administrator shall jointly establish a team of senior officials from the Department of Energy and the National Nuclear Security Administration to develop and carry out an implementation plan to reform the governance and management of the nuclear security enterprise to improve the effectiveness and efficiency of the nuclear security enterprise. Such plan shall be developed and implemented in accordance with the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.), the Atomic Energy Defense Act (50 U.S.C. 2501 et seq.), and any other provision of law.

(B) The team established under paragraph (1) shall be co-chaired by the Deputy Secretary of Energy and the Administrator.
(C) In developing and carrying out the implementation plan, the team shall consult with the implementation assessment panel established under subsection (c)(1).

(2) Elements.—The implementation plan developed under paragraph (1)(A) shall address all recommendations contained in the covered study (except such recommendations that require legislative action to carry out) by identifying specific actions, milestones, timelines, and responsible personnel to implement such plan.

(3) Submission.—Not later than January 30, 2016, the Secretary of Energy and the Administrator for Nuclear Security shall jointly submit to the appropriate congressional committees the implementation plan developed under paragraph (1)(A).

(c) Implementation Assessment Panel.—

(1) Agreement.—Not later than 60 days after the date of the enactment of this Act, the Administrator shall seek to enter into a joint agreement with the National Academy of Sciences and the National Academy of Public Administration to establish a panel of external, independent experts to evaluate the implementation plan developed under subsection (b)(1)(A) and the implementation of such plan.
(2) DUTIES.—The panel established under paragraph (1) shall—

(A) provide guidance to the Secretary and the Administrator with respect to the implementation plan developed under subsection (b)(1)(A), including how such plan compares or contrasts with the covered study;

(B) track the implementation of such plan; and

(C) assess the effectiveness of such plan.

(3) REPORTS.—

(A) Not later than March 1, 2016, the panel established under paragraph (1) shall submit to the appropriate congressional committees, the Secretary, and the Administrator an initial assessment of the implementation plan developed under subsection (b)(1)(A), including with respect to the completeness of the plan, how the plan aligns with the intent and recommendations made by the covered study, and the prospects for success for the plan.

(B) Beginning August 1, 2016, and semi-annually thereafter until September 30, 2018, the panel established under paragraph (1) shall submit to the appropriate congressional commit-
tees, the Secretary, and the Administrator a re-
port on the efforts of the Secretary and the Ad-
ministrator to implement the implementation
plan developed under subsection (b)(1)(A).

(C) Not later than September 30, 2018, the
panel established under paragraph (1) shall sub-
mit to the appropriate congressional committees,
the Secretary, and the Administrator a final re-
port on the efforts of the Secretary and the Ad-
ministrator to implement the implementation
plan developed under subsection (b)(1)(A), in-
cluding an assessment of the effectiveness of the
reform efforts under such plan and whether fur-
ther action is needed.

(4) COOPERATION.—The Secretary and the Ad-
ministrator shall provide to the panel established
under paragraph (1) full and timely access to all in-
formation, personnel, and systems of the Department
of Energy and the National Nuclear Security Admin-
istration that the panel determines necessary to carry
out this subsection.

(d) DEFINITIONS.—In this section:

(1) The term “nuclear security enterprise” has
the meaning given that term in section 4002(6) of the
(2) The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Energy and Commerce of the House of Representatives.

(5) The term “covered study” means the following:


(B) Any other study not conducted by the Secretary or the Administrator that the Secretary determines appropriate for purposes of this section.

(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to authorize any action—
(1) in contravention of section 3220 of the National Nuclear Security Administration Act (50 U.S.C. 2410); or

(2) that would undermine or weaken health, safety, or security.

SEC. 3134. ASSESSMENTS ON NUCLEAR PROLIFERATION RISKS AND NUCLEAR NONPROLIFERATION OPPORTUNITIES.

(a) REPORTS.—Not later than March 1, 2016, and each year thereafter through 2020, the Director of National Intelligence shall submit to the appropriate congressional committees a report, consistent with the provision of classified information and intelligence sources and methods, containing—

(1) an assessment and prioritization of international nuclear proliferation risks and nuclear non-proliferation opportunities; and

(2) an assessment of the effectiveness of various means and programs for addressing such risks and opportunities.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees;
(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate; and

(3) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 3135. INDEPENDENT REVIEW OF LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT PROGRAMS.

(a) Review.—

(1) IN GENERAL.—The Administrator for Nuclear Security shall seek to enter into a contract with the JASON Defense Advisory Panel to conduct a review of the laboratory-directed research and development programs authorized under section 4811 of the Atomic Energy Defense Act (50 U.S.C. 2791). Such review shall include assessments of the following:

(A) Whether and how such programs support the mission of the National Nuclear Security Administration, including whether such programs are carried out pursuant to the requirements of section 4812(a) of such Act (50 U.S.C. 2792(a)) or other similar requirements established by the Secretary of Energy or the Administrator.
(B) Whether the science conducted under such programs underpin the advancement of scientific understanding necessary for nuclear weapons, nuclear nonproliferation, and naval nuclear propulsion programs.

(C) Whether the science conducted under such programs help attract and retain highly qualified technical personnel.

(D) The scientific and programmatic opportunities and challenges in such programs, including recent significant accomplishments and failures of such programs.

(E) How projects are selected for funding under such programs.

(2) SUBMISSION.—Not later than November 1, 2016, the Administrator shall submit to the congressional defense committees a report containing the review of the JASON Defense Advisory Panel conducted under paragraph (1).

(b) COMPTROLLER GENERAL BRIEFING.—Not later than November 1, 2016, the Comptroller General of the United States shall provide to the congressional defense committees a briefing on the following:

(1) How funding limits for laboratory-directed research and development programs of the National
Nuclear Security Administration compare to funding limits for other laboratories of the Department of Energy and laboratories and federally funded research and development centers of the Department of Defense.

(2) How many personnel are supported by laboratory-directed research and development programs, including—

(A) how many personnel receive 50 percent or more of their funding from such programs; and

(B) how many personnel devote more than 50 percent of their time to such programs for more than three years.

Subtitle D—Other Matters

SEC. 3141. TRANSFER, DECONTAMINATION, AND DECOMMISSIONING OF NONOPERATIONAL FACILITIES.

(a) Plan.—The Secretary of Energy shall establish and carry out a plan under which the Administrator for Nuclear Security shall transfer to the Assistant Secretary of Energy for Environmental Management the responsibility for decontaminating and decommissioning facilities of the National Nuclear Security Administration that the Secretary of Energy determines—
(1) are nonoperational as of the date of the enactment of this Act; and

(2) meet the requirements of the Office of Environmental Management for such transfer.

(b) ELEMENTS.—The plan under subsection (a) shall include—

(1) a schedule for transferring the facilities as described in such subsection by not later than three years after the date of the enactment of this Act;

(2) a prioritized list and schedule for decontaminating and decommissioning such facilities, including how such priority and schedule is treated in light of the other facility disposition priorities of the Office of Environmental Management; and

(3) a description of the estimated life cycle costs for all such facilities and how such information is factored into the prioritized list and schedule under paragraph (2).

(c) SUBMISSION.—Not later than February 15, 2016, the Secretary of Energy shall submit to the congressional defense committees, the Committee on Energy and Natural Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives the plan under subsection (a), including any additional views of the Secretary regarding such plan.
SEC. 3142. RESEARCH AND DEVELOPMENT OF ADVANCED NAVAL NUCLEAR FUEL SYSTEM BASED ON LOW-ENRICHED URANIUM.

(a) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for defense nuclear nonproliferation for material management and minimization, not more than $5,000,000 shall be made available to the Deputy Administrator for Naval Reactors for initial planning and early research and development of an advanced naval nuclear fuel system based on low-enriched uranium, as specified in the funding table in section 4701.

(b) DETERMINATION OF CONTINUED RESEARCH AND DEVELOPMENT.—

(1) DETERMINATION.—At the same time that the President submits to Congress the budget for fiscal year 2017 under section 1105(a) of title 31, United States Code, the Secretary of Energy and the Secretary of the Navy shall jointly submit to the congressional defense committees the determination of the Secretaries as to whether the United States should continue to pursue research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(2) BUDGET REQUEST.—If the Secretaries determine under paragraph (1) that research and develop-
ment of an advanced naval nuclear fuel system based on low-enriched uranium should continue, the Secre-
taries shall ensure that the budget described in such paragraph includes amounts for defense nuclear non-
proliferation for material management and mini-
mization necessary to carry out the plan under sub-
section (c).

(c) **Plan.**—Not later than 30 days after the date of the submission of the determination under subsection (b)(1), the Deputy Administrator for Naval Reactors shall submit to the congressional defense committees a plan for research and development of an advanced naval nuclear fuel system based on low-enriched uranium to meet military require-
ments. Such plan shall include the following:

1. **Timelines.**

2. **Costs** (including an analysis of the cost of such research and development as compared to the cost of maintaining current naval nuclear reactor technology).

3. **Milestones**, including an identification of de-
cision points in which the Deputy Administrator shall determine whether further research and develop-
ment of a low-enriched uranium naval nuclear fuel system is warranted.
(4) Identification of any benefits or risks for nuclear nonproliferation of such research and development and eventual deployment.

(5) Identification of any military benefits or risks of such research and development and eventual deployment.

(6) A discussion of potential security cost savings from using low-enriched uranium in future naval nuclear fuels, including for transporting and using low-enriched uranium fuel, and how such cost savings relate to the cost of fuel fabrication.

(7) The distinction between requirements for aircraft carriers from submarines.

(8) Any other matters the Deputy Administrator determines appropriate.

(d) MEMORANDUM OF UNDERSTANDING.—If the Secretaries determine under subsection (b)(1) that research and development of an advanced naval nuclear fuel system based on low-enriched uranium should continue, not later than 60 days after the date on which the Deputy Administrator submits the plan under subsection (c), the Deputy Administrator shall enter into a memorandum of understanding with the Deputy Administrator for Defense Nuclear Non-proliferation regarding such research and development, including with respect to how funding for such research and
development will be requested for the “Defense Nuclear Non-
proliferation” account for material management and mini-
mization and provided to the “Naval Reactors” account to
carry out the program.

SEC. 3143. PLUTONIUM PIT PRODUCTION CAPACITY.

(a) Sense of Congress.—It is the sense of Congress
that—

(1) the requirement to create a modern, responsive nuclear infrastructure that includes the capa-
bility and capacity to produce, at minimum, 50 to 80
pits per year, is a national security priority;

(2) delaying creation of a modern, responsive nuclear infrastructure until the 2030s is an unaccept-
able risk to the nuclear deterrent and the national se-
curity of the United States; and

(3) timelines for creating certain capacities for production of plutonium pits and other nuclear weap-
ons components must be driven by the requirement to hedge against technical and geopolitical risk and not solely by the needs of life extension programs.

(b) Briefing.—

(1) In general.—Not later than March 1, 2016,
the Chairman of the Nuclear Weapons Council estab-
lished under section 179 of title 10, United States
Code, in consultation with the Administrator for Nu-
clear Security and the Commander of the United States Strategic Command, shall provide to the congres- sional defense committees a briefing on the annual plutonium pit production capacity of the nuclear security enterprise (as defined in section 4002(6) of the Atomic Energy Defense Act (50 U.S.C. 2501)).

(2) ELEMENTS.—The briefing under paragraph (1) shall describe the following:

(A) The pit production capacity requirement, including the numbers of pits produced that are needed for nuclear weapons life extension programs.

(B) The annual pit production requirement, including the numbers of pits produced, to support a responsive nuclear weapons infrastructure to hedge against technical and geopolitical risk.

SEC. 3144. ANALYSIS OF ALTERNATIVES FOR MOBILE GUARDIAN TRANSPORTER PROGRAM.

(a) SUBMISSION OF ANALYSIS OF ALTERNATIVES.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees the analysis of alternatives conducted by the Administrator for the mobile guardian transporter program.
(b) Independent Assessment.—

(1) In General.—Not later than 30 days after the date of the enactment of this Act, the Administrator shall seek to enter into a contract with a federally funded research and development center to conduct an independent assessment of the analysis of alternatives for the mobile guardian transporter program.

(2) Matters Included.—The assessment under paragraph (1) of the analysis of alternatives for the mobile guardian transporter program shall include an assessment of the following:

(A) The engineering, operations, logistics, cost, cost-benefit, policy, threat, safety, security, and risk analysis used to inform the analysis of alternatives.

(B) The options considered by the analysis of alternatives and whether such options represent a comprehensive set of options.

(C) The constraints and assumptions used to frame and bound the analysis of alternatives.

(3) Submission.—Not later than March 1, 2016, the Administrator shall submit to the congressional defense committees a report containing—
(A) the assessment conducted by the federally funded research and development center under paragraph (1), without change; and

(B) any views of the Administrator regarding such assessment or the mobile guardian transporter program.

(c) IDENTIFICATION IN BUDGET MATERIALS.—The Secretary of Energy shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) for any fiscal year in which the mobile guardian transporter program is carried out a separate, dedicated program element for such program.

SEC. 3145. DEVELOPMENT OF STRATEGY ON RISKS TO NON-PROLIFERATION CAUSED BY ADDITIVE MANUFACTURING.

(a) STRATEGY.—The President shall develop and pursue a strategy to address the risks to the goals and policies of the United States regarding nuclear nonproliferation that are caused by the increased use of additive manufacture technology (commonly referred to as “3D printing”), including such technology that does not originate in the United States.
(b) BRIEFINGS.—Not later than March 31, 2016, and each 120-day period thereafter through January 1, 2019, the President shall provide to the appropriate congressional committees a briefing on the strategy developed under subsection (a).

(c) PURSUIT OF STRATEGY.—The President shall pursue the strategy developed under subsection (a) at the Nuclear Security Summit in Chicago in 2016.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There is authorized to be appropriated for fiscal year 2016 $29,150,000 for the operation of the Defense Nuclear

SEC. 3202. ADMINISTRATION OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

(a) Provision of Information to Board Members.—Section 311(c) of the Atomic Energy Act of 1954 (42 U.S.C. 2286(c)) is amended—

(1) in paragraph (2), in the matter preceding subparagraph (A), by striking “paragraph (5)” and inserting “paragraphs (5), (6), and (7)”;

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

“(6) In carrying out paragraph (5)(B), the Chairman may not withhold from any member of the Board any information that is made available to the Chairman regarding the Board’s functions, powers, and mission (including with respect to the management and evaluation of employees of the Board).”.

(b) Senior Employees.—

(1) Appointment and Removal.—Such section 311(c), as amended by subsection (a), is further amended by adding at the end the following new paragraph:
“(7)(A) The Chairman, subject to the approval of the Board, shall appoint the senior employees described in sub-paragraph (C).

“(B) The Chairman, subject to the approval of the Board, may remove a senior employee described in subpara- graph (C).

“(C) The senior employees described in this subpara- graph are the following senior employees of the Board:

“(i) The senior employee responsible for budgetary and general administration matters.

“(ii) The general counsel.

“(iii) The senior employee responsible for technical matters.”.

(2) CONFORMING AMENDMENT.—Section 313(b)(1)(A) of such Act (42 U.S.C. 2286b(b)(1)) is amended by striking “hire” and inserting “in accord- ance with section 311(c)(7), hire”.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be ap- propriated to the Secretary of Energy $17,500,000 for fiscal year 2016 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.
(b) Period of Availability.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

**TITLE XXXV—MARITIME ADMINISTRATION**

**SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE FOR FISCAL YEAR 2016.**

Funds are hereby authorized to be appropriated for fiscal year 2016, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $96,028,000, of which—

(A) $71,306,000 shall remain available until expended for Academy operations;

(B) $24,722,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $34,550,000, of which—
(A) $2,400,000 shall remain available until expended for student incentive payments;

(B) $3,000,000 shall remain available until expended for direct payments to such academies;

(C) $1,800,000 shall remain available until expended for training ship fuel assistance payments;

(D) $22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels;

(E) $5,000,000 shall remain available until expended for the National Security Multi-Mission Vessel Design; and

(F) $350,000 shall remain available until expended for improving the monitoring of graduates’ service obligation.

(3) For expenses necessary to support Maritime Administration operations and programs, $54,059,000.

(4) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $8,000,000, to remain available until expended.

(5) For expenses to maintain and preserve a United States-flag merchant marine to serve the na-
tional security needs of the United States under chapter 531 of title 46, United States Code, $186,000,000.

(6) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $3,135,000, of which $3,135,000 shall remain available until expended for administrative expenses of the program.

SEC. 3502. SENSE OF CONGRESS REGARDING MARITIME SECURITY FLEET PROGRAM.

It is the sense of Congress that dedicated and enhanced support is necessary to stabilize and preserve the Maritime Security Fleet program, a program that provides the Department of Defense with on-demand access to world class, economical commercial sealift capacity, assures a United States-flag presence in international commerce, supports a pool of qualified United States merchant mariners needed to crew United States-flag vessels during times of war or national emergency, and serves as a critical component of our national security infrastructure.
SEC. 3503. UPDATE OF REFERENCES TO THE SECRETARY OF TRANSPORTATION REGARDING UNEMPLOYMENT INSURANCE AND VESSEL OPERATORS.

Sections 3305 and 3306(n) of the Internal Revenue Code of 1986 are each amended by striking “Secretary of Commerce” each place that it appears and inserting “Secretary of Transportation”.

SEC. 3504. RELIANCE ON CLASSIFICATION SOCIETY CERTIFICATION FOR PURPOSES OF ELIGIBILITY FOR CERTIFICATE OF INSPECTION.

Section 53102(c)(3)(A) of title 46, United States Code, is amended by striking “may” and inserting “shall”.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—
(1) be based on merit-based selection procedures
in accordance with the requirements of sections
2304(k) and 2374 of title 10, United States Code, or
on competitive procedures; and
(2) comply with other applicable provisions of
law.

(c) Relationship to Transfer and Programming
Authority.—An amount specified in the funding tables in
this division may be transferred or reprogrammed under
a transfer or reprogramming authority provided by another
provision of this Act or by other law. The transfer or re-
programming of an amount specified in such funding tables
shall not count against a ceiling on such transfers or
reprogrammings under section 1001 or section 1522 of this
Act or any other provision of law, unless such transfer or
reprogramming would move funds between appropriation
accounts.

(d) Applicability to Classified Annex.—This sec-
tion applies to any classified annex that accompanies this
Act.

(e) Oral and Written Communications.—No oral
or written communication concerning any amount specified
in the funding tables in this division shall supersede the
requirements of this section.
## 1 TITLE XLI—PROCUREMENT

### 2 SEC. 4101. PROCUREMENT.

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**PROCUREMENT OF AMMUNITION, ARMY**

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**OTHER PROCUREMENT, ARMY**

**TACTICAL VEHICLES**

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**SEC. 4101, PROCUREMENT**

**(In Thousands of Dollars)**

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**AIRCRAFT PROCUREMENT, NAVY**

- **COMBAT AIRCRAFT**
  - F/A-18E/F (FIGHTERS) HORNET | 1,130,000 | 1,130,000 |
  - JOINT STRIKE FIGHTER CV | 897,542 | 897,542 |
  - ADVANCE PROCUREMENT (CV) | 48,630 | 48,630 |
  - ADVANCE PROCUREMENT (CY) | 203,060 | 203,060 |
  - V-22 (MEDIUM LIFT) | 4,390 | 4,390 |
  - Advance procurement—Marine Corps Unfunded Requirement | 1,130,000 | 1,130,000 |

**HR 1735 RH**
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WEAPONS PROCUREMENT, NAVY

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**HR 1735 RH**
### SEC. 4101. PROCUREMENT

#### (In Thousands of Dollars)

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**HR 1735 RH**
### SEC. 4101. PROCUREMENT

(In Thousands of Dollars)

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**HR 1735 RH**
### SEC. 4101. PROCUREMENT

**(In Thousands of Dollars)**

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**procurement, Marine Corps**

**Tracked Combat Vehicles**

**Artillery and other weapons**

**Ground based air defense**

**Program increase to support Unfunded Requirements**

**Follow on to SAW**

**Anti-Tank Weapons System-Heavy (LAWS-H)**

**Other Support**

**Modification KIts**

**Command and Control Systems**

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**HR 1735 RH**
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**STRATEGIC AIRCRAFT**

| 017  | R–2A             | $32,458         | $32,458         |
| 018  | E–1B             | $114,119        | $114,119        |
| 019  | B–32             | $149,997        | $149,997        |
| 020  | TACTICAL AIRCRAFT INFRARED COUNTERMEASURES | $4,335 | $4,335 |

**TACTICAL AIRCRAFT**

| 021  | A–10             | $240,000        |

**WAR CONSUMABLES**

| 022  | F–15             | $664,367        | $664,367        |
| 023  | F–16             | $17,134         | $17,134         |
| 024  | F–22A            | $126,152        | $126,152        |
| 025  | F–35 MODIFICATIONS | $70,167 | $70,167 |
| 026  | INCREMENT 1–2B   | $18,325         | $18,325         |

**AIRCRAFT AIRCRAFT**

| 028  | C–5              | $5,604          |
| 029  | C–17A            | $46,907         |
| 030  | C–21             | $10,062         |
| 031  | C–22A            | $44,164         |
| 032  | C–27A            | $10,864         |

**Program decrease**: $[–10,000]

**TRAIN AIRCRAFT**

| 034  | GLIDEE MODS      | $134            |
| 035  | T–6              | $17,968         |
| 036  | T–1              | $23,706         |
| 037  | T–38             | $30,604         |

**OTHER AIRCRAFT**

| 038  | U–2 MODS         | $22,995         |
| 039  | RC–10A (ATCA)    | $5,631          |
| 040  | C–12             | $1,980          |
| 041  | UC–15 MOD         | $98,831         |
| 042  | C–40             | $15,171         |
| 043  | C–130            | $7,048          |

**Program decrease**: $[–10,000]

**T–56 3.5 Engine Mod**

| 045  | C–130J MODS      | $29,714         |
| 046  | C–135            | $49,044         |
| 047  | COMPASS CALL MODS| $68,415         |

**RC–10H Fuel Structure Restoration**

| 048  | E–3              | $156,165        |
| 049  | E–4              | $13,178         |
| 050  | E–5              | $22,937         |
| 051  | E–6              | $13,061         |

**AIRBORNE WARNING AND CONTROL SYSTEM**

| 052  | FAMILY OF BEYOND–LINE OF SIGHT TERMINALS | $44,061 | $44,061 |

**Program decrease**: $[–10,000]

**H–1**

| 053  | H–1              | $6,291          |
| 054  | HH–1N REPLENISHMENT | $2,436 | $2,436 |
| 055  | H–60             | $45,231         |
| 056  | RQ–4 MODS        | $50,022         |
| 057  | HC/MC–130 MODIFICATIONS | $23,660 | $23,660 |
| 058  | OTHER AIRCRAFT   | $117,767        |
| 059  | MQ–1 MODS        | $115,226        |
| 060  | MQ–9 MODS        | $58,282         |

**CV–22 MODS**

| 061  | CV–22 MODS       | $58,282         |

**AIRCRAFT SPARES AND REPAIR PARTS**

| 062  | INITIAL SPARES/REPAIR PARTS | $656,242 | $656,242 |

**COMMON SUPPORT EQUIPMENT**

| 063  | AIRCRAFT REPLACEMENT SUPPORT EQUIP | $33,716 | $33,716 |

**POST PRODUCTION SUPPORT**

| 064  | H–2A             | $38,837         |
| 065  | H–52             | $5,911          |
| 066  | C–17A            | $50,088         |
| 067  | C–22 POST PRODUCTION SUPPORT | $3,353 | $3,353 |
| 068  | C–15 MODS        | $4,190          |
| 069  | F–15             | $3,225          |
| 070  | F–16             | $14,969         |

**Additional Mission Trainers**

| 071  | Unobligated balance | $[4,700] | $[4,700] |
| 072  | F–22A            | $971           |
| 073  | MQ–9             | $5,000         |

**INDUSTRIAL PREPAREDNESS**

| 074  | SINISTER RESPONSIVENESS | $18,802 | $18,802 |

**WAR CONSUMABLES**

| 075  | WAR CONSUMABLES    | $156,465        |

**HR 1735 RH**
### OTHER PRODUCTION CHARGES

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### CLASSIFIED PROGRAMS

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### MISSILE PROCUREMENT, AIR FORCE

#### MISSILE REPLACEMENT EQUIPMENT—BALLISTIC

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<td>AIM-9X</td>
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<td>SMALL DIAMETER HOMEBUST</td>
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#### INDUSTRIAL FACILITIES

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#### CLASS IV

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<td>AGM-84A HARM</td>
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<td>AIR LAUNCH CRUISE MISSILE (AICM)</td>
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#### MISSILE SPARES AND REPAIR PARTS

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### SPECIAL PROGRAMS

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### CLASSIFIED PROGRAMS

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### SPACE PROCUREMENT, AIR FORCE

#### SPACE PROGRAMS

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<td>WIDERAND GAPPILLER SATELLITES (SPACE)</td>
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<td>79,476</td>
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<td>003</td>
<td>SATCOM Pembudos</td>
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<td>GPS III SPACE SEGMENT</td>
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### PROCUREMENT OF AMMUNITION, AIR FORCE

#### ROCKETS

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#### CARTRIDGES

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#### BOMBS

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<td>GENERAL PURPOSE BOMBS</td>
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#### OTHER ITEMS

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#### FIRES

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#### SMALL ARMS

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### OTHER PROCUREMENT, AIR FORCE

#### PASSENGER CARRYING VEHICLES

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#### CARGO AND UTILITY VEHICLES

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#### SPECIAL PURPOSE VEHICLES

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## SEC. 4101. PROCUREMENT FOR OVERSEAS CONTINGENCY

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## SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

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**AIRCRAFT PROCUREMENT, NAVY**

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**AIRCRAFT PROCUREMENT, NAVY**

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**WEAPONS PROCUREMENT, NAVY**

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**TOTAL PROCUREMENT OF AMMUNITION, ARMY**

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SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

### TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

#### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

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•HR 1735 RH
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### (In Thousands of Dollars)

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#### ADVANCED TECHNOLOGY DEVELOPMENT

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**RDT&E MANAGEMENT SUPPORT**

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**SUBTOTAL RDT&E MANAGEMENT SUPPORT** | 1,027,542 | 1,019,542 |

**OPERATIONAL SYSTEMS DEVELOPMENT**

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**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

(In Thousands of Dollars)
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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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**893**
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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**OPERATIONAL SYSTEMS DEVELOPMENT**

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**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

- **SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES**: 2,062,575 1,601,675

- **SYSTEM DEVELOPMENT & DEMONSTRATION**: 1,174,584 1,174,584

- **MANAGEMENT SUPPORT**: 3,847,791 3,753,791

- **SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION**: 3,847,791 3,753,791

**HR 1735 RH**
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## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

(In Thousands of Dollars)

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### RESEARCH, DEVELOPMENT, TEST & EVAL, DW

- **APPLIED RESEARCH**
  - **BASIC RESEARCH**
    - **001** DTRA BASIC RESEARCH INITIATIVE
    - **002** DEFENSE RESEARCH SCIENCES
    - **003** BASIC RESEARCH INITIATIVES
    - **004** BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE
    - **005** NATIONAL DEFENSE EDUCATION PROGRAM
    - **STEM** program increase: [10,000]
    - **006** HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.
      - Program increase: [10,000]
    - **007** CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM: 46,261
    - **TOTAL BASIC RESEARCH**: 591,669

### APPLIED RESEARCH

- **008** JOINT MUNITIONS TECHNOLOGY
- **009** BIOMEDICAL TECHNOLOGY
- **010** LINCOLN LABORATORY RESEARCH PROGRAM
- **011** APPLIED RESEARCH FOR THE ADVANCEMENT OF SET PRIORITIES.
- **012** INFORMATION & COMMUNICATION TECHNOLOGY
- **013** BIOLOGICAL WARFARE DEFENSE
- **014** CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM
- **016** CYBER SECURITY RESEARCH
- **018** TACTICAL TECHNOLOGY
- **019** MATERIALS AND BIOLOGICAL TECHNOLOGY
- **020** ELECTRONICS TECHNOLOGY
- **023** WEAPONS OF MASS DESTRUCTION DEFETTE TECHNOLOGIES
- **022** SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH
- **023** 89F TECHNOLOGY DEVELOPMENT
- **TOTAL APPLIED RESEARCH**: 1,751,578

### ADVANCED TECHNOLOGY DEVELOPMENT

- **ADVANCED TECHNOLOGY DEVELOPMENT**
  - **024** JOINT MUNITIONS ADVANCED TECHNOLOGY
  - **026** CORRATING TERRORISM TECHNOLOGY SUPPORT
  - **027** INCREASE FOR COUNTING TERRORISM TECHNOLOGY ACTIVITIES
  - **028** COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT
  - **030** ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT
  - **031** DISCRIMINATION SENSOR TECHNOLOGY
  - **032** WEAPONS TECHNOLOGY
- **TOTAL ADVANCED RESEARCH**: 1,726,578

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**HR 1735 RH**
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**SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES** 6,816,554 7,159,490

**SYSTEM DEVELOPMENT AND DEMONSTRATION**

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**SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION** 545,258 545,258

**MANAGEMENT SUPPORT**

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**OPERATIONAL SYSTEM DEVELOPMENT**

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# SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

## (In Thousands of Dollars)

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<td>248</td>
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<tr>
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**SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT** | 4,338,910 | 4,518,510 |

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW** | 18,329,861 | 18,547,081 |

## OPERATIONAL TEST & EVALUATION DEFENSE MANAGEMENT SUPPORT

<table>
<thead>
<tr>
<th>Line</th>
<th>Program Element</th>
<th>Item</th>
<th>FY 2016 Request</th>
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<tbody>
<tr>
<td>001</td>
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<td>002</td>
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<td>003</td>
<td>0605814OTE</td>
<td>OPERATIONAL TEST ACTIVITIES AND ANALYSES</td>
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<td>46,838</td>
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</table>

**SUBTOTAL MANAGEMENT SUPPORT** | 170,558 | 170,558 |

**TOTAL OPERATIONAL TEST & EVAL, DEFENSE** | 170,558 | 170,558 |

**TOTAL RDT&E** | 69,779,182 | 68,352,509 |

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# SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

## SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS

## (In Thousands of Dollars)

<table>
<thead>
<tr>
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<td>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</td>
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**SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | 1,500 | 1,500 |

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY** | 1,500 | 1,500 |

## OPERATIONAL SYSTEMS DEVELOPMENT

<table>
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<tr>
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**SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | 35,747 | 35,747 |

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY** | 35,747 | 35,747 |

## OPERATIONAL SYSTEMS DEVELOPMENT

<table>
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<th>Line</th>
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**SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | 17,100 | 17,100 |

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF** | 17,100 | 17,100 |

## ADVANCED TECHNOLOGY DEVELOPMENT

<table>
<thead>
<tr>
<th>Line</th>
<th>Program Element</th>
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<td>COMBATANT TERRITORIAL TECHNOLOGY SUPPORT</td>
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<td></td>
<td>COMBATANT TERRORISM AND TERRORISM SUPPORT</td>
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**SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT** | 25,000 | 25,000 |

## OPERATIONAL SYSTEM DEVELOPMENT

<table>
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**SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT** | 137,087 | 137,087 |

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW** | 137,087 | 162,087 |

**TOTAL RDT&E** | 191,434 | 216,434 |
## TITLE XLIII—OPERATION AND MAINTENANCE

### SEC. 4301. OPERATION AND MAINTENANCE.

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<td>Flying Hour Program Restoration Unfunded Requirement</td>
<td>[55,000]</td>
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<td>070</td>
<td>H-60 A-L Conversion Acceleration</td>
<td>[86,700]</td>
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<td>Army Reserve cyber education efforts</td>
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<td>Insider Threat Unfunded Requirements</td>
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<td>Open Source Intelligence/Human Terrain Systems Unfunded Requirements</td>
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<td>LAND FORCES DEPOT MAINTENANCE</td>
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<td>1,215,846</td>
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<td>GTMO Critical Building Maintenance</td>
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<td>Restore Sustainment shortfalls</td>
<td>[172,200]</td>
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<td>Afloat Forward Staging Base Unfunded Requirement</td>
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<td>Cyber Defender (25D) Series Course</td>
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<td>Cyber Basic Officer Leadership Course</td>
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<td>Initial Entry Rotary Wing Training Backlog Reduction</td>
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<td>Advanced Civil Schooling – Civilian Graduate School 10 Percent Reduction</td>
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<td>Unmanned Aircraft Systems Training</td>
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<td>Intelligence Support for PACOM Unfunded Requirement</td>
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<td>JUNIOR RESERVE OFFICER TRAINING CORPS</td>
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<td>179,118</td>
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<td>ADMIN &amp; SRVWIDE ACTIVITIES</td>
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<td>715,141</td>
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<td>LOGISTIC SUPPORT ACTIVITIES</td>
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<td>TRADOC Mobile Training Team (MTT) Support Unfunded Requirement</td>
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<td>ADMINISTRATION</td>
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<td>Unjustified Growth in Public Affairs</td>
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<td>OTHER SERVICE SUPPORT</td>
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<td>Spirit of America program growth</td>
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<td>Excessive standard price for fuel</td>
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<td>Foreign Currency adjustments</td>
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<td>Prohibition on Per Diem Allowance Reduction</td>
<td>[5,300]</td>
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<td>Unobligated balances</td>
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<td>SUBTOTAL UNDISTRIBUTED</td>
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**TOTAL OPERATION & MAINTENANCE, ARMY**: 23,822,655  23,764,345
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<th>Item</th>
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<td>FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</td>
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<td>Restore Sustainment shortfalls</td>
<td>[13,600]</td>
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<td><strong>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</strong></td>
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<td>Excessive standard prices for fuel</td>
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<td>Operational Support and Initial Entry Rotary Wing Training</td>
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<td>Restoration of Flying Hours Unfunded Requirement</td>
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<td>Restore Sustainment shortfalls</td>
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<td>National Guard State Partnership Program increase</td>
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<td>NGP Heritage Painting Program</td>
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<td>Excessive standard prices for fuel</td>
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<td>AIR SYSTEMS SUPPORT</td>
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<td>Aviation Readiness Restoration—AV-8B Program Related Logistics</td>
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<td>[4,000]</td>
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<td>Aviation Readiness Restoration—CH-53 Program Related Logistics</td>
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<td>Aviation Readiness Restoration—MV-22 Program Related Logistics</td>
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<td>Aviation Readiness Restoration—AV-8B Depot Maintenance</td>
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<td>Aviation Readiness Restoration—CH-53 Depot Maintenance</td>
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<td>Aviation Readiness Restoration—F-18 Depot Maintenance</td>
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### SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)

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### MOBILIZATION

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### TRAINING AND RECRUITING

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### ADMIN & SRVWD ACTIVITIES

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### OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES

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• HR 1735 RH
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**OPERATION & MAINTENANCE, NAVY RES**

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**OPERATION & MAINTENANCE, MC RESERVE**

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**Operation & Maintenance, AF Reserve**

*HR 1735 RH*
## SEC. 4301. OPERATION AND MAINTENANCE

### (In Thousands of Dollars)

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**HR 1735 RH**
### SEC. 4301. OPERATION AND MAINTENANCE

#### (In Thousands of Dollars)

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#### MISCELLANEOUS APPROPRIATIONS

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#### 1. SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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### HR 1735 RH
### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

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*HR 1735 RH*
### Line Item FY 2016

#### SYRIA TRAIN AND EQUIP FUND

*Authorized*

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#### OPERATION & MAINTENANCE, NAVY

##### OPERATING FORCES

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##### MOBILIZATION

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##### TRAINING AND RECRUITING

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##### ADMIN & SRVWD ACTIVITIES

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#### TOTAL OPERATION & MAINTENANCE, NAVY

<table>
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##### OPERATION & MAINTENANCE, MARINE CORPS

##### OPERATING FORCES

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<th>Item</th>
<th>Request</th>
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##### TRAINING AND RECRUITING

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##### ADMIN & SRVWD ACTIVITIES

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**HR 1735 RH**
## SUBTOTAL ADMIN & SRVWD ACTIVITIES

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## TOTAL OPERATION & MAINTENANCE, MARINE CORPS

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## OPERATION & MAINTENANCE, NAVY RES

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## TOTAL OPERATION & MAINTENANCE, NAVY RES

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## OPERATION & MAINTENANCE, MC RESERVE

### OPERATING FORCES

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## TOTAL OPERATION & MAINTENANCE, MC RESERVE

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## OPERATION & MAINTENANCE, AIR FORCE

### OPERATING FORCES

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## MOBILIZATION

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## TRAINING AND RECRUITING

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## ADMIN & SRVWD ACTIVITIES

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## TOTAL OPERATION & MAINTENANCE, AIR FORCE

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## OPERATION & MAINTENANCE, AF RESERVE

### OPERATING FORCES

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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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<td>050</td>
<td>U.S. Special Operations Command Inform and Influence Activities Increase</td>
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### SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

#### (In Thousands of Dollars)

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<th>Line</th>
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- HR 1735 RH
### SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS

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### MOBILIZATION

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### TRAINING AND RECRUTING

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<td>320</td>
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### ADMIN & SRVWIDE ACTIVITIES

<table>
<thead>
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<th>Line</th>
<th>Item</th>
<th>FY 2016 Request</th>
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<tbody>
<tr>
<td>350</td>
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### TOTAL OPERATION & MAINTENANCE, ARMY

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### OPERATION & MAINTENANCE, ARMY RES

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### ADMIN & SRVWIDE ACTIVITIES

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### TOTAL OPERATION & MAINTENANCE, ARMY RES

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### OPERATION & MAINTENANCE, ARNG

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*HR 1735 RH*
### SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS

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**TOTAL OPERATION & MAINTENANCE, ARNG** | **3,141,808** | **3,141,808**

### OPERATION & MAINTENANCE, NAVY OPERATING FORCES

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### MOBILIZATION

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### TRAINING AND RECRUITING

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### ADMIN & SRVWD ACTIVITIES

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**TOTAL OPERATION & MAINTENANCE, NAVY** | **9,770,392** | **9,770,392**

### OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES

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### TRAINING AND RECRUITING

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**OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES**

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**OPERATION & MAINTENANCE, MC RESERVE**

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**OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES**

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**MOBILIZATION**

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**TRAINING AND RECRUITING**

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<td>Off-Duty and Volunteer Education</td>
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<td>320</td>
<td>Civilian Education and Training</td>
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**ADMIN & SRVWD ACTIVITIES**

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<td>Technical Support Activities</td>
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<td>400</td>
<td>Servicewide Communications</td>
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<td>410</td>
<td>Other Servicewide Activities</td>
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<td>International Support</td>
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<td>Classified Programs</td>
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**OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES**

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SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

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TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

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<td>Basic Housing Allowance</td>
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<td>EC–130H Force Structure Restoration</td>
<td>[19,639]</td>
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<td>Financial Literacy Training</td>
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<td>Foreign Currency adjustments</td>
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HR 1735 RH
SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

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<td>Prohibition on Per Diem Allowance Reduction</td>
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<td>Reversing the disestablishment of HSC–84 and HSC–85</td>
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<td>Unobligated balances</td>
<td>[–495,400]</td>
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<td>Medicare-Eligible Retiree Health Fund Contributions</td>
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SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

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TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

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<td>Pilot program for Continuous Technology Refreshment</td>
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<td>TOTAL WORKING CAPITAL FUND, ARMY</td>
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<td>WORKING CAPITAL FUND, NAVY SUPPLIES AND MATERIALS</td>
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<td>Pilot program for Continuous Technology Refreshment</td>
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<td>TOTAL WORKING CAPITAL FUND, NAVY</td>
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<td>WORKING CAPITAL FUND, AIR FORCE SUPPLIES AND MATERIALS</td>
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<tr>
<td>Pilot program for Continuous Technology Refreshment</td>
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<td>TOTAL WORKING CAPITAL FUND, AIR FORCE</td>
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<td>Restoration of Proposed Efficiencies</td>
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<td>Restoration of Savings from Legislative Proposals</td>
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HR 1735 RH
### PUBLIC LAW

**SEC. 4501. OTHER AUTHORIZATIONS**

(In Thousands of Dollars)

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<td><strong>MPF MLP</strong></td>
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<td><strong>NATIONAL DEF SEALIFT VESSEL</strong></td>
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<td>LG MED SPD RO/RO MAINTENANCE</td>
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<td><strong>CHEM AGENTS &amp; MUNITIONS DESTRUCTION</strong></td>
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*HR 1735 RH*
SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

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<td>[–453,300]</td>
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1 SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

2 SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<table>
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<td>TRANSPORTATION OF FALLEN HEROES</td>
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## TITLE XLVI—MILITARY CONSTRUCTION

### SEC. 4601. MILITARY CONSTRUCTION.

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<td>Colorado Army</td>
<td>Pine</td>
<td>5,800</td>
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<td>Georgia Army</td>
<td>Commissary and Central Facility</td>
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<td>Vehicle Maintenance Shop</td>
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<td>Fort Drum New York</td>
<td>NCB Assembly Complex</td>
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<td>U.S. Military Academy Oklahoma</td>
<td>Waste Water Treatment Plant</td>
<td>70,000</td>
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Military Construction, Navy Total: $1,605,929,000,000

**Military Construction, Navy Total: $1,361,925,000,000**
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**Military Construction, Air Force Total**

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**HR 1735 RH**
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**Military Construction, Defense-Wide Total** .................................................. 2,300,767 1,939,879

**NATO Security Investment Program Total** .................................................. 120,000 150,000

**Military Construction, Army National Guard Total** .................................. 197,237 167,437

**Military Construction, Army Reserve Total** ............................................. 113,585 104,295

**Nevada**

N/MC Res Fallon Fallon National Guard/Reserve Center Bldg Add/Alt (JFHQ) 8,400 8,400

**Military Construction, Army National Guard Total** .................................. 197,237 167,437
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## SEC. 4601. MILITARY CONSTRUCTION

### (In Thousands of Dollars)

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### Family Housing Operation And Maintenance, Army Total

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### SEC. 4601. MILITARY CONSTRUCTION

#### (In Thousands of Dollars)

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### SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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<td>Military Construction, Army Total</td>
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<td>Navy</td>
<td>Bahrain</td>
<td>Mina Salman Pier Replacement</td>
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<td>Bahrain</td>
<td>Ship Maintenance Support Facility</td>
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<td>Navy</td>
<td>Italy</td>
<td>Sigonella P-8A Hangar and Fleet Support Facility</td>
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<td>Navy</td>
<td>Italy</td>
<td>Sigonella Triton Hangar and Operation Facility</td>
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<td>Navy</td>
<td>Poland</td>
<td>Redzikowo AEGIS Shore Missile Defense Complex</td>
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<td>Military Construction, Navy Total</td>
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<tr>
<td>AF</td>
<td>Niger</td>
<td>Agadez Construct Air Field and Base Camp</td>
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<td></td>
<td>Oman</td>
<td>Ali Moutah Al Airfield Arsenal</td>
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<td></td>
<td>Military Construction, Air Force Total</td>
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<td>0</td>
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<tr>
<td>Def/Wide</td>
<td>Djibouti</td>
<td>Camp Lemonnier Construct Fuel Storage and Distribution Facilities</td>
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<td>Poland</td>
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<td>Military Construction, Defense-Wide Total</td>
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<td></td>
<td>Total, Military Construction</td>
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### TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

#### (In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy Programs</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Discretionary Summary By Appropriation

Energy And Water Development, And Related Agencies

Appropriation Summary:

Energy Programs

• HR 1735 RH
### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

#### (In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
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</thead>
<tbody>
<tr>
<td>Nuclear Energy</td>
<td>135,161</td>
<td>135,161</td>
</tr>
</tbody>
</table>

#### Atomic Energy Defense Activities

**National nuclear security administration:**

- Weapons activities: 8,846,948 9,084,648
- Defense nuclear nonproliferation: 1,940,202 1,961,302
- Stockpile systems: 1,375,486 1,397,486
- Federal salaries and expenses: 402,654 396,654
- Total, National nuclear security administration: 12,565,400 12,770,100

**Environmental and other defense activities:**

- Nuclear Energy: 5,237,247 5,143,150
- Total, Environmental & other defense activities: 6,301,772 5,921,775
- Total, Atomic Energy Defense Activities: 18,867,172 18,691,875
- Total, Discretionary Funding: 19,002,333 18,827,036

**Nuclear Energy**

- Idaho site-wide safeguards and security: 126,161 126,161
- Used nuclear fuel disposition: 9,000 9,000
- Total, Nuclear Energy: 135,161 135,161

#### Weapons Activities

**Directed stockpile work**

**Life extension programs**

- B61 Life extension program: 643,300 643,300
- W76 Life extension program: 244,019 244,019
- W80 Life extension program: 220,176 220,176
- W80-4 Life extension program: 195,037 195,037
- Total, Life extension programs: 1,302,532 1,302,532

**Stockpile systems**

- B61 Stockpile systems: 52,247 52,247
- W76 Stockpile systems: 50,921 50,921
- W78 Stockpile systems: 64,092 64,092
- W80 Stockpile systems: 68,055 68,055
- B83 Stockpile systems: 42,177 51,177
- W87 Stockpile systems: 89,299 89,299
- W88 Stockpile systems: 115,685 115,685
- Total, Stockpile systems: 482,426 512,426

**Weapons dismantlement and disposition**

- Operations and maintenance: 48,019 48,019

**Stockpile services**

- Production support: 447,527 447,527
- Research and development support: 44,159 44,159
- R&D certification and safety: 192,613 203,212
- Management, technology, and production: 264,994 264,994
- Total, Stockpile services: 939,293 950,493

**Nuclear material commodities**

- Uranium enrichment: 32,916 32,916
- Plutonium sustainment: 174,098 183,098
- Tritium sustainment: 107,435 107,345
- Domestic uranium enrichment: 100,000 100,000
- Total, Nuclear material commodities: 414,959 423,359
- Total, Directed stockpile work: 3,187,259 3,236,859

**Research, development, test and evaluation (RDT&E)**

**Science**

- Advanced certification: 50,714 50,714
- Primary assessment technologies: 98,500 120,100
- Dynamic materials properties: 109,000 109,000
- Advanced radiography: 47,000 47,000
- Secondary assessment technologies: 84,100 84,100
- Total, Science: 389,614 411,214

**Engineering**

- Enhanced surety: 50,821 51,921

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Note: The table above provides a breakdown of funding for various programs within the Atomic Energy Defense Activities section of the Department of Energy's National Security Programs for FY 2016.
SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td>Weapon systems engineering assessment technology</td>
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<td>17,371</td>
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<tr>
<td>Nuclear survivability</td>
<td>24,461</td>
<td>26,861</td>
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<tr>
<td>Enhanced surveillance</td>
<td>38,724</td>
<td>38,724</td>
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<td><strong>Total, Engineering</strong></td>
<td><strong>131,377</strong></td>
<td><strong>134,877</strong></td>
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<tr>
<td>Inertial confinement fusion ignition and high yield</td>
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<td></td>
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<tr>
<td>Ignition</td>
<td>73,334</td>
<td>67,334</td>
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<tr>
<td>Support of other stockpile programs</td>
<td>22,843</td>
<td>22,843</td>
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<tr>
<td>Diagnostics, cryogenics and experimental support</td>
<td>58,587</td>
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<tr>
<td>Pulsed power inertial confinement fusion</td>
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<td>4,963</td>
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<tr>
<td>Joint program in high energy density laboratory plasmas</td>
<td>8,900</td>
<td>8,900</td>
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<tr>
<td>Facility operations and target production</td>
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<td>322,823</td>
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<tr>
<td><strong>Total, Inertial confinement fusion and high yield</strong></td>
<td><strong>502,450</strong></td>
<td><strong>485,450</strong></td>
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<tr>
<td>Advanced simulation and computing</td>
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<td>617,006</td>
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<tr>
<td>Advanced manufacturing</td>
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<td>Component manufacturing development</td>
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<td>Processing technology development</td>
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<td><strong>Total, Advanced manufacturing</strong></td>
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<td><strong>130,056</strong></td>
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<td><strong>Total, RDT&amp;E</strong></td>
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<td><strong>1,778,603</strong></td>
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<tr>
<td>Operating</td>
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<td>Program readiness</td>
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<td>Material recycle and recovery</td>
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<td>Storage</td>
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<td>Recapitalization</td>
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<td><strong>Total, Operating</strong></td>
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<td>Construction:</td>
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<td>15–D–302, TA–55 Reinvestment project, LANL</td>
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<td>11–D–801 TA–55 Reinvestment project Phase 2, LANL</td>
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<td>07–D–220 Radioactive liquid waste treatment facility upgrade project,</td>
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<td>LANL</td>
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<td>06–D–141 PED/Construction, Uranium Capabilities Replacement Project Y–12</td>
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<td>04–D–125 Chemistry and metallurgy replacement project, LANL</td>
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<td><strong>Total, Construction</strong></td>
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<td><strong>Total, Readiness in technical base and facilities</strong></td>
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<td>Secure transportation asset</td>
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<td>Operations and equipment</td>
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<td><strong>Total, Secure transportation asset</strong></td>
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<tr>
<td>Infrastructure and safety</td>
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<tr>
<td>Operations of facilities</td>
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<td></td>
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<tr>
<td>Kansas City Plant</td>
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<td>Lawrence Livermore National Laboratory</td>
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<td>Los Alamos National Laboratory</td>
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<td>NRENDA National Security Site</td>
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<td>89,000</td>
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<td>Pueblo</td>
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<td>Savannah River Site</td>
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<td>Y–12 National security complex</td>
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<td><strong>Total, Operations of facilities</strong></td>
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<td>Safety operations</td>
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<td>Maintenance</td>
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<td>Recapitalization</td>
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<td><strong>Construction:</strong></td>
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<td><strong>42,919</strong></td>
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<td><strong>Total, Construction</strong></td>
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<td>Site stewardship</td>
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<td>Nuclear materials integration</td>
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<tr>
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<tr>
<td>Minority serving institution partnerships program</td>
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<td>19,095</td>
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<td>Total, Site stewardship</td>
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<td><strong>Defense nuclear security</strong></td>
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<tr>
<td><strong>Construction:</strong></td>
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<tr>
<td>15-D-710 Device assembly facility arms installation project, NV</td>
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<td><strong>Total, Defense nuclear security</strong></td>
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<td><strong>644,891</strong></td>
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<tr>
<td>Information technology and cybersecurity</td>
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<td>Legacy contractor pensions</td>
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<td>283,887</td>
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<td><strong>Total, Weapons Activities</strong></td>
<td><strong>8,846,948</strong></td>
<td><strong>9,084,648</strong></td>
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</table>

**Defense Nuclear Nonproliferation Programs**

**Defense Nuclear Nonproliferation R&D**

<table>
<thead>
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<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td>Global material security</td>
<td>426,751</td>
<td>336,751</td>
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<tr>
<td>Material management and minimization</td>
<td>331,584</td>
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<tr>
<td>Nonproliferation and arms control</td>
<td>126,703</td>
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<tr>
<td>Defense Nuclear Nonproliferation R&amp;D</td>
<td>419,333</td>
<td>439,333</td>
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**Nonproliferation Construction:**

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<th>House Authorized</th>
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</thead>
<tbody>
<tr>
<td>99-D-141 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS</td>
<td>345,000</td>
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<td><strong>Total, Nonproliferation construction</strong></td>
<td><strong>345,000</strong></td>
<td><strong>245,000</strong></td>
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<tr>
<td><strong>Total, Defense Nuclear Nonproliferation Programs</strong></td>
<td><strong>1,629,371</strong></td>
<td><strong>1,579,371</strong></td>
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**Legacy contractor pensions**

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<th>Program</th>
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<tbody>
<tr>
<td>Nuclear counterterrorism and incident response program</td>
<td>234,290</td>
<td>245,390</td>
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<tr>
<td>Use of prior-year balances</td>
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<td><strong>Total, Defense Nuclear Nonproliferation</strong></td>
<td><strong>1,940,302</strong></td>
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**Naval Reactors**

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<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td>Naval reactors operations and infrastructure</td>
<td>445,196</td>
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<tr>
<td>Naval reactors development</td>
<td>444,400</td>
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<tr>
<td>Ohio replacement reactor systems development</td>
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<tr>
<td>S8G Prototype refueling</td>
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<tr>
<td>Program direction</td>
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<tr>
<th>Program</th>
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<tbody>
<tr>
<td>15-D-301 NRF Overpack Storage Expansion 3</td>
<td>900</td>
<td>900</td>
</tr>
<tr>
<td>15-D-302 KL Fire System Upgrade</td>
<td>600</td>
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<tr>
<td>15-D-302 KS Engineered team trainer facility</td>
<td>3,100</td>
<td>3,100</td>
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<tr>
<td>14-D-302 KL Materials characterization laboratory expansion, KAPL</td>
<td>30,000</td>
<td>30,000</td>
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<tr>
<td>14-D-301 Spent fuel handling revitalization project, NRF</td>
<td>86,000</td>
<td>98,000</td>
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<tr>
<td>10-D-303, Security upgrades, KAPL</td>
<td>500</td>
<td>500</td>
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<tr>
<td><strong>Total, Construction</strong></td>
<td><strong>121,100</strong></td>
<td><strong>133,100</strong></td>
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<tr>
<td><strong>Total, Naval Reactors</strong></td>
<td><strong>1,375,496</strong></td>
<td><strong>1,387,496</strong></td>
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**Federal Salaries And Expenses**

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<tr>
<td>Program direction</td>
<td>402,654</td>
<td>396,654</td>
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<tr>
<td><strong>Total, Office Of The Administrator</strong></td>
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<td><strong>396,654</strong></td>
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**Defense Environmental Cleanup**

**Closure sites:**

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<tr>
<th>Program</th>
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<tbody>
<tr>
<td>Closure sites administration</td>
<td>4,889</td>
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</table>

**Hanford site:**

**River corridor and other cleanup operations:**

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
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</thead>
<tbody>
<tr>
<td>River corridor and other cleanup operations</td>
<td>196,957</td>
<td>268,957</td>
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**Central plateau remediation:**

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<tr>
<td>Central plateau remediation</td>
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<tr>
<td>Richland community and regulatory support</td>
<td>14,701</td>
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**Construction:**

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<tr>
<td>15-D-405 Containerized sludge removal annex, RL</td>
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<td>77,016</td>
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<tr>
<td><strong>Total, Hanford site</strong></td>
<td><strong>843,837</strong></td>
<td><strong>915,837</strong></td>
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</table>
### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

#### (In Thousands of Dollars)

<table>
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<tr>
<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td><strong>Idaho National Laboratory:</strong></td>
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<tr>
<td>Idaho cleanup and waste disposition</td>
<td>357,783</td>
<td>357,783</td>
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<tr>
<td>Idaho community and regulatory support</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td><strong>Total, Idaho National Laboratory</strong></td>
<td>360,783</td>
<td>360,783</td>
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<tr>
<td><strong>NNSA sites</strong></td>
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<td></td>
</tr>
<tr>
<td>Lawrence Livermore National Laboratory</td>
<td>1,366</td>
<td>1,366</td>
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<tr>
<td>Nevada</td>
<td>62,385</td>
<td>62,385</td>
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<tr>
<td>Sandia National Laboratories</td>
<td>2,500</td>
<td>2,500</td>
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<tr>
<td>Los Alamos National Laboratory</td>
<td>198,625</td>
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<td><strong>Total, NNSA sites and Nevada off-sites</strong></td>
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<td>OR Nuclear facility D &amp; D</td>
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<tr>
<td>OR Nuclear facility D &amp; D</td>
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<td><strong>Total, OR Nuclear facility D &amp; D</strong></td>
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<td><strong>Solid waste stabilization and disposition</strong></td>
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<td><strong>Total, Oak Ridge Reservation</strong></td>
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<td>Waste treatment and immobilization plant</td>
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<td>Tank farm activities</td>
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<td>End liquid tank waste stabilization and disposal</td>
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<td><strong>Construction:</strong></td>
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<td>15–D–409 Low Activity Waste Pretreatment System, Hanford</td>
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<td><strong>Total, Tank farm activities</strong></td>
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<td><strong>Total, Office of River protection</strong></td>
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<td><strong>Radioactive liquid tank waste:</strong></td>
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<td>05–D–405 Salt waste processing facility, Savannah River</td>
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<td><strong>Total, Construction</strong></td>
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<td><strong>Total, Radioactive liquid tank waste</strong></td>
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<td><strong>Total, Savannah River site</strong></td>
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<td>1,220,021</td>
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<td><strong>Waste Isolation Pilot Plant</strong></td>
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<td>15–D–412 Safety significant confinement ventilation system, WIPP</td>
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<td>15–D–412 Exhaust shaft, WIPP</td>
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<td><strong>Total, Construction</strong></td>
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<td><strong>Total, Waste Isolation Pilot Plant</strong></td>
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<td><strong>Safeguards and Security:</strong></td>
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<td>Oak Ridge Reservation</td>
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</table>

*HR 1735 RH*
 SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)  

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<th>Program</th>
<th>FY 2016 Request</th>
<th>House Authorized</th>
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<td>Paducah</td>
<td>8,216</td>
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<td>Portsmouth</td>
<td>8,492</td>
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<td>Hanford/Hanford Site</td>
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<td>Savannah River Site</td>
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<td>Waste Isolation Pilot Project</td>
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<td>West Valley</td>
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<td>Technology development</td>
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<td><strong>Subtotal, Defense environmental cleanup</strong></td>
<td><strong>5,055,550</strong></td>
<td><strong>5,143,150</strong></td>
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<td>Uranium enrichment D&amp;D fund contribution</td>
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<td><strong>Total, Defense Environmental Cleanup</strong></td>
<td><strong>5,527,347</strong></td>
<td><strong>5,143,150</strong></td>
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</tbody>
</table>

**Other Defense Activities**

| Specialized security activities | 221,855         | 226,055          |

**Environment, health, safety and security**

| Environment, health, safety and security | 120,633         | 120,693          |
| Program direction                    | 63,105          | 63,105           |
| **Total, Environment, Health, safety and security** | **183,798**     | **183,798**      |

**Enterprise assessments**

| Enterprise assessments               | 24,068          | 24,068           |
| Program direction                    | 49,466          | 49,466           |
| **Total, Enterprise assessments**    | **73,534**      | **73,534**       |

**Office of Legacy Management**

| Legacy management                   | 154,080         | 154,080          |
| Program direction                   | 15,100          | 15,100           |
| **Total, Office of Legacy Management** | **169,180**    | **169,180**      |

**Defense-related activities**

**Defense related administrative support**

| Chief financial officer             | 35,758          | 35,758           |
| Chief information officer           | 83,800          | 83,800           |
| Management                           | 5,000           | 5,000            |
| **Total, Defense related administrative support** | **122,558**     | **122,558**      |
| Office of hearings and appeals      | 5,500           | 5,500            |
| **Subtotal, Other defense activities** | **774,425**     | **778,625**      |
| **Total, Other Defense Activities** | **774,425**     | **778,625**      |

Amend the title so as to read: “A bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.”.
A BILL

To authorize appropriations for fiscal year 2016 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.

May 5, 2015

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed.