AN ACT

To authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2018”.

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

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(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. 2823. Land conveyance, Mountain Home Air Force Base, Idaho.

Sec. 2824. Lease of real property to the United States Naval Academy Alumni Association and Naval Academy Foundation at United States Naval Academy, Annapolis, Maryland.

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Sec. 3125. Plutonium capabilities.

Sec. 3126. Plan for verification, detection, and monitoring of nuclear weapons and fissile material.

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Sec. 3132. Assessment of management and operating contracts of national security laboratories.

Sec. 3133. Evaluation of classification of certain defense nuclear waste.


Sec. 3135. Modification to stockpile stewardship, management, and responsiveness plan.

Sec. 3136. Improved reporting for anti-smuggling radiation detection systems.

Sec. 3137. Annual selected acquisition reports on certain hardware relating to defense nuclear nonproliferation.

Sec. 3138. Assessment of design trade options of W80-4 warhead.

Sec. 3139. Sense of Congress regarding uranium mining and nuclear testing.

Sec. 3140. Plan to further minimize the use of highly enriched uranium for medical isotopes.

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Sec. 4102. Procurement for overseas contingency operations.

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TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.
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Sec. 4501. Other authorizations.
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TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.
Sec. 4602. Military construction for overseas contingency operations.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4701. Department of Energy national security programs.

1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

2 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 2018 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. REPORT ON ACCELERATION OF INCREMENT 2 OF THE WARFIGHTER INFORMATION NETWORK-TACTICAL.

(a) Report.—Not later than January 30, 2018, the Secretary of the Army shall submit to the congressional defense committees a report on options for the acceleration of the procurement and fielding of Increment 2 of the Warfighter Information Network-Tactical program of the Army (referred to in this section as “WIN-T Increment 2”).

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

(1) An estimate of the level of funding required to procure a sufficient quantity of WIN-T Increment
2 components to field thirty Brigade Combat Teams or equivalent units in the period beginning with fiscal year 2018 and ending with fiscal year 2022.

(2) A plan for fielding WIN-T Increment 2 to all Armored Brigade Combat Teams of the Army and associated combat vehicles, including the Armored Multipurpose Vehicle.

(3) A plan for integrating WIN-T Increment 2 on the Stryker combat vehicles fielded to Stryker Brigade Combat Teams of the Army.

(4) A list of potential upgrades to WIN-T Increment 2 that may improve program capabilities, including size, weight, and complexity, and the impact of these improvements on the cost of the program.

(5) Options for fielding an Expeditionary Command Post capability that effectively integrates WIN-T Increment 2 and command post infrastructure.

(6) A detailed plan for upgrading the existing WIN-T Increment 1 system to the latest WIN-T Increment 2 configuration that includes—

(A) an estimate of the level of funding required to implement the plan; and
(B) the effect of the plan on the fielding
of mobile mission command to the reserve com-
ponents of the Army.
(7) Any other matters the Secretary determines
to be appropriate.

Subtitle C—Navy Programs

SEC. 121. AIRCRAFT CARRIERS.
(a) Sense of Congress on Increase in Number
of Operational Aircraft Carriers.—
(1) Findings.—Congress finds the following:
(A) Aircraft carriers are an essential ele-
ment of the Navy’s core missions of forward
presence, sea control, ensuring safe sea lanes,
and power projection, and provide the flexibility
and versatility necessary for the execution of a
wide range of additional missions.
(B) Forward airpower is integral to the se-
curity and joint forces operations of the United
States. Carriers play a central role in delivering
forward airpower from sovereign territory of the
United States in both permissive and non-
permissive environments.
(C) Aircraft carriers provide the Nation
the ability to rapidly and decisively respond to
national threats, to conduct worldwide, on-sta-
tion diplomacy, and to deter threats to allies, partners, and friends of the United States.

(D) Since the end of the cold war, aircraft carrier deployments have increased while the aircraft carrier force structure has declined.

(E) Due to the increased array of complex threats across the globe, the Navy’s aircraft carriers are operating at maximum capacity, increasing deployment lengths and decreasing maintenance periods in order to meet operational requirements.

(F) To meet global peacetime and wartime requirements, the Navy has indicated a requirement to maintain two aircraft carriers deployed overseas and to have three additional aircraft carriers capable of deploying within 90 days. However, the Navy has indicated that the existing aircraft carrier force structure cannot support these military requirements.

(G) Despite the requirement to maintain an aircraft carrier strike group in both the United States Central Command and the United States Pacific Command, the Navy has been unable to generate sufficient capacity to support combatant commanders and has devel-
oped significant carrier gaps in these critical areas.

(H) The continued use of a diminished aircraft carrier force structure has resulted in extensive maintenance availabilities which typically exceed program costs and increase time in shipyards. These expansive maintenance availabilities exacerbate existing carrier gaps.

(I) Because of maintenance overhaul extensions, the Navy is truncating basic aircraft carrier training to expedite the deployment of available aircraft carriers. Limiting aircraft carrier training decreases operational capabilities and increases risks to sailors.

(J) Despite the objections of the Navy, the Under Secretary of Defense for Acquisition, Technology, and Logistics directed the Navy on August 7, 2015, to perform shock trials on the U.S.S. Gerald R. Ford (CVN-78). The Assistant Deputy Chief of Naval Operations for Operations, Plans and Strategy indicated that this action could delay the introduction of the U.S.S. Gerald R. Ford (CVN-78) to the fleet by up to two years, exacerbating existing carrier gaps.
(K) The Navy has adopted a two-phase acquisition strategy for the U.S.S. John F. Kennedy (CVN–79), an action that will delay the introduction of this aircraft carrier by up to two years, exacerbating existing carrier gaps.

(L) Developing an alternative design to the Ford class aircraft carrier is not cost beneficial. A smaller design is projected to incur significant design and engineering cost while significantly reducing magazine size, carrier air wing size, sortie rate, and on-station effectiveness among other vital factors as compared to the Ford class. Furthermore, a new design will delay the introduction of future aircraft carriers, exacerbating existing carrier gaps and threatening the national security of the United States.

(M) The 2016 Navy Force Structure Assessment states “A minimum of 12 aircraft carriers are required to meet the increased warfighting response requirements of the Defense Planning Guidance Defeat/Deny force sizing direction.” Furthermore, a new National Defense Strategy is being prepared that will assess the defeat/deny force sizing direction and
may increase the force structure associated with aircraft carriers.

(2) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(A) the United States should expedite delivery of 12 aircraft carriers;

(B) an aircraft carrier should be authorized every three years;

(C) shock trials should be conducted on the U.S.S. John F. Kennedy (CVN–79), as initially proposed by the Navy;

(D) construction for the U.S.S. John F. Kennedy (CVN–79) should be accomplished in a single phase; and

(E) the United States should continue the Ford class design for the aircraft carrier designated CVN–81.

(b) **INCREASE IN NUMBER OF OPERATIONAL AIRCRAFT CARRIERS.**—

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

•HR 2810 EH
(2) Effective Date.—The amendment made by paragraph (1) shall take effect on September 30, 2023.

(c) Shock Trials for CVN–78.—Section 128 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 751) is amended—

(1) by striking subsections (a) and (b); and

(2) by redesignating subsections (c) and (d) as subsections (a) and (b), respectively.

(d) Procurement Authority for Aircraft Carrier Programs.—

(1) Procurement Authority in Support of Construction of Ford Class Aircraft Carriers.—

(A) Authority for Economic Order Quantity.—The Secretary of the Navy may procure materiel and equipment in support of the construction of the Ford class aircraft carriers designated CVN–81 and CVN–82 in economic order quantities when cost savings are achievable.

(B) Liability.—Any contract entered into under subparagraph (A) shall provide that any obligation of the United States to make a payment under the contract is subject to the avail-
ability of appropriations for that purpose, and
that total liability to the Government for termi-
nation of any contract entered into shall be lim-
ited to the total amount of funding obligated at
time of termination.

(2) Refueling and Complex Overhaul of
Nimitz Class Aircraft Carriers.—

(A) In General.—The Secretary of the
Navy may carry out the nuclear refueling and
complex overhaul of each of the following Nim-
itz class aircraft carriers:

(i) U.S.S. John C. Stennis (CVN–74).

(ii) U.S.S. Harry S. Truman (CVN–
75).

(iii) U.S.S. Ronald Reagan (CVN–
76).

(iv) U.S.S. George H.W. Bush (CVN–
77).

(B) Use of Incremental Funding.—
With respect to any contract entered into under
subparagraph (A) for the nuclear refueling and
complex overhaul of a Nimitz class aircraft car-
rrier, the Secretary may use incremental funding
for a period not to exceed six years after ad-
"
fueling and complex overhaul effort are first ob-
ligated.

(C) CONDITION FOR OUT-YEAR CONTRACT 
pAYMENTS.—Any contract entered into under 
 subparagraph (A) shall provide that any obliga-
tion of the United States to make a payment 
under the contract for a fiscal year after fiscal 
year 2018 is subject to the availability of appro-
priations for that purpose for that later fiscal 
year.

SEC. 122. PROCUREMENT AUTHORITY FOR ICEBREAKER 
VESSELS.

(a) AUTHORITY.—The Secretary of the Department 
in which the Coast Guard is operating may enter into a 
contract or other agreement with the Secretary of the 
Navy under which the Navy shall act as general agent for 
the Department in which the Coast Guard is operating 
for the purpose of entering into a contract on behalf of 
such Department, beginning with the fiscal year 2018 pro-
gram year, for the procurement of the following:

(1) Not more than three heavy icebreaker ves-
sels.

(2) Not more than three medium icebreaker 
vesseS.
(b) Condition for Out-Year Contract Payments.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations for that purpose for such later fiscal year.

(c) Definitions.—In this section:

(1) Heavy Icebreaker Vessel.—The term “heavy icebreaker vessel” means a vessel that is able—

(A) to break through nonridged ice that is not less than six feet thick at a speed of three knots;

(B) to break through ridged ice that is not less than 21 feet thick; and

(C) to operate continuously for 80 days without replenishment.

(2) Medium Icebreaker Vessel.—The term “medium icebreaker vessel” means a vessel that is able—

(A) to break through nonridged ice that is not less than four and one-half feet thick at a speed of three knots; and

(B) to operate continuously for 80 days without replenishment.
SEC. 123. LIMITATION ON AVAILABILITY OF FUNDS FOR PROCUREMENT OF ICEBREAKER VESSELS.

(a) Limitation.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 may be obligated or expended for the procurement of an icebreaker vessel.

(b) Exception.—Notwithstanding the limitation in subsection (a), the Secretary of the Navy may use funds described in such subsection to act as general agent for the Department in which the Coast Guard is operating pursuant to a contract or other agreement entered into under section 122.

SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA CLASS SUBMARINE PROGRAM.

(a) Authority for Multiyear Procurement.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2019 program year, for the procurement of up to 13 Virginia class submarines at a rate of not more than 3 submarines per year during the covered period.

(b) Baseline Estimate.—Before entering into any contract for the procurement of a Virginia class submarine under subsection (a), the Secretary of Navy shall deter-
mine a baseline estimate for the submarine in accordance with section 2435 of title 10, United States Code.

(c) LIMITATION.—The Secretary of the Navy may not enter into a contract for the procurement of a Virginia class submarine under subsection (a) if the contract would increase the cost of the submarine by more than 10 percent above the baseline estimate for the submarine determined under subsection (b).

(d) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, beginning in fiscal year 2018, for advance procurement—

(1) associated with the vessels for which authorization to enter into a multiyear procurement contract is provided under subsection (a); and

(2) for other equipment and subsystems associated with the Virginia class submarine program.

(e) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(f) DEFINITIONS.—In this section:

(1) COVERED PERIOD.—The term “covered period” means the 5-year period beginning with the
fiscal year 2019 program year and ending with the fiscal year 2023 program year.

(2) Virginia Class Submarine.—The term "Virginia class submarine" means a block V configured Virginia class submarine.

SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE CLASS DESTROYERS AND ASSOCIATED SYSTEMS.

(a) Authority for Multiyear Procurement.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2018 program year, for the procurement of—

(1) up to 15 Arleigh Burke class Flight III guided missile destroyers at a rate of not more than three such destroyers per year during the covered period; and

(2) the Aegis weapon systems, AN/SPY–6(v) air and missile defense radar systems, MK 41 vertical launching systems, and commercial broadband satellite systems associated with such vessels.

(b) Baseline Estimate.—Before entering into any contract for the procurement of an Arleigh Burke class destroyer under subsection (a), the Secretary of Navy
shall determine a baseline estimate for the destroyer in accordance with section 2435 of title 10, United States Code.

(e) Limitation.—The Secretary of the Navy may not enter into a contract for the procurement of a Arleigh Burke class destroyer or any major subprogram under subsection (a) if the contract would increase the cost of the destroyer by more than 10 percent above the baseline estimate for the destroyer determined under subsection (b).

(d) Authority for Advance Procurement.—The Secretary may enter into one or more contracts, beginning in fiscal year 2018, for advance procurement associated with the vessels and systems for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(e) Condition for Out-year Contract Payments.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(f) Covered Period Defined.—The term “covered period” means the 5-year period beginning with the fiscal
year 2018 program year and ending with the fiscal year
2022 program year.

SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR
ARLEIGH BURKE CLASS DESTROYER.

(a) LIMITATION.—None of the funds authorized to
be appropriated by this Act or otherwise made available
for fiscal year 2017 for procurement, that are unobligated
as of the date of the enactment of this Act, may be obli-
gated or expended to procure an Arleigh Burke class de-
stroyer (DDG–51) unless the two covered destroyers in-
clude an AN/SPY–6(V) air and missile defense radar sys-
tem.

(b) WAIVER.—The Secretary of the Navy may waive
the limitation in subsection (a) if the Secretary determines
that the cost or schedule risk associated with the integra-
tion of the AN/SPY–6(V) air and missile defense radar
is unacceptable or incongruous with a business case that
relies on stable design, technology maturity, and realistic
cost and schedule estimates.

(c) COVERED DESTROYER DEFINED.—In this sec-
tion, the term “covered destroyer” means an Arleigh
Burke class destroyer (DDG–51) for which funds were au-
thorized to be appropriated by the National Defense Au-
thorization Act for Fiscal Year 2017 (Public Law 114–
328) and that was fully funded.
(d) Sense of Congress.—It is the sense of Congress that—

(1) destroyers authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) should be configured as Arleigh Burke class Flight IIA guided missile destroyers, as initially authorized in section 123 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1655); and

(2) the Department of the Navy should bear the majority risk associated with the share line on a covered destroyer.

SEC. 127. EXTENSIONS OF AUTHORITIES RELATING TO CONSTRUCTION OF CERTAIN VESSELS.

(a) Extension of Authority to Use Incremental Funding for LHA Replacement.—Section 122(a) of the National Defense Authorization Act for fiscal year 2017 (114–328; 130 Stat. 2030) is amended by striking “for fiscal years 2017 and 2018” and inserting “for fiscal years 2017, 2018, and 2019”.

(b) Extension of Ford Class Aircraft Carrier Construction Authority.—Section 121(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104), as
most recently amended by section 121 of the National De-

fense Authorization Act for Fiscal Year 2013 (Public Law

112–239; 126 Stat. 1654), is amended by striking “five

fiscal years” and inserting “seven fiscal years”.

SEC. 128. MULTIYEAR PROCUREMENT AUTHORITY FOR V–22

OSPREY AIRCRAFT.

(a) Authority for Multiyear Procurement.—

Subject to section 2306b of title 10, United States Code

(except as provided in subsection (b)), the Secretary of

the Navy may enter into one or more multiyear contracts,

beginning with the 2018 program year, for the procure-

ment of the following:

(1) V–22 Osprey aircraft.

(2) Common configuration-readiness and mod-

ernization upgrades for V–22 Osprey aircraft.

(b) Contract Period.—Notwithstanding section

2306b(k) of title 10, United States Code, the period cov-

ered by a contract entered into on a multiyear basis under

the authority of subsection (a) may exceed five years, but

may not exceed seven years.

(c) Condition for Out-year Contract Pay-

ments.—A contract entered into under subsection (a)

shall provide that any obligation of the United States to

make a payment under the contract for a fiscal year after
fiscal year 2018 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

SEC. 129. LIMITATION ON AVAILABILITY OF FUNDS FOR THE ENHANCED MULTI MISSION PARACHUTE SYSTEM.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 for the enhanced multi mission parachute system may be used to enter into, or to prepare to enter into, a contract for the procurement of such parachute system until the date on which the Secretary of the Navy submits to the congressional defense committees the certification described in subsection (b) and the report described in subsection (c).

(b) CERTIFICATION.—The certification described in this subsection is a certification by the Secretary of the Navy that—

(1) neither the Marine Corps’ currently fielded enhanced multi mission parachute system nor the Army’s RA–1 parachute system meet the Marine Corps requirements;

(2) the Marine Corps’ PARIS, Special Application Parachute does not meet the Marine Corps requirements;
(3) the testing plan for the enhanced multi mission parachute system meets all regulatory requirements; and

(4) the Department of the Navy has performed an analysis and determined that a high glide canopy parachute system is not more prone to malfunctions than the currently fielded free fall parachute systems.

(e) REPORT.—The report described in this subsection is a report that includes—

(1) an explanation of the rationale for using the Parachute Industry Association specification normally used for sports parachutes that are employed from relatively slow flying civilian aircraft at altitudes below 10,000 feet for a military parachute;

(2) an inventory and cost estimate for any new equipment and training that the Marine Corps will have to be acquire in order to employ a high glide parachute;

(3) an explanation of why the Department of the Navy is conducting a paper down select and not conducting any testing until first article testing; and

(4) a discussion of the risk assessment for high glide canopies, and specifically how the Department
of the Navy is mitigating the risk for malfunctions experienced in other high glide canopy programs.

**Subtitle D—Air Force Programs**

**SEC. 131. STREAMLINING ACQUISITION OF INTERCONTINENTAL BALLISTIC MISSILE SECURITY CAPABILITY.**

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

(1) On September 25, 2014, then Secretary of the Air Force, Deborah Lee James, submitted a report to Congress on the replacement strategy of the Air Force for the UH–1N helicopter, which included the following information:

(A) On the age of the airframe: “The UH–1N is a versatile utility helicopter that was accepted into service from 1968-1969.”.

(B) On the ability to meet requirements:

“The entire fleet supports five general homeland security missions. . .The ability of the UH–1N to accomplish these missions was evaluated in 2006, and the aircraft was found to be ‘not effective.’ The shortcomings of the UH–1N were derived from specific mission requirements for carrying capacity, airspeed, unrefueled endurance, mission range, force protection for the floor, specific protection for all aircrew and pas-
sengers, survivability, and materiel availability.”

(C) Regarding previous efforts to acquire a replacement aircraft, the report identified efforts that date back to 2006, including—

(i) an initial analysis of alternatives by Air Force Space Command in 2006;

(ii) the common vertical lift support platform program, which was cancelled in 2013;

(iii) two RAND corporation studies funded in 2013; and

(iv) the then-current proposal of the Air Force to procure modified Army UH–60 helicopters.

(2) On February 24, 2016, at a hearing before the Committee on Armed Services of the House of Representatives, in response to concerns related to lift, capacity, and hover time of the UH–1N, then Commander of the United States Strategic Command, Admiral Cecil Haney stated: “Congressman, absolutely, in terms of thinking very crisply associated with what we need to do to improve security of our missile fields. . . the attributes you listed are
the attributes that concern me in terms of the capability, not just now, but into the future.”.

(3) On March 2, 2016, at a hearing before the Committee on Armed Services of the House of Representatives, the Commander of Air Force Global Strike Command, General Robin Rand stated: “We will not meet the emergency security response with the present helicopter.”.

(4) On April 4, 2017, at a hearing before the Committee on Armed Services of the Senate, the Commander of the United States Strategic Command, General John E. Hyten stated: “Of all the things in my portfolio, I can’t even describe how upset I get about the helicopter replacement program. It’s a helicopter, for gosh sakes. We ought to be able to go out and buy a helicopter and put it in the hands of the people that need it. And we should be able to do that quickly. We’ve been building combat helicopters for a long time in this country. I don’t understand why the heck it is so hard to buy a helicopter.”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, based on the findings under subsection (a), the Secretary of Defense should have the authority to expedite
the procurement of a replacement aircraft for the UH–1N helicopter.

(c) Waiver and Contract Authority.—Subject to subsection (d), in procuring a replacement aircraft for the UH–1N helicopter, the Secretary of Defense may—

(1) waive any provision of law requiring the use of competitive procedures for the procurement; and

(2) enter into a contract for the procurement on a sole-source basis.

(d) Notice and Certification.—Not later than 15 days before exercising the authority under subsection (c), the Secretary shall submit to the congressional defense committees, in writing—

(1) notice of the intent of the Secretary to exercise such authority; and

(2) a certification that—

(A) the Secretary has reviewed—

(i) the threshold requirements for the UH–1N replacement aircraft program; and

(ii) any delays that may have occurred while the Air Force pursued strategies for the procurement of such aircraft on an other than sole-source basis; and

(B) after conducting such review, the Secretary has determined that entering into a con-
tract on a sole-source basis under subsection (c)—

(i) is in the national security interests of the United States; and

(ii) is necessary to ensure that a UH–1N replacement aircraft enters service by not later than September 30, 2020.

SEC. 132. LIMITATION ON SELECTION OF SINGLE CONTRACTOR FOR C–130H AVIONICS MODERNIZATION PROGRAM INCREMENT 2.

(a) LIMITATION.—The Secretary of the Air Force may not select only a single prime contractor to carry out increment 2 of the C–130H avionics modernization program until the Secretary submits to the congressional defense committees a written certification that, in selecting such a single prime contractor—

(1) the Secretary will ensure, to the extent practicable, that commercially available off-the-shelf items are used under the program, including technology solutions and nondevelopmental items; and

(2) excessively restrictive military specification standards will not be used to restrict or eliminate full and open competition in the selection process.

(b) DEFINITIONS.—In this section, the terms “commercially available off-the-shelf item”, “full and open com-
petition”, and “nondevelopmental item” have the meanings given the terms in chapter 1 of title 41, United States Code.

SEC. 133. LIMITATION ON AVAILABILITY OF FUNDS FOR EC–130H COMPASS CALL RECAPITALIZATION PROGRAM.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for any fiscal year for the EC–130H Compass Call recapitalization program of the Air Force may be obligated or expended until a period of 30 days has elapsed following the date on which the Under Secretary of Defense for Acquisition, Technology, and Logistics submits to the congressional defense committees the certification described in subsection (b).

(b) CERTIFICATION.—The certification described in this subsection is a written statement certifying that—

(1) an independent review of the acquisition process for the EC–130H Compass Call recapitalization program of the Air Force has been conducted; and

(2) as a result of such review, it has been determined that the acquisition process for such program complies with all applicable laws, guidelines, and best practices.
SEC. 134. COST-BENEFIT ANALYSIS OF UPGRADES TO MQ–9 REAPER AIRCRAFT.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of the Air Force, shall conduct an analysis that compares the costs and benefits of the following:

(1) Upgrading fielded MQ–9 Reaper aircraft to a Block 5 configuration.

(2) Proceeding with the procurement of MQ–9B aircraft instead of upgrading fielded MQ–9 Reaper aircraft to a Block 5 configuration.

(b) REPORT REQUIRED.—

(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 congressional defense committees a report that includes the results of the cost-benefit analysis conducted under subsection (a).

(2) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 135. INCREASE IN AMOUNTS FOR ENHANCING INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITY.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount au-
Authorized to be appropriated in section 101 for aircraft procurement, Air Force, as specified in the corresponding funding table in division D, for BA 05: Modification of Inservice Aircraft: E-8 (line 056) is hereby increased by $23,091,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for aircraft procurement, Air Force, as specified in the corresponding funding table in division D, for BA 05: Modification of Inservice Aircraft / BSA 5: Other Aircraft (line 050) is hereby reduced by $23,091,000.

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

SEC. 141. AUTHORITY FOR PROCUREMENT OF ECONOMIC ORDER QUANTITIES FOR THE F–35 AIRCRAFT PROGRAM.

(a) Authority for Procurement of Economic Order Quantities.—Subject to subsection (c), the Secretary of Defense may enter into one or more contracts, beginning with the fiscal year 2018 program year, for the procurement of economic order quantities of the material and equipment described in subsection (b).
(b) **Material and Equipment Described.**—The material and equipment described in this subsection is material and equipment—

(1) that has completed formal hardware qualification testing for the F–35 aircraft program; and

(2) is to be used in procurement contracts to be awarded under the F–35 aircraft program in fiscal years 2019 and 2020.

(e) **Limitations.**—

(1) **Maximum Amount.**—Of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 or any fiscal year thereafter for the F–35 aircraft program, not more than $661,000,000 may be obligated or expended to enter into contracts under subsection (a).

(2) **Certification.**—The Secretary of Defense may not enter into a contract under subsection (a) until a period of 15 days has elapsed following the date on which the Secretary submits to the congressional defense committees a written certification that the contract to be entered into under such subsection meets the following conditions:

(A) The contract will result in significant cost savings as compared to the total antici-
pated costs of procuring the property through contracts that are not for economic order quantities.

(B) The estimates of the cost of the contract and the anticipated cost savings resulting from the contract are realistic.

(C) The minimum need for the property that is to be procured under the contract is expected to remain substantially unchanged during the contract period.

(D) There is a reasonable expectation that, throughout the contract period, the head of the relevant military department or defense agency will request funding for the contract at the level required to avoid contract cancellation.

(E) The design of the property that is to be procured under the contract is expected to remain substantially unchanged and the technical risks associated with such design are not excessive.

(F) Entering into the contract will promote the national security interests of the United States.

(G) The contract satisfies the conditions described in subparagraphs (C) through (F) of
section 2306b(i)(3) of title 10, United States Code.

SEC. 142. LIMITATION ON DEMILITARIZATION OF CERTAIN CLUSTER MUNITIONS.

(a) LIMITATION.—Except as provided in subsection (c), the Secretary of Defense may not demilitarize any cluster munitions until the date on which the Secretary of Defense submits to the congressional defense committees the certification described in subsection (b).

(b) CERTIFICATION.—The certification described in this subsection is a written certification that the Department of Defense has an inventory of covered munitions that meets not less than 75 percent of the operational requirements of the Department with respect to cluster munitions across the full range of military operational environments.

(c) EXCEPTION FOR SAFETY.—The limitation under subsection (a) shall not apply to the demilitarization of cluster munitions that the Secretary determines—

(1) are unserviceable as a result of an inspection, test, field incident, or other significant failure to meet performance or logistics requirements; or

(2) are unsafe or could pose a safety risk if not demilitarized or destroyed.

(d) DEFINITIONS.—In this section:
(1) Cluster Munition.—The term “cluster munition” means a munition that is composed of a nonreusable canister or delivery body that contains multiple, conventional submunitions, without regard to the mode by which the munition is delivered. The term does not include—

(A) nuclear, chemical, or biological weapons;

(B) obscurants;

(C) pyrotechnics;

(D) non-lethal systems;

(E) non-explosive kinetic effect submunitions;

(F) electronic effects; or

(G) landmines.

(2) Covered Munitions.—The term “covered munitions” means cluster munitions containing submunitions that, after arming, do not result in more than 1 percent unexploded ordnance (as that term is defined in section 101(e)(5) of title 10, United States Code) across the range of intended operational environments.

(3) Demilitarize.—The term “demilitarize”, when used with respect to a cluster munition or components of a cluster munition—
(A) means to destroy the military offensive or defensive advantages inherent in the munition or its components; and

(B) includes any mutilation, scrapping, melting, burning, or alteration that prevents the use of the munition or its components for the military purposes for which the munition or its components was designed or for a lethal purpose.

SEC. 143. REINSTATEMENT OF REQUIREMENT TO PRESERVE CERTAIN C–5 AIRCRAFT.

Section 141 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1659), as amended by section 132 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), is amended by inserting after subsection (c) the following:

“(d) PRESERVATION OF CERTAIN RETIRED C–5 AIRCRAFT.—The Secretary of the Air Force shall preserve each C–5 aircraft that is retired by the Secretary during a period in which the total inventory of strategic airlift aircraft of the Secretary is less than 301, such that the retired aircraft—

“(1) is stored in flyable condition;

“(2) can be returned to service; and
“(3) is not used to supply parts to other aircraft unless specifically authorized by the Secretary of Defense upon a request by the Secretary of the Air Force.”.

SEC. 144. REQUIREMENT THAT CERTAIN AIRCRAFT AND UNMANNED AERIAL VEHICLES USE SPECIFIED STANDARD DATA LINK.

Section 157 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1667) is amended—

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

“(b) SOLICITATIONS.—The Secretary of Defense shall—

“(1) ensure that any solicitation issued for a Common Data Link described in subsection (a), regardless of whether the solicitation is issued by a military department or a contractor with respect to a subcontract—

“(A) conforms to a Department of Defense specification standard, including interfaces and waveforms, existing as of the date of the solicitation; and

“(B) does not include any proprietary or undocumented waveforms or control interfaces
or data interfaces as a requirement or criterion
for evaluation; and

“(2) notify the congressional defense commit-
tees not later than 15 days after issuing a solicita-
tion for a Common Data Link to be sunset (CDL-
TBS) waveform.”; and

(2) in subsection (c), in the matter preceding
paragraph (1)—

(A) by striking “Under Secretary of De-
defense for Acquisition, Technology, and Logis-
tics” and inserting “Deputy Secretary of De-
fense”;

(B) by striking “Under Secretary” and in-
serting “Deputy Secretary of Defense”; and

(C) by inserting “before October 1, 2023”
after “committees”.

TITLE II—RESEARCH, DEVELOP-
MENT, TEST, AND EVALUA-
TION

Subtitle A—Authorization Of
Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for
fiscal year 2018 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. COST CONTROLS FOR PRESIDENTIAL AIRCRAFT RECAPITALIZATION PROGRAM.

(a) Fixed Capability Requirements.—Except as provided in subsection (b), the capability requirements for aircraft procured under the presidential aircraft recapitalization program of the Air Force (referred to in this section as the “PAR Program”) shall be the capability requirements identified in version 7.0 of the system requirement document for the PAR Program dated December 14, 2016.

(b) Adjustments.—The Secretary of the Air Force may adjust the capability requirements described in subsection (a) only if the Secretary submits to the congressional defense committees a written determination that such adjustment is necessary—

(1) to resolve an ambiguity relating to the capability requirement;

(2) to address a problem with the administration of the capability requirement;
(3) to lower the development cost or life-cycle cost of the PAR program;

(4) to comply with a change in international, Federal, State, or local law or regulation that takes effect after September 30, 2017;

(5) to address a safety issue; or

(6) subject to subsection (e), to address an emerging threat or vulnerability.

(e) LIMITATION ON ADJUSTMENT FOR EMERGING THREAT OR VULNERABILITY.—The Secretary of the Air Force may use the authority under paragraph (6) of subsection (b) to adjust the requirements described in subsection (a) only if the Secretary and the Chief of Staff of the Air Force, on a nondelegable basis—

(1) jointly determine that such adjustment is necessary and in the interests of the national security of the United States; and

(2) submit to the congressional defense committees notice of such joint determination.

(d) FORM OF CONTRACTS.—

(1) REQUIREMENT FOR FIXED-PRICE TYPE CONTRACTS.—The contract awarded for the procurement of the unmodified commercial aircraft under the PAR program shall be a fixed price type contract.
(2) Analysis for fixed-price type contracts.—The Secretary of the Air Force shall work with the contractor and conduct an analysis of risk and explore opportunities to enter into additional fixed price type contracts for engineering and manufacturing development beyond the procurement of the unmodified commercial aircraft as described in paragraph (1).

(e) Quarterly Briefings.—

(1) In general.—Beginning not later than October 1, 2017, and on a quarterly basis thereafter through October 1, 2022, the Secretary of the Air Force shall provide to the Committee on Armed Services of the House of Representatives a briefing on the efforts of the Secretary to control costs under the PAR Program.

(2) Elements.—Each briefing under paragraph (1) shall include, with respect to the PAR Program, the following:

(A) An overview of the program schedule.

(B) A description of each contract awarded under the program, including a description of the type of contract and the status of the contract.
(C) An assessment of the status of the program with respect to—

(i) modification;

(ii) testing;

(iii) delivery; and

(iv) sustainment.

(f) SERVICE ACQUISITION EXECUTIVE DEFINED.—In this section, the term “service acquisition executive” has the meaning given that term in section 101(a)(10) of title 10, United States Code.

SEC. 212. CAPITAL INVESTMENT AUTHORITY.

Section 2208(k)(2) of title 10, United States Code, is amended by striking “$250,000” and inserting “$500,000”.

SEC. 213. MODIFICATION OF AUTHORITY TO AWARD PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Section 2374a of title 10, United States Code, is amended—

(1) in subsection (a), by striking “to award cash prizes” and inserting “to award prizes, which may be cash prizes or nonmonetary prizes,”;

(2) in subsection (b), by striking “cash prizes” and inserting “prizes”;

(3) in subsection (c)—
(A) in paragraph (1), by striking “cash prize of” and inserting “prize valued at”; and

(B) by adding at the end the following:

“(3) No prize competition may result in the award of a nonmonetary prize valued at more than $10,000 without the approval of the Under Secretary of Defense for Acquisition, Technology, and Logistics.”;

(4) in subsection (e)—

(A) by inserting “or nonmonetary items” after “accept funds”; and

(B) by striking “and from State and local governments,” and inserting “from State and local governments, and from other nongovernmental sources,”; and

(5) by striking subsection (f).

SEC. 214. CRITICAL TECHNOLOGIES FOR COLUMBIA CLASS SUBMARINE.

(a) IN GENERAL.—For purposes of sections 2366b and 2448b(a)(2) of title 10, United States Code, the components identified in subsection (b) are deemed to be critical technologies for the Columbia class ballistic missile submarine construction program.

(b) CRITICAL TECHNOLOGIES.—The components identified in this subsection are—
(1) the coordinated stern for the Columbia class ballistic missile submarine;
(2) the electric drive system for the submarine; and
(3) the nuclear reactor for the submarine.

SEC. 215. JOINT HYPERSONICS TRANSITION OFFICE.

(a) REDESIGNATION.—The joint technology office on hypersonics in the Office of the Secretary of Defense is redesignated as the “Joint Hypersonics Transition Office”. Any reference in a law (other than this section), map, regulation, document, paper, or other record of the United States to the joint technology office on hypersonics shall be deemed to be a reference to the Joint Hypersonics Transition Office.


(1) in the heading of subsection (a), by striking “JOINT TECHNOLOGY OFFICE ON HYPERSONICS” and inserting “JOINT HYPERSONICS TRANSITION OFFICE”;
(2) in subsection (a)—
(A) in the first sentence, by striking “joint
technology office on hypersonics” and inserting
“Joint Hypersonics Transition Office (in this
section referred to as the ‘Office’)”; and

(B) in the second sentence, by striking “of-
ifice” and inserting “Office”;

(3) in subsection (b), by striking “joint tech-
nology office established under subsection (a)” and
inserting “Office”; and

(4) by amending subsection (c) to read as fol-
lows:

“(c) RESPONSIBILITIES.—In carrying out the pro-
gram required by subsection (b), the Office shall do the
following:

“(1) Coordinate and integrate current and fu-
ture research, development, test, and evaluation pro-
grams and system demonstration programs of the
Department of Defense on hypersonics.

“(2) Undertake appropriate actions to ensure—

“(A) close and continuous integration of
the programs on hypersonics of the military de-
partments and the Defense Agencies with the
programs on hypersonics across the Federal
Government; and
“(B) that both foundational research and developmental testing resources are adequate and well funded, and that facilities are made available in a timely manner to support hypersonics research, demonstration programs, and system development.

“(3) Approve demonstration programs on hypersonic systems to speed the maturation and deployment of the systems to the warfighter.

“(4) Ensure that any demonstration program on hypersonic systems that is carried out in any year after its approval under paragraph (3) is carried out only if certified under subsection (e) as being consistent with the roadmap under subsection (d).

“(5) Develop a well-defined path for hypersonic technologies to transition to operational capabilities for the warfighter.”;

(5) in subsection (d)(1), by striking “joint technology office established under subsection (a)” and inserting “Office”; and

(6) in subsection (e)—

(A) in paragraph (1), by striking “joint technology office established under subsection (a)” and inserting “Office”; and
(B) in paragraph (2), by striking “joint technology office” and inserting “Office”.

SEC. 216. HYPERSONIC AIRBREATHING WEAPONS CAPABILITIES.

(a) IN GENERAL.—The Secretary of Defense may transfer oversight and management of the Hypersonic Airbreathing Weapons Concept from the Defense Advanced Research Projects Agency to a responsible entity of the Air Force. The Secretary of the Air Force, acting through the head of the Air Force Research Laboratory, shall continue—

(1) to develop a reusable hypersonics test bed to further probe the high speed flight corridor and to facilitate the testing and development of hypersonic airbreathing weapon systems;

(2) to explore emerging concepts and technologies for reusable hypersonics weapons systems beyond current hypersonics programs, focused on experimental flight test capabilities; and

(3) to develop defensive technologies and countermeasures against potential and identified hypersonic threats.

(b) HYPERSONIC AIRBREATHING WEAPON SYSTEM DEFINED.—In this section, the term “hypersonic airbreathing weapon system” means a missile or platform
with military utility that operates at speeds near or beyond
approximately five times the speed of sound, and that is
propelled through the atmosphere with an engine that
burns fuel with oxygen from the atmosphere that is col-
lected in an inlet.

SEC. 217. LIMITATION ON AVAILABILITY OF FUNDS FOR
MQ–25 UNMANNED AIR SYSTEM.

(a) LIMITATION.—Of the funds authorized to be ap-
propriated by this Act or otherwise made available for fis-
cal year 2018 for research, development, test, and evalua-
tion, Navy, for the MQ–25 unmanned air system, not
more than 75 percent may be obligated or expended until
a period of 60 days has elapsed following the date on
which the certification and report under subsection (b)
have been submitted to the congressional defense commit-
tees.

(b) CERTIFICATION AND REPORT.—

(1) CERTIFICATION.—The Secretary of the
Navy shall submit to the congressional defense com-
mittees a written certification that—

(A) the MQ–25 unmanned air system is
required to fill a validated capability gap of the
Department of the Navy;

(B) the Chief of Naval Operations has re-
viewed and approved the initial capability docu-
ment and the capability development document relating to such system; and

(C) the initial capability document and the capability development document have been provided to the congressional defense committees.

(2) REPORT.—The Assistant Secretary of the Navy for Research, Development, and Acquisition shall submit to the congressional defense committees a report that includes—

(A) an identification of threshold and objective key performance parameters for the MQ–25 unmanned air system;

(B) a certification that the threshold and objective key performance parameters for such system have been established and are achievable; and

(C) a description of the requirements of such system with respect to—

(i) fuel transfer;

(ii) equipment for intelligence, surveillance, and reconnaissance;

(iii) equipment for electronic attack and electronic protection;

(iv) communications equipment;

(v) weapons payload;
(vi) range;
(vii) mission endurance for unrefueled and aerial refueled operations;
(viii) affordability;
(ix) survivability; and
(x) interoperability with other Navy and joint-service unmanned aerial systems and mission control stations.

SEC. 218. LIMITATION ON AVAILABILITY OF FUNDS FOR CONTRACT WRITING SYSTEMS.

(a) LIMITATION.—Of the funds specified in subsection (c), not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees the assessment required under subsection (b).

(b) ASSESSMENT REQUIRED.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall submit to the congressional defense committees a written assessment of the requirements for each contract writing information technology system of the Department of Defense and the military departments. Such assessment shall include the following:

(1) Analysis of the requirements for each such contract writing system, including identification of
common requirements and any requirements unique to each military department.

(2) Identification of legacy systems that provide data to, or receive data from, such contract writing systems.

(3) Projected timelines showing when each contract writing system is expected to become fully operationally capable and when each legacy system is expected to terminate, based on budget projections included in the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code.

(4) Assessment of how a shared services model might be applied to replace specific contract writing systems, including analysis of the business process reengineering necessary to move to a shared services model and how shared services can be integrated into the business enterprise architecture of the Department.

(5) Identification of available shared services for contract writing systems, such as those offered by the General Services Administration or by other sources, that might provide viable alternatives to current contract writing systems.
(6) Identification of any gaps in the capabilities of available shared services for contract writing systems, and recommendations for addressing such gaps.

(7) Identification of any policy, legal, or statutory constraints that would have to be addressed in order to move to a share services model for contract writing systems.

(e) FUNDS SPECIFIED.—The funds specified in this subsection are the following—

(1) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation for each system described in subsection (d).

(2) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for procurement for each system described in subsection (d).

(d) SYSTEMS DESCRIBED.—The systems described in this subsection are the following:

(1) The Contract Writing System of the Army.

(2) The Electronic Procurement System of the Navy.


SEC. 219. STRATEGY FOR USE OF VIRTUAL TRAINING TECHNOLOGY.

(a) STRATEGY REQUIRED.—The Secretary of Defense shall direct the head of each military department—

(1) to establish a comprehensive strategy to determine what capability gaps exist in the department that can be rectified with virtual training;

(2) to review the virtual training possibilities for this gap to determine what virtual training would rectify this gap most efficiently; and

(3) to determine what acquisitions would need to be made to acquire the correct amount of technology to achieve desired goals.

(b) POST-FIELDING ANALYSIS.—The head of each military department concerned shall create a post-fielding training effectiveness analysis before commencing training using any virtual training technology acquired pursuant to subsection (a).
SEC. 220. INCREASE IN FUNDING FOR ELECTRONICS AND ELECTRONIC DEVICES OF THE ARMY.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Army, as specified in the corresponding funding table in section 4201, for Applied Research, Electronics and Electronic Devices, Line 018, is hereby increased by $2,000,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Army, as specified in the corresponding funding table in section 4201, for Advanced Component Development and Prototypes, Technology Maturation Initiatives, Line 072, is hereby reduced by $2,000,000.

SEC. 221. INCREASE IN FUNDING FOR HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY INSTITUTIONS.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Defense-wide, as specified in the corresponding funding table in section 4201, for Basic Research, Historically Black Colleges and Uni-
versities/Minority Institutions, Line 006, is hereby increased by $4,135,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Defense-wide, as specified in the corresponding funding table in section 4201, for Advanced Technology Development, Advanced Innovative Analysis and Concepts, Line 038, is hereby reduced by $4,135,000.

SEC. 222. ESTABLISHMENT AND EXPANSION OF HACKING FOR DEFENSE PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) The MD5 Hacking for Defense Program enables universities nationwide to provide valuable entrepreneurial and innovation education to students, providing formal training for scientists and engineers to pursue careers in business or government organizations.

(2) The MD5 Hacking for Defense Program is successful in part due to its focus on ensuring that government problems are well-defined and suitable for university courses, ensuring that educators are trained and certified in course methodology and curriculum, and providing an ecosystem of government
and corporate mentors to student teams to enhance
their education and access to clients familiar with
specific problems.

(3) Hacking for Defense programs provide a
unique pathway for veteran students to leverage
their military expertise to solve rapidly emerging na-
tional security challenges while learning cutting-edge
business innovation methodology.

(4) The MD5 Hacking for Defense Program’s
success in the early stages of the innovation con-
tinuum should be expanded to offer training to uni-
versities nationwide, and government personnel and
organizations charged with innovation.

(b) ESTABLISHMENT AND EXPANSION OF HACKING
FOR DEFENSE PROGRAM.—

(1) Authorization.—The Secretary of De-
fense is authorized to establish a Hacking for De-
fense Program under which the Secretary may obli-
gate or expend up to $15,000,000 to support uni-
versity-based entrepreneurial education programs, in-
cluding—

(A) materials to recruit veterans for such
programs;

(B) model curriculum for such programs;
(C) training materials for such programs;

and

(D) best practices for the conduct of such programs.

(2) CONSULTATION.—In carrying out paragraph (1), the Secretary of Defense may consult with the heads of such Federal agencies, universities, and public and private entities engaged in the development of advanced technologies as the Secretary determines to be appropriate.

(3) ELIGIBILITY.—The Secretary of Defense shall—

(A) develop and maintain eligibility criteria for programs to become recognized as Hacking for Defense education sites; and

(B) ensure that any recipient of a grant under the Small Business Technology Transfer program or the Small Business Innovation Research program has the option to participate in training under the MD5 Hacking for Defense Program.

SEC. 223. PILOT PROGRAM ON INNOVATIVE TECHNOLOGIES.

The Secretary of Defense, in coordination with the Secretary of Energy, shall conduct a pilot program among
defense laboratories (as defined in section 2199 of title 10, United States Code), national laboratories (as defined in section 188(f) of title 10, United States Code), and private entities to facilitate the licensure, transfer, and commercialization of innovative technologies.

SEC. 224. STEM(MM) JOBS ACTION PLAN.

(a) FINDINGS.—Congress finds the following:

(1) Jobs in science, technology, engineering, and math in addition to maintenance and manufacturing (collectively referred to in this section as “STEM(MM)” ) make up a significant portion of the workforce of the Department of Defense.

(2) These jobs exist within the organic industrial base, research, development, and engineering centers, life-cycle management commands, and logistics centers of the Department.

(3) Vital to the continued support of the mission of all of the military services, the Department needs to maintain its STEM(MM) workforce.

(4) It is known that the demographics of personnel of the Department indicate that many of the STEM(MM) personnel of the Department will be eligible to retire in the next few years.

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

(b) ASSESSMENTS AND PLAN OF ACTION.—The Secretary of Defense, in conjunction with the Secretary of each military department, shall —

(1) perform an assessment of the STEM(MM) workforce for organizations within the Department of Defense, including the numbers and types of positions and the expectations for losses due to retirements and voluntary departures;

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

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

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

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

(6) deliver to Congress, not later than December 31, 2018, a report specifying such plan of action.
SEC. 225. APPROPRIATE USE OF AUTHORITY FOR PROTOTYPE PROJECTS.

Section 2371b(d)(1)(A) of title 10, United States Code, is amended by inserting “or nonprofit research institution” after “defense contractor”.

SEC. 226. JET NOISE REDUCTION PROGRAM OF THE NAVY.

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

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

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

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

(3) communicate relevant discoveries to the civilian aviation community; and

(4) support the development of theoretical noise models, computational prediction tools, noise control strategies, diagnostic tools, and enhanced source localization.
SEC. 227. PROCESS FOR COORDINATION OF STUDIES AND ANALYSIS RESEARCH OF THE DEPARTMENT OF DEFENSE.

The Secretary of Defense shall implement a Department of Defense-wide process under which the heads of the military departments and Defense Agencies responsible for managing requests for studies and analysis research are required to coordinate annual research requests and ongoing research efforts to minimize duplication and reduce costs.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are here by authorized to be appropriated for fiscal year 2018 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. CODIFICATION OF AND IMPROVEMENTS TO DEPARTMENT OF DEFENSE CLEARINGHOUSE TO COORDINATE DEPARTMENT REVIEW OF APPLICATIONS FOR CERTAIN PROJECTS THAT MAY HAVE ADVERSE IMPACT ON MILITARY OPERATIONS AND READINESS.

(a) Establishment of Military Aviation, Range, and Installation Assurance Program Office.—

(1) Codification and improvement of existing law.—Chapter 7 of title 10, United States Code, is amended by inserting after section 183 the following new section:

"§ 183a. Military Aviation, Range, and Installation Assurance Program Office for review of mission obstructions

“(a) Establishment.—(1) The Secretary of Defense shall establish a Military Aviation, Range, and Installation Assurance Program Office.

“(2) The Military Aviation, Range, and Installation Assurance Program Office shall be—
“(A) organized under the authority, direction, and control of an Assistant Secretary of Defense designated by the Secretary; and

“(B) assigned such personnel and resources as the Secretary considers appropriate to carry out this section.

“(b) FUNCTIONS.—(1)(A) The Military Aviation, Range, and Installation Assurance Program Office shall serve as a clearinghouse to coordinate Department of Defense review of applications for energy projects filed with the Secretary of Transportation pursuant to section 44718 of title 49 and received by the Department of Defense from the Secretary of Transportation.

“(B) To facilitate the review of an application for an energy project submitted pursuant to such section, the Military Aviation, Range, and Installation Assurance Program Office shall accelerate the development, in coordination with other departments and agencies of the Federal Government, of—

“(i) an integrated review process to ensure timely notification and consideration of any application that may have an adverse impact on military operations and readiness; and
“(ii) planning tools necessary to determine the acceptability to the Department of Defense of the energy project proposal included in the application.

“(2) The Military Aviation, Range, and Installation Assurance Program Office shall establish procedures for the Department of Defense for the coordinated consideration of and response to a request for a review received from another Federal agency, a State government, an Indian tribal government, a local government, a landowner, or the developer of an energy project, including guidance to personnel at each military installation in the United States on how to initiate such procedures and ensure a coordinated Department response.

“(3) The Military Aviation, Range, and Installation Assurance Program Office shall consult with affected military installations for the review and consideration of proposed energy projects.

“(4) The Military Aviation, Range, and Installation Assurance Program Office shall develop procedures for conducting early outreach to parties carrying out energy projects that could have an adverse impact on military operations and readiness and to clearly communicate to such parties actions being taken by the Department under this section.
“(5) The Military Aviation, Range, and Installation Assurance Program Office shall perform such other functions as the Secretary of Defense assigns.

“(c) REVIEW OF PROPOSED ACTIONS.—(1) Not later than 30 days after receiving from the Secretary of Transportation a proper application for an energy project under section 44718 of title 49 that may have an adverse impact on military operations and readiness, the Military Aviation, Range, and Installation Assurance Program Office shall conduct a preliminary review of such application. Such review shall—

“(A) assess the likely scope, duration, and level of risk of any adverse impact of such energy project on military operations and readiness; and

“(B) identify any feasible and affordable actions that could be taken by the Department, the developer of such energy project, or others to mitigate such adverse impact and to minimize risks to national security while allowing such energy project to proceed with development.

“(2) If the Military Aviation, Range, and Installation Assurance Program Office determines under paragraph (1) that an energy project will have an adverse impact on military operations and readiness, the Military Aviation, Range, and Installation Assurance Program Office, with
the approval of the Secretary of Defense, shall issue to
the applicant a notice of presumed risk that describes the
concerns identified by the Department in the preliminary
review and requests a discussion of possible mitigation ac-
tions.

“(d) COMPREHENSIVE REVIEW.—(1) The Secretary
of Defense shall develop a comprehensive strategy for ad-
dressing the military impacts of projects filed with the
Secretary of Transportation pursuant to section 44718 of
title 49.

“(2) In developing the strategy required by para-
graph (1), the Secretary of Defense shall—

“(A) assess the magnitude of interference posed
by projects filed with the Secretary of Transpor-
tation pursuant to section 44718 of title 49;

“(B) identify geographic areas in which projects
filed, or which may be filed in the future, with the
Secretary of Transportation pursuant to section
44718 of title 49, could have an adverse impact on
military operations and readiness, including military
training routes, and categorize the risk of adverse
impact in each geographic area for the purpose of
informing preliminary reviews under subsection
(c)(1), early outreach efforts under subsection
(b)(4), and online dissemination efforts under paragraph (3);

“(C) develop procedures to periodically review and modify geographic areas identified under subparagraph (B) and to solicit and identify additional geographic areas as appropriate; and

“(D) specifically identify feasible and affordable long-term actions that may be taken to mitigate adverse impacts of projects filed, or which may be filed in the future, with the Secretary of Transportation pursuant to section 44718 of title 49, on military operations and readiness, including—

“(i) investment priorities of the Department of Defense with respect to research and development;

“(ii) modifications to military operations to accommodate applications for such projects;

“(iii) recommended upgrades or modifications to existing systems or procedures by the Department of Defense;

“(iv) acquisition of new systems by the Department and other departments and agencies of the Federal Government and timelines for fielding such new systems; and
“(v) modifications to the projects for which such applications are filed, including changes in size, location, or technology.

“(3) The Military Aviation, Range, and Installation Assurance Program Office shall make available online access to data reflecting geographic areas identified under subparagraph (B) of paragraph (2) and reviewed and modified under subparagraph (C) of such paragraph.

“(e) DEPARTMENT OF DEFENSE DETERMINATION OF UNACCEPTABLE RISK.—(1) The Secretary of Defense may not object to an energy project filed with the Secretary of Transportation pursuant to section 44718 of title 49 unless the Secretary of Defense determines, after giving full consideration to mitigation actions identified pursuant to this section, that the project would result in an unacceptable risk to the national security of the United States. Such a determination shall constitute a finding pursuant to section 44718(f) of title 49.

“(2) Not later than 30 days after making a determination under paragraph (1), the Secretary of Defense shall submit to the congressional defense committees, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on such determination and the basis for such determina-
tion. Such report shall include an explanation of the basis of the determination, a discussion of the mitigation options considered, and an explanation of why, in the case of a determination of unacceptable risk, the mitigation options were not feasible or did not resolve the conflict. The Secretary of Defense may provide public notice through the Federal Register of the determination.

“(3) The Secretary of Defense may only delegate the responsibility for making a determination under paragraph (1) to the Deputy Secretary of Defense, an Under Secretary of Defense, or a Principal Deputy Under Secretary of Defense.

“(f) AUTHORITY TO ACCEPT CONTRIBUTIONS OF FUNDS.—The Secretary of Defense is authorized to request and accept a voluntary contribution of funds from an applicant for a project filed with the Secretary of Transportation pursuant to section 44718 of title 49. Amounts so accepted shall remain available until expended for the purpose of offsetting the cost of measures undertaken by the Secretary of Defense to mitigate adverse impacts of such a project on military operations and readiness or to conduct studies of potential measures to mitigate such impacts.

“(g) EFFECT OF DEPARTMENT OF DEFENSE HAZARD ASSESSMENT.—An action taken pursuant to this sec-
tion shall not be considered to be a substitute for any as-

essment or determination required of the Secretary of
Transportation under section 44718 of title 49.

“(h) SAVINGS CLAUSE.—Nothing in this section shall
be construed to affect or limit the application of, or any
obligation to comply with, any environmental law, includ-
ing the National Environmental Policy Act of 1969 (42
U.S.C. 4321 et seq.).

“(i) DEFINITIONS.—In this section:

“(1) The term ‘adverse impact on military oper-
ations and readiness’ means any adverse impact
upon military operations and readiness, including
flight operations, research, development, testing, and
evaluation, and training, that is demonstrable and is
likely to impair or degrade the ability of the armed
forces to perform their warfighting missions.

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

“(3) The term ‘landowner’ means a person that
owns a fee interest in real property on which a pro-
posed energy project is planned to be located.

“(4) The term ‘military installation’ has the
meaning given that term in section 2801(c)(4) of
this title.
“(5) The term ‘military readiness’ includes any training or operation that could be related to combat readiness, including testing and evaluation activities.

“(6) The term ‘military training route’ means a training route developed as part of the Military Training Route Program, carried out jointly by the Federal Aviation Administration and the Secretary of Defense, for use by the armed forces for the purpose of conducting low-altitude, high-speed military training.

“(7) The term ‘unacceptable risk to the national security of the United States’ means the construction, alteration, establishment, or expansion, or the proposed construction, alteration, establishment, or expansion, of a structure or sanitary landfill that would—

“(A) endanger safety in air commerce, related to the activities of the Department of Defense;

“(B) interfere with the efficient use and preservation of the navigable airspace and of airport traffic capacity at public-use airports, related to the activities of the Department of Defense; or
“(C) impair or degrade the capability of
the Department of Defense to conduct training,
research, development, testing, evaluation, and
operations or to maintain military readiness.”.
(2) CONFORMING AND CLERICAL AMEND-
MENTS.—

(A) REPEAL OF EXISTING PROVISION.—
Section 358 of the Ike Skelton National De-
defense Authorization Act for Fiscal Year 2011
(Public Law 111–383; 49 U.S.C. 44718 note)
is repealed.

(B) REFERENCE TO DEFINITIONS.—Sec-
tion 44718(g) of title 49, United States Code,
is amended by striking “211.3 of title 32, Code
of Federal Regulations, as in effect on January
6, 2014” both places it appears and inserting
“183a(i) of title 10”.

(C) TABLE OF SECTIONS AMENDMENT.—
The table of sections at the beginning of chap-
ter 7 of title 10, United States Code, is amend-
ed by inserting after the item relating to section
183 the following new item:

“183a. Military Aviation, Range, and Installation Assurance Program Office for
review of mission obstructions.”.

(3) DEADLINE FOR INITIAL IDENTIFICATION OF
GEOGRAPHIC AREAS.—The initial identification of
geographic areas under subsection (d)(2)(B) of section 183a of title 10, United States Code, as added by paragraph (1), shall be completed not later than 180 days after the date of the enactment of this Act.

(4) Applicability of existing rules and regulations.—Notwithstanding the amendments made by paragraphs (1) and (2), any rule or regulation promulgated to carry out section 358 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 49 U.S.C. 44718 note) that is in effect on the day before the date of the enactment of this Act shall continue in effect and apply to the extent such rule or regulation is consistent with the authority under section 183a of title 10, United States Code, as added by paragraph (1), until such rule or regulation is otherwise amended or repealed.

(b) Conforming Amendment Regarding Critical Military-Use Airspace Areas.—Section 44718 of title 49, United States Code, as amended by subsection (a)(2)(B), is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:
“(g) Special Rule for Identified Geographic Areas.—In the case of a proposed structure to be located within a geographic area identified under subsection (d)(2)(B) of section 183a of title 10, the Secretary of Transportation may not issue a determination until the Secretary of Defense issues a determination under subsection (e) of such section as to whether or not the proposed structure represents an unacceptable risk to the national security of the United States (as defined in subsection (i)(7) of such section).”.

SEC. 312. ENERGY PERFORMANCE GOALS AND MASTER PLAN.

Section 2911(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting before the period at the end the following: “, the future demand for energy, and the requirements for the use of energy’’;

(2) in paragraph (2), by striking “reduce the future demand and the requirements for the use of energy” and inserting “enhance energy resilience to ensure the Department of Defense has the ability to prepare for and recover from energy disruptions that affect mission assurance on military installations”; and
(3) by adding at the end the following new paragraph:

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

SEC. 313. PAYMENT TO ENVIRONMENTAL PROTECTION AGENCY OF STIPULATED PENALTY IN CONNECTION WITH UMATILLA CHEMICAL DEPOT, OREGON.

(a) Authority to Transfer Funds.—

(1) Transfer Amount.—The Secretary of the Army may transfer an amount of not more than $125,000 to the Hazardous Substance Superfund established under subchapter A of chapter 98 of the Internal Revenue Code of 1986. Any such transfer shall be made without regard to section 2215 of title 10, United States Code.

(2) Source of Funds.—Any transfer under subsection (a) shall be made using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for Base Realignment and Closure, Army.

(b) Purpose of Transfer.—A transfer under subsection (a) shall be for the purpose of satisfying a stipulated penalty assessed by the Environmental Protection
Agency in the settlement agreement approved by the Army on July 14, 2016, against the Umatilla Chemical Depot, Oregon under the Federal Facility Agreement between the Army and the Environmental Protection Agency dated September 19, 1989.

(c) ACCEPTANCE OF PAYMENT.—If the Secretary of the Army makes a transfer under subsection (a), the Administrator of the Environmental Protection Agency shall accept the amount transferred as payment in full of the penalty referred to in subsection (b).

SEC. 314. PAYMENT TO ENVIRONMENTAL PROTECTION AGENCY OF STIPULATED PENALTY IN CONNECTION WITH LONGHORN ARMY AMMUNITION PLANT, TEXAS.

(a) AUTHORITY TO TRANSFER FUNDS.—

(1) TRANSFER AMOUNT.—The Secretary of the Army may transfer an amount of not more than $1,185,000 to the Hazardous Substance Superfund established under subchapter A of chapter 98 of the Internal Revenue Code of 1986. Any such transfer shall be made without regard to section 2215 of title 10, United States Code.

(2) SOURCE OF FUNDS.—Any transfer under subsection (a) shall be made using funds authorized to be appropriated by this Act or otherwise made
available for fiscal year 2018 for Environmental
Restoration, Army.

(b) PURPOSE OF TRANSFER.—A transfer under sub-
section (a) shall be for the purpose of satisfying a stipu-
lated penalty assessed by the Environmental Protection
Agency on April 5, 2013, against Longhorn Army Ammu-
nition Plant, Texas, under the Federal Facility Agreement
for Longhorn Army Ammunition Plant, which was entered
into between the Army and the Environmental Protection

(c) ACCEPTANCE OF PAYMENT.—If the Secretary of
the Army makes a transfer under subsection (a), the Ad-
ministrator of the Environmental Protection Agency shall
accept the amount transferred as payment in full of the
penalty referred to in subsection (b).

SEC. 315. DEPARTMENT OF DEFENSE CLEANUP AND RE-
MOVAL OF PETROLEUM, OIL, AND LUBRI-
CANT ASSOCIATED WITH THE PRINZ EUGEN.

Amounts authorized to be appropriated for the De-
partment of Defense may by used for all necessary ex-
penses for the removal and cleanup of petroleum, oil, and
lubricants associated with the heavy cruiser Prinz Eugen,
which was transferred from the United States to the Re-
Subtitle C—Logistics and Sustainment

SEC. 321. REAUTHORIZATION OF MULTI-TRADES DEMONSTRATION PROJECT.


(1) in subsection (d), by striking “2018” and inserting “2023”; and

(2) in subsection (e), by striking “2019” and inserting “2024”.

SEC. 322. GUIDANCE REGARDING USE OF ORGANIC INDUSTRIAL BASE.

The Secretary of the Army shall maintain the arsenals with sufficient workloads to ensure affordability and technical competence in all critical capability areas by establishing, not later than 90 days after the enactment of this Act, clear, step-by-step, prescriptive guidance on the process for conducting make-or-buy analyses, including the use of the organic industrial base.
SEC. 323. PROHIBITION ON APPLICATION OF HIRING FREEZES AT DEPARTMENT OF DEFENSE INDUSTRIAL BASE FACILITIES.

Any memorandum, Executive order, or other action by the President to prevent a department or agency of the Federal Government from filling vacant Federal civilian employee positions or creating new such positions, shall have no force or effect with respect to any Department of Defense civilian position at, or in support of—

(1) any facility at which depot-level maintenance and repair (as that term is defined in section 2460 of title 10, United States Code) is carried out; or

(2) any facility designated under section 2474 of such title as a center for industrial and technical excellence.

Subtitle D—Reports

SEC. 331. QUARTERLY REPORTS ON PERSONNEL AND UNIT READINESS.

(a) MODIFICATION AND IMPROVEMENT.—Section 482 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “Each report” and inserting “The reports for the first and third quarters of a calendar year”; and
(B) by adding at the end the following new sentence: “The reports for the second and fourth quarters of a calendar year shall contain the information required by subsection (j).”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “AND REMEDIAL ACTIONS”;

(B) in the matter preceding paragraph (1), by striking “Each report” and inserting “A report for the second or fourth quarter of a calendar year”;

(C) in paragraph (1), by inserting “and” after the semicolon;

(D) by striking paragraph (2); and

(E) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)(1), by striking “Each report” and inserting “A report for the second or fourth quarter of a calendar year”;

(4) in subsection (e), by striking “Each report” and inserting “A report for the second or fourth quarter of a calendar year”;

(5) in subsection (f)(1), by striking “Each report” and inserting “A report for the second or fourth quarter of a calendar year”;}
(6) in subsection (g)(1), by striking “Each re-
port” and inserting “A report for the second or
fourth quarter of a calendar year”; and

(7) by adding at the end the following new sub-
section:

“(j) REMEDIAL ACTIONS.—A report for the first or
third quarter of a calendar year shall include—

“(1) a description of the mitigation plans of the
Secretary to address readiness shortfalls and oper-
tional deficiencies identified in the report submitted
for the preceding calendar quarter; and

“(2) for each such shortfall or deficiency, a
timeline for resolution, the cost necessary for such
resolution, the mitigation strategy the Department
will employ until the resolution is in place, and any
legislative remedies required.”.

(b) CONFORMING AMENDMENTS.—Section 117 of
title 10, United States Code, is amended—

(1) in subsection (d)—

(A) in the subsection heading, by striking
“QUARTERLY” and inserting “SEMI-ANNUAL”; and

(B) in paragraph (1)(A), by striking
“quarterly” and inserting “semi-annual”; and
(2) in subsection (c), by striking “each quarter” and inserting “semi-annually”.

SEC. 332. BIENNIAL REPORT ON CORE DEPOT-LEVEL MAINTENANCE AND REPAIR CAPABILITY.

Section 2464(d) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

“(4) Any workload shortfalls at any work breakdown structure category designated as a lower-level category pursuant to Department of Defense Instruction 4151.20, or any successor instruction.

“(5) A description of any workload executed at a category designated as a first-level category pursuant to such Instruction, or any successor instruction, that could be used to mitigate shortfalls in similar categories.

“(6) A description of any progress made on implementing mitigation plans developed pursuant to paragraph (3).

“(7) A description of core capability requirements and corresponding workloads at the first level category.

“(8) In the case of any shortfall that is identified, a description of the shortfall and an identifica-
tion of the subcategory of the work breakdown struc-
ture in which the shortfall occurred.

“(9) In the case of any work breakdown struc-
ture category designated as a special interest item or
other pursuant to such Instruction, or any successor
instruction, an explanation for such designation.

“(10) Whether the core depot-level maintenance
and repair capability requirements described in the
report submitted under this subsection for the pre-
ceding fiscal year have been executed.”.

SEC. 333. ANNUAL REPORT ON PERSONNEL, TRAINING, AND
EQUIPMENT NEEDS OF NON-FEDERALIZED
NATIONAL GUARD.

(a) ANNUAL REPORT REQUIRED.—Section 10504 of
title 10, United States Code, as amended by section 1051,
is further amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking
“REPORT.—” and inserting “REPORT ON
STATE OF THE NATIONAL GUARD.—(1)” ; and

(B) by striking “The report’’” and insert-
ing the following:

“(2) The annual report required by paragraph (1)”;

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

“(b) ANNUAL REPORT ON NON-FEDERALIZED SERV-
ICE NATIONAL GUARD PERSONNEL, TRAINING, AND
EQUIPMENT REQUIREMENTS.—(1) Not later than Janu-
ary 31 of each of calendar years 2018 through 2022, the
Chief of the National Guard Bureau shall submit to the
recipients described in paragraph (3) a report that identi-
ifies the personnel, training, and equipment required by the
non-federalized National Guard—

“(A) to support civilian authorities in connec-
tion with natural and man-made disasters during the
covered period; and

“(B) to carry out prevention, protection, miti-
gation, response, and recovery activities relating to
such disasters during the covered period.

“(2) In preparing each report under paragraph (1),
the Chief of the National Guard Bureau shall—

“(A) consult with the chief executive of each
State, the Council of Governors, and other appro-
priate civilian authorities;

“(B) collect and validate information from each
State relating to the personnel, training, and equip-
ment requirements described in paragraph (1);
“(C) set forth separately the personnel, training, and equipment requirements for—

“(i) each of the emergency support functions of the National Response Framework; and

“(ii) each of the Federal Emergency Management Agency regions;

“(D) assess core civilian capability gaps relating to natural and man-made disasters, as identified by States in submissions to the Department of Homeland Security; and

“(E) take into account threat and hazard identifications and risk assessments of the Department of Defense, the Department of Homeland Security, and the States.

“(3) The annual report required by paragraph (1) shall be submitted to the following officials:

“(A) The congressional defense committees, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

“(B) The Secretary of Defense.

“(C) The Secretary of Homeland Security.

“(D) The Council of Governors.

“(E) The Secretary of the Army.

“(F) The Secretary of the Air Force.
“(G) The Commander of the United States Northern Command.


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

“(4) In this subsection, the term ‘covered period’ means the fiscal year beginning after the date on which a report is submitted under paragraph (1).”.

(b) Clerical Amendments.—

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

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

(2) Table of contents.—The table of sections at the beginning of chapter 1011 of title 10, United States Code, is amended by striking the item relating to section 10504 and inserting the following:

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

SEC. 334. ANNUAL REPORT ON MILITARY WORKING DOGS USED BY THE DEPARTMENT OF DEFENSE.

(a) Capacity.—The Secretary of Defense, acting through the Executive Agent for Military Working Dogs (hereinafter in this section referred to as the “Executive Agent”), shall—
(1) identify the number of military working dogs required to fulfill the various missions of the Department of Defense for which such dogs are used, including force protection, facility and checkpoint security, and explosives and drug detection;

(2) take such steps as are practicable to ensure an adequate number of military working dog teams are available to meet and sustain the mission requirements identified in paragraph (1);

(3) ensure that the Department's needs and performance standards with respect to military working dogs are readily available to dog breeders and trainers; and

(4) coordinate with other Federal, State, and local agencies, nonprofit organizations, universities, and private sector entities, as appropriate, to increase the training capacity for military working dog teams.

(b) MILITARY WORKING DOG PROCUREMENT.—The Secretary, acting through the Executive Agent, shall work to ensure that military working dogs are procured as efficiently as possible and at the best value to the Government, while maintaining the necessary level of quality and encouraging increased domestic breeding.
(c) **ANNUAL REPORT.**—Not later than 90 days after
the date of the enactment of the National Defense Author-
ization Act for Fiscal Year 2018, and annually thereafter
until September 30, 2021, the Secretary, acting through
the Executive Agent, shall submit to the congressional de-
defense committees a report on the procurement and retire-
ment of military working dogs for the fiscal year preceding
the fiscal year during which the report is submitted. Each
report under this subsection shall include the following for
the fiscal year covered by the report:

(1) The number of military working dogs pro-
cured, by source, by each military department or De-
defense Agency.

(2) The cost of procuring military working dogs
incurred by each military department or Defense
Agency.

(3) The number of domestically bred and
sourced military working dogs procured by each mili-
tary department or Defense Agency, including a list
of vendors, their location, cost, and the quantity of
dogs procured from each vendor.

(4) The number of non-domestically bred mili-
tary working dogs procured from non-domestic
sources by each military department or Defense
Agency, including a list of vendors, their location,
cost, and the quantity of dogs procured from each vendor.

(5) The cost of procuring pre-trained and green dogs for force protection, facility and checkpoint security, and improvised explosive device, other explosives, and drug detection.

(6) An analysis of the procurement practices of each military department or Defense Agency that limit market access for domestic canine vendors and breeders.

(7) The total cost of procuring domestically bred military working dogs versus the total cost of procuring dogs from non-domestic sources.

(8) The total number of domestically bred dogs and the number of dogs from foreign sources procured by each military department or Defense Agency and the number and percentage of those dogs that are ultimately deployed for their intended use.

(9) An explanation for any significant difference in the cost of procuring military working dogs from different sources.

(10) An estimate of the number of military working dogs expected to retire annually and an identification of the primary cause of the retirement of such dogs.
(11) An identification of the final disposition of military working dogs no longer in service.

(d) MILITARY WORKING DOG DEFINED.—For purposes of this section, the term “military working dog” means a dog used in any official military capacity, as defined by the Secretary of Defense.

SEC. 335. ANNUAL BRIEFINGS ON ARMY EXPLOSIVE ORDNANCE DISPOSAL.

Not later than 60 days after the last day of each of fiscal years 2018 through 2021, the Secretary of the Army shall provide to the Committees on Armed Services of the Senate and House of Representatives briefings on the actions the Army has taken to address the following:

(1) Programmed funding and manpower to establish and implement the explosive ordnance disposal (hereinafter referred to as “EOD”) assistant commandant position in the Army Ordnance School.

(2) EOD personnel talent management, including command opportunities and promotion within the Army logistics cohort, and career broadening opportunities, including participation in joint, inter-agency, and multinational EOD commissioned officer and non-commissioned officer positions.
(3) How the EOD career path ensures and maintains technical proficiency for EOD-qualified personnel.

(4) Efforts to improve EOD proponency and advocacy across the Army, including activities of the EOD Board of Advisors.

(5) Efforts to enhance synchronization of EOD with other Army missions and functions and retain critical interdependencies.

(6) Annual funding programmed through the future-years defense program and executed during the preceding fiscal year for EOD requirements including personnel, training, and equipment.

SEC. 336. REPORT ON EFFECTS OF CLIMATE CHANGE ON DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Secretary of Defense James Mattis has stated: “It is appropriate for the Combatant Commands to incorporate drivers of instability that impact the security environment in their areas into their planning.”.

(2) Secretary of Defense James Mattis has stated: “I agree that the effects of a changing climate — such as increased maritime access to the
Arctic, rising sea levels, desertification, among others — impact our security situation.”.

(3) Chairman of the Joint Chiefs of Staff Joseph Dunford has stated: “It’s a question, once again, of being forward deployed, forward engaged, and be in a position to respond to the kinds of natural disasters that I think we see as a second or third order effect of climate change.”.

(4) Former Secretary of Defense Robert Gates has stated: “Over the next 20 years and more, certain pressures-population, energy, climate, economic, environmental-could combine with rapid cultural, social, and technological change to produce new sources of deprivation, rage, and instability.”.

(5) Former Chief of Staff of the U.S. Army Gordon Sullivan has stated: “Climate change is a national security issue. We found that climate instability will lead to instability in geopolitics and impact American military operations around the world.”.

(6) The Office of the Director of National Intelligence (ODNI) has stated: “Many countries will encounter climate-induced disruptions—such as weather-related disasters, drought, famine, or damage to infrastructure—that stress their capacity to respond, cope with, or adapt. Climate-related impacts will also
contribute to increased migration, which can be partic-
ularly disruptive if, for example, demand for food
and shelter outstrips the resources available to assist
those in need.”.

(7) The Government Accountability Office
(GAO) has stated: “DOD links changes in precipita-
tion patterns with potential climate change impacts
such as changes in the number of consecutive days
of high or low precipitation as well as increases in
the extent and duration of droughts, with an associ-
ated increase in the risk of wildfire. . . this may re-
sult in mission vulnerabilities such as reduced live-
fire training due to drought and increased wildfire
risk.”.

(8) A three-foot rise in sea levels will threaten
the operations of more than 128 United States mili-
tary sites, and it is possible that many of these at-
risk bases could be submerged in the coming years.

(9) As global temperatures rise, droughts and
famines can lead to more failed states, which are
breeding grounds of extremist and terrorist organi-
izations.

(10) In the Marshall Islands, an Air Force
radar installation built on an atoll at a cost of
$1,000,000,000 is projected to be underwater within two decades.

(11) In the western United States, drought has amplified the threat of wildfires, and floods have damaged roads, runways, and buildings on military bases.

(12) In the Arctic, the combination of melting sea ice, thawing permafrost, and sea-level rise is eroding shorelines, which is damaging radar and communication installations, runways, seawalls, and training areas.

(13) In the Yukon Training Area, units conducting artillery training accidentally started a wildfire despite observing the necessary practices during red flag warning conditions.

(b) Sense of Congress.—It is the sense of Congress that—

(1) climate change is a direct threat to the national security of the United States and is impacting stability in areas of the world both where the United States Armed Forces are operating today, and where strategic implications for future conflict exist;

(2) there are complexities in quantifying the cost of climate change on mission resiliency, but the Department of Defense must ensure that it is pre-
pared to conduct operations both today and in the future and that it is prepared to address the effects of a changing climate on threat assessments, resources, and readiness; and

(3) military installations must be able to effectively prepare to mitigate climate damage in their master planning and infrastructure planning and design, so that they might best consider the weather and natural resources most pertinent to them.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than one year 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 vulnerabilities to military installations and combatant commander requirements resulting from climate change over the next 20 years.

(2) ELEMENTS.—The report on vulnerabilities to military installations and combatant commander requirements required by paragraph (1) shall include the following:

(A) A list of the ten most vulnerable military installations within each service based on the effects of rising sea tides, increased flood-
ing, drought, desertification, wildfires, thawing permafrost, and any other categories the Sec-
retary determines necessary.

(B) An overview of mitigations that may be necessary to ensure the continued oper-
ational viability and to increase the resiliency of the identified vulnerable military installations and the cost of such mitigations.

(C) A discussion of the climate-change re-
lated effects on the Department, including the increase in the frequency of humanitarian as-
sistance and disaster relief missions and the theater campaign plans, contingency plans, and global posture of the combatant commanders.

(D) An overview of mitigations that may be necessary to ensure mission resiliency and the cost of such mitigations.

(3) FORM.—The report required subparagraph (1) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 337. UPDATED GUIDANCE REGARDING BIENNIAL CORE REPORT.

To ensure that the biennial core reporting procedures of the Department of Defense align with the requirements of section 2464 of title 10, United States Code, and that
each reporting agency provides accurate and complete in-
formation, the Secretary of Defense should direct the
Under Secretary of Defense for Acquisition, Technology
and Logistics to update the Department of Defense Guid-
ance, in particular Department of Defense Instruction
4151.20, to require future biennial core reports include
instructions to the reporting agencies on how to—

(1) report additional depot workload performed
that has not been identified as a core requirement;

(2) accurately capture inter-service workload;

(3) calculate shortfalls; and

(4) estimate the cost of planned workload.

SEC. 338. REPORT ON ARCTIC READINESS.

(a) REPORT REQUIRED.—The Secretary of Defense
shall submit to Congress a report on arctic readiness.
Such report shall include—

(1) an analysis of the challenges posed by the
rapidly changing arctic region, including the reasons
why the arctic region is changing at such a rapid
rate;

(2) an analysis of how the changes will affect
other regions, particularly coastal communities;

(3) an analysis of how the changes will affect
military infrastructure; and
(4) recommendations for congressional action to address the needs of the Armed Forces, in consultation with the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, resulting from changes in the arctic.

(b) FORM OF REPORT.—The report required under this section shall be unclassified, but may include a classified annex.

SEC. 339. REPORT ON CYBER CAPABILITY AND READINESS SHORTFALLS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report on the Army Combat Training Centers and the current resident cyber capabilities and training at such centers to examine potential training readiness shortfalls and ensure that pre-rotational cyber training needs are met. In preparing the report, the Secretary shall take into account nearby cyber assets that could contribute to addressing potential cyber capability and readiness shortfalls.
SEC. 340. REPORT ON EFFECTS OF INCREASED AUTOMATION OF DEFENSE INDUSTRIAL BASE ON MANUFACTURING WORKFORCE.

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 effects of the increased automation of the defense industrial base over the ten-year period beginning on the date that is 30 days after the date of the enactment of this Act. Such report shall include, for the period covered by the report—

(1) an estimate of the number of jobs in the United States manufacturing workforce expected to be eliminated due to automation in the defense sector;

(2) an analysis describing any new types of jobs that are expected to be established as a result of an increasingly automated process, including an estimate of the number of these types of jobs that are expected to be created;

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

(4) a strategy to assist in providing workforce training and transition preparation for workers who may lose manufacturing jobs in the defense industry due to automation;
(5) a description of any training necessary for workers affected by automation to more easily transition to new types of jobs within the defense manufacturing industry; and

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

SEC. 340A. COMPTROLLER GENERAL REVIEW OF DEPARTMENT OF DEFENSE COST MODELS USED IN MAKING PERSONNEL DECISIONS.

(a) Review Required.—The Comptroller General of the United States shall conduct a review of—

(1) the extent to which the Department of Defense has incorporated feedback and lessons learned from cost comparisons of the performance of Department of Defense functions by members of the Armed Forces, Department of Defense employees, and contractor personnel in making workforce decisions;

(2) the extent to which the Department has used such feedback and lessons learned to improve guidance, including DODI 7041.04 and the full cost of manpower tool; and

(3) any other related matter the Comptroller determines appropriate.
(b) Report and Briefing.—

(1) Briefing.—Not later than March 1, 2018, the Comptroller General shall provide to the Committees on Armed Services of the Senate and House of Representatives an interim briefing on the review required by subsection (a).

(2) Report.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to such committees a report on such review.

Subtitle E—Other Matters

SEC. 341. EXPLOSIVE SAFETY BOARD.

(a) Modification and Improvement of Ammunition Storage Board.—Section 172 of title 10, United States Code, is amended—

(1) by striking “Secretaries of the military departments” and inserting “Secretary of Defense”;

(2) by inserting “that includes members” after “joint board”;

(3) by striking “selected by them” and inserting “selected by the Secretaries of the military departments,”;

(4) by inserting “military” before “officers”;
(5) by inserting “designated as the chair and voting members of the board for each military department” after “officers”;

(6) by inserting “and other” before “civilian officers”;

(7) by striking “or both” and inserting “as necessary”; and

(8) by striking “keep informed on stored” and inserting “provide oversight on storage and transportation of”.

(b) Clerical Amendments.—

(1) Section Heading.—The heading of section 172 of title 10, United States Code, is amended by striking “Ammunition storage” and inserting “Explosive safety”.

(2) Table of Sections.—The table of sections at the beginning of chapter 7 of such title is amended by striking the item relating to section 172 and inserting the following new item:

“172. Explosive safety board.”.

SEC. 342. DEPARTMENT OF DEFENSE SUPPORT FOR MILITARY SERVICE MEMORIALS AND MUSEUMS THAT HIGHLIGHT THE ROLE OF WOMEN IN THE ARMED FORCES.

The Secretary of Defense may provide financial support for the acquisition, installation, and maintenance of
exhibits, facilities, historical displays, and programs at military service memorials and museums that highlight the role of women in the Armed Forces. The Secretary may enter into a contract with a nonprofit organization for the purpose of performing such acquisition, installation, and maintenance.

SEC. 343. LIMITATION ON AVAILABILITY OF FUNDS FOR ADVANCED SKILLS MANAGEMENT SOFTWARE SYSTEM OF THE NAVY.

(a) Limitation.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended for the enhancement of the advanced skills management software system of the Navy until a period of 60 days has elapsed following the date on which Secretary of the Navy makes the submission required under subsection (b)(3).

(b) Briefing and Certification.—The Secretary of the Navy shall—

(1) provide to the Committee on Armed Services of the House of Representatives a briefing on any enhancements that are needed for the advanced skills management software system of the Navy;

(2) after providing the briefing under paragraph (1), issue a request for information for such
enhancements in accordance with part 15.2 of the Federal Acquisition Regulation; and

(3) submit to the Committee on Armed Services of the House of Representatives—

(A) the results of the request for information issued under paragraph (2); and

(B) a written certification that—

(i) as part of the request for information, the Secretary solicited information on commercially available off-the-shelf software solutions that may be used to enhance the advanced skills management software system of the Navy; and

(ii) the Secretary has considered using such solutions.

(e) Advanced Skills Management Software System Defined.—In this section, the term “advanced skills management software system” means a software application designed to—

(1) identify job task requirements for Navy personnel;

(2) assist in determining the proficiencies of such personnel;

(3) document qualifications and certifications of such personnel; and
(4) track the technical training completed by Navy aviation maintenance personnel.

SEC. 344. COST-BENEFIT ANALYSIS OF UNIFORM SPECIFICATIONS FOR AFGHAN MILITARY OR SECURITY FORCES.

Beginning on the date of the enactment of this Act, whenever the Secretary of Defense enters into a contract for the provision of uniforms for Afghan military or security forces, the Secretary shall conduct a cost-benefit analysis of the uniform specification for the Afghan military or security forces uniform. Such analysis shall determine—

(1) whether there is a more effective alternative uniform specification, considering both operational environment and cost, available to the Afghan military or security forces;

(2) the efficacy of the existing pattern compared to other alternatives (both proprietary and non-proprietary patterns; and

(3) the costs and feasibility of transitioning the uniforms of the Afghan military or security forces to a pattern owned by the United States, using existing excess inventory where available, and acquiring the rights to the Spec4ee Forest pattern.
SEC. 345. INCREASE IN FUNDING FOR CIVIL MILITARY PROGRAMS.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for Civil Military Programs is hereby increased by $25,000,000 (to be used in support of the National Guard Youth Challenge Program).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for Operation and Maintenance, Defense-wide is hereby reduced by $25,000,000.

SEC. 346. REPORT ON MATERNITY UNIFORMS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall issue to the congressional defense committees a report regarding maternity uniforms for pregnant members of the Armed Forces.

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

(1) The design of maternity uniforms.

(2) Materials used in the fabrication of maternity uniforms.
3 The sizing of maternity uniforms.
4 Prices of maternity uniforms.
5 The availability of maternity uniforms.
6 The quality of maternity uniforms.
7 The utility of maternity uniforms.

SEC. 347. STATUS OF COMPLIANCE WITH PROCESS FOR COMMUNICATING AVAILABILITY OF SURPLUS AMMUNITION.

Not later than 30 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall provide to the congressional defense committees a briefing on the status of compliance with section 344 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2084).

SEC. 348. INCREASE IN FUNDING FOR NATIONAL GUARD COUNTER-DRUG PROGRAMS.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1403 for drug interdiction and counter-drug activities, Defense-wide, as specified in the corresponding funding table in section 4501, for drug interdiction and counter-drug activities, Defense-wide, is hereby increased by $10,000,000 (to be used in support of the National Guard counter-drug programs).
(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, Defense-wide, as specified in the corresponding funding table in section 4201, for Operational System Development, Global Command and Control System, Line 210, is hereby reduced by $10,000,000.

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, 2018, as follows:

(1) The Army, 486,000.
(2) The Navy, 327,900.
(3) The Marine Corps, 185,000.
(4) The Air Force, 325,100.

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 inserting the following new paragraphs:

“(1) For the Army, 486,000.
“(2) For the Navy, 327,900.
“(3) For the Marine Corps, 185,000.
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 components as of September 30, 2018, as follows:

(1) The Army National Guard of the United States, 347,000.

(2) The Army Reserve, 202,000.

(3) The Navy Reserve, 59,000.

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

(5) The Air National Guard of the United States, 106,600.

(6) The Air Force Reserve, 69,800.

(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 participa-
tion in training) without their consent at the end
of the fiscal year.
(c) END STRENGTH INCREASES.—Whenever units or
individual members of the Selected Reserve for any reserve
component are released from active duty during any fiscal
year, the end strength prescribed for such fiscal year for
the Selected Reserve of such reserve component shall be
increased proportionately by the total authorized strengths
of such units and by the total number of such individual
members.
SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE
DUTY IN SUPPORT OF THE RESERVES.
Within the end strengths prescribed in section
411(a), the reserve components of the Armed Forces are
authorized, as of September 30, 2018, the following num-
er 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, re-
cruiting, instructing, or training the reserve components:
(1) The Army National Guard of the United
States, 30,155.
(2) The Army Reserve, 16,261.
(4) The Marine Corps Reserve, 2,261.

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

(a) In general.—The authorized number of military technicians (dual status) as of September 30, 2018, 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, 25,507.
(2) For the Army Reserve, 7,427.
(3) For the Air National Guard of the United States, 21,893.
(4) For the Air Force Reserve, 10,160.

(b) Variance.—Notwithstanding section 115 of title 10, United States Code, the end strength prescribed by subsection (a) for a reserve component specified in that subsection may be increased—

(1) by 3 percent, upon determination by the Secretary of Defense that such action is in the national interest; and
(2) by 2 percent, upon determination by the Secretary of the military department concerned that such action would enhance manning and readiness in essential units or in critical specialties or ratings.

SEC. 414. FISCAL YEAR 2018 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) Limitations.—

(1) National Guard.—Within the limitation provided in section 10217(e)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2018, 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, 2018, may not exceed 420.

(3) Air Force Reserve.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2018, 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 2018, 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 2018 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 2018.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Regular and Reserve Component Management

SEC. 501. MODIFICATION OF REQUIREMENTS RELATING TO CONVERSION OF CERTAIN MILITARY TECHNICIAN (DUAL STATUS) POSITIONS TO CIVILIAN POSITIONS.

(a) REVISED REDUCTION AND DEADLINE.—Section 1053(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 10216 note), as amended by section 1084(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2421), is further amended—

(1) by striking “October 1, 2017” and inserting “October 1, 2018”; and

(2) by striking “20 percent” and inserting “4.8 percent”.

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(b) Reporting Requirement.—Not later than March 1, 2018, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives a report containing such recommendations as the Secretary considers appropriate for revising section 709 of title 32, United States Code, regarding the employment, use, and status of military technicians in the National Guard. The Secretary shall prepare the recommendations in consultation with the Secretary of the Army, the Secretary of the Air Force, and the Chief of the National Guard Bureau.

SEC. 502. PILOT PROGRAM ON USE OF RETIRED SENIOR ENLISTED MEMBERS OF THE ARMY NATIONAL GUARD AS ARMY NATIONAL GUARD RECRUITERS.

(a) Pilot Program Authorized.—The Secretary of the Army may carry out a pilot program for the Army National Guard under which retired senior enlisted members of the Army National Guard would serve as contract recruiters for the Army National Guard.

(b) Objectives of Pilot Program.—The Secretary of the Army shall design any pilot program conducted under this section to determine the following:
(1) The feasibility and effectiveness of hiring retired senior enlisted members of the Army National Guard who have retired within the previous two years to serve as recruiters.

(2) The merits of hiring such retired senior enlisted members as contractors or as employees of the Department of Defense.

(3) The best method of providing a competitive compensation package for such retired senior enlisted members.

(4) The merits of requiring such retired senior enlisted members to wear a military uniform while performing recruiting duties under the pilot program.

(c) Consultation.—In developing a pilot program under this section, the Secretary of the Army shall consult with the operators of a previous pilot program carried out by the Army involving the use of contract recruiters.

(d) Commencement and Duration.—The Secretary of the Army may commence a pilot program under this section on or after January 1, 2018, and all activities under such a pilot program shall terminate no later than December 31, 2022.

(e) Reporting Requirement.—If a pilot program is conducted under this section, the Secretary of the Army
shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing an evaluation of the success of the pilot program, including the determinations described in subsection (b). The report shall be submitted not later than January 1, 2020.

SEC. 503. EQUAL TREATMENT OF ORDERS TO SERVE ON ACTIVE DUTY UNDER SECTION 12304A AND 12304B OF TITLE 10, UNITED STATES CODE.

(a) Eligibility of Reserve Component Members for Pre-mobilization Health Care.—Section 1074(d)(2) of title 10, United States Code, is amended by striking “in support of a contingency operation under” and inserting “under section 12304b of this title or”.

(b) Eligibility of Reserve Component Members for Transitional Health Care.—Section 1145(a)(2)(B) of title 10, United States Code, is amended by striking “in support of a contingency operation” and inserting “under section 12304b of this title or a provision of law referred to in section 101(a)(13)(B) of this title”.

SEC. 504. 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.
(c) 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 January 31, 2022, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives 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) Duration of Authority.—
(1) IN GENERAL.—The authority to carry out the pilot program expires September 30, 2020.

(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. 505. DESIGNATING THE EXPLOSIVE ORDNANCE DISPOSAL CORPS AS A BASIC BRANCH OF THE ARMY.

Section 3063(a) of title 10, United States Code, is amended—

(1) in paragraph (12), by striking “and”;

(2) by redesignating paragraph (13) as paragraph (14); and

(3) by inserting after paragraph (12) the following new paragraph (13):

“(13) Explosive Ordnance Disposal Corps; and”.

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Subtitle B—General Service Authorities and Correction of Military Records

SEC. 511. CONSIDERATION OF ADDITIONAL MEDICAL EVIDENCE BY BOARDS FOR THE CORRECTION OF MILITARY RECORDS AND LIBERAL CONSIDERATION OF EVIDENCE RELATING TO POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.

(a) In General.—Section 1552 of title 10, United States Code, is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following new subsection (h):

“(h)(1) This subsection applies to a former member of the armed forces whose claim under this section for review of a discharge or dismissal is based in whole or in part on matters relating to post-traumatic stress disorder or traumatic brain injury as supporting rationale, or as justification for priority consideration, and whose post-traumatic stress disorder or traumatic brain injury is related to combat or military sexual trauma, as determined by the Secretary concerned.
“(2) In the case of a claimant described in paragraph (1), a board established under subsection (a)(1) shall—

“(A) review medical evidence of the Secretary of Veterans Affairs or a civilian health care provider that is presented by the claimant; and

“(B) review the claim with liberal consideration to the claimant that post-traumatic stress disorder or traumatic brain injury potentially contributed to the circumstances resulting in the discharge or dismissal or to the original characterization of the claimant’s discharge or dismissal.”.

(b) CONFORMING AMENDMENT.—Section 1553(d)(3)(A)(ii) of title 10, United States Code, is amended by striking “discharge of a lesser characterization” and inserting “discharge or dismissal or to the original characterization of the member’s discharge or dismissal”.

SEC. 512. PUBLIC AVAILABILITY OF INFORMATION RELATED TO DISPOSITION OF CLAIMS REGARDING DISCHARGE OR RELEASE OF MEMBERS OF THE ARMED FORCES WHEN THE CLAIMS INVOLVE SEXUAL ASSAULT.

(a) BOARDS FOR THE CORRECTION OF MILITARY RECORDS.—Subsection (i) of section 1552, United States
Code, as redesignated by section 511, is amended by adding at the end the following new paragraph:

“(4) The number and disposition of claims decided during the calendar quarter preceding the calendar quarter in which such information is made available in which sexual assault is alleged to have contributed, whether in whole or in part, to the original characterization of the discharge or release of the claimant.”.

(b) Discharge Review Boards.—Section 1553(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) The number and disposition of claims decided during the calendar quarter preceding the calendar quarter in which such information is made available in which sexual assault is alleged to have contributed, whether in whole or in part, to the original characterization of the discharge or release of the claimant.”.

SEC. 513. PILOT PROGRAM ON USE OF VIDEO TELECONFERENCING TECHNOLOGY BY BOARDS FOR THE CORRECTION OF MILITARY RECORDS AND DISCHARGE REVIEW BOARDS.

(a) Pilot Program Authorized.—The Secretary of Defense may carry out a pilot program under which
boards for the correction of military records established
under section 1552 of title 10, United States Code, and
discharge review boards established under section 1553 of
such title are authorized to utilize video teleconferencing
technology in the performance of their duties.

(b) PURPOSE.—The purpose of the pilot program is
to evaluate the feasibility and cost-effectiveness of utilizing
video teleconferencing technology to allow persons who
raise a claim before a board for the correction of military
records, persons who request a review by a discharge re-
view board, and witnesses who present evidence to such
a board to appear before such a board without being phys-
ically present.

(e) IMPLEMENTATION.—As part of the pilot program,
the Secretary of Defense shall make funds available to de-
velop the capabilities of boards for the correction of mili-
tary records and discharge review boards to effectively use
video teleconferencing technology.

(d) NO EXPANSION OF ELIGIBILITY.—Nothing in the
pilot program is intended to alter the eligibility criteria
of persons who may raise a claim before a board for the
correction of military records, request a review by a dis-
charge review board, or present evidence to such a board.
(c) TERMINATION.—The authority of the Secretary of Defense to carry out the pilot program shall terminate on December 31, 2020.

SEC. 514. INCLUSION OF SPECIFIC EMAIL ADDRESS BLOCK ON CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY (DD FORM 214).

(a) MODIFICATION REQUIRED.—The Secretary of Defense shall modify the Certificate of Release or Discharge from Active Duty (DD Form 214) to include a specific block explicitly identified as the location in which a member of the Armed Forces may provide one or more email addresses by which the member may be contacted after discharge or release from active duty in the Armed Forces.

(b) DEADLINE FOR MODIFICATION.—The Secretary of Defense shall release a revised Certificate of Release or Discharge from Active Duty (DD Form 214), modified as required by subsection (a), not later than one year after the date of the enactment of this Act.

SEC. 515. PROVISION OF INFORMATION ON NATURALIZATION THROUGH MILITARY SERVICE.

The Secretary of Defense shall ensure that members of the Army, Navy, Air Force, and Marine Corps who are aliens lawfully admitted to the United States for permanent residence are informed of the availability of natu-
ralization through service in the Armed Forces under section 328 of the Immigration and Nationality Act (8 U.S.C. 1439) and the process by which to pursue naturalization. The Secretary shall ensure that resources are available to assist qualified members of the Armed Forces to navigate the application and naturalization process.

SEC. 516. TRAINING REQUIREMENTS.

(a) MEMBERS OF BOARDS FOR THE CORRECTION OF MILITARY RECORDS.—Section 534(c)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1552 note) is amended by adding at the end the following new sentence: “This curriculum shall also address the proper handling of claims in which a sex-related offense is alleged to have contributed to the original characterization of the discharge or release of the claimant, including guidelines for the consideration of evidence substantiating such allegations in accordance with the requirements of section 1554b(b)(3) of title 10, United States Code.”.

(b) DEPARTMENT OF DEFENSE PERSONNEL WHO INVESTIGATE CLAIMS OF RETALIATION.—Section 546(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by striking “section.” and inserting “section, including guidelines for the consideration of evidence substantiating such allegations
in accordance with the requirements of section 1554b(b)(3) of title 10, United States Code.”.

SEC. 517. CONFIDENTIAL REVIEW OF CHARACTERIZATION OF TERMS OF DISCHARGE OF MEMBERS WHO ARE SURVIVORS OF SEX-RELATED OFFENSES.

(a) Codification of Current Confidential Process.—

(1) Codification.—Chapter 79 of title 10, United States Code, is amended by inserting after section 1554a a new section 1554b consisting of—

(A) a heading as follows:

“§1554b. Confidential review of characterization of terms of discharge of members of the armed forces who are survivors of sex-related offenses”; and


(2) Clerical Amendment.—The table of sections at the beginning of chapter 79 of such title is amended by inserting after the item relating to section 1554a the following new item:

“1554b. Confidential review of characterization of terms of discharge of members of the armed forces who are survivors of sex-related offenses.”.

(b) CLARIFICATION OF APPLICABILITY TO INDIVIDUALS WHO ALLEGE SEX-RELATED OFFENSES DURING MILITARY SERVICE.—Subsection (a) of section 1554b of title 10, United States Code, as added by subsection (a) of this section, is amended by striking “sex-related offense” and inserting the following: “sex-related offense, or alleges that the individual was the survivor of a sex-related offense,”.

(c) CONFORMING AMENDMENTS.—Section 1554b of title 10, United States Code, as added by subsection (a), is further amended—

(1) by striking “Armed Forces” each place it appears in subsections (a) and (b) and inserting “armed forces”;

(2) in subsection (a)—

(A) by striking “boards for the correction of military records of the military department concerned” and inserting “boards of the military department concerned established in accordance with this chapter”; and
(B) by striking “such an offense” and inserting “a sex-related offense”;

(3) in subsection (b), striking “boards for the correction of military records” in the matter preceding paragraph (1) and inserting “boards of the military department concerned established in accordance with this chapter”; and

(4) in subsection (e), as redesignated by subsection (d)(1)—

(B) in paragraph (1), by striking “title 10, United States Code” and inserting “this title”; and

(C) in paragraphs (2) and (3), by striking “such title” and inserting “this title”.

Subtitle C—Military Justice and Other Legal Issues


(a) ENFORCEMENT OF RIGHTS OF VICTIMS OF OFFENSES UNDER UCMJ.—Section 806b(e)(3) of title 10, United States Code (article 6b(e)(3) of the Uniform Code of Military Justice), is amended—

(1) by inserting “(A)” after “(3)”;

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(2) by striking “President, and, to the extent practicable, shall have priority over all other proceedings before the court.” and inserting the following; “President, subject to section 830a of this title (article 30a).”; and

(3) by adding at the end the following new sub-paragraphs:

“(B) To the extent practicable, a petition for a writ of mandamus described in this subsection shall have priority over all other proceedings before the Court of Criminal Appeals.

“(C) Review of any decision by the Court of Criminal Appeals on a petition for a writ of mandamus described in this subsection shall have priority in the Court of Appeals for the Armed Forces, as determined under the rules of the Court of Appeals for the Armed Forces.”.

(b) REVIEW OF CERTAIN MATTERS BEFORE REFERRAL OF CHARGES AND SPECIFICATIONS.—Subsection (a)(1) of section 830a of title 10, United States Code (article 30a of the Uniform Code of Military Justice), as added by section 5202 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2904), is amended by adding at the end the following new subpara-
“(D) Pre-referral matters under subsection (c) or (e) of section 806b of this title (article 6b).”.

(c) Defense Counsel Assistance in Post-Trial Matters for Accused Convicted by Court-Martial.—Section 838(c)(2) of title 10, United States Code (article 38(c)(2) of the Uniform Code of Military Justice), is amended by striking “section 860 of this title (article 60)” and inserting “section 860, 860a, or 860b of this title (article 60, 60a, or 60b)”.

(d) Limitation on Acceptance of Plea Agreements.—Subsection (b) of section 853a of title 10, United States Code (article 53a of the Uniform Code of Military Justice), as added by section 5237 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2917), is amended—

(1) in paragraph (2), by striking “or” after the semicolon;

(2) in paragraph (3), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(4) is prohibited by law; or

“(5) is contrary to, or is inconsistent with, a regulation prescribed by the President with respect
to terms, conditions, or other aspects of plea agree-
ments.”.

(c) Applicability of Standards and Procedures to Sentence Appeal by the United States.—Subsection (d)(1) of section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice), as added by section 5301 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2919), is amended—

(1) in the matter preceding subparagraph (A), by inserting after “concerned,” the following: “and consistent with standards and procedures set forth in regulations prescribed by the President,”; and

(2) in subparagraph (B), by inserting before the period at the end the following: “, as determined in accordance with standards and procedures prescribed by the President”.

(f) Sentence of Reduction in Enlisted Grade.—

(1) In General.—Subsection (a) of section 858a of title 10, United States Code (article 58a of the Uniform Code of Military Justice), as amended by section 5303(1) of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2923), is further amended in the matter after para-
graph (3) by striking “, effective on the date” and inserting the following: “, if such a reduction is authorized by regulation prescribed by the President. The reduction in pay grade shall take effect on the date”.

(2) **SECTION HEADING.**—The heading of section 858a of title 10, United States Code (article 58a of the Uniform Code of Military Justice), is amended to read as follows:

“§ 858a. Art 58a. Sentences: reduction in enlisted grade”.

(3) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter VIII of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) is amended by striking the item relating to section 858a (article 58a) and inserting the following new item:

“858a. 58a. Sentences: reduction in enlisted grade.”.

(g) **CONVENCING AUTHORITY AUTHORITIES.**—Section 858b(b) of title 10, United States Code (article 58b(b) of the Uniform Code of Military Justice), is amended in the first sentence by striking “section 860 of this title (article 60)” and inserting “section 860a or 860b of this title (article 60a or 60b)”.

(h) **APPEAL BY THE UNITED STATE.**—Section 862(b) of title 10, United States Code (article 62(b) of
the Uniform Code of Military Justice), is amended by striking ‘‘, notwithstanding section 866(c) of this title (article 66(c))’’.

(i) REHEARING AND SENTENCING.—Subsection (b) of section 863 of title 10, United States Code (article 63 of the Uniform Code of Military Justice), as added by section 5327 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2929), is amended by inserting before the period at the end the following: ‘‘, subject to such limitations as the President may prescribe by regulation’’.

(j) COURTS OF CRIMINAL APPEALS.—Section 866 of title 10, United States Code (article 66 of the Uniform Code of Military Justice), as amended by section 5330 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2932), is further amended—

(1) in subsection (e)(2)(C), by inserting after ‘‘required’’ the following: ‘‘by regulation prescribed by the President or’’; and

(2) in subsection (f)(3), by adding at the end the following new sentence: ‘‘If the Court of Appeals for the Armed Forces determines that additional proceedings are warranted, the Court of Criminal Appeals shall order a hearing or other proceeding in
accordance with the direction of the Court of Appeals for the Armed Forces.”.

(k) MILITARY JUSTICE REVIEW PANEL.—Subsection (f) of section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice), as added by section 5521 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2962), is amended—

(1) in paragraph (1), by striking “fiscal year 2020” in the first sentence and inserting “fiscal year 2021”;

(2) in paragraph (2), by striking the sentence beginning “Not later than” and inserting the following new sentence: “The analysis under this paragraph shall be included in the assessment required by paragraph (1).”; and

(3) by striking paragraph (5) and inserting the following new paragraph (5):

“(5) REPORTS.—With respect to each review and assessment under this subsection, the Panel shall submit a report to the Committees on Armed Services of the Senate and the House of Representatives. Each report—

“(A) shall set forth the results of the review and assessment concerned, including the
findings and recommendations of the Panel;
and
“(B) shall be submitted not later than Decem-
ber 31 of the calendar year in which the re-
view and assessment is concluded.”.

(l) TRANSITIONAL COMPENSATION FOR DEPEND-
ENTS OF MEMBERS SEPARATED FOR DEPENDENT
ABUSE.—Section 1059(e) of title 10, United States Code,
is amended—

(1) in paragraph (1)(A)(ii), by striking “the ap-
proval of” and all that follows through “as ap-
proved,” and inserting “entry of judgment under
section 860c of this title (article 60c of the Uniform
Code of Military Justice) if the sentence”; and

(2) in paragraph (3)(A), by striking “by a
court-martial” the second place it appears and all
that follows through “include any such punishment,”
and inserting “for a dependent-abuse offense and
the conviction is disapproved or is otherwise not part
of the judgment under section 860c of this title (ar-
ticle 60c of the Uniform Code of Military Justice) or
the punishment is disapproved or is otherwise not
part of the judgment under such section (article),”.

(m) BENEFITS FOR DEPENDENTS WHO ARE VIC-
tIMS OF ABUSE BY MEMBERS LOSING RIGHT TO RE-
TIRED PAY.—Section 1408(h)(10)(A) of title 10, United States Code, is amended by striking “the approval” and all that follows through the end of the subparagraph and inserting “entry of judgment under section 860c of this title (article 60c of the Uniform Code of Military Justice).”.

(n) TREATMENT OF CERTAIN OFFENSES PENDING EXECUTION OF MILITARY JUSTICE ACT OF 2016 AMENDMENTS.—

(1) CHILD ABUSE OFFENSES.—With respect to offenses committed before the date designated by the President under section 5542(a) of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2967), subsection (b)(2)(B) of section 843 of title 10, United States Code (article 43 of the Uniform Code of Military Justice), shall be applied as in effect on December 22, 2016.

(2) FRAUDULENT ENLISTMENT OR APPOINTMENT OFFENSES.—With respect to the period beginning on December 23, 2016, and ending on the day before the date designated by the President under section 5542(a) of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2967), in the application of subsection (h) of section 843 of title 10, United States Code (article 43 of the Uniform Code of Military Justice), the definition of ‘fraudulent enlistment or appointment’ shall be applied as in effect on December 22, 2016.
Uniform Code of Military Justice), as added by section 5225(b) of that Act (130 Stat. 2909), the reference in such subsection (h) to section 904a(1) of title 10, United States Code (article 104a(1) of the Uniform Code of Military Justice), shall be deemed to be a reference to section 883(1) of title 10, United States Code (article 83(1) of the Uniform Code of Military Justice).

(o) Effective Date.—The amendments made by this section shall take effect immediately after the amendments made by the Military Justice Act of 2016 (division E of Public Law 114–328) take effect as provided for in section 5542 of that Act (130 Stat. 2967).

SEC. 522. 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), as amended by section 5301 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2919), is further amended by striking “shall include dismissal or dishonorable discharge, as applicable.” and inserting the following: “shall include, at a minimum—
“(A) dismissal or dishonorable discharge, as applicable; and

“(B) confinement for two years.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect immediately after the amendments made by the Military Justice Act of 2016 (division E of Public Law 114–328) take effect as provided for in section 5542 of that Act (130 Stat. 2967).

SEC. 523. PROHIBITION ON WRONGFUL BROADCAST OR DISTRIBUTION OF INTIMATE VISUAL IMAGES.

(a) Prohibition.—Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 917 (article 117 of the Uniform Code of Military Justice) the following new section (article):

“§ 917a. Art. 117a. Wrongful broadcast or distribution of intimate visual images

“(a) Prohibition.—Any person subject to this chapter who—

“(1) knowingly and wrongfully broadcasts or distributes an intimate visual image of a private area of another person who—

“(A) is at least 18 years of age at the time the intimate visual image was created;
“(B) is identifiable from the image itself or from information displayed in connection with the image; and

“(C) does not explicitly consent to the broadcast or distribution of the intimate visual image;

“(2) knows or reasonably should have known that the intimate visual image was made under circumstances in which the person depicted in the intimate visual image retained a reasonable expectation of privacy regarding any broadcast or distribution of the intimate visual image; and

“(3) knows or reasonably should have known that the broadcast or distribution of the intimate visual image is likely—

“(A) to cause harm, harassment, intimidation, emotional distress, or financial loss for the person depicted in the intimate visual image; or

“(B) to harm substantially the depicted person with respect to that person’s health, safety, business, calling, career, financial condition, reputation, or personal relationships;

is guilty of wrongful distribution of intimate visual images and shall by punished as a court-martial may direct.

“(b) DEFINITIONS.—In this section (article):
“(1) **Broadcast.**—The term ‘broadcast’ means to electronically transmit a visual image with the intent that it be viewed by a person or persons.

“(2) **Distribute.**—The term ‘distribute’ means to deliver to the actual or constructive possession of another person, including transmission by mail or electronic means.

“(3) **Intimate visual image.**—The term ‘intimate visual image’ means a photograph, video, film, or recording made by any means that depicts a private area of a person.

“(4) **Private area.**—The term ‘private area’ means the naked or underwear-clad genitalia, anus, buttocks, or female areola or nipple.

“(5) **Reasonable expectation of privacy.**—The term ‘reasonable expectation of privacy’ refers to circumstances in which a reasonable person would believe that an intimate visual image of a private area of the person would not be broadcast or distributed to another person.”.

(b) **Clerical Amendment.**—The table of sections at the beginning of subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after the item relating to section 917 (article 117) the following new item:

“917a. 117a. Wrongful broadcast or distribution of intimate visual images.”.
SEC. 524. INFORMATION FOR THE SPECIAL VICTIMS’ COUNSEL OR VICTIMS’ LEGAL COUNSEL.

Section 1044e(b)(6) of title 10, United States Code, is amended by adding at the end the following new sentence: “If there is a military prosecution of the alleged sex-related offense, the Special Victims’ Counsel or Victims’ Legal Counsel shall be entitled to a copy of all case information and documentation that is in the possession of the prosecutor, relevant to such military prosecution, and not privileged.”

SEC. 525. SPECIAL VICTIMS’ COUNSEL TRAINING REGARDING THE UNIQUE CHALLENGES OFTEN FACED BY MALE VICTIMS OF SEXUAL ASSAULT.

The baseline Special Victims’ Counsel training established under section 1044e(d)(2) of title 10, United States Code, shall include training for Special Victims’ Counsel to recognize and deal with the unique challenges often faced by male victims of sexual assault.

SEC. 526. GARNISHMENT TO SATISFY JUDGMENT Rendered FOR PHYSICALLY, SEXUALLY, OR EMOTIONALLY ABUSING A CHILD.

(a) GARNISHMENT AUTHORITY.—Section 1408 of title 10, United States Code, is amended by adding at the end the following new subsection:

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“(1) Garnishment to Satisfy a Judgment Rendered for Physically, Sexually, or Emotionally Abusing a Child.—(1) Subject to paragraph (2), any payment of retired pay that would otherwise be made to a member shall be paid (in whole or in part) by the Secretary concerned to another person if and to the extent expressly provided for in the terms of a child abuse garnishment order.

“(2) A court order providing for the payment of child support or alimony or, with respect to a division of property, specifically providing for the payment of an amount of the disposable retired pay from a member to the spouse or a former spouse of the member, shall be given priority over a child abuse garnishment order. However, the limitations on the amount of disposable retired pay available for payments set forth in paragraphs (1) and (4)(B) of subsection (e) do not apply to a child abuse garnishment order.

“(3) In this section, the term ‘court order’ includes a child abuse garnishment order.

“(4) In this subsection, the term ‘child abuse garnishment order’ means a final decree issued by a court that—

“(A) is issued in accordance with the laws of the jurisdiction of that court; and
“(B) provides in the nature of garnishment for
the enforcement of a judgment rendered against the
member for physically, sexually, or emotionally abus-
ing a child.

“(5) For purposes of this subsection, a judgment ren-
dered for physically, sexually, or emotionally abusing a
child is any legal claim perfected through a final enforce-
able judgment, which claim is based in whole or in part
upon the physical, sexual, or emotional abuse of an indi-
vidual under 18 years of age, whether or not that abuse
is accompanied by other actionable wrongdoing, such as
sexual exploitation or gross negligence.

“(6) If the Secretary concerned is served with more
than one court order with respect to the retired pay of
a member, the disposable retired pay of the member shall
be available to satisfy such court orders on a first-come,
first-served basis, with any such process being satisfied
out of such moneys as remain after the satisfaction of all
such processes which have been previously served.

“(7) The Secretary concerned shall not be required
to vary normal pay and disbursement cycles for retired
pay in order to comply with a child abuse garnishment
order.”.

(b) APPLICATION OF AMENDMENT.—Subsection (l)
of section 1408 of title 10, United States Code, as added
by subsection (a), shall apply with respect to a court order received by the Secretary concerned on or after the date of the enactment of this Act, regardless of the date of the court order.

SEC. 527. INCLUSION OF INFORMATION IN ANNUAL SAPRO REPORTS REGARDING MILITARY SEXUAL HARASSMENT AND INCIDENTS INVOLVING NONCONSENSUAL DISTRIBUTION OF PRIVATE SEXUAL IMAGES.

(a) ADDITIONAL 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 paragraphs:

“(13) Information and data collected on official and unofficial reports of sexual harassment involving members of the Armed Forces during the year covered by the report, as follows:

“(A) The number of substantiated and unsubstantiated reports.

“(B) A synopsis of each substantiated report.

“(C) The action taken in the case of each substantiated report, including the type of dis-
ciplinary or administrative sanction imposed, if any, such as—

“(i) conviction and sentence by court-martial;

“(ii) imposition of non-judicial punishment under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice); or

“(iii) administrative separation or other type of administrative action imposed.

“(14) Information and data collected during the year covered by the report on each reported incident involving the nonconsensual distribution by a person subject to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) of a private sexual image of another person, including the following:

“(A) The number of substantiated and unsubstantiated reports.

“(B) A synopsis of each substantiated report.

“(C) The action taken in the case of each substantiated report, including the type of dis-
ciplinary or administrative sanction imposed, if any, such as—

“(i) conviction and sentence by court-martial;

“(ii) imposition of non-judicial punishment under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice); or

“(iii) administrative separation or other type of administrative action imposed.”.

(b) Application of Amendment.—The amendment 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, 2018, 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. 528. INCLUSION OF INFORMATION IN ANNUAL SPRO REPORTS REGARDING SEXUAL ASSAULTS COMMITTED BY A MEMBER OF THE ARMED FORCES AGAINST THE MEMBER’S SPOUSE OR OTHER FAMILY MEMBER.

Beginning with the reports required to be submitted by March 1, 2018, 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), information regarding a sexual assault committed by a member of the Armed Forces against the spouse or intimate partner of the member or another dependent of the member shall be included in such reports in addition to the annual Family Advocacy Program report. The information shall be provided in such reports in the same manner as information is provided with respect to other official and unofficial reports of sexual assault.

SEC. 529. NOTIFICATION OF MEMBERS OF THE ARMED FORCES UNDERGOING CERTAIN ADMINISTRATIVE SEPARATIONS OF POTENTIAL ELIGIBILITY FOR VETERANS BENEFITS.

(a) Notification Required.—A member of the Armed Forces who receives an administrative separation or mandatory discharge under conditions other than honorable shall be provided written notification that the member may petition the Veterans Benefits Administration of the Department of Veterans Affairs to receive, despite the characterization of the member’s service, certain benefits under the laws administered by the Secretary of Veterans Affairs.

(b) Deadline for Notification.—Notification under subsection (a) shall be provided to a member de-
scribed in such subsection in conjunction with the member's notification of the administrative separation or mandatory discharge or as soon thereafter as practicable.

SEC. 530. CONSISTENT ACCESS TO SPECIAL VICTIMS' COUNSEL FOR FORMER DEPENDENTS OF MEMBERS OF THE ARMED FORCES.

Not later than one year after the date of the enactment of this Act, the Secretary of the Navy shall revise Navy policy regarding the eligibility of former dependents of members of the Armed Forces to representation by a Victims' Legal Counsel so that Navy policy is consistent with Army and Air Force policy regarding Special Victims' Counsel, which provides that a former dependent is eligible for such representation if, while entitled to legal assistance, the dependent was the victim of an alleged sex-related offense by a member of the Armed Forces.

SEC. 531. INCLUSION OF ADDITIONAL INFORMATION IN ANNUAL SAPRO REPORTS.

Section 1631 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 subsection:

“(h) DEFINITIONS.—

“(1) SEXUAL ASSAULT DEFINED.—In this section, the term ‘sexual assault’ includes rape, sexual
assault, forcible sodomy, aggravated sexual contact, 
abusive sexual contact, and attempts to commit such 
offenses, as those terms are defined in the Uniform 
Code of Military Justice.

“(2) **SEXUAL COERCION DEFINED.—**In this sec-
tion, the term ‘sexual coercion’ includes unwanted 
vaginal, oral, or anal sex after the perpetrator pres-
ssured the victim by means including—

“(A) repeated requests to the victim for 
sex;

“(B) expressions of unhappiness due to the 
victim refusing to have sex with the perpe-
trator;

“(C) lies;

“(D) threats; and

“(E) sexual harassment as that term is de-
fixed in section 1561(e) of title 10, United 
States Code.”.

**SEC. 532. SEXUAL ASSAULT PREVENTION AND RESPONSE.**

(a) **ARMY.—**The Secretary of the Army, in coordina-
tion with the Chiefs of the National Guard Bureau and 
the Army Reserve shall—

(1) conduct an evaluation of staffing ap-
proaches used to administer the sexual assault pre-
vention and response program in the Army National
Guard and the Army Reserve. In conducting such evaluation, the Secretary consider opportunities to leverage resources across all Army components and shall conduct an assessment of the number and allocation of full-time and collateral-duty personnel, the fill rates for program positions, and the types of positions used; and

(2) direct the Chief of the Army Reserve to develop and implement an expedited line-of-duty determination process for Army Reserve sexual assault victims, along with a method for tracking the length of time to make the determinations, that ensure members of the Armed Forces who wish to file a confidential or restricted report are able to go through the determination process without disclosing their circumstances to the chain of command.

(b) SHARP PROGRAM OFFICE.—The Director of the SHARP Program Office of the Army National Guard shall—

(1) communicate and disseminate its guidance on budget development and execution for the SHARP program to all full-time SHARP program personnel;

(2) develop clear guidance on budget development and execution for the SHARP program and
disseminate this guidance to its full-time SHARP program personnel; and

(3) expand the scope of the midyear review to include monitoring and providing oversight of SHARP program expenditures at the Army National Guard state and Army Reserve command level.

(c) NATIONAL GUARD BUREAU.—The Chief of the National Guard Bureau, in collaboration with the Secretaries of the military departments concerned, shall reassess the Office of Complex Administrative Investigation’s timeliness and resources to determine how to improve the timeliness of processing sexual assault investigations involving members of the Army National Guard and identify the resources needed to improve the timeliness of such investigations.

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

SEC. 541. PROHIBITION ON RELEASE OF MILITARY SERVICE ACADEMY GRADUATES TO PARTICIPATE IN PROFESSIONAL ATHLETICS.

(a) UNITED STATES MILITARY ACADEMY.—Section 4348(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:
“(5) That the cadet will not seek release from the commissioned service obligation of the cadet to pursue a career as a professional athlete and understands that the appointment alternative described in paragraph (3) will not be used to allow the cadet to pursue such a career.”.

(b) United States Naval Academy.—Section 6959(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) That the midshipman will not seek release from the commissioned service obligation of the midshipman to pursue a career as a professional athlete and understands that the appointment alternative described in paragraph (3) will not be used to allow the midshipman to pursue such a career.”.

(c) United States Air Force Academy.—Section 9348(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) That the cadet will not seek release from the commissioned service obligation of the cadet to pursue a career as a professional athlete and understands that the appointment alternative described in paragraph (2) will not be used to allow the cadet to pursue such a career.”.
(d) Application of Amendments.—The Secretaries of the military departments shall promptly revise the cadet and midshipman service agreements under sections 4348, 6959, and 9348 of title 10, United States Code, to reflect the amendments made by this section. The revised agreement shall apply to cadets and midshipmen who are attending the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy on the date of the enactment of this Act and to persons who begin attendance at such military service academies on or after that date.

SEC. 542. ROTC CYBER INSTITUTES AT THE SENIOR MILITARY COLLEGES.

(a) Program Authorized.—The Secretary of Defense may carry out a program to establish a Reserve Officers’ Training Corps Cyber Institute (referred to in this Act as an “ROTC Cyber Institute”) at each of the senior military colleges for purposes of accelerating the development of foundational expertise in critical cyber operational skills for future military and civilian leaders of the Armed Forces and Department of Defense including such leaders of the reserve components.

(b) Elements.—Each ROTC Cyber Institute established under the program authorized by subsection (a) shall include the following:
(1) Programs to provide future military and civilian leaders of the Armed Forces or the Department of Defense, as the case may be, who possess cyber operational expertise from beginning through advanced skill levels. Such programs shall include instruction and practical experiences that lead to recognized certifications in the cyber field.

(2) Programs of targeted strategic foreign language proficiency training for such future leaders that—

(A) are designed to significantly enhance critical cyber operational capabilities; and

(B) are tailored to current and anticipated readiness requirements.

(3) Programs related to mathematical foundations of cryptography and courses in cryptographic theory and practice designed to complement and reinforce cyber education along with the strategic language programs critical to cyber operations.

(4) Programs designed to develop early interest and cyber talent through summer programs for elementary school and secondary school students and dual enrollment opportunities for cyber, strategic language, and cryptography related courses.
(5) Training and education programs to expand the pool of qualified cyber instructors necessary to support cyber education in regional school systems.

(e) PARTNERSHIPS WITH DEPARTMENT OF DEFENSE AND THE ARMED FORCES.—Any ROTC Cyber Institute established under the program authorized by subsection (a) may enter into a partnership with one or more components of the Armed Forces, active or reserve, or any agency of the Department of Defense to facilitate the development of critical cyber skills for students who may pursue a military career.

(d) PARTNERSHIPS WITH OTHER SCHOOLS.—Any ROTC Cyber Institute established under the program authorized by subsection (a) may enter into a partnership with one or more local educational agencies to facilitate the development of critical cyber skills under the program among students attending the elementary schools and secondary schools of such agencies who may pursue a military career.

(e) DEFINITIONS.—In this section:

(1) ESEA TERMS.—The terms “elementary school”, “secondary school”, and “local educational agency” have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).
(2) **Senior Military Colleges.**—The term “senior military colleges” means the senior military colleges described in section 2111a(f) of title 10, United States Code.

**SEC. 543. LIEUTENANT HENRY OSSIAN FLIPPER LEADERSHIP SCHOLARSHIP PROGRAM.**

(a) **Authority.**—The Secretary of the Army shall carry out a program to be known as the “Lieutenant Henry Ossian Flipper Leadership Scholarship Program” under which the Secretary may provide financial assistance, in accordance with this section, to a person—

(1) who is pursuing a recognized postsecondary credential at a minority-serving institution; and

(2) who enters into an agreement with the Secretary as described in subsection (b).

(b) **Service Agreement for Scholarship Recipients.**—

(1) **In General.**—To receive financial assistance under this section—

(A) a member of the Army shall enter into an agreement to serve on active duty in the Army for the period of obligated service determined under paragraph (2); and

(B) a person who is not a member of the Army shall enter into an agreement to enlist or
accept a commission in the Army and to serve
on active duty in Army for the period of oblig-
gated service determined under paragraph (2).

(2) Period of Obligated Service.—The pe-
riod of obligated service for a recipient of financial
assistance under this section shall be the period de-
termined by the Secretary of Army as being appro-
priate to obtain adequate service in exchange for the
financial assistance. The period of service required
of a recipient shall be not less than the period equal
to three-fourths of the total period of pursuit of a
credential for which the Secretary agrees to provide
the recipient with financial assistance under this sec-
tion. The period of obligated service is in addition to
any other period for which the recipient is obligated
to serve on active duty.

(3) Terms of Agreement.—An agreement en-
tered into under this section by a person pursuing
a recognized postsecondary credential shall include
the following terms:

(A) Service Start Date.—The period of
obligated service will begin on a date after the
award of the credential, as determined by the
Secretary of the Army.
(B) Academic progress.—The person will maintain satisfactory academic progress, as determined by the Secretary, and that failure to maintain such progress constitutes grounds for termination of the financial assistance for the person under this section.

(C) Other terms.—Any other terms and conditions that the Secretary determines to be appropriate for carrying out this section.

(c) Amount of Assistance.—The amount of the financial assistance provided for a person under this section shall be the amount determined by the Secretary of the Army as being necessary to pay the person’s cost of attendance at the minority-serving institution.

(d) Use of Assistance for Support of Internships.—The financial assistance for a person under this section may also be provided to support internship activities of the person at the Department of Defense in periods between the academic years leading to the credential for which assistance is provided the person under this section.

(e) Repayment for Period of Unserviced obligated Service.—A member of the Army who does not complete the period of active duty specified in the service agreement under subsection (b) shall be subject to the repayment provisions of section 303a(e) of title 37.
(f) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report that includes—

(1) an assessment of the progress of the Secretary in carrying out the scholarship program under this section;

(2) the number of scholarships that the Secretary intends to award in the academic year beginning after the date of the submission of the report; and

(3) a description of the Secretary’s efforts to promote the scholarship program at minority-serving institutions.

(g) DEFINITIONS.—In this Act:

(1) COST OF ATTENDANCE.—The term “cost of attendance” has the meaning given the term in section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll).

(2) MINORITY-SERVING INSTITUTION.—The term “minority-serving institution” means an institution of higher education described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).
(3) Recognized postsecondary credential.—The term "recognized postsecondary credential" has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

SEC. 544. EXTENSION OF SUICIDE PREVENTION AND RESILIENCE PROGRAM.

Section 10219(g) of title 10, United States Code, is amended by striking "October 1, 2018" and inserting "October 1, 2019".

SEC. 545. ANNUAL TRAINING REGARDING THE INFLUENCE CAMPAIGN OF THE RUSSIAN FEDERATION.

In addition to any currently mandated training, the Secretary of Defense may furnish annual training to all members of the Armed Forces and all civilian employees of the Department of Defense, regarding attempts by the Russian Federation and its proxies and agents to influence and recruit members of the Armed Forces as part of its influence campaign.

SEC. 546. PROGRAM TO ASSIST MEMBERS IN OBTAINING PROFESSIONAL CREDENTIALS.

Section 2015(a)(1) of title 10, United States Code, is amended by striking "and" and inserting "or".
SEC. 547. EXPANDING ELIGIBILITY FOR THE UNITED STATES MILITARY APPRENTICESHIP PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall expand eligibility for the United Services Military Apprenticeship Program to include any member of the uniformed services.

(b) DEFINITION.—In this section, the term “uniformed services” has the meaning given such term in section 101 of title 10, United States Code.

Subtitle E—Defense Dependents’ Education and Military Family Readiness Matters

SEC. 551. 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 2018 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in division D, $50,000,000 shall be available only for the purpose of providing assistance to local educational

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term “local educational agency” has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 552. EDUCATION FOR DEPENDENTS OF CERTAIN RETIRED MEMBERS OF THE ARMED FORCES.

Section 2164(a) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting “, dependents of retirees,” after “dependents of members of the armed forces”; and

(B) by inserting “and the dependents of such retirees” after “such members of the armed forces”; and

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

“(4) For purposes of this subsection, the term ‘retiree’ means a member or former member of the armed forces who is entitled to retired or retainer pay under this
title, or who, but for age, would be eligible for retired or retainer pay under chapter 1223 of this title.”.

SEC. 553. CODIFICATION OF AUTHORITY TO CONDUCT FAMILY SUPPORT PROGRAMS FOR IMMEDIATE FAMILY MEMBERS OF MEMBERS OF THE ARMED FORCES ASSIGNED TO SPECIAL OPERATIONS FORCES.

(a) CODIFICATION OF EXISTING AUTHORITY.—Chapter 88 of title 10, United States Code, is amended by inserting after section 1788 a new section 1788a consisting of—

(1) a heading as follows:

“§ 1788a. Family support programs: immediate family members of members of special operations forces”; and

(2) a text consisting of subsections (a), (b), (d), and (e) of section 554 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1788 note), redesignated as subsections (a), (b), (c), and (d), respectively.

(b) FUNDING.—Subsection (c) of section 1788a of title 10, United States Code, as added and redesignated by subsection (a) of this section, is amended by striking “specified” and all that follows through the end of the subsection and inserting “, from funds available for Major
Force Program 11, to carry out family support programs under this section.”.

(c) Elimination of Pilot Program References and Other Conforming Amendments.—Section 1788a of title 10, United States Code, as added by subsection (a) of this section, is further amended—

1. by striking “Armed Forces” each place it appears and inserting “armed forces”;
2. (2) by striking “pilot” each place it appears;
3. (3) in subsection (a)—
   (A) in the subsection heading, by striking “Pilot”; and
   (B) by striking “up to three” and all that follows through “providing” and inserting “programs to provide”; and
4. (4) in subsection (d), as redesignated by subsection (a) of this section—
   (A) in paragraph (2), by striking “title 10, United States Code” and inserting “this title”; and
   (B) in paragraph (3), by striking “such title” and inserting “this title”.

(d) Clerical Amendment.—The table of sections at the beginning of subchapter I of chapter 88 of title 10,
United States Code, is amended by inserting after the item relating to section 1788 the following new item:

“1788a. Family support programs: immediate family members of members of special operations forces.”

(e) CONFORMING REPEAL.—Section 554 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1788 note) is repealed.

SEC. 554. REIMBURSEMENT FOR STATE LICENSURE AND CERTIFICATION COSTS OF A SPOUSE OF A MEMBER OF THE ARMED FORCES ARISING FROM RELOCATION TO ANOTHER STATE.

(a) REIMBURSEMENT AUTHORIZED.—Section 476 of title 37, United States Code, is amended by adding at the end the following new subsection:

“(p)(1) The Secretary concerned may reimburse a member of the armed forces for qualified relicensing costs of the spouse of the member when—

“(A) the member is reassigned, either as a permanent change of station or permanent change of assignment, from a duty station in one State to a duty station in another State; and

“(B) the movement of the member’s dependents is authorized at the expense of the United States under this section as part of the reassignment.
“(2) Reimbursement provided to a member under this subsection may not exceed $500 in connection with each reassignment described in paragraph (1).

“(3) In this subsection, the term ‘qualified relicensing costs’ means costs, including exam and registration fees, that—

“(A) are imposed by the State of the new duty station to secure a license or certification to engage in the same profession that the spouse of the member engaged in while in the State of the original duty station; and

“(B) are paid or incurred by the member or spouse to secure the license or certification from the State of the new duty station after the date on which the orders directing the reassignment described in paragraph (1) are issued.”.

(b) DEVELOPMENT OF RECOMMENDATIONS TO EXPEDITE LICENSE PORTABILITY FOR MILITARY SPOUSES.—

(1) CONSULTATION WITH STATES.—The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard, shall consult with States—

(A) to identify barriers to the portability between States of a license, certification, or
other grant of permission held by the spouse of a member of the Armed Forces to engage in an occupation when the spouse moves between States as part of a permanent change of station or permanent change of assignment of the member; and

(B) to develop recommendations for the Federal Government and the States, together or separately, to expedite the portability of such licenses, certifications, and other grants of permission for military spouses.

(2) **Specific Considerations.**—In conducting the consultation and preparing the recommendations under paragraph (1), the Secretaries shall consider the feasibility of—

(A) States accepting licenses, certifications, and other grants of permission described in paragraph (1) issued by another State and in good standing in that State;

(B) the issuance of a temporary license pending completion of State-specific requirements; and

(C) the establishment of an expedited review process for military spouses.
(3) REPORT REQUIRED.—Not later than March 15, 2018, the Secretaries shall submit to the appropriate congressional committees and the States a report containing the recommendations developed under this subsection.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term “appropriate congressional committees” means the congressional defense committees, the Committee on Homeland Security and Government Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 555. FIVE-YEAR EXTENSION OF AUTHORITIES RELATING TO THE TRANSITION AND SUPPORT OF MILITARY DEPENDENT STUDENTS TO LOCAL EDUCATIONAL AGENCIES.


•HR 2810 EH
SEC. 556. ENHANCING MILITARY CHILDCARE PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

(a) HOURS OF OPERATION OF CHILDCARE DEVELOPMENT CENTERS OF THE DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—The hours of operation of each childcare development center (CDC) of the Department of Defense shall, to the extent practicable, be set and maintained in manner that takes into account the demands and circumstances of members of the Armed Forces, including members of the reserve components, who use such center in facilitation of the performance of their military duties.

(2) MATTERS TO BE TAKEN INTO ACCOUNT.—

The demands and circumstances to be taken into account under paragraph (1) for purposes of setting and maintaining the hours of operation of a childcare development center shall include the following:

(A) Mission requirements of units whose members use such center.

(B) The unpredictability of work schedules, and fluctuations in day-to-day work hours, of such members.
(C) The potential for frequent and prolonged absences of such members for training, operations, and deployments.

(D) The location of such center on the military installation concerned, including the location in connection with duty locations of members and applicable military family housing.

(E) The geographic separation of such members from their extended family.

(F) The extent to which spouses of such members are employed or pursuing educational opportunities, whether on a full-time basis or a part-time basis.

(G) Such other matters as the Secretary of the military department concerned considers appropriate for purposes of this section.

(b) Childcare Coordinators for Military Installations.—

(1) Childcare Coordinators.—Each Secretary of a military department shall provide for a childcare coordinator at each military installation under the jurisdiction of such Secretary at which are stationed significant numbers of members of the military department.
Armed Forces with accompanying dependent children, as determined by such Secretary.

(2) NATURE OF POSITION.—The childcare coordinator for a military installation may be an individual appointed to that position on full-time or part-time basis or an individual appointed to another position whose duties in such other position are consistent with the discharge by the person of the duties of childcare coordinator.

(3) DUTIES.—Each childcare coordinator for an installation shall carry out the duties as follows:

(A) Act as an advocate for military families at the installation on childcare matters both on-installation and off-installation.

(B) Work with the commander of the installation in order to seek to ensure that the childcare development centers at the installation, together with any other available childcare options on or in the vicinity of the installation—

(i) provide a quality of care (including a caregiver-to-child ratio) commensurate with best practices of private providers of childcare services; and
(ii) are responsive to the childcare needs of members stationed at the installation and their families.

(C) Work with private providers of childcare services in the vicinity of the installation in order to—

(i) track vacancies in the childcare facilities of such providers;

(ii) seek to obtain favorable prices for the use of such services by members stationed at the installation; and

(iii) otherwise ease the use of such services by such members.

(D) Such other duties as the Secretary of the military department concerned shall specify.

Subtitle F—Decorations and Awards

SEC. 561. REPLACEMENT OF MILITARY DECORATIONS AT THE REQUEST OF RELATIVES OF DECEASED MEMBERS OF THE ARMED FORCES.

Subsection (a) of section 1135 of title 10, United States Code, is amended to read as follows:

“(a) REPLACEMENT.—(1) The Secretary concerned shall replace, on a one-time basis, a military decoration upon the request of—
“(A) the recipient of the military decoration;

“(B) the immediate next of kin of a deceased recipient of a military decoration; or

“(C) a relative of a deceased recipient of a military decoration who is related within the second or third degree of consanguinity to the deceased recipient.

“(2) The replacement of a military decoration under subparagraph (A) or (B) of paragraph (1) shall be provided without charge. The replacement of a military decoration under subparagraph (C) of such paragraph shall be provided at no cost to the Department of Defense.

“(3) The authority provided by this subsection is in addition to any other authority available to the Secretary concerned to replace a military decoration.”.

SEC. 562. CONGRESSIONAL DEFENSE SERVICE MEDAL.

(a) ESTABLISHMENT.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1136. Congressional Defense Service Medal

“(a) ESTABLISHMENT.—The Secretary of Defense shall award, at the behest of and on behalf of Congress, a Congressional Defense Service Medal to a group or other entity to recognize, subject to subsection (c)(1), the exemplary service or significant achievement of the group or
other entity in furtherance of the defense and national security of the United States.

“(b) **Design and Content.**—A Congressional Defense Service Medal shall be a gold medal of appropriate design, with suitable emblems, devices, and inscriptions. The Secretary of Defense may design a Congressional Defense Service Medal to recognize the specific group or other entity and the service or achievement for which the Congressional Defense Service Medal is being awarded.

“(c) **Eligibility Limitations.**—

“(1) **Nature of Service or Achievement.**—

For a group or other entity to be eligible for the award of a Congressional Defense Service Medal, the service or achievement to be recognized must—

“(A) be in the field of endeavor of the group or other entity; and

“(B) represent either a lengthy period of continuous superior service or achievement or a single act of service or achievement so significant that the group or other entity is recognized and acclaimed by others in the same field of endeavor, as evidenced by the recipient having received the highest honors in the field.

“(2) **Effect of Other Federal Recognition.**—A group or other entity may not receive a
Congressional Defense Service Medal in recognition of service or achievement for which the group or other entity received a medal from the United States previously for the same or substantially the same service or achievement.

“(3) Prohibition on award to an individual.—A Congressional Defense Service Medal may not be awarded to a single individual.

“(d) Time limitations.—A Congressional Defense Service Medal may not be awarded to a group or entity—

“(1) until at least five years after the conclusion of the exemplary service or significant achievement for which the Congressional Defense Service Medal is being awarded; and

“(2) unless the award is made within 25 years after the conclusion of the exemplary service or significant achievement for which the Congressional Defense Service Medal is being awarded.

“(e) Duplicate medals.—The Secretary of Defense may arrange for the striking and sale of duplicates in bronze of a Congressional Defense Service Medal, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold Congressional Defense Service Medal.”.
(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of title 10, United States Code, is amended by adding at the end the following new item:

"1136. Congressional Defense Service Medal."

SEC. 563. LIMITATIONS ON AUTHORITY TO REVOKE CERTAIN MILITARY DECORATIONS AWARDED TO MEMBERS OF THE ARMED FORCES.

(a) ARMY.—

(1) LIMITATIONS.—Chapter 357 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 3757. Military decorations: limitations on revocation

“(a) LIMITATIONS.—Except as provided in subsection (b), the President or the Secretary of the Army may not authorize the revocation of a military decoration after the actual award of the military decoration to a member of the armed forces under the jurisdiction of the Secretary.

“(b) EXCEPTIONS.—(1) Subsection (a) does not apply to the revocation of a military decoration if the revocation is ordered on account of —

“(A) the acquisition of new or additional information that calls into question the service for which the member was awarded the military decoration; or
“(B) the conviction of the member for a serious violent felony.

“(2) In applying the exception described in paragraph (1)(B), the President and the Secretary of the Army shall take into account, as an extenuating factor, whether the member has been diagnosed with Traumatic Brain Injury (TBI) or Post-Traumatic Stress Disorder (PTSD).

“(c) DEFINITIONS.—In this section:

“(1) The term ‘military decoration’ means the distinguished-service cross, distinguished-service medal, silver star, distinguished flying cross, or Soldier’s Medal. The term does not include the medal of honor.

“(2) The term ‘serious violent felony’ has the meaning given that term in section 3559(c)(2)(F) of title 18.”.

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

“3757. Military decorations: limitations on revocation.”.

(b) NAVY AND MARINE CORPS.—

(1) LIMITATIONS.—Chapter 567 of title 10, United States Code, is amended by adding at the end the following new section:
§ 6259. Military decorations: limitations on revocation

(a) LIMITATIONS.—Except as provided in subsection (b), the President or the Secretary of the Navy may not authorize the revocation of a military decoration after the actual award of the military decoration to a member of the armed forces under the jurisdiction of the Secretary.

(b) EXCEPTIONS.—(1) Subsection (a) does not apply to the revocation of a military decoration if the revocation is ordered on account of—

(A) the acquisition of new or additional information that calls into question the service for which the member was awarded the military decoration; or

(B) the conviction of the member for a serious violent felony.

(2) In applying the exception described in paragraph (1)(B), the President and the Secretary of the Navy shall take into account, as an extenuating factor, whether the member has been diagnosed with Traumatic Brain Injury (TBI) or Post-Traumatic Stress Disorder (PTSD).

(c) DEFINITIONS.—In this section:

(1) The term ‘military decoration’ means the Navy cross, distinguished-service medal, silver star medal, distinguished flying cross, or Navy and Ma-
rine Corps Medal. The term does not include the medal of honor.

“(2) The term ‘serious violent felony’ has the meaning given that term in section 3559(e)(2)(F) of title 18.”.

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

“6259. Military decorations: limitations on revocation.”.

(e) AIR FORCE.—

(1) LIMITATIONS.—Chapter 857 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 8757. Military decorations: limitations on revocation

“(a) LIMITATIONS.—Except as provided in subsection (b), the President or the Secretary of the Air Force may not authorize the revocation of a military decoration after the actual award of the military decoration to a member of the armed forces under the jurisdiction of the Secretary.

“(b) EXCEPTIONS.—(1) Subsection (a) does not apply to the revocation of a military decoration if the revocation is ordered on account of —
“(A) the acquisition of new or additional information that calls into question the service for which the member was awarded the military decoration; or

“(B) the conviction of the member for a serious violent felony.

“(2) In applying the exception described in paragraph (1)(B), the President and the Secretary of the Air Force shall take into account, as an extenuating factor, whether the member has been diagnosed with Traumatic Brain Injury (TBI) or Post-Traumatic Stress Disorder (PTSD).

“(c) DEFINITIONS.—In this section:

“(1) The term ‘military decoration’ means the Air Force cross, distinguished-service medal, silver star, distinguished flying cross, or Airman’s Medal. The term does not include the medal of honor.

“(2) The term ‘serious violent felony’ has the meaning given that term in section 3559(c)(2)(F) of title 18.”.

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

“8757. Military decorations: limitations on revocation.”.
SEC. 564. AWARD OF VIETNAM SERVICE MEDAL TO VETERANS WHO PARTICIPATED IN MAYAGUEZ RESCUE OPERATION.

(a) AWARD AUTHORIZED.—The Secretary of the military department concerned shall, upon the application by or on behalf of an individual who is an eligible veteran, award that individual the Vietnam Service Medal, notwithstanding any otherwise applicable requirements for the award of that medal. Any such award shall be made in lieu of any Armed Forces Expeditionary Medal awarded the individual for the individual's participation in the Mayaguez rescue operation.

(b) TREATMENT OF DECEASED VETERANS.—In the case of a veteran who is deceased, the application described in subsection (a) may be submitted by the next of kin of the veteran.

(c) ELIGIBLE VETERAN.—For purposes of this section, the term “eligible veteran” means a veteran of the Armed Forces—

(1) who was awarded the Armed Forces Expeditionary Medal for participation in military operations known as the Mayaguez rescue operation of May 12–15, 1975; or

(2) who participated in such operation.
SEC. 565. AWARD OF MEDALS OR OTHER COMMENDATIONS TO HANDLERS OF MILITARY WORKING DOGS AND MILITARY WORKING DOGS.

(a) Program of Award Required.—Each Secretary of a military department shall carry out a program to provide for the award of one or more medals or other commendations to handlers of military working dogs, and to military working dogs, under the jurisdiction of such Secretary to recognize valor or meritorious achievement by such handlers and dogs.

(b) Medal and Commendations.—Any medal or commendation awarded pursuant to a program under subsection (a) shall be of such design, and include such elements, as the Secretary of the military department concerned shall specify.

(c) Regulations.—Medals and commendations shall be awarded under programs under subsection (a) in accordance with regulations prescribed by the Secretary of Defense for purposes of this section.

SEC. 566. ELIGIBILITY OF VETERANS OF OPERATION END SWEEP FOR VIETNAM SERVICE MEDAL.

The Secretary of the military department concerned shall, upon the application of an individual who is a veteran who participated in Operation End Sweep, award that individual the Vietnam Service Medal, notwith-
standing any otherwise applicable requirements for the
award of that medal.

SEC. 567. EXPEDITED REPLACEMENT OF MILITARY DECORATIONS FOR VETERANS OF WORLD WAR II
AND THE KOREAN WAR.

Section 1135 of title 10, United States Code, is amended—

(1) in subsection (b), by striking “When” and
inserting “Subject to subsection (c), when”;

(2) by redesignating subsection (c) as sub-
section (d); and

(3) by inserting after subsection (b) the fol-
lowing new subsection (c):

“(c) RECIPIENTS OF MILITARY DECORATIONS FOR
SERVICE IN WORLD WAR II OR THE KOREAN WAR.—If
the recipient was awarded the military decoration for
which a replacement is requested for service in World War
II or the Korean War, the Secretary concerned shall per-
form all actions described—

“(1) in subsection (b)(1) in not more than 180
days; and

“(2) in subsection (b)(2) in not more than 60
days.”.
SEC. 568. ATOMIC VETERANS SERVICE MEDAL.

(a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall design and produce a military service medal, to be known as the “Atomic Veterans Service Medal”, to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

(b) DISTRIBUTION OF MEDAL.—

(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of-kin of the person.

(3) APPLICATION.—The Secretary shall prepare and disseminate as appropriate an application by which radiation-exposed veterans and their next-of-kin may apply to receive the Atomic Veterans Service Medal.
Subtitle G—Miscellaneous Reports and Other Matters

SEC. 571. EXPANSION OF UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY ENROLLMENT AUTHORITY TO INCLUDE CIVILIAN EMPLOYEES OF THE HOMELAND SECURITY INDUSTRY.

(a) Definition.—Subsection (b) of section 9314a of title 10, United States Code, is amended to read as follows:

“(b) Covered Private Sector Employee Defined.—(1) In this section, the term ‘covered private sector employee’ means—

“(A) an individual employed by a private firm that is engaged in providing to the Department of Defense significant and substantial defense-related systems, products, or services; or

“(B) an individual employed by a private firm in one of the critical infrastructure sectors identified in Presidential Policy Directive 21 (Critical Infrastructure Security and Resilience).

“(2) A covered private sector employee admitted for instruction at the United States Air Force Institute of Technology remains eligible for such instruction only so long as the person remains employed by the same firm.”
(b) USE OF DEFINED TERM.—Section 9314a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “defense industry employees described in subsection (b)” and inserting “a covered private sector employee”; and

(ii) by striking “Any such defense industry employee” and inserting “A covered private sector employee”; and

(B) in paragraph (2), by striking “defense industry employees” and inserting “covered private sector employees”; and

(C) in paragraph (3), by striking “defense industry employee” both places it appears and inserting “covered private sector employee”;

(2) in subsection (c)—

(A) by striking “Defense industry employees” and inserting “A covered private sector employee”; and

(B) by striking “defense industry employees” and inserting “covered private sector employees”;
(3) in subsection (d)(1), by striking “defense industry employees” and inserting “a covered private sector employee”; and

(4) in subsection (f), by striking “defense industry employees” and inserting “covered private sector employees”.

(c) OTHER CONFORMING AMENDMENTS.—Section 9314a of title 10, United States Code, is further amended—

(1) in subsection (a)(1), by striking “a defense focused” and inserting “a defense-focused or homeland security-focused”; and

(2) in subsection (d)—

(A) in paragraph (1), by inserting “or homeland security” after “and defense”; and

(B) in paragraph (2), by inserting before the period at the end the following: “or the Department of Homeland Security, as applicable”.

(d) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 9314a of title 10, United States Code, is amended to read as follows:
$9314a. United States Air Force Institute of Technology: admission of certain private sector civilians”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 901 of title 10, United States Code, is amended by striking the item relating to section 9314a and inserting the following new item:

“9314a. United States Air Force Institute of Technology: admission of certain private sector civilians.”.

SEC. 572. SERVICEMEMBERS’ GROUP LIFE INSURANCE.

Section 1967(f)(4) of title 38, United States Code, is amended by striking the second sentence.

SEC. 573. VOTER REGISTRATION.

Section 705 of the Servicemembers Civil Relief Act (50 U.S.C. 4025(a)), is amended by adding at the end the following new subsection:

“(e) Registration.—

“(1) IN GENERAL.—For the purposes of voting in any election for Federal office (as defined in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101)) or State or local office, a servicemember who registers to vote in a State in which the servicemember is present in compliance with military orders for a permanent change of station shall not, solely by reason of that registration—
“(A) be deemed to have acquired a residence or domicile in that State;

“(B) be deemed to have become a resident in or a resident of that State; or

“(C) be deemed to have lost a residence or domicile in any other State, without regard to whether or not the person intends to return to that State.

“(2) Notification by the servicemember.—A servicemember who elects to register to vote in the State in which the servicemember is present in compliance with military orders for a permanent change of station shall notify the Service Voting Action Officer of the military department concerned not later than 10 days after such registration.

“(3) Notification by the service voting action officer.—A Service Voting Action Officer who receives a notification under paragraph (2) shall notify the chief State election official of the State in which the servicemember resides or is domiciled of such registration not later than 10 days after such registration.”.
SEC. 574. SENSE OF CONGRESS REGARDING SECTION 504 OF TITLE 10, UNITED STATES CODE, ON EXISTING AUTHORITY OF THE DEPARTMENT OF DEFENSE TO ENLIST INDIVIDUALS, NOT OTHERWISE ELIGIBLE FOR ENLISTMENT, WHOSE ENLISTMENT IS VITAL TO THE NATIONAL INTEREST.

It is the sense of Congress that a statute currently exists, specifically paragraph (2) of subsection (b) of section 504 of title 10, United States Code, which states that “the Secretary concerned may authorize the enlistment of a person not described in paragraph (1) [of that subsection] if the Secretary determines that such enlistment is vital to the national interest”.

SEC. 575. SENSE OF CONGRESS REGARDING NONDISCRIMINATION AT UNITED STATES MILITARY ACADEMY.

Congress affirms the nondiscrimination policy of the United States Military Academy in West Point, New York, including as applied to female cadets, staff, and faculty.

SEC. 576. EXTENSION OF AUTHORITY OF THE SECRETARY OF VETERANS AFFAIRS TO PROVIDE FOR THE CONDUCT OF MEDICAL DISABILITY EXAMINATIONS BY CONTRACT PHYSICIANS.

Section 704(c) of the Veterans Benefits Act of 2003 (Public Law 108–183; 38 U.S.C. 5101 note) is amended
by striking “December 31, 2017” and inserting “December 31, 2018”.

SEC. 577. ISSUANCE OF CONSOLIDATED PREGNANCY AND PARENTHOOD INSTRUCTION.

The Secretary of Defense shall ensure that each military department issues a single, consolidated instruction that addresses the decisions, actions, and requirements for members of the Armed Forces relating to pregnancy, the postpartum period, and parenthood.

SEC. 578. PROOF OF PERIOD OF MILITARY SERVICE FOR PURPOSES OF INTEREST RATE LIMITATION UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT.

Section 207(b)(1) of the Servicemembers Civil Relief Act (50 U.S.C. 3937(b)(1)) is amended to read as follows:

“(1) Proof of military service.—

“(A) In general.—Not later than 180 days after the date of a servicemember’s termination or release from military service, in order for an obligation or liability of the servicemember to be subject to the interest rate limitation in subsection (a), the servicemember shall provide to the creditor written notice and a copy of—
“(i) the military orders calling the servicemember to military service and any orders further extending military service; or

“(ii) any other appropriate indicator of military service, including a certified letter from a commanding officer.

“(B) INDEPENDENT VERIFICATION BY CREDITOR.—

“(i) IN GENERAL.—Regardless of whether a servicemember has provided to a creditor the written notice and documentation under subparagraph (A), the creditor may use, in lieu of such notice and documentation, information retrieved from the Defense Manpower Database Center through the creditor’s normal business reviews of the Database Center for purposes of obtaining information indicating that the servicemember is on active duty.

“(ii) SAFE HARBOR.—A creditor that uses the information retrieved from the Defense Manpower Database Center under clause (i) with respect to a servicemember has not failed to treat the debt of the serv-
icemember in accordance with subsection (a) if—

“(I) such information indicates that, on the date the creditor retrieves such information, the servicemember is not on active duty; and

“(II) the creditor has not, as of such date, received the written notice and documentation required under subparagraph (A) with respect to the servicemember.”.

SEC. 579. REPORT REGARDING POSSIBLE IMPROVEMENTS TO PROCESSING RETIREMENTS AND MEDICAL DISCHARGES.

(a) Report Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall issue a report to the congressional defense committees and the Committees on Veterans’ Affairs of the Senate and House of Representatives regarding possible improvements to the transition of members of the Armed Forces to veteran status.

(b) Elements.—The report under subsection (a) shall address the following:
(1) Feasibility of requiring members of the Armed Forces to apply for benefits administered by the Secretary of Veterans Affairs before such members complete discharge from the Armed Forces.

(2) Feasibility of requiring members of the Armed Forces to undergo compensation and pension examinations (to be administered by the Secretary of Defense) for purposes of obtaining benefits described in paragraph (1) before such members complete discharge from active duty in the Armed Forces.

(3) Possible improvements to the timeliness of the process for transitioning members who undergo medical discharge to care provided by the Secretary of Veterans Affairs.

SEC. 580. ESTABLISHMENT OF SEPARATION OATH FOR MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States Armed Forces is the largest, all-volunteer military force in the world, yet less than one percent of the American population serves in the Armed Forces.

(2) Each branch of the Armed Forces (Army, Navy, Air Force, Marine Corps, Coast Guard) instills in its members a sense of duty and obligation
to the United States, their branch of service, and their comrades-in-arms.

(3) The Department of Veterans Affairs estimates that approximately 20 veterans of the Armed Forces commit suicide each day and a veteran’s risk of suicide is 21 percent higher compared to an adult who has not served in the Armed Forces.

(4) The Department of Veterans Affairs is aggressively undertaking measures to prevent these tragic outcomes, yet suicide rates among veterans remain unacceptably high.

(5) Upon enlistment or appointment in the Armed Forces, a new member is obligated to take an oath of office or oath of enlistment.

(6) Most members of the Armed Forces view this oath not as an imposition, but as a promise that they are bound to fulfill.

(b) Establishment of Separation Oath.—Section 502 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c) and, in such subsection, by striking “The oath” and inserting “An oath established by this section”; and

(2) by inserting after subsection (a) the following new subsection (b):
“(b) SEPARATION OATH.—Prior to retirement or other separation from the armed forces, other than separation pursuant to the sentence of a court-martial, a member of an armed force may take the following oath:

‘‘I, ________ , recognizing that my oath to support and defend the Constitution of the United States against all enemies, foreign and domestic, has involved me and my fellow members in experiences that few persons, other than our peers, can understand, do solemnly swear (or affirm) to continue to be the keeper of my brothers- and sisters-in-arms and protector of the United States and the Constitution; to preserve the values I have learned; to maintain my body and my mind; and to not bring harm to myself without speaking to my fellow veterans first. I take this oath freely and without purpose of evasion, so help me God.’’

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 502 of title 10, United States Code, is amended to read as follows:

§ 502. Enlistment oath and separation oath: who may administer”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 31 of title 10, United
States Code, is amended by striking the item relating to section 502 and inserting the following new item:

“502. Enlistment oath and separation oath: who may administer.”.

SEC. 581. EXTENSION OF REPORTING REQUIREMENT REGARDING DIVERSITY IN MILITARY LEADERSHIP.

Section 115a(g) of title 10, United States Code, is amended by striking “2017” and inserting “2022”.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. ANNUAL ADJUSTMENT OF BASIC MONTHLY PAY.

The adjustment in the rates of monthly basic pay required by subsection (a) of section 1009 of title 37, United States Code, to be made on January 1, 2018, shall take effect, notwithstanding any determination made by the President under subsection (e) of such section with respect to an alternative pay adjustment to be made on such date.
SEC. 602. LIMITATION ON BASIC ALLOWANCE FOR HOUSING MODIFICATION AUTHORITY FOR MEMBERS OF THE UNIFORMED SERVICES RESIDING IN MILITARY HOUSING PRIVATIZATION INITIATIVE HOUSING.

(a) In General.—Paragraph (3) of section 403(b) of title 37, United States Code, is amended by adding at the end the following new subparagraph:

“(C) The Secretary of Defense may not reduce the rate of basic allowance for housing in effect on December 31, 2017, for a member of a uniformed service who resides in a housing unit acquired or constructed under the alternative authority of subchapter IV of chapter 169 of title 10 (known as the Military Housing Privatization Initiative) until January 1, 2019.”.

(b) Conforming Amendment.—Subparagraph (B) of such paragraph is amended in clause (iv) by striking “Four” and inserting “Subject to subparagraph (C), four”.

(c) GAO Review.—Not later than March 1, 2018, the Comptroller General of the United States shall submit to the Committees on Armed Services of the House of Representatives and the Senate a review of the following:

(1) An analysis of the impact of reductions in the rate of the basic allowance for housing under section 403 of title 37, United States Code, on the
long-term viability of the Military Housing Privatization Initiative (MHPI).

(2) An analysis of projected revenue for the MHPI, considering projected reductions in such basic allowance for housing, which compares projected revenue under the assumption that members of the armed forces will make out-of-pocket payments in addition to rent and under the assumption that members will not make such out-of-pocket payments.

(3) An analysis of the extent to which the Department of Defense has relied and continues to rely on the assumption that members of the armed forces who live in housing units acquired or constructed under the MHPI will make out-of-pocket payments in addition to basic rent in order to offset reductions in such basic housing allowance.

(4) An analysis of the future military construction costs that will be necessary to offset reduced reinvestment account distributions as a result of reductions in such basic housing allowance, consistent with the requirement included in project ground leases under the MHPI that all assets will be in like-new condition at the end of the lease.
(5) The impact on maintenance of housing units acquired or constructed under the MHPI because of the reductions in revenue for the MHPI that will result from reductions in such basic housing allowance.

(6) The impacts of the costs described in paragraph (4) and the reduction in revenue described in paragraph (5) on occupancy and revenue generated by occupancy under the MHPI, and the impact of changes in occupancy and associated revenue on the costs described in paragraph (4) and the reduction in revenue described in paragraph (5).

(7) The process for establishing the criteria for and the execution of market surveys used to establish the rates of such basic housing allowance.

SEC. 603. HOUSING TREATMENT FOR CERTAIN MEMBERS OF THE ARMED FORCES, AND THEIR SPOUSES AND OTHER DEPENDENTS, UNDERGOING A PERMANENT CHANGE OF STATION WITHIN THE UNITED STATES.

(a) Housing Treatment.—

(1) In general.—Chapter 7 of title 37, United States Code, is amended by inserting after section 403 the following new section:
§ 403a. Housing treatment for certain members of the Armed Forces, and their spouses and other dependents, undergoing a permanent change of station within the United States

(a) HOUSING TREATMENT FOR CERTAIN MEMBERS WHO HAVE A SPOUSE OR OTHER DEPENDENTS.—

(1) HOUSING TREATMENT REGULATIONS.—

The Secretary of Defense shall prescribe regulations that permit a member of the armed forces described in paragraph (2) who is undergoing a permanent change of station within the United States to request the housing treatment described in subsection (b) during the covered relocation period of the member.

(2) ELIGIBLE MEMBERS.—A member described in this paragraph is any member who—

(A) has a spouse who is gainfully employed or enrolled in a degree, certificate or license granting program at the beginning of the covered relocation period;

(B) has one or more dependents attending an elementary or secondary school at the beginning of the covered relocation period;

(C) has one or more dependents enrolled in the Exceptional Family Member Program; or

in the Exceptional Family Member Program; or
“(D) is caring for an immediate family
member with a chronic or long-term illness at
the beginning of the covered relocation period.

“(b) HOUSING TREATMENT.—

“(1) CONTINUATION OF HOUSING FOR THE
spouse and other dependents.—If a spouse or
other dependent of a member whose request under
subsection (a) is approved resides in Government-
owned or Government-leased housing at the begin-
nning of the covered relocation period, the spouse or
other dependent may continue to reside in such
housing during a period determined in accordance
with the regulations prescribed pursuant to this sec-
tion.

“(2) EARLY HOUSING ELIGIBILITY.—If a
spouse or other dependent of a member whose re-
quest under subsection (a) is approved is eligible to
reside in Government-owned or Government-leased
housing following the member’s permanent change
of station within the United States, the spouse or
other dependent may commence residing in such
housing at any time during the covered relocation
period.

“(3) TEMPORARY USE OF GOVERNMENT-OWNED
OR GOVERNMENT-LEASED HOUSING INTENDED FOR
MEMBERS WITHOUT A SPOUSE OR DEPENDENT.—If a spouse or other dependent of a member relocates at a time different from the member in accordance with a request approved under subsection (a), the member may be assigned to Government-owned or Government-leased housing intended for the permanent housing of members without a spouse or dependent until the member’s detachment date or the spouse or other dependent’s arrival date, but only if such Government-owned or Government-leased housing is available without displacing a member without a spouse or dependent at such housing.

“(4) EQUITABLE BASIC ALLOWANCE FOR HOUSING.—If a spouse or other dependent of a member relocates at a time different from the member in accordance with a request approved under subsection (a), the amount of basic allowance for housing payable may be based on whichever of the following areas the Secretary concerned determines to be the most equitable:

“(A) The area of the duty station to which the member is reassigned.

“(B) The area in which the spouse or other dependent resides, but only if the spouse or other dependent resides in that area when
the member departs for the duty station to which the member is reassigned, and only for the period during which the spouse or other dependent resides in that area.

“(C) The area of the former duty station of the member, but only if that area is different from the area in which the spouse or other dependent resides.

“(e) Rule of Construction Related to Certain Basic Allowance for Housing Payments.—Nothing in this section shall be construed to limit the payment or the amount of basic allowance for housing payable under section 403(d)(3)(A) of this title to a member whose request under subsection (a) is approved.

“(d) Housing Treatment Education.—The regulations prescribed pursuant to this section shall ensure the relocation assistance programs under section 1056 of title 10 include, as part of the assistance normally provided under such section, education about the housing treatment available under this section.

“(e) Definitions.—In this section:

“(1) Covered Relocation Period.—(A) Subject to subparagraph (B), the term ‘covered relocation period’, when used with respect to a permanent
change of station of a member of the armed forces, means the period that—

“(i) begins 180 days before the date of the permanent change of station; and

“(ii) ends 180 days after the date of the permanent change of station.

“(B) The regulations prescribed pursuant to this section may provide for a lengthening of the covered relocation period of a member for purposes of this section.

“(2) DEPENDENT.—The term ‘dependent’ has the meaning given that term in section 401 of this title.

“(3) PERMANENT CHANGE OF STATION.—The term ‘permanent change of station’ means a permanent change of station described in section 452(b)(2) of this title.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 such title is amended by inserting after the item relating to section 403 the following new item:

“403a. Housing treatment for certain members of the armed forces, and their spouses and other dependents, undergoing a permanent change of station within the United States.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to permanent
changes of station of members of the Armed Forces that occur on or after October 1 of the fiscal year that begins after such date of enactment.

SEC. 604. PER DIEM ALLOWANCE POLICIES.

(a) POLICY AND REGULATIONS.—

(1) EXISTING POLICY AND REGULATIONS.—The Secretary of each military department may not im-
plement the policy in the memorandum dated Octo-
ber 1, 2014, titled “UTD/CTS for MAP 118-13/
CAP 118-13 – Flat Rate Per Diem for Long Term
TDY”, regarding per diem allowances, or any regu-
lations prescribed pursuant to such memorandum,
on or after the date of the enactment of this Act.

(2) FUTURE POLICY AND REGULATIONS.—(A)
The Secretary of each military department con-
cerned may not implement a new policy regarding
per diem allowances under section 474 of title 37,
United States Code, until after the Secretary of De-
fense issues the report under subsection (b).

(B) The Secretary of the military department
concerned shall notify the appropriate congressional
committees not less than 30 days before imple-
menting a new policy regarding per diem allowances
under section 474 of title 37, United States Code.
(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue a report to the appropriate congressional committees regarding options to reduce travel costs incurred by the Department of Defense, including the adoption of practices used by private entities.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term “appropriate congressional committees” means the congressional defense committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 605. REEVALUATION OF BAH FOR THE MILITARY HOUSING AREA INCLUDING STATEN ISLAND.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, using the most recent data available to the Secretary, shall reevaluate the basic housing allowance prescribed under section 403(b) of title 37, United States Code, for the military housing area that includes Staten Island, New York.

SEC. 606. APPLICATION OF BASIC ALLOWANCE FOR HOUSING TO MEMBERS OF THE UNIFORMED SERVICES IN THE VIRGIN ISLANDS.

(a) IN GENERAL.—Section 403(b) of title 37, United States Code, is amended—
(1) in the heading, by inserting “AND THE VIRGIN ISLANDS” after “THE UNITED STATES”; 
(2) in paragraph (1), by inserting “and the Virgin Islands” after “the United States”; and 
(3) in paragraphs (2), (3)(A), and (6), by inserting “or the Virgin Islands” after “the United States” each place it appears.

(b) CONFORMING AMENDMENTS.—Section 403(c) of title 37, United States Code, is amended— 
(1) in the heading, by inserting “OR THE VIRGIN ISLANDS” after “THE UNITED STATES”; and 
(2) in paragraphs (1), (2), (3)(A)(i), and (3)(B), by inserting “or the Virgin Islands” after “the United States” each place it appears.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to payments under section 403 of title 37, United States Code, beginning on January 1, 2018.
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, 2017” and inserting “December 31, 2018”:

(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(e), 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, 2017” and inserting “December 31, 2018”:

(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, 2017” and inserting “December 31, 2018”:

(1) Section 302e-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, 2017” and inserting “December 31, 2018”:
(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, 2017” and inserting “December 31, 2018”:

(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, 2017” and inserting “December 31, 2018):

(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 pursing 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 Armed Forces.

(9) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. REIMBURSEMENT FOR STATE LICENSURE AND CERTIFICATION COSTS OF A MEMBER OF THE ARMED FORCES ARISING FROM SEPARATION FROM THE ARMED FORCES.

(a) Reimbursement Authorized.—Section 1143 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) Reimbursement for State Licensure and Certification Costs.—(1) The Secretary concerned may reimburse a member of the armed forces who sepa-
rates from the armed forces for qualified relicensing costs of the member.

“(2) Reimbursement provided to a member under this subsection may not exceed $500.

“(3) In this subsection, the term ‘qualified relicensing costs’ means costs, including exam and registration fees, that—

“(A) are imposed by the State in which the member resides after separation from the armed forces to secure a license or certification to engage in a profession; and

“(B) are paid or incurred by the member to secure the license or certification from the State in which the member resides after separation from the armed forces.”.

(b) DEVELOPMENT OF RECOMMENDATIONS TO EXPEDITE LICENSE PORTABILITY FOR MEMBERS OF THE ARMED FORCES.—

(1) CONSULTATION WITH STATES.—The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard, shall consult with States—

(A) to identify barriers to the portability between States of a license, certification, or other grant of permission held by a member of
the Armed Forces to engage in an occupation when the member separates from the Armed Forces; and

(B) to develop recommendations for the Federal Government and the States, together or separately, to expedite the portability of such licenses, certifications, and other grants of permission for separated members of the Armed Forces.

(2) Specific Considerations.—In conducting the consultation and preparing the recommendations under paragraph (1), the Secretaries shall consider the feasibility of—

(A) States accepting licenses, certifications, and other grants of permission described in paragraph (1) issued by another State and in good standing in that State;

(B) the issuance of a temporary license pending completion of State-specific requirements; and

(C) the establishment of an expedited review process for separated members of the Armed Forces.

(3) Report Required.—Not later than March 15, 2018, the Secretaries shall submit to the appro-
appropriate congressional committees and the States a report containing the recommendations developed under this subsection.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term “appropriate congressional committees” means the congressional defense committees, the Committee on Homeland Security and Government Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 617. INCREASE IN MAXIMUM AMOUNT OF AVIATION BONUS FOR 12-MONTH PERIOD OF OBLIGATED SERVICE.

Section 334(c)(1)(B) of title 37, United States Code, is amended by striking “$35,000” and inserting “$50,000”.

SEC. 618. TECHNICAL AND CLERICAL AMENDMENTS RELATING TO 2008 CONSOLIDATION OF CERTAIN SPECIAL PAY AUTHORITIES.

(a) REPAYMENT PROVISIONS.—

(1) TITLE 10.—Section 510(i), subsections (a)(3) and (c) of section 2005, paragraphs (1) and (2) of section 2007(e), section 2105, section 2123(e)(1)(C), section 2128(e), section 2130a(d), section 2171(g), section 2173(g)(2), paragraphs (1)
and (2) of section 2200a(e), section 4348(f), section
6959(f), section 9348(f), subsections (a)(2) and (b)
of section 16135, section 16203(a)(1)(B), section
16301(h), section 16303(d), and the matter pre-
ceding subparagraph (A) of paragraph (1) and the
matter preceding subparagraph (A) of paragraph (2)
of section 16401(f) of title 10, United States Code,
are each amended by inserting “or 373” before “of
title 37”.

(2) TITLE 14.—Section 182(g) of title 14,
United States Code, is amended by inserting “or
373” before “of title 37”.

(b) OFFICERS APPOINTED PURSUANT TO AN AGREE-
MENT UNDER SECTION 329 OF TITLE 37.—Section 641
of title 10, United States Code, is amended by striking
paragraph (6).

(c) REENLISTMENT LEAVE.—The matter preceding
paragraph (1) of section 703(b) of title 10, United States
Code, is amended by inserting “or paragraph (1) or (3)
of section 351(a)” after “section 310(a)(2)”.

(d) REST AND RECUPERATION ABSENCE: QUALIFIED
MEMBERS EXTENDING DUTY AT A DESIGNATED LOCA-
TION OVERSEAS.—The matter following paragraph (4) of
section 705(a) of title 10, United States Code, is amended
by inserting “or 352” after “section 314”.

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(e) **REST AND RECUPERATION ABSENCE: CERTAIN MEMBERS UNDERGOING EXTENDED DEPLOYMENT TO A COMBAT ZONE.**—Section 705a(b)(1)(B) of title 10, United States Code, is amended by inserting or “352(a)” after “section 305”.

(f) **MILITARY PAY AND ALLOWANCES CONTINUANCE WHILE IN A MISSING STATUS.**—Section 552(a)(2) of title 37, United States Code, is amended by inserting “or paragraph (2) of section 351(a)” after “section 301”.

(g) **MILITARY PAY AND ALLOWANCES.**—Section 907(d) of title 37, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by inserting “or 351” after “section 301”;

(B) in subparagraph (B), by inserting “or 352” after “section 301e”;

(C) in subparagraph (C), by inserting “or 353(a)” after “section 304”;

(D) in subparagraph (D), by inserting “or 352” after “section 305”;

(E) in subparagraph (E), by inserting “or 352” after “section 305a”;

(F) in subparagraph (F), by inserting “or 352” after “section 305b”;
(G) in subparagraph (G), by inserting “or 352” after “section 307a”; 
(H) in subparagraph (I), by inserting “or 352” after “section 314”; 
(I) in subparagraph (J), by striking “316” and inserting “353(b)”; and 
(J) in subparagraph (K), by striking “323” and inserting “355”; and 
(2) in paragraph (2)— 
(A) in subparagraph (A), by inserting “or 352” after “section 307”; 
(B) in subparagraph (B), by striking “308” and inserting “331”; 
(C) in subparagraph (C), by striking “309” and inserting “331”; and 
(D) in subparagraph (D), by inserting “or 353” after “section 320”. 
(h) PAY AND ALLOWANCES.—Section 208(a)(2) of the Public Health Service Act (42 U.S.C. 210(a)(2)) is amended by inserting “or 373” after “303a(b)”. 
SEC. 619. IMPROVED EMPLOYMENT ASSISTANCE FOR MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) IMPROVED EMPLOYMENT SKILLS VERIFICATION.—Section 1143(a) 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) In order to improve the accuracy and completeness of a certification or verification of job skills and experience required by paragraph (1), the Secretary of Defense and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy shall—

“(A) establish a database to record all training performed by members of the armed forces that may have application to employment in the civilian sector; and

“(B) make unclassified information regarding such information available to States and other potential employers referred to in subsection (c) so that State and other entities may allow military training to satisfy licensing or certification requirements to engage in a civilian profession.”.
(b) Improved Accuracy of Certificates of Training and Skills.—Section 1143(a) of title 10, United States Code, is further amended by inserting after paragraph (2), as added by subsection (a), the following new paragraph:

“(3) The Secretary of Defense and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy shall ensure that a certification or verification of job skills and experience required by paragraph (1) is rendered in such a way that States and other potential employers can confirm the accuracy and authenticity of the certification or verification.”.

(e) Improved Responsiveness to Certification Requests.—Section 1143(c) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “For the pur-
pose”; and

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

“(2) A State may use a certification or verification of job skills and experience provided to a member of the armed forces under subsection (a) and request the Department of Defense or the Coast Guard, as the case may be, to confirm the accuracy and authenticity of the certifi-
cation or verification. A response confirming or denying the information shall be provided within five business days.”.

(d) Improved Notice to Members.—Section 1142(b)(4)(A) of title 10, United States Code, is amended by inserting before the semicolon the following: “, including State-submitted and approved lists of military training and skills that satisfy occupational certifications and licenses”.

Subtitle C—Disability Pay, Retired Pay, and Survivor Benefits

SEC. 621. FINDINGS AND SENSE OF CONGRESS REGARDING THE SPECIAL SURVIVOR INDEMNITY ALLOWANCE.

(a) Findings.—Congress finds the following:

(1) Dependency and indemnity compensation administered by the Department of Veterans Affairs provides financial support to the surviving spouses, children, and dependent parents of deceased veterans.

(2) The survivor benefit plan administered by the Department of Defense provides an inflation-adjusted annuity to the eligible survivors of certain deceased military personnel.
(3) The amount of compensation a surviving spouse may receive under the survivor benefit plan is offset on a dollar-for-dollar basis by any amount of dependency and indemnity compensation the surviving spouse receives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the special survivor indemnity allowance was created to assist surviving spouses and begin to repay the offset described in subsection (a)(3); and

(2) such offset should be repealed as soon as possible.

Subtitle D—Other Matters

SEC. 631. LAND CONVEYANCE AUTHORITY, ARMY AND AIR FORCE EXCHANGE SERVICE PROPERTY, DALLAS, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Army and Air Force Exchange Service may convey, by sale, exchange, or a combination thereof, all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, that is located at 8901 Autobahn Drive in Dallas, Texas, and was purchased using nonappropriated funds of the Army and Air Force Exchange Service.

(b) CONSIDERATION.—
(1) IN GENERAL.—Consideration for the real property conveyed under subsection (a) shall be at least equal to the fair market value of the property, as determined by the Army and Air Force Exchange Service.

(2) TREATMENT OF CASH CONSIDERATION.—Any cash consideration received from the conveyance of the property under subsection (a) may be retained by the Army and Air Force Exchange Service since the property was acquired using nonappropriated funds.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Army and Air Force Exchange Service. The recipient of the property shall be required to cover the cost of the survey.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Army and Air Force Exchange Service may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Army and Air Force Exchange Service considers appropriate to protect the interests of the United States.
SEC. 632. REPORT REGARDING MANAGEMENT OF MILITARY COMMISSARIES AND EXCHANGES.

(a) Report Required.—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 report regarding management practices of military commissaries and exchanges.

(b) Elements.—The report required under this section shall include a cost-benefit analysis with the goals of—

(1) reducing the costs of operating military commissaries and exchanges by $2,000,000,000 during fiscal years 2018 through 2022; and

(2) not raising costs for patrons of military commissaries and exchanges.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. PHYSICAL EXAMINATIONS FOR MEMBERS OF A RESERVE COMPONENT WHO ARE SEPARATING FROM THE ARMED FORCES.

Section 1145 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and
(2) by inserting after subsection (e) the fol-
lowing new subsection (d):

“(d) PHYSICAL EXAMINATIONS FOR CERTAIN MEM-
BERS OF A RESERVE COMPONENT.—(1) The Secretary
concerned shall provide a physical examination pursuant
to subsection (a)(5) to each member of a reserve compo-
nent who—

“(A) during the two-year period before the date
on which the member is scheduled to be separated
from the armed force served on active duty in sup-
port of a contingency operation for a period of more
than 30 days;

“(B) will not otherwise receive such an exam-
ination under such subsection; and

“(C) elects to receive such a physical examina-
tion.

“(2) The Secretary concerned shall—

“(A) provide the physical examination under
paragraph (1) to a member during the 90-day period
before the date on which the member is scheduled to
be separated from the armed forces; and

“(B) issue orders to such a member to receive
such physical examination.

“(3) A member may not be entitled to health care
benefits pursuant to subsection (a), (b), or (e) solely by
reason of being provided a physical examination under paragraph (1).

“(4) In providing to a member a physical examination under paragraph (1), the Secretary concerned shall provide to the member a record of the physical examination.”.

SEC. 702. MENTAL HEALTH EXAMINATIONS BEFORE MEMBERS SEPARATE FROM THE ARMED FORCES.

(a) IN GENERAL.—Section 1145(a)(5)(A) of title 10, United States Code, is amended by inserting “and a mental health examination conducted pursuant to section 1074n of this title” after “a physical examination”.

(b) CONFORMING AMENDMENT.—Section 1074n(a) of such title is amended by inserting “(and before separation from active duty pursuant to section 1145(a)(5)(A) of this title)” after “each calendar year”.

SEC. 703. PROVISION OF HYPERBARIC OXYGEN THERAPY FOR CERTAIN MEMBERS OF THE ARMED FORCES.

(a) HBOT TREATMENT.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074n the following new section:
“§ 1074o. Provision of hyperbaric oxygen therapy for certain members

“(a) IN GENERAL.—The Secretary may furnish hyperbaric oxygen therapy available at a military medical treatment facility to a covered member if such therapy is prescribed by a physician to treat post-traumatic stress disorder or traumatic brain injury.

“(b) COVERED MEMBER DEFINED.—In this section, the term ‘covered member’ means a member of the armed forces who is—

“(1) serving on active duty; and

“(2) diagnosed with post-traumatic stress disorder or traumatic brain injury.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074n the following new item:

“1074o. Provision of hyperbaric oxygen therapy for certain members.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 90 days after the date of the enactment of this Act.
SEC. 704. MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN SUPPORT OF A CONTINGENCY OPERATION.

Section 1074m(a)(1)(B) of title 10, United States Code, is amended by striking “Until January 1, 2019, once” and inserting “Once”.

SEC. 705. COUNSELING AND TREATMENT FOR SUBSTANCE USE DISORDERS AND CHRONIC PAIN MANAGEMENT SERVICES FOR MEMBERS WHO SEPARATE FROM THE ARMED FORCES.

Section 1145(a)(6)(B)(i) of title 10, United States Code, is amended—

(1) in subclause (I)—

(A) by inserting “, substance use disorder,” after “post-traumatic stress disorder”; and

(B) by striking “and” at the end;

(2) by redesignating subclause (II) as subclause (III); and

(3) by inserting after subclause (I) the following:

“(II) chronic pain management services, including counseling and treatment of co-occurring mental health disorders and alternatives to opioid analgesics; and”.
SEC. 706. EXPANSION OF SEXUAL TRAUMA COUNSELING
AND TREATMENT FOR MEMBERS OF THE
RESERVE COMPONENTS.

Section 1720D(a)(2)(A) of title 38, United States Code, is amended—

(1) by striking “on active duty”; and

(2) by inserting before the period at the end the following: “that was suffered by the member while serving on active duty, active duty for training, or inactive duty training.”.

Subtitle B—Health Care Administration

SEC. 711. CLARIFICATION OF ROLES OF COMMANDERS OF
MILITARY MEDICAL TREATMENT FACILITIES
AND SURGEONS GENERAL.

(a) ROLE OF COMMANDERS.—Section 1073c(a)(2) of title 10, United States Code, is amended—

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

(2) by inserting before subparagraph (B) the following new subparagraph (A):

“(A) the operation of such facility;”.

(b) ROLE OF SURGEONS GENERAL.—

(1) SURGEON GENERAL OF THE ARMY.—Section 3036(f) of title 10, United States Code, is
amended by adding at the end the following new paragraph:

“(4)(A) The Surgeon General is responsible—

“(i) for the medical readiness provided by the military medical treatment facilities of the Army; and

“(ii) for maintaining a ready medical force of the Army.

“(B) In carrying out subparagraph (A), the Surgeon General shall provide operational oversight of readiness matters of the military medical treatment facilities of the Army.”.

(2) SURGEON GENERAL OF THE NAVY.—Section 5137(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4)(A) The Surgeon General is responsible—

“(i) for the medical readiness provided by the military medical treatment facilities of the Navy; and

“(ii) for maintaining a ready medical force of the Navy.

“(B) In carrying out subparagraph (A), the Surgeon General shall provide operational oversight of readiness matters of the military medical treatment facilities of the Navy.”.
(3) Surgeon General of the Air Force.—

Section 8036(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4)(A) The Surgeon General is responsible—

“(i) for the medical readiness provided by the military medical treatment facilities of the Air Force; and

“(ii) for maintaining a ready medical force of the Air Force.

“(B) In carrying out subparagraph (A), the Surgeon General shall provide operational oversight of readiness matters of the military medical treatment facilities of the Air Force.”.

SEC. 712. MAINTENANCE OF INPATIENT CAPABILITIES OF MILITARY MEDICAL TREATMENT FACILITIES LOCATED OUTSIDE THE UNITED STATES.

In carrying out section 1073d of title 10, United States Code, the Secretary of Defense shall ensure that each military medical treatment facility located outside the United States maintains, at a minimum, the inpatient capabilities of such facility as of September 30, 2016.
SEC. 713. REGULAR UPDATE OF PRESCRIPTION DRUG PRICING STANDARD UNDER TRICARE RETAIL PHARMACY PROGRAM.

Section 1074g(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) With respect to the TRICARE retail pharmacy program described in subsection (a)(2)(E)(ii), the Secretary shall ensure that a contract entered into with a TRICARE pharmacy program contractor includes requirements described in section 1860D–12(b)(6) of the Social Security Act (42 U.S.C. 1395w–112(b)(6)) to ensure the provision of information regarding the pricing standard for prescription drugs.”.

SEC. 714. RESIDENCY REQUIREMENTS FOR PODIATRISTS.

(a) REQUIREMENT.—In addition to any other qualification required by law or regulation, the Secretary of Defense shall ensure that to serve as a podiatrist in the Armed Forces, an individual must have successfully completed a three-year podiatric medicine and surgical residency.

(b) APPLICATION.—Subsection (a) shall apply with respect to an individual who is commissioned as an officer in the Armed Forces on or after the date that is one year after the date of the enactment of this Act.
SEC. 715. TRAINING REQUIREMENT FOR HEALTH CARE PROFESSIONALS PRESCRIBING OPIOIDS FOR TREATMENT OF PAIN IN THE ARMED FORCES.

(a) IN GENERAL.—(1) The Secretary of Defense shall ensure that to serve as a health care professional in the Department of Defense as an individual who is authorized to prescribe or otherwise dispense opioids for the treatment of pain, the professional (other than a pharmacist) must comply with the 12-hour training requirement of paragraph (2) at least once during each 3-year period or be licensed in a State that requires equivalent (or greater) training described in paragraph (2) with respect to the prescribing or dispensing of opioids for the treatment of pain.

(2) The training requirement of this paragraph is that the professional has completed not less than 12 hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) with respect to—

(A) pain management treatment guidelines and best practices;

(B) early detection of opioid addiction; and

(C) the treatment and management of opioid-dependent patients,
that is provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Psychiatric Association, the American Academy of Pain Management, the American Pain Society, the American Academy of Pain Medicine, the American Board of Pain Medicine, the American Society of Interventional Pain Physicians, or any other organization that the Secretary of Defense determines is appropriate for purposes of this subsection.

(b) ESTABLISHMENT OF TRAINING MODULES.—(1) The Secretary of Defense shall establish or support the establishment of one or more training modules to be used to meet the training requirement under subsection (a).

(2) To be eligible to receive support under paragraph (1), an entity shall be—

(A) one of the organizations listed in paragraph (2) of subsection (a); or

(B) any other organization that the Secretary determines is appropriate to provide training under such subsection.
Subtitle C—Other Matters

SEC. 721. ONE YEAR EXTENSION OF PILOT PROGRAM FOR PRESCRIPTION DRUG ACQUISITION COST PARITY IN THE TRICARE PHARMACY BENEFITS PROGRAM.

Section 743(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

(1) by striking “October 1, 2017” and inserting “October 1, 2018”; and

(2) by striking “September 30, 2018” and inserting “September 30, 2019”.

SEC. 722. PILOT PROGRAM ON HEALTH CARE ASSISTANCE SYSTEM.

(a) PILOT PROGRAM.—The Secretary of Defense shall carry out a pilot program to provide a health care assistance service to certain covered beneficiaries enrolled in TRICARE Prime or TRICARE Select to improve the health outcomes and patient experience for covered beneficiaries with complex medical conditions.

(b) ELEMENTS.—The pilot program under subsection (a) may include the following elements:

(1) Assisting families with complex medical conditions to understand and use the health benefits under the TRICARE program.
(2) Supporting such families in accessing and navigating the health care delivery system.

(3) Providing such families with information to allow the families to make informed decisions with health care providers.

(4) Improving the health outcomes for such families.

(c) DURATION.—The Secretary shall carry out the pilot program for an amount of time determined appropriate by the Secretary during the five-year period beginning January 1, 2018.

(d) REPORT.—Not later than January 1, 2021, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing an evaluation of the success of the pilot program under subsection (a), including an analysis of the implementation of the elements under subsection (b).

(e) DEFINITIONS.—In this section, the terms “covered beneficiary”, “TRICARE Prime”, “TRICARE program”, and “TRICARE Select” have the meaning given those terms in section 1072 of title 10, United States Code.
SEC. 723. RESEARCH OF CHRONIC TRAUMATIC ENCEPHALOPATHY.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for advanced development for research, development, test, and evaluation for the Defense Health Program, not more than $25,000,000 may be used to award grants to medical researchers and universities to support research into early detection of chronic traumatic encephalopathy.

SEC. 724. SENSE OF CONGRESS ON ELIGIBILITY OF VICTIMS OF ACTS OF TERROR FOR EVALUATION AND TREATMENT AT MILITARY TREATMENT FACILITIES.

Section 717 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by striking subsection (d) and inserting the following new subsections:

“(d) SENSE OF CONGRESS.—It is the sense of Congress that the civilians covered by this section include United States victims of domestic and international terrorism.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘act of terror’ means an act of domestic terrorism or international terrorism, as those terms are defined in section 2331 of title 18, United States Code.
“(2) The term ‘covered beneficiary’ has the meaning given that term in section 1072 of title 10, United States Code.

“(3) The term ‘victim’, with respect to an act of terror, means an individual who suffered physical injury as a direct result of the act of terror.”.

SEC. 725. PROHIBITION ON AVAILABILITY OF FUNDS FOR TERMINATION OF VETS4WARRIORS CRISIS HOTLINE PROGRAM.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to terminate the Vets4Warriors crisis hotline program unless the Secretary of Defense has submitted to the congressional defense committees a report describing a sufficient replacement to such program.

SEC. 726. REPORT ON IMPLEMENTATION OF GAO RECOMMENDATIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit a report to the congressional defense committees on the implementation by the Department of Defense of the recommendations from the Government Accountability Office report entitled “Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are
Considered in Misconduct Separations” and published May 16, 2017.

SEC. 727. AUTHORIZATION OF INTERGOVERNMENTAL AGREEMENTS FOR THE PROVISION OF HEALTH SCREENINGS.

Section 2679(e)(1) of title 10, United States Code, is amended by adding at the end the following new sentence: “Such term includes health screenings for conditions relating to the exposure of perfluorooctanesulfonic acid and perfluorooctanoic acid in communities near formerly used defense sites that have been identified by the Secretary of Defense as sources of such acids.”

SEC. 728. STUDY ON SAFE OPIOID PRESCRIBING PRACTICES.

(a) STUDY.—The Secretary of Defense shall conduct a study on the effectiveness of the training provided to military health care providers regarding opioid prescribing practices, initiatives in opioid safety, the use of the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain, and other related training.

(b) ELEMENTS.—The study under subsection (a) shall address the effectiveness of training with respect to the following:
(1) Reducing the total number of prescription opioids dispensed by the Department of Defense to beneficiaries of health care furnished by the Department.

(2) Reducing the average dosage prescribed by a military health care provider to such beneficiaries.

(3) Reducing the average number of doses per prescription for treatment of acute pain.

(4) Reducing the average duration of opioid therapy for chronic pain.

(5) Reducing the number of overdoses due to prescription opioids for patients with acute pain and patients undergoing opioid therapy for chronic pain.

(6) Providing counseling and referrals to treatment alternatives to opioid analgesics.

(7) Providing education on the risks of opioid medications to individuals for whom such medications are prescribed, and to their families, with special consideration given to raising awareness among adolescents on such risks.

(8) Effectiveness in communicating to military health care providers changes in Department policies regarding opioid safety and prescribing practices.

(c) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary shall pro-
vide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the results of the study under subsection (a).

SEC. 729. TICK-BORNE DISEASES.

Using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Defense Health program, the Secretary of Defense may authorize grants to medical researchers and universities to support testing ticks for the purpose of improving the detection and diagnosis of tick-borne diseases.

SEC. 730. REPORT.

For each of the fiscal years 2018 through 2021, the Secretary of Defense shall submit to Congress a report on the Department of Defense’s—

(1) activities and programs with respect to infectious disease;

(2) priority areas with respect to infectious disease; and

(3) current policy and planning documents with respect to infectious disease.
SEC. 731. PROVISION OF SUPPORT BY DEPARTMENT OF DEFENSE TO DEPARTMENT OF VETERANS AFFAIRS REGARDING ELECTRONIC HEALTH RECORD SYSTEM.

(a) SUPPORT.—The Secretary of Defense may support the Secretary of Veterans Affairs, to the extent the Secretaries jointly consider feasible and advisable, in the development and implementation of an electronic health record system that—

(1) is derivative of the Military Health System Genesis record currently being developed and implemented by the Secretary of Defense; and

(2) achieves complete interoperability with the Military Health System Genesis.

(b) ANNUAL REVIEW.—The Secretary of Defense and the Secretary Veterans Affairs shall jointly conduct an annual review of the efforts undertaken by the Secretaries to achieve complete interoperability between the electronic health record of the Department of Veterans Affairs and the Military Health System Genesis.

(c) ANNUAL REPORT.—

(1) REPORTS.—Not later than 60 days after completing each annual review under subsection (b), the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the Committees on Armed Services and the Committees on Veterans’
Affairs of the Senate and the House of Representatives a report on the review.

(2) ELEMENTS.—Each report under paragraph (1) shall include an assessment of the following:

(A) Milestones reached as part of the schedule of development and acquisition as developed by the Department of Defense and the Department of Veterans Affairs.

(B) Costs associated with development and implementation.

(C) Actions, if any, of the Secretary of Defense in supporting the Secretary of Veterans Affairs pursuant to subsection (a) with respect to the development and implementation of an electronic health record system and in achieving complete interoperability with the Military Health System Genesis.

(D) Status of the adoption of the national standards and architectural requirements identified by the Interagency Program Office of the Departments and in collaboration with the Office of the National Coordinator for Health Information Technology of the Department of Health and Human Services.
(d) **Termination.**—The requirements under subsection (b) and (c) shall terminate on the date on which the Secretary of Defense and the Secretary of Veterans Affairs jointly certify to the Committees on Armed Services and the Committees on Veterans’ Affairs of the Senate and the House of Representatives that the electronic health records of both the Department of Defense and the Department of Veterans Affairs are completely interoperable.

(e) **Interoperability Defined.**—In this section, the term “interoperability” refers to the ability of different electronic health records systems or software to meaningfully exchange information in real time and provide useful results to one or more systems.

SEC. 732. **INCREASED COLLABORATION WITH NIH TO COMBAT TRIPLE NEGATIVE BREAST CANCER.**

The Office of Health of the Department of Defense shall work in collaboration with the National Institutes of Health to—

(1) identify specific genetic and molecular targets and biomarkers for triple negative breast cancer; and

(2) provide information useful in biomarker selection, drug discovery, and clinical trials design that will enable both—
(A) triple negative breast cancer patients
to be identified earlier in the progression of
their disease; and

(B) the development of multiple targeted
therapies for the disease.

SEC. 733. ENCOURAGING TRANSITION OF MILITARY MED-
ICAL PROFESSIONALS INTO EMPLOYMENT
WITH VETERANS HEALTH ADMINISTRATION.

(a) IN GENERAL.—The Secretary of Defense shall es-
tablish a program to encourage an individual who serves
in the Armed Forces with a military occupational specialty
relating to the provision of health care to seek employment
with the Veterans Health Administration when the indi-
vidual has been discharged or released from service in the
Armed Forces or is contemplating separating from such
service.

(b) RULE OF CONSTRUCTION.—Nothing in this sec-
tion shall be construed to—

(1) create any additional authority not other-
wise provided in law to convert a former member of
the Armed Services to an employee of the Veterans
Health Administration; or

(2) circumvent any existing requirement relating
to a detail, reassignment, or other transfer of
TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Defense Acquisition Streamlining and Transparency

PART I—ACQUISITION SYSTEM STREAMLINING

SEC. 801. PROCUREMENT THROUGH ONLINE MARKETPLACES.

(a) Establishment of Program.—The Administrator of General Services shall establish a program to procure commercial products through online marketplaces for purposes of expediting procurement and ensuring reasonable pricing of commercial products. The Administrator shall carry out the program in accordance with this section, through more than one contract with more than one online marketplace provider, and shall design the program to enable Government-wide use of such marketplaces.

(b) Use of Program by Secretary of Defense.—The Secretary of Defense shall purchase, as appropriate, commercial products for the Department of De-
fense using the program established pursuant to sub-
section (a).

(c) CRITERIA FOR ONLINE MARKETPLACES.—The
Administrator shall ensure that an online marketplace
used under the program established pursuant to sub-
section (a)—

(1) is used widely in the private sector, includ-
ing in business-to-business e-commerce;

(2) provides dynamic selection, in which sup-
pliers and products may be frequently updated, and
dynamic pricing, in which product prices may be fre-
quently updated;

(3) enables offers from multiple suppliers on
the same or similar products to be sorted or filtered
based on product and shipping price, delivery date,
and reviews of suppliers or products;

(4) does not feature or prioritize a product of
a supplier based on any compensation or fee paid to
the online marketplace by the supplier that is exclu-
sively for such featuring or prioritization on the on-
line marketplace;

(5) provides the capability for procurement
oversight controls, including spending limits, order
approval, and order tracking;
(6) provides consolidated invoicing, payment, and customer service functions for all transactions;

(7) satisfies requirements for supplier and product screening in subsection (d); and

(8) collects information necessary to fulfill the information requirements in subsection (h).

(d) Supplier and Product Screening.—The Administrator shall—

(1) provide or ensure electronic availability to an online marketplace provider awarded a contract pursuant to subsection (a), no less frequently than the first day of each month—

(A) the list of suspended and debarred contractors contained in the System of Award Management maintained by the General Services Administration, or any successor system;

(B) a list of suppliers, by product, that certify compliance with the requirements of section 2533a or 2533b of title 10, United States Code;

(C) a list of suppliers, by product, that comply with the requirements of, or are subject to an exception under, chapter 83 of title 41, United States Code;
(D) a list of suppliers, by product, with respect to which the President has issued a waiver under section 301 of the Trade Agreements Act of 1979 (19 U.S.C. 2511);

(E) a list of products, by supplier, that are suitable for the Federal Government to procure pursuant to section 2410n of title 10, United States Code, or section 8503 of title 41, United States Code; and

(F) a list of suppliers, by product, that are small business concerns;

(2) conduct reviews of suppliers to establish the lists required under paragraph (1);

(3) ensure that an online marketplace used under the program established pursuant to subsection (a) provides the ability to search suppliers and products and identify such suppliers and products as authorized or not authorized for purchase during the procurement and order approval process based on the most recent lists provided pursuant to paragraph (1).

(e) RELATIONSHIP TO OTHER PROVISIONS OF LAW.—(1) Notwithstanding any other provision of law, a procurement of a product made through an online market-
place under the program established pursuant to sub-
section (a)—

(A) is deemed to satisfy requirements for full
and open competition pursuant to section 2304 of
title 10, United States Code, and section 3301 of
title 41, United States Code, if there are offers from
two or more suppliers of such a product or similar
product with substantially the same physical, func-
tional, or performance characteristics on the online
marketplace; and

(B) is deemed to be an award of a prime con-
tract for purposes of the goals established under sec-
tion 15(g) of the Small Business Act (15 U.S.C.
644(g)), if the purchase is from a supplier that is
a small business concern.

(2) Nothing in this subsection shall be construed as
limiting the authority of a department or agency to re-
strict competition to small business concerns.

(f) Requirement to Use Standard Terms and
Conditions of Online Marketplaces.—Notwith-
standing any other provision of law, a procurement of a
product through a commercial online marketplace used
under the program established pursuant to subsection (a)
shall be made under the standard terms and conditions
of the marketplace relating to purchasing on the market-
place, and the Administrator shall not require an online
marketplace to modify its standard terms and conditions
as a condition of receiving a contract pursuant to sub-
section (a).

(g) Procedures for Award of Contract.—Not-
withstanding section 2304 of title 10, United States Code,
or any other provision of law, the award of a contract to
an online marketplace provider pursuant to subsection (a)
may be made without the use of full and open competition.

(h) Order Information.—

(1) In General.—The Administrator shall re-
quire each online marketplace provider awarded a
contract pursuant to subsection (a) to provide to the
General Services Administration, not less frequently
than the first day of each month, the ability to elec-
tronically access the following information with re-
spect to each product ordered during the preceding
month:

(A) The product name and description.

(B) The date and time of the order.

(C) The product price.

(D) The person or entity within the de-
partment or agency that purchased the product
and, if appropriate, the official who authorized
the purchase.
(E) The delivery address specified in the order for the product.

(F) The number of suppliers that offered the same product or a similar product with substantially the same physical, functional, or performance characteristics on the same date and time that the product was ordered.

(2) DATA SYSTEM.—The Administrator shall ensure that order information listed in paragraph (1) is entered into the Federal Procurement Data System described in section 1122 of title 41, United States Code.

(i) LIMITATION ON INFORMATION DISCLOSURE.—In any contract awarded to an online marketplace provider pursuant to subsection (a), the Administrator shall require that the provider agree not to sell or otherwise make available to any third party any of the information listed in subsection (h)(1) in a manner that identifies the Federal Government, or any of its departments or agencies, as the purchaser, except with written consent of the Administrator.

(j) COMPTROLLER GENERAL REVIEW OF SMALL BUSINESS PARTICIPATION.—

(1) REPORT REQUIREMENT.—Not later than three years after a contract with an online market-
place provider is awarded pursuant to subsection (a), the Comptroller General of the United States shall submit to the committees listed in paragraph (2) a report on small business participation in the program established pursuant to subsection (a). The report shall include—

(A) the number of small business concerns that have registered or that have sold goods with at least one online marketplace provider;

(B) trends in small business participation;

(C) the effect, if any, of the program on the ability of agencies to meet goals established under section 15(g) of the Small Business Act (15 U.S.C. 644(g)); and

(D) a discussion of the limitations, if any, to small business participation in the program.

(2) COMMITTEES.—The committees listed in this paragraph are the following:

(A) The Committees on Armed Services of the Senate and House of Representatives.

(B) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.
(C) The Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives.

(k) DEFINITIONS.—In this section:

(1) ONLINE MARKETPLACE PROVIDER.—The term "online marketplace provider" means a commercial, non-Government entity providing an online portal for the purchase of commercial products aggregated, distributed, sold, or manufactured by such entity. The term does not include an online portal managed by the Government for, or predominantly for use by, Government agencies.

(2) COMMERCIAL PRODUCT.—The term "commercial product" means a commercially available off-the-shelf item, as defined in section 104 of title 41, United States Code, except the term does not include services.

(3) SMALL BUSINESS CONCERN.—The term "small business concern" has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).
SEC. 802. PERFORMANCE OF INCURRED COST AUDITS.

(a) In General.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2313a the following new section:

“§ 2313b. Performance of incurred cost audits

“(a) Compliance With Standards of Risk and Materiality.—Not later than October 1, 2020, the Secretary of Defense shall comply with commercially accepted standards of risk and materiality in the performance of each incurred cost audit of costs associated with a contract of the Department of Defense.

“(b) Conditions for the Use of Qualified Private Auditors to Perform Incurred Cost Audits.—(1) The Secretary shall use a qualified private auditor to perform a sufficient number of incurred cost audits of contracts of the Department of Defense in order to ensure that—

“(A) any backlog of incurred cost audits of the Defense Contract Audit Agency is eliminated by October 1, 2020;

“(B) incurred cost audits are completed not later than one year after the date of receipt of a qualified incurred cost submission;

“(C) sufficient private sector capacity exists to meet the current and future needs of the Depart-
ment of Defense for the performance of incurred
cost audits;

“(D) qualified private auditors are used to per-
form a substantial number of incurred cost audits on
an ongoing basis to improve the efficiency and effec-
tiveness of the performance of incurred cost audits;

“(E) the Defense Contract Audit Agency is able
to devote ample resources to high priority audits;
and

“(F) multi-year auditing is conducted only to
address outstanding incurred cost audits for which a
qualified incurred cost submission was submitted to
the Defense Contract Audit Agency more than 12
months before the date of the enactment of this sec-
tion.

“(2)(A) Not later than October 1, 2018, the
Secretary of Defense shall submit to the congres-
sional defense committees a copy of the acquisition
plan required by the Federal Acquisition Regulation
for the task order contract to be awarded under sub-
paragraph (B). Such plan shall also include—

“(i) a description of the incurred cost au-
dits that the Secretary determines are appro-
priate to be conducted by qualified private audi-
tors, including the approximate number and
dollar value of such incurred cost audits; and
“(ii) an estimate of the number and dollar
value of incurred cost audits to be conducted by
qualified private auditors for each of the fiscal
years 2019 through 2025 necessary to meet the
requirements of paragraph (1).
“(B) Not later than October 1, 2019, the Sec-
retary of Defense or a Federal department or agency
authorized by the Secretary shall award an indefinite
delivery-indefinite quantity task order contract to
two or more qualified private auditors to perform in-
curred cost audits of costs associated with contracts
of the Department of Defense.
“(C) The Defense Contract Management Agen-
cy, a contract administration office of a military de-
partment, or an authorized entity outside of the De-
partment of Defense shall issue a task order to per-
form an incurred cost audit to a qualified private
auditor under a task order contract awarded under
subparagraph (B), if issuing such task order will as-
sist the Secretary in meeting the requirements of
paragraph (1). Such task order may be issued only
to a qualified private auditor that certifies that the
qualified private auditor possesses the necessary independence to perform such an audit.

“(D) A qualified private auditor performing an incurred cost audit of a contract of the Department of Defense shall develop and maintain complete and accurate working papers on each incurred cost audit. All working papers and reports on the incurred cost audit prepared by such qualified private auditor shall be the property of the Department of Defense, except that the qualified private auditor may retain a complete copy of all working papers to support such reports made pursuant to this section.

“(E) The Defense Contract Audit Agency may not conduct further audit or review of an incurred cost audit performed by a qualified private auditor pursuant to this section unless requested to do so as part of conducting contract quality assurance functions in accordance with the Federal Acquisition Regulation.

“(3)(A) Effective October 1, 2022, the Defense Contract Audit Agency may issue unqualified audit findings for an incurred cost audit only if the Defense Contract Audit Agency is peer reviewed by a commercial auditor and passes such peer review. This peer review shall be conducted in accordance
with the peer review requirements of generally accepted government auditing standards of the Comptroller General of the United States and shall be deemed to meet the requirements of the Defense Contract Audit Agency for a peer review under such standards.

“(B) The peer review referred to in subparagraph (A) shall occur not less frequently than once every three years.

“(C) Not later than October 1, 2019, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives an update on the process of securing a commercial auditor to perform the peer review referred to in subparagraph (A).

“(4) The Secretary of Defense shall consider the results of an incurred cost audit performed under this section without regard to whether the Defense Contract Audit Agency or a qualified private auditor performed the audit.

“(5) The contracting officer for a contract that is the subject of an incurred cost audit shall have the sole discretion to accept or reject an audit finding on direct costs of the contract.
“(c) Materiality Standards for Incurred Cost Audits.—(1) Not later than October 1, 2020, and except as provided in paragraph (2), the minimum materiality standard used by an auditor shall—

“(A) for an incurred cost audit of costs in an amount less than or equal to $100,000, be 4 percent of such costs;

“(B) for an incurred cost audit of costs in an amount greater than $100,000 but less than $500,000, be $2,000 plus 2 percent of such costs;

“(C) for an incurred cost audit of costs in an amount greater than $500,000 but less than $1,000,000, be $5,000 plus 1 percent of such costs;

“(D) for an incurred cost audit of costs in an amount greater than $1,000,000 but less than $5,000,000, be $8,000 plus 0.9 percent of such costs;

“(E) for an incurred cost audit of costs in an amount greater than $5,000,000 but less than $10,000,000, be $13,000 plus 0.8 percent of such costs;

“(F) for an incurred cost audit of costs in an amount greater than $10,000,000 but less
than $50,000,000, be $23,000 plus 0.7 percent of such costs;

“(G) for an incurred cost audit of costs in an amount greater than $50,000,000 but less than $100,000,000, be $73,000 plus 0.6 percent of such costs;

“(H) for an incurred cost audit of costs in an amount greater than $100,000,000 but less than $500,000,000, be $153,000 plus 0.52 percent of such costs; and

“(I) for an incurred cost audit of costs in an amount greater than $500,000,000, be $503,000 plus 0.45 percent of such costs.

“(2) An auditor that performs an incurred cost audit under this section may use a materiality standard of a lesser amount than the materiality standard described under paragraph (1) with respect to a particular qualified incurred cost submission from a contractor based on an assessment of risk presented by such qualified incurred cost submission. The risk shall be assessed by the auditor in accordance with generally accepted government auditing standards and guidance issued by the Secretary of Defense.
“(3) Not later than March 1, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report on practices for assessing risk and materiality in auditing, which shall include—

“(A) a summary of commercially accepted standards of risk and materiality and Government standards for risk and materiality as related to incurred cost audits;

“(B) examples of how commercial auditing firms apply such standards in developing methodologies for conducting incurred cost audits; and

“(C) recommendations, if appropriate, to modify the minimum materiality standards under paragraph (1) to be consistent with commercially accepted standards of risk and materiality.

“(4) Not later than October 1, 2019, and every 5 years thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on commercially accepted standards of risk and materiality as related to incurred cost audits. The report may contain recommendations to modify the materiality standards under paragraph (1) to be
consistent with such commercially accepted standards of risk and materiality.

“(d) TIMELINESS OF INCURRED COST AUDITS.—(1) The Secretary of Defense shall ensure that all incurred cost audits performed pursuant to subsection (b) are performed in a timely manner.

“(2) The Secretary of Defense shall notify a contractor within 60 days after receipt of an incurred cost submission from the contractor whether the submission is a qualified incurred cost submission.

“(3) With respect to qualified incurred cost submissions received on or after the date of the enactment of this section, audit findings shall be issued for an incurred cost audit not later than one year after the date of receipt of such qualified incurred cost submission.

“(4) If audit findings are not issued within one year after the date of receipt of a qualified incurred cost submission, such qualified incurred cost submission shall be considered accepted in its entirety unless the Secretary of Defense can demonstrate that the contractor unreasonably withheld information necessary to perform the incurred cost audit.
“(f) REVIEW OF AUDIT PERFORMANCE.—Not later than April 1, 2025, the Comptroller General of the United States shall provide a report to the congressional defense committees that evaluates for the period beginning on October 1, 2019, and ending on August 31, 2023—

“(1) the timeliness, individual cost, and quality of incurred cost audits, set forth separately by incurred cost audits performed by the Defense Contract Audit Agency and by qualified private auditors;

“(2) the cost to contractors of the Department of Defense for incurred cost audits, set forth separately by incurred cost audits performed by the Defense Contract Audit Agency and by qualified private auditors;

“(3) the effect, if any, on other types of audits conducted by the Defense Contract Audit Agency that results from incurred cost audits conducted by qualified private auditors; and

“(4) the capability and capacity of commercial auditors to conduct incurred cost audits for the Department of Defense.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘commercial auditor’ means a private entity engaged in the business of performing audits.
“(2) The term ‘flexibly priced contract’ means—

“(A) a cost-type contract, fixed-price incentive fee contract, or price-redeterminable contract, or a task order issued under an indefinite delivery-indefinite quantity task order contract, for which final payment is based on actual costs incurred; or

“(B) the materials portion of a time-and-materials contract or labor-hour contract of the Department of Defense.

“(3) The term ‘incurred cost audit’ means an audit of charges to the Government by a contractor under a flexibly priced contract.

“(4) The term ‘materiality standard’ means a dollar amount of misstatements, including omissions, contained in an incurred cost audit that would be material if the misstatements, individually or in the aggregate, could reasonably be expected to influence the economic decisions of the Government made on the basis of the incurred cost audit.

“(5) The term ‘qualified incurred cost submission’ means a submission by a contractor of costs incurred under a flexibly priced contract that has been
qualified by the Department of Defense as sufficient to conduct an incurred cost audit.

“(6) The term ‘qualified private auditor’ means a commercial auditor—

“(A) that performs audits in accordance with generally accepted government auditing standards of the Comptroller General of the United States; and

“(B) that has received a passing peer review rating, as defined by generally accepted Government auditing standards.”.

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2313a the following new item:

“2313b. Performance of incurred cost audits.”.

SEC. 803. MODIFICATIONS TO COST OR PRICING DATA AND REPORTING REQUIREMENTS.

(a) Modifications to Submissions of Cost or Pricing Data.—

(1) Title 10.—Subsection (a) of section 2306a of title 10, United States Code, is amended—

(A) by striking “December 5, 1990” each place it appears and inserting “June 30, 2018”;

(B) by striking “December 5, 1991” each place it appears and inserting “July 1, 2018”;
(C) by striking “$100,000” each place it appears and inserting “$750,000”;

(D) in paragraph (1)—

(i) in subparagraphs (A)(i), (B)(i), (C)(i), (C)(ii), and (D)(i), by striking “$500,000” and inserting “$2,500,000”; and

(ii) in subparagraph (B)(ii), by striking “$500,000” and inserting “$750,000”;

(E) in paragraph (6), by striking “December 5, 1990” and inserting “June 30, 2018”; and

(F) in paragraph (7), by striking “to the amount” and all that follows through “higher multiple of $50,000.” and inserting “in accordance with section 1908 of title 41.”.

(2) TITLE 41.—Section 3502 of title 41, United States Code, is amended—

(A) in subsection (a)—

(i) by striking “October 13, 1994” each place it appears and inserting “June 30, 2018”; and

(ii) by striking “$100,000” each place it appears and inserting “$750,000”;
(iii) in paragraphs (1)(A), (2)(A), (3)(A), (3)(B), and (4)(A), by striking “$500,000” and inserting “$2,500,000”; and

(iv) in paragraph (2)(B), by striking “$500,000” and inserting “$750,000”;

(B) in subsection (f), by striking “October 13, 1994” and inserting “June 30, 2018”; and

(C) in subsection (g), by striking “to the amount” and all that follows through “higher multiple of $50,000.” and inserting “in accordance with section 1908.”.

(b) MODIFICATION TO AUTHORITY TO REQUIRE SUBMISSION.—Paragraph (1) of section 2306a(d) of title 10, United States Code, is amended by striking “the contracting officer shall require submission of” and all the follows through “to the extent necessary” and inserting “the offeror shall be required to submit to the contracting officer data other than certified cost or pricing data (if requested by the contracting officer), to the extent necessary”.

(c) COMPTROLLER GENERAL REVIEW OF MODIFICATIONS TO COST OR PRICING DATA SUBMISSION REQUIREMENTS.—Not later than March 1, 2022, the Comptroller General of the United States shall submit to the congres-
sional defense committees a report on the implementation and effect of the amendments made by subsections (a) and (b).

(d) Requirements for Defense Contract Audit Agency Report.—

(1) In general.—Section 2313a of title 10, United States Code, is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (A)—

(I) by inserting “and dollar value” after “number”; and

(II) by inserting “, set forth separately by type of audit” after “pending”;

(ii) in subparagraph (C), by inserting “, both from the date of receipt of a qualified incurred cost submission and from the date the audit begins” after “audit”;

(iii) by amending subparagraph (D) to read as follows:

“(D) the sustained questioned costs, set forth separately by type of audit, both as a total value and as a percentage of the total questioned costs for the audit;”;}
(iv) by striking subparagraph (E);

and

(v) by inserting after subparagraph (D) the following new subparagraphs:

“(E) the total number and dollar value of incurred cost audits completed, and the method by which such incurred cost audits were completed;

“(F) the aggregate cost of performing audits, set forth separately by type of audit;

“(G) the ratio of sustained questioned costs to the aggregate costs of performing audits, set forth separately by type of audit; and

“(H) the total number and dollar value of audits that are pending for a period longer than one year as of the end of the fiscal year covered by the report, and the fiscal year in which the qualified submission was received, set forth separately by type of audit;”;

and

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

“(d) DEFINITIONS.—

“(1) The terms ‘incurred cost audit’ and ‘qualified incurred cost submission’ have the meaning given those terms in section 2313b of this title.
“(2) The term ‘sustained questioned costs’ means questioned costs that were recovered by the Federal Government as a result of contract negotiations related to such questioned costs.”


(e) ADJUSTMENT TO VALUE OF COVERED CONTRACTS FOR REQUIREMENTS RELATING TO ALLOWABLE COSTS.—Subparagraph (B) of section 2324(l)(1) of title 10, United States Code, is amended by striking “to the equivalent” and all that follows through “higher multiple of $50,000.” and inserting “in accordance with section 1908 of title 41.”.
PART II—EARLY INVESTMENTS IN ACQUISITION PROGRAMS

SEC. 811. REQUIREMENT TO EMPHASIZE RELIABILITY AND MAINTAINABILITY IN WEAPON SYSTEM DESIGN.

(a) SUSTAINMENT FACTORS IN WEAPON SYSTEM DESIGN.—

(1) IN GENERAL.—Chapter 144 of title 10, United States Code, is amended by adding at the end the following new section:

"§2442. Sustainment factors in weapon system design

"(a) IN GENERAL.—The Secretary of Defense shall ensure that the defense acquisition system gives ample emphasis to sustainment factors, particularly those factors that are affected principally by the design of a weapon system, in the development of a weapon system.

"(b) REQUIREMENTS PROCESS.—The Secretary shall ensure that reliability and maintainability are included in the performance attributes of the key performance parameter on sustainment during the development of capabilities requirements.

"(c) SOLICITATION AND AWARD OF CONTRACTS.—

"(1) REQUIREMENT.—The program manager of a weapon system shall include in the solicitation for and terms of a covered contract for the weapon system clearly defined and measurable requirements for
engineering activities and design specifications for reliability and maintainability.

“(2) EXCEPTION.—If the program manager determines that engineering activities and design specifications for reliability or maintainability should not be a requirement in a covered contract, the program manager shall document in writing the justification for the decision.

“(3) SOURCE SELECTION CRITERIA.—The Secretary shall ensure that sustainment factors, including reliability and maintainability, are given ample emphasis in the process for source selection. The Secretary shall encourage the use of objective reliability and maintainability criteria in the evaluation of competitive proposals.

“(d) CONTRACT PERFORMANCE.—

“(1) IN GENERAL.—The Secretary shall ensure that the Department of Defense uses best practices for responding to the positive or negative performance of a contractor in meeting the sustainment requirements of a covered contract for a weapon system. The Secretary shall encourage the use of incentive fees authorized in paragraph (2) in all covered contracts for weapons systems. The Secretary shall take the necessary actions to enable program offices
to execute the recovery options required for each
covered contract under paragraph (3).

“(2) AUTHORITY FOR INCENTIVE FEES.—The
Secretary of Defense is authorized to pay an incen-
tive fee to a contractor that exceeds the design speci-
fication requirements for reliability or maintain-
ability for a covered contract. In exercising the au-
thority provided in this paragraph, the Secretary
may provide in the terms of the contract for the
payment of an incentive fee to a contractor not later
than the date of acceptance of the last item under
the contract.

“(3) RECOVERY OPTIONS.—(A) Any covered
contract for a weapon system shall include terms for
amounts to be paid by the contractor to the Govern-
ment for failure to meet the design specification re-
quirements for reliability and maintainability of the
contract by the date of acceptance of the last item
under the contract. Terms for such amounts shall be
included in the solicitation for the contract. Such
terms shall include provisions providing that—

“(i) the contractor, at no or minimal cost
to the Government as determined by the Sec-
retary and included in the contract, identifies
the cause of the failure in the system design,
develops an engineering change, and, in the case of a production contract, modifies all end items to be delivered or already delivered under the contract; or

“(ii) the contractor provides the Government—

“(I) a refund in the amount required to identify the cause of the failure in the system design, develop an engineering change, and modify all end items delivered under the contract; and

“(II) associated technical data required to make the necessary modifications.

“(B) The Secretary may waive the requirement in subparagraph (A) with respect to a covered contract if the Secretary determines that such requirement is not in the national security interests of the United States.

“(4) MEASUREMENT OF RELIABILITY AND MAINTAINABILITY.—In carrying out paragraphs (2) and (3), the program manager shall base determinations of a contractor’s performance on reliability and maintainability data collected during developmental testing and operational testing.
“(e) COVERED CONTRACT DEFINED.—In this section, the term ‘covered contract’, with respect to a weapon system, means a contract—

“(1) for the engineering and manufacturing development of a weapon system; or

“(2) for the production of a weapon system.”.

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

“2442. Sustainment factors in weapon system design.”.

(b) EFFECTIVE DATE FOR CERTAIN PROVISIONS.—

Subsections (c) and (d) of section 2442 of title 10, United States Code, as added by subsection (a), shall apply with respect to any covered contract (as defined in that section) for which the contract solicitation is issued on or after the date occurring one year after the date of the enactment of this Act.

(c) INVESTMENT PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense shall establish an investment program for funding engineering changes to the design of a weapon system in the engineering and manufacturing development phase or in the production phase of an acquisition program to improve reliability or maintainability of the weapon system and reduce projected
operating and support costs. The program may be funded from the Defense Modernization Account authorized in section 2216 of title 10, United States Code. A program manager may apply for available funds by presenting a business case analysis of the anticipated return on investment of such funds.

(2) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall provide a briefing to the Committees on Armed Services in the Senate and the House of Representatives on an implementation plan for the program authorized under paragraph (1). The implementation plan shall set forth the process by which program managers apply for available funds, including information on the validation of business case analyses and the evaluation of applications. The briefing shall also include the results of a review of past or existing programs to improve reliability and maintainability and reduce operating and support costs of weapon systems, an assessment of best practices and lessons learned from these programs, and an assessment of the opportunities for consolidation of existing similar programs.
SEC. 812. LICENSING OF APPROPRIATE INTELLECTUAL PROPERTY TO SUPPORT MAJOR WEAPON SYSTEMS.

(a) Negotiation of Price for Technical Data Before Development or Production of Major Weapon System.—

(1) Requirement.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2438 the following new section:

“§ 2439. Negotiation of price for technical data before development or production of major weapon systems

“The Secretary of Defense shall ensure that the Department of Defense, before selecting a contractor for the engineering and manufacturing development of a major weapon system, or for the production of a major weapon system, negotiates a price for technical data to be delivered under a contract for such development or production.”.

(2) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2438 the following new item:

“2439. Negotiation of price for technical data before development or production of major weapon systems.”.
(3) Effective Date.—Section 2439 of title 10, United States Code, as added by paragraph (1), shall apply with respect to any contract for engineering and manufacturing development of a major weapon system, or for the production of a major weapon system, for which the contract solicitation is issued on or after the date occurring one year after the date of the enactment of this Act.

(b) Written Determination for Milestone B Approval.—

(1) In General.—Subsection (a)(3) of section 2366b of title 10, United States Code, is amended—

(A) by striking “and” at the end of subparagraph (M); and

(B) by inserting after subparagraph (N) the following new subparagraph:

“(O) appropriate actions have been taken to negotiate and enter into a contract or contract options for the technical data required to support the program; and”.

(2) Effective Date.—Section 2366b(a)(3)(O) of title 10, United States Code, as added by paragraph (1), shall apply with respect to any major defense acquisition program receiving Milestone B ap-
proval on or after the date occurring one year after
the date of the enactment of this Act.

(c) Preference for Negotiation of Customized License Agreements.—Section 2320 of title
10, United States Code, is amended—

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

(2) by inserting after subsection (e) the fol-
lowing new subsection (f):

“(f) Preference for Specially Negotiated Li-
censes.—The Secretary of Defense shall, to the max-
imum extent practicable, negotiate and enter into a con-
tract with a contractor for a specially negotiated license
for technical data to support the product support strategy
of a major weapon system or subsystem of a major weapon
system. In performing the assessment and developing the
Corresponding strategy required under subsection (e) for
such a system or subsystem, a program manager shall
consider the use of specially negotiated licenses to acquire
customized technical data appropriate for the particular
Elements of the product support strategy.”.

SEC. 813. MANAGEMENT OF INTELLECTUAL PROPERTY

MATTERS WITHIN THE DEPARTMENT OF DE-
FENSE.

(a) Management of Intellectual Property.—
(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2321 the following new section:

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§ 2322. Management of intellectual property matters within the Department of Defense

“(a) OFFICE AND DIRECTOR OF INTELLECTUAL PROPERTY.—(1) There is an Office of Intellectual Property within the Office of the Under Secretary of Defense for Acquisition and Sustainment.

“(2) The Office shall be headed by a Director of Intellectual Property, who shall have the qualifications described in paragraph (3). The Director is responsible in the Department of Defense to the Under Secretary of Defense for Acquisition and Sustainment for policy and oversight of the acquisition and licensing of intellectual property within the Department of Defense. The Director shall report directly to the Under Secretary.

“(3) In order to qualify to be assigned to the position of Director, an individual shall—

“(A) have management expertise in, and professional experience with, intellectual property matters, including an understanding of intellectual property law, regulations, and policies, especially with respect to regulations and policies of the Federal Government and the Department of Defense for acquiring
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or licensing intellectual property, and best practices
for negotiating and executing business arrangements
with industry for the acquisition or licensing of intel-
lectual property;

“(B) have an understanding of Department of
Defense weapon system acquisition; and

“(C) have an understanding of the commercial
marketplace; commercial industry operations, includ-
ing supply chain operations; business strategies; and
private investment in research and development.

“(4) The Secretary of Defense shall designate the po-
sition of Director as a critical acquisition position under
section 1733(b)(1)(C) of this title.

“(b) DUTIES.—(1) The Director of Intellectual Prop-
erty (in this section referred to as the ‘Director’) shall
oversee and coordinate efforts throughout the Department
of Defense to acquire or license intellectual property with-
in the Department of Defense. The duties under this para-
graph shall include the duties specified in paragraphs (2)
through (8).

“(2) The Director shall develop and recommend any
policy guidance on the acquisition or licensing of intellec-
tual property to be issued by the Secretary of Defense.
“(3) The Director shall provide oversight and coordination of the efforts within the Department of Defense to acquire or license intellectual property—

“(A) to ensure that program managers are aware of the rights afforded the Federal Government and contractors in intellectual property and that program managers fully consider and use all available techniques and best practices for acquiring or licensing intellectual property early in the acquisition process;

“(B) to enable consistency across the military departments and the Department of Defense in strategies for obtaining intellectual property and communicating with industry; and

“(C) to raise awareness within the acquisition, science and technology, and logistics communities within the Department of intellectual property issues.

“(4) The Director shall assist program managers in developing customized intellectual property strategies for each weapon system based on, at a minimum, the unique characteristics of the weapon system and its components, the product support strategy for the weapon system, the organic industrial base strategy of the military department concerned, and the commercial market.
“(5) The Director shall develop guidelines and re-
resources on intellectual property matters and make them
available to the acquisition workforce. Such guidelines and
resources shall include templates for specially negotiated
licenses (as appropriate) and a collection of definitions,
key terms, examples, and case studies that demonstrate
and resolve ambiguities in the differences between—
“(A) detailed manufacturing and process data;
“(B) form, fit, and function data; and
“(C) data required for operations, maintenance,
installation, and training.
“(6) The Director shall establish, maintain, super-
vise, and assign to program offices the cadre of intellectual
property experts established under subsection (c).
“(7) The Director, in coordination with the Defense
Acquisition University and in consultation with industry,
shall—
“(A) develop a career path, including develop-
ment opportunities, talent management programs,
and training, for the cadre of intellectual property
experts established under subsection (c); and
“(B) develop, update, and coordinate intellec-
tual property training provided to the acquisition
workforce.
“(8) The Director shall foster communications with industry and serve as a central point of contact within the Department of Defense for communications with contractors on intellectual property matters. The Director may interact directly with industry, trade associations, other Government agencies, academic research and educational institutions, and scientific organizations engaged in intellectual property matters. As part of such communications, the Director shall regularly engage with appropriately representative entities, including large and small businesses, traditional and non-traditional Government contractors, prime contractors and subcontractors, and maintenance repair organizations.

“(c) CADRE OF INTELLECTUAL PROPERTY EXPERTS.—(1) The Director shall establish within the Office of Intellectual Property a cadre of personnel who are experts in intellectual property matters. The purpose of the cadre is to ensure a consistent, strategic, and highly knowledgeable approach to acquiring or licensing intellectual property by providing expert advice, assistance, and resources to the acquisition workforce on intellectual property matters, including acquiring or licensing intellectual property.

“(2) The cadre of experts shall be assigned to a weapons system program office or an acquisition command
within a military department to advise, assist, and provide
resources to a program manager or program executive of-
ecer on intellectual property matters at various stages of
the life cycle of a weapon system. In performing such du-
ties, the experts shall—

“(A) interpret and provide counsel on laws, reg-
ulations, and policies relating to intellectual prop-
erty;

“(B) advise and assist in the development of an
acquisition strategy, product support strategy, and
intellectual property strategy for a weapon system;

“(C) conduct or assist with financial analysis
and valuation of intellectual property;

“(D) assist in the drafting of a contract solici-
tation or contract;

“(E) interact with or assist in interactions with
contractors, including communications and negotia-
tions with contractors on contract solicitations and
contract awards; and

“(F) conduct or assist with mediation if tech-
nical data delivered pursuant to a contract is incom-
plete or does not comply with the terms of the con-
tract.

“(3)(A) In order to achieve the purpose set forth in
paragraph (1), the Director shall ensure the cadre has the
appropriate number of staff and such staff possesses the
necessary skills, knowledge, and experience to carry out
the duties under paragraph (2), including in relevant
areas of law, contracting, acquisition, logistics, engineering, financial analysis, and valuation. The Director may
use existing authorities to staff the cadre, including those
in subparagraphs (B), (C), (D), and (F).

“(B) Civilian personnel from within the Office of the
Secretary of Defense, Joint Staff, military departments,
Defense Agencies, and combatant commands may be as-
signed to serve as members of the cadre, upon request of
the Director.

“(C) The Director may use the authorities for highly
qualified experts under section 9903 of title 5, to hire ex-
erts as members of the cadre who are skilled profes-
sionals in intellectual property and related matters.

“(D) The Director may enter into a contract with a
private-sector entity for specialized expertise to support
the cadre. Such entity may be considered a covered Gov-
ernment support contractor, as defined in section 2320 of
this title.

“(E) In establishing the cadre, the Director shall give
preference to civilian employees of the Department of De-
fense, rather than members of the armed forces, to main-
tain continuity in the cadre.
“(F) The Director is authorized to use funding from the Defense Acquisition Workforce Development Fund for the purpose of recruitment, training, and retention of the cadre, including paying salaries of newly hired members of the cadre for up to three years.

“(G) Members of the cadre shall report to the Director.”

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

“2322. Management of intellectual property matters within the Department of Defense.”

(b) PLACEMENT IN THE OFFICE OF THE SECRETARY OF DEFENSE.—Subsection 131(b)(8) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(J) The Director of the Office of Intellectual Property assigned pursuant to section 2322(a) of this title.”

(e) ADDITIONAL ACQUISITION POSITION.—Subsection 1721(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(12) Intellectual property.”

(d) REVIEW OF ACQUISITION WORKFORCE TRAINING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall revise the
education and training programs provided to the acquisition workforce under chapter 87 of title 10, United States Code—

(1) to ensure the acquisition workforce maintains a basic familiarity with the fundamental aspects of the acquisition and licensing of intellectual property; and

(2) to establish and maintain advanced expertise in the acquisition and licensing of intellectual property to staff the cadre of intellectual property experts required under section 2322 of title 10, United States Code, as added by subsection (a).

SEC. 814. IMPROVEMENT OF PLANNING FOR ACQUISITION OF SERVICES.

(a) IN GENERAL.—

(1) IMPROVEMENT OF PLANNING FOR ACQUISITION OF SERVICES.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2328 the following new section:

"§2329. Procurement of services: data analysis and requirements validation

"(a) IN GENERAL.—The Secretary of Defense shall ensure that—

"(1) appropriate and sufficiently detailed data are collected and analyzed to support the validation
of requirements for services contracts and inform the planning, programming, budgeting, and execution process of the Department of Defense;

“(2) requirements for services contracts are evaluated appropriately and in a timely manner to inform decisions regarding the procurement of services; and

“(3) decisions regarding the procurement of services consider available resources and total force management policies and procedures.

“(b) Specification of Amounts Requested in Budget.—Effective October 1, 2022, the Secretary of Defense shall annually submit to Congress information on services contracts that clearly and separately identifies the amount requested for each category of services to be procured for each Defense Agency, Department of Defense Field Activity, command, or military installation. Such information shall—

“(1) be submitted at or about the time of the budget submission by the President under section 1105(a) of title 31;

“(2) cover the fiscal year covered by such budget submission by the President;

“(3) be consistent with total amounts of estimated expenditures and proposed appropriations
necessary to support the programs, projects, and ac-
tivities of the Department of Defense included in
such budget submission by the President for that
fiscal year; and

“(4) be organized using a common enterprise
data structure developed under section 2222 of this
title.

“(c) DATA ANALYSIS.—(1) Each Secretary of a mili-
tary department shall regularly analyze past spending pat-
terns and anticipated future requirements with respect to
the procurement of services within such military depart-
ment.

“(2)(A) The Secretary of Defense shall regularly ana-
lyze past spending patterns and anticipated future re-
quirements with respect to the procurement of services—

“(i) within each Defense Agency and Depart-
ment of Defense Field Activity; and

“(ii) across military departments, Defense
Agencies, and Department of Defense Field Activi-
ties.

“(B) The Secretaries of the military departments
shall make data on services contracts available to the Sec-
retary of Defense for purposes of conducting the analysis
required under subparagraph (A).
“(3) The analyses conducted under this subsection shall—

“(A) identify contracts for similar services that are procured for three or more consecutive years at each Defense Agency, Department of Defense Field Activity, command, or military installation;

“(B) evaluate patterns in the procurement of services, to the extent practicable, at each Defense Agency, Department of Defense Field Activity, command, or military installation and by category of services procured;

“(C) be used to validate requirements for services contracts entered into after the date of the enactment of this subsection; and

“(D) be used to inform decisions on the award of and funding for such services contracts.

“(d) REQUIREMENTS EVALUATION.—Each Services Requirements Review Board shall evaluate each requirement for a services contract, taking into consideration total force management policies and procedures, available resources, the analyses conducted under subsection (c), and contracting efficacy and efficiency. An evaluation of a services contract for compliance with contracting policies and procedures may not be considered to be an evaluation of a requirement for such services contract.
“(e) **Timely Planning to Avoid Bridge Contracts.**—(1) Effective October 1, 2018, the Secretary of Defense shall ensure that a requirements owner shall, to the extent practicable, plan appropriately before the date of need of a service at a Defense Agency, Department of Defense Field Activity, command, or military installation to avoid the use of a bridge contract to provide for continuation of a service to be performed through a services contract. Such planning shall include allowing time for a requirement to be validated, a services contract to be entered into, and funding for the services contract to be secured.

“(2)(A) Upon the first use, due to inadequate planning (as determined by the Secretary of Defense), of a bridge contract to provide for continuation of a service to be performed through a services contract, the requirements owner, along with the contracting officer or a designee of the contracting officer for the contract, shall—

“(i) for a services contract in an amount less than $10,000,000, provide an update on the status of the bridge contract (including the rationale for using the bridge contract) to the commander or the senior civilian official of the Defense Agency concerned, Department of Defense Field Activity concerned,
cerned, command concerned, or military installation
concerned, as applicable; or

“(ii) for a services contract in an amount equal
to or greater than $10,000,000, provide an update
on the status of the bridge contract (including the
rationale for using the bridge contract) to the service
acquisition executive for the military department
concerned, the head of the Defense Agency con-
cerned, the combatant commander concerned, or the
Under Secretary of Defense for Acquisition and
Sustainment, as applicable.

“(B) Upon the second use, due to inadequate plan-
ing (as determined by the Secretary of Defense), of a
bridge contract to provide for continuation of a service to
be performed through a services contract in an amount
less than $10,000,000, the commander or senior civilian
official referred to in subparagraph (A)(i) shall provide no-
tification of such second use to the Vice Chief of Staff
of the armed force concerned and the service acquisition
executive of the military department concerned, the head
of the Defense Agency concerned, the combatant com-
mander concerned, or the Under Secretary of Defense for
Acquisition and Sustainment, as applicable.
“(f) EXCEPTION.—Except with respect to the analyses required under subsection (e), this section shall not apply to—

“(1) services contracts in support of contingency operations, humanitarian assistance, disaster relief, or national security emergencies; or

“(2) services contracts entered into pursuant to an international agreement.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘bridge contact’ means—

“(A) an extension to an existing contract beyond the period of performance to avoid a lapse in service caused by a delay in awarding a subsequent contract; or

“(B) a new short-term contract awarded on a sole-source basis to avoid a lapse in service caused by a delay in awarding a subsequent contract.

“(2) The term ‘requirements owner’ means a member of the armed forces (other than the Coast Guard) or a civilian employee of the Department of Defense responsible for a requirement for a service to be performed through a services contract.

“(3) The term ‘Services Requirements Review Board’ has the meaning given in Department of De-
fense Instruction 5000.74, titled ‘Defense Acquisi-
tion of Services’ and dated January 5, 2016, or a
successor instruction.”

(2) CLERICAL AMENDMENT.—The table of sec-
tions at the beginning of such chapter is amended
by inserting after the item relating to section 2328
the following new item:

“2329. Procurement of services: data analysis and requirements validation.”.

8 SEC. 815. IMPROVEMENTS TO TEST AND EVALUATION

PROCESSES AND TOOLS.

(a) DEVELOPMENTAL TEST PLAN SUFFICIENCY AS-
SESSMENTS.—

(1) ADDITION TO MILESTONE B BRIEF SUM-
MARY REPORT.—Section 2366b(c)(1) of title 10,
United States Code, is amended—

(A) by redesignating subparagraph (G) as
subparagraph (H); and

(B) by inserting after subparagraph (F)
the following new subparagraph (G):

“(G) An assessment of the sufficiency of
developmental test and evaluation plans, includ-
ing the use of automated data analytics or mod-
eling and simulation tools.”.

(2) ADDITION TO MILESTONE C BRIEF SUM-
MARY REPORT.—Section 2366c(a) of such title is
amended by inserting after paragraph (3) the follow-
ing new paragraph:

“(4) An assessment of the sufficiency of the de-
velopmental test and evaluation completed, including
the use of automated data analytics or modeling and
simulation tools.”.

(3) RESPONSIBILITY FOR CONDUCTING ASSESS-
MENTS.—For purposes of the sufficiency assess-
ments required by section 2366b(e)(1) and section
2366c(a)(4) of such title, as added by paragraphs
(1) and (2), with respect to a major defense acquisi-
tion program—

(A) if the milestone decision authority for
the program is the service acquisition executive
of the military department that is managing the
program, the sufficiency assessment shall be
conducted by the senior official within the mili-
tary department with responsibility for develop-
mental testing; and

(B) if the milestone decision authority for
the program is the Under Secretary of Defense
for Acquisition and Sustainment, the sufficiency
assessment shall be conducted by the senior De-
partment of Defense official with responsibility
for developmental testing.
(4) GUIDANCE REQUIRED.—Within one year after the date of the enactment of this Act, the senior Department of Defense official with responsibility for developmental testing shall develop guidance for the sufficiency assessments required by section 2366b(c)(1) and section 2366c(a)(4) of title 10, United States Code, as added by paragraphs (1) and (2). At a minimum, the guidance shall require—

(A) for the sufficiency assessment required by section 2366b(c)(1) of such title, that the assessment address the sufficiency of—

(i) the developmental test and evaluation plan;

(ii) the developmental test and evaluation schedule, including a comparison to historic analogous systems;

(iii) the developmental test and evaluation resources (facilities, personnel, test assets, data analytics tools, and modeling and simulation capabilities);

(iv) the risks of developmental test and production concurrency; and

(v) the developmental test criteria for entering the production phase; and
(B) for the sufficiency assessment required by section 2366c(a)(4) of such title, that the assessment address—

(i) the sufficiency of the developmental test and evaluation completed;

(ii) the sufficiency of the plans and resources available for remaining developmental test and evaluation;

(iii) the risks identified during developmental testing to the production and deployment phase;

(iv) the sufficiency of the plans and resources for remaining developmental test and evaluation; and

(v) the readiness of the system to perform scheduled initial operational test and evaluation.

(b) **Evaluation of Department of Defense Need for Centralized Tools for Developmental Test and Evaluation.**—

(1) **In General.**—The Secretary of Defense shall evaluate the strategy of the Department of Defense for developing and expanding the use of tools designed to facilitate the cost effectiveness and efficiency of developmental testing, including automated
test methods and tools, modeling and simulation tools, and big data analytics technologies. The evaluation shall include a determination of the appropriate role of the senior Department of Defense official with responsibility for developmental testing in developing enterprise level strategies related to such types of testing tools.

(2) Briefing Required.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide a briefing to the Committee on Armed Services of the House of Representatives on the results of the evaluation required by paragraph (1).

PART III—ACQUISITION WORKFORCE IMPROVEMENTS

SEC. 821. ENHANCEMENTS TO THE CIVILIAN PROGRAM MANAGEMENT WORKFORCE.

(a) Establishment of Program Manager Development Program.—

(1) In General.—The Secretary of Defense, in consultation with the Secretaries of the military departments, shall implement a program manager development program to provide for the professional development of high-potential, experienced civilian personnel. Personnel shall be competitively selected
for the program based on their potential to become
a program manager of a major defense acquisition
program, as defined in section 2430 of title 10,
United States Code. The program shall be adminis-
tered and overseen by the Secretary of each military
department, acting through the service acquisition
executive for the department concerned.

(2) PLAN REQUIRED.—Not later than one year
after the date of the enactment of this Act, the Sec-
retary of Defense shall provide to the Committees on
Armed Services of the Senate and the House of Rep-
resentatives a comprehensive plan to implement the
program established under paragraph (1). In devel-
oping the plan, the Secretary of Defense shall seek
the input of relevant external parties, including pro-
fessional associations, other government entities, and
industry. The plan shall include the following ele-
ments:

(A) An assessment of the minimum level of
subject matter experience, education, years of
experience, certifications, and other qualifica-
tions required to be selected into the program,
set forth separately for current Department of
Defense employees and for personnel hired into
the program from outside the Department of Defense.

(B) A description of hiring flexibilities to be used to recruit qualified personnel from outside the Department of Defense.

(C) A description of the extent to which mobility agreements will be required to be signed by personnel selected for the program during their participation in the program and after their completion of the program. The use of mobility agreements shall be applied to help maximize the flexibility of the Department of Defense in assigning personnel, while not inhibiting the participation of the most capable candidates.

(D) A description of the tenure obligation required of personnel selected for the program.

(E) A plan for training during the course of the program, including training in leadership, program management, engineering, finance and budgeting, market research, business acumen, contracting, supplier management, requirement setting and tradeoffs, intellectual property matters, and software.
(F) A description of career paths to be followed by personnel in the program in order to ensure that personnel in the program gain expertise in the program management functional career field competencies identified by the Department in existing guidance and the topics listed in subparagraph (E), including—

(i) a determination of the types of advanced educational degrees that enhance program management skills and the mechanisms available to the Department of Defense to facilitate the attainment of those degrees by personnel in the program;

(ii) a determination of required assignments to positions within acquisition programs, including position type and acquisition category of the program office;

(iii) a determination of required or encouraged rotations to career broadening positions outside of acquisition programs; and

(iv) a determination of how the program will ensure the opportunity for a required rotation to industry of at least six months to develop an understanding of in-
dustry motivation and business acumen,
such as by developing an industry ex-
change program for civilian program man-
agers, similar to the Corporate Fellows
Program of the Secretary of Defense.

(G) A general description of the number of
personnel anticipated to be selected into the
program, how frequently selections will occur,
how long personnel selected into the program
will participate in the program, and how per-
sonnel will be placed into an assignment at the
completion of the program.

(H) A description of benefits that will be
offered under the program using existing
human capital flexibilities to retain qualified
employees, such as student loan repayments.

(I) An assessment of personnel flexibilities
needed to allow the military departments and
the Defense Agencies to reassign or remove pro-
gram managers that do not perform effectively.

(J) A description of how the program will
be administered and overseen by the Secretaries
of each military department, acting through the
service acquisition executive for the department
concerned.
(K) A description of how the program will be integrated with existing program manager development efforts at each military department.

(3) USE OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.—Amounts in the Department of Defense Acquisition Workforce Development Fund (established under section 1705 of title 10, United States Code) may be used to pay the base salary of personnel in the program established under paragraph (1) during the period of time such personnel are temporarily assigned to a developmental rotation or training program anticipated to last at least six months.

(4) IMPLEMENTATION.—The program established under paragraph (1) shall be implemented not later than September 30, 2019.

(b) INDEPENDENT STUDY OF INCENTIVES FOR PROGRAM MANAGERS.—

(1) 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 paragraph (2) to carry out a comprehensive study of incentives for Department of Defense civilian and
military program managers for major defense acquisition programs, including—

(A) additional pay options for program managers to provide incentives to senior civilian employees and military officers to accept and remain in program manager roles;

(B) a financial incentive structure to reward program managers for delivering capabilities on budget and on time; and

(C) a comparison between financial and non-financial incentive structures for program managers in the Department of Defense and an appropriate comparison group of private industry companies.

(2) 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.

(3) REPORTS.—

(A) TO SECRETARY.—Not later than nine months after the date of the enactment of this Act, the independent research entity shall provide to the Secretary a report containing—
(i) the results of the study required by paragraph (1); and

(ii) such recommendations to improve the financial incentive structure of program managers for major defense acquisition programs as the independent research entity considers to be appropriate.

(B) TO CONGRESS.—Not later than 30 days after receipt of the report under subparagraph (A), the Secretary of Defense shall submit such report, together with any additional views or recommendations of the Secretary, to the congressional defense committees.

SEC. 822. IMPROVEMENTS TO THE HIRING AND TRAINING OF THE ACQUISITION WORKFORCE.

(a) USE OF FUNDS FROM THE DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND TO PAY SALARIES OF PERSONNEL TO MANAGE THE FUND.—

(1) IN GENERAL.—Subsection 1705(e) of title 10, United States Code, is amended—

(A) in paragraph (1)—

(i) by inserting “(A)” before “Subject to the provisions of this subsection”; and

(ii) by adding at the end the following new subparagraph:
“(B) Amounts in the Fund also may be used to pay salaries of personnel at the Office of the Secretary of Defense, military departments, and Defense Agencies to manage the Fund.”; and

(B) in paragraph (3)—

(i) by striking “and” at the end of subparagraph (C);

(ii) by striking the period and inserting “; and” at the end of subparagraph (D); and

(iii) by adding at the end the following new subparagraph:

“(E) describing the amount from the Fund that may be used to pay salaries of personnel at the Office of the Secretary of Defense, military departments, and Defense Agencies to manage the Fund and the circumstances under which such amounts may be used for such purpose.”.

(2) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue, and submit to the congressional defense committees, the policy guidance required by subparagraph (E) of section 1705(e)(3) of
title 10, United States Code, as added by paragraph (1).

(b) Comptroller General Review of Effectiveness of Hiring and Retention Flexibilities for Acquisition Workforce Personnel.—

(1) In general.—Not later than June 30, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report on the effectiveness of hiring and retention flexibilities for the acquisition workforce.

(2) Elements.—The report under this subsection shall include the following:

(A) A determination of the extent to which the Department of Defense experiences challenges with recruitment and retention of the acquisition workforce, such as post-employment restrictions.

(B) A description of the hiring and retention flexibilities available to the Department to fill civilian acquisition positions and the extent to which the Department has used the flexibilities available to it to target critical or under-staffed career fields.

(C) A determination of the extent to which the Department has the necessary data on its
use of hiring and retention flexibilities for the
civilian acquisition workforce to strategically
manage the use of such flexibilities.

(D) An identification of the factors that
affect the use of hiring and retention flexibili-
ties for the civilian acquisition workforce.

(E) Recommendations for any necessary
changes to the hiring and retention flexibilities
available to the Department to fill civilian ac-
quision positions.

(F) A description of the flexibilities avail-
able to the Department to remove underper-
forming members of the acquisition workforce
and the extent to which any such flexibilities
are used.

(e) ASSESSMENT AND REPORT REQUIRED ON BUSI-
NESS-RELATED TRAINING FOR THE ACQUISITION WORK-
FORCE.—

(1) ASSESSMENT.—The Under Secretary of De-
fense for Acquisition and Sustainment shall conduct
an assessment of the following:

(A) The effectiveness of industry certifi-
cations and other industry training programs,
including fellowships, available to defense acqui-
sition workforce personnel.
(B) Gaps in knowledge of industry operations, industry motivation, and business acumen in the acquisition workforce.

(2) REPORT.—Not later than December 31, 2018, the Under Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the assessment conducted under this subsection.

(3) ELEMENTS.—The assessment and report under paragraphs (1) and (2) shall address the following:

(A) Current sources of training and career development opportunities, industry rotations, and other career development opportunities related to knowledge of industry operations, industry motivation, and business acumen for each acquisition position, as designated under section 1721 of title 10, United States Code.

(B) Gaps in training, industry rotations, and other career development opportunities related to knowledge of industry operations, industry motivation, and business acumen for each such acquisition position.
(C) Plans to address those gaps for each such acquisition position.

(D) Consideration of the role industry-taught classes and classes taught at educational institutions outside of the Defense Acquisition University could play in addressing gaps.

(d) COMPTROLLER GENERAL REVIEW OF ACQUISITION TRAINING FOR NON-ACQUISITION WORKFORCE PERSONNEL.—

(1) IN GENERAL.—Not later than June 30, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report on acquisition-related training for personnel working on acquisitions but not considered to be part of the acquisition workforce (as defined in section 101(18) of title 10, United States Code) (hereafter in this subsection referred to as “non-acquisition workforce personnel”).

(2) ELEMENTS.—The report shall address the following:

(A) The extent to which non-acquisition workforce personnel play a significant role in defining requirements, conducting market research, participating in source selection and
contract negotiation efforts, and overseeing contract performance.

(B) The extent to which the Department is able to identify and track non-acquisition workforce personnel performing the roles identified in subparagraph (A).

(C) The extent to which non-acquisition workforce personnel are taking acquisition training.

(D) The extent to which the Defense Acquisition Workforce Development Fund has been used to provide acquisition training to non-acquisition workforce personnel.

(E) A description of sources of funding other than the Fund that are available to and used by the Department to provide non-acquisition workforce personnel with acquisition training.

(F) The extent to which additional acquisition training is needed for non-acquisition workforce personnel, including the types of training needed, the positions that need the training, and any challenges to delivering necessary additional training.
(e) BRIEFLING ON IMPROVEMENTS TO THE DEFENSE CONTRACT AUDIT AGENCY WORKFORCE.—

(1) BRIEFLING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Contract Audit Agency, in consultation with the Under Secretary of Defense (Comptroller), shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives.

(2) ELEMENTS.—The briefing required by paragraph (1) shall address the following:

(A) The current education, certifications, and qualifications of the Defense Contract Audit Agency workforce, by supervisory and non-supervisory levels and type of position.

(B) Shortfalls (if any) in education, qualification, or training in the Defense Contract Audit Agency workforce, by supervisory and non-supervisory levels and type of position, and the reasons for those shortfalls.

(C) The link (if any) between Defense Contract Audit Agency workforce skill and experience gaps and the Agency’s backlog of audits.
(D) The link (if any) between the effectiveness of Defense Contract Audit Agency regional directors and their education, certifications, and qualifications.


(F) Ongoing efforts and future plans by the Defense Contract Audit Agency to improve the professionalization of its audit workforce, including changes in hiring, training, required certifications or qualifications, compensation structure, and increased opportunities for industry exchanges or rotations.

SEC. 823. EXTENSION AND MODIFICATIONS TO ACQUISITION DEMONSTRATION PROJECT.

(a) Extension.—Section 1762(g) of title 10, United States Code, is amended by striking “December 31, 2020” and inserting “December 31, 2023”.

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(b) Implementation Strategy for Improvements in Acquisition Demonstration Project.—

(1) Strategy required.—The Secretary of Defense shall develop an implementation strategy to address areas for improvement in the demonstration project required by section 1762 of title 10, United States Code, as identified in the second assessment of such demonstration project required by section 1762(e) of such title.

(2) Elements.—The strategy shall include the following elements:

(A) Actions that have been or will be taken to assess whether the flexibility to set starting salaries at different levels is being used appropriately by supervisors and managers to compete effectively for highly skilled and motivated employees.

(B) Actions that have been or will be taken to assess reasons for any disparities in career outcomes across race and gender for employees in the demonstration project.

(C) Actions that have been or will be taken to strengthen the link between employee contribution and compensation for employees in the demonstration project.
(D) Actions that have been or will be taken to enhance the transparency of the pay system for employees in the demonstration project.

(E) A time frame and individual responsible for each action identified under subparagraphs (A) through (D).

(3) BRIEFING REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives on the implementation strategy required by paragraph (1).

SEC. 824. ACQUISITION POSITIONS IN THE OFFICES OF THE SECRETARIES OF THE MILITARY DEPARTMENTS.

(a) OFFICE OF THE SECRETARY OF THE ARMY MAXIMUM NUMBER OF PERSONNEL.—Section 3014(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6) The limitation in paragraph (1) may be exceeded if a civilian employee is assigned on permanent duty in the Office of the Secretary of the Army or on the Army Staff and—
“(A) the employee was employed immediately preceding that assignment either—

“(i) in a position within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics that had responsibility for oversight of acquisition programs or processes prior to February 1, 2018, and that was determined to be no longer needed as a result of section 901 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2339) and the amendments made by that section; or

“(ii) in a Joint Staff position that supported the Joint Requirements Oversight Council prior to December 23, 2016, and that was determined to be no longer needed as a result of section 925 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2359) and the amendments made by that section; and

“(B) the position described in subparagraph (A) is not filled by the Office of the Under Secretary of Defense for Acquisition and Sustainment or the Joint Staff after the employee’s permanent duty assignment.”.
(b) Office of the Secretary of the Navy Maximum Number of Personnel.—Section 5014(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6) The limitation in paragraph (1) may be exceeded if a civilian employee is assigned on permanent duty in the Department of the Navy or assigned or detailed to permanent duty in the Office of the Secretary of the Navy, the Office of Chief of Naval Operations, or the Headquarters, Marine Corps, and—

“(A) the employee was employed immediately preceding that assignment either—

“(i) in a position within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics that had responsibility for oversight of acquisition programs or processes prior to February 1, 2018, and that was determined to be no longer needed as a result of section 901 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2339) and the amendments made by that section; or

“(ii) in a Joint Staff position that supported the Joint Requirements Oversight Council prior to December 23, 2016, and that was
determined to be no longer needed as a result
of section 925 of the National Defense Author-
ization Act for Fiscal Year 2017 (Public Law
114-328; 130 Stat. 2359) and the amendments
made by that section; and
“(B) the position described in subparagraph
(A) is not filled by the Office of the Under Secretary
of Defense for Acquisition and Sustainment or the
Joint Staff after the employee’s permanent duty as-

(c) OFFICE OF THE SECRETARY OF THE AIR FORCE

MAXIMUM NUMBER OF PERSONNEL.—Section 8014(f) of
title 10, United States Code, is amended by adding at the
end the following new paragraph:
“(6) The limitation in paragraph (1) may be exceeded
if a civilian employee is assigned on permanent duty in
the Office of the Secretary of the Air Force or on the Air
Staff and—
“(A) the employee was employed immediately
preceding that assignment either—
“(i) in a position within the Office of the
Under Secretary of Defense for Acquisition,
Technology, and Logistics that had responsi-
bility for oversight of acquisition programs or
processes prior to February 1, 2018, and that
was determined to be no longer needed as a result of section 901 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2339) and the amendments made by that section; or

“(ii) in a Joint Staff position that supported the Joint Requirements Oversight Council prior to December 23, 2016, and that was determined to be no longer needed as a result of section 925 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2359) and the amendments made by that section; and

“(B) the position described in subparagraph (A) is not filled by the Office of the Under Secretary of Defense for Acquisition and Sustainment or the Joint Staff after the employee’s permanent duty assignment.”.

PART IV—TRANSPARENCY IMPROVEMENTS

SEC. 831. TRANSPARENCY OF DEFENSE BUSINESS SYSTEM DATA.

(a) ESTABLISHMENT OF COMMON ENTERPRISE DATA STRUCTURES.—Section 2222 of title 10, United States Code, is amended—
(1) in subsection (d), by adding at the end the following new paragraph:

“(7) Policy requiring that any data contained in a defense business system is an asset of the Department of Defense, and that such data should be made readily available to members of the Office of the Secretary of Defense, the Joint Staff, and the military departments (except as otherwise provided by law or regulation).”;

(2) in subsection (e), by adding at the end the following new paragraph:

“(5) COMMON ENTERPRISE DATA STRUCTURES.—(A) The defense business enterprise architecture shall include one or more common enterprise data structures which can be used to code data that are automatically extracted from the relevant defense business systems to facilitate Department of Defense-wide analysis and management of such data.

“(B) The Deputy Chief Management Officer shall—

“(i) in consultation with the Defense Business Council established under subsection (f), develop one or more common enterprise data
structures and an associated data governance process; and

“(ii) have primary decision-making authority with respect to the development of any such common enterprise data structure.

“(C) The Director of Cost Assessment and Program Evaluation shall—

“(i) in consultation with the Defense Business Council established under subsection (f), document and maintain any common enterprise data structure developed under subparagraph (B);

“(ii) extract data from defense business systems using the appropriate common data enterprise structure on a specified schedule;

“(iii) provide access to such data to the Office of the Secretary of Defense, the Joint Staff, and the military departments (except as otherwise provided by law or regulation) on a specified schedule developed in consultation with the Defense Business Council established under subsection (f); and

“(iv) have primary decision-making authority with respect to the maintenance of any such common enterprise data structure.
“(D) Common enterprise data structures shall be established and maintained for the following types of data of the Department of Defense:


“(ii) Data from the future-years defense program established under section 221 and budget data.

“(iii) Acquisition cost data and earned value management data.

“(iv) Operating and support costs for weapon systems, including data on maintenance procedures conducted on each major weapon system (as defined in section 2379 of this title).

“(v) Data on contracts and task orders of the Department of Defense, including goods and services acquired under such contracts or task orders and associated obligations and expenditures.

“(E) The Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Secretaries of the military departments, the Commanders of the combatant commands, the heads of the Defense Agencies, the heads of the Department of Defense Field
Activities, and the heads of all other organizations of the Department of Defense shall provide access to the relevant defense business system of such department, combatant command, Defense Agency, Field Activity, or organization, as applicable, and data extracted from such system, for purposes of automatically populating data sets coded with common enterprise data structures.”;

(3) in subsection (f)(2), by adding at the end the following new clause:

“(iv) The Director of Cost Assessment and Program Evaluation with respect to common enterprise data structures.”; and

(4) in subsection (i), by adding at the end the following new paragraphs:

“(10) COMMON ENTERPRISE DATA STRUCTURE.—The term ‘common enterprise data structure’ means a mapping and organization of data from defense business systems into a common data set.

“(11) DATA GOVERNANCE PROCESS.—The term ‘data governance process’ means a system to manage the timely Department of Defense-wide sharing of data described under paragraph (5)(A).”.
(b) **ADDITIONAL DUTIES OF THE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.**—Section 139a(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(9) Maintenance of common enterprise data structures established pursuant to section 2222 of this title, including establishing and maintaining access to any data contained in a defense business system (as defined in such section) and used in a common enterprise data structure, as determined appropriate by the Secretary of Defense or the Director of Cost Assessment and Program Evaluation.”.

(c) **IMPLEMENTATION PLAN FOR COMMON ENTERPRISE DATA STRUCTURES.**—

(1) **PLAN REQUIRED.**—Not later than six months after the date of the enactment of this Act, the Deputy Chief Management Officer and the Director of Cost Assessment and Program Evaluation shall jointly develop a plan to implement the requirements of subsection (a).

(2) **ELEMENTS.**—At a minimum, the implementation plan required by paragraph (1) shall include the following elements:
(A) The major tasks required to implement the requirements of subsection (a) and the recommended time frames for each task.

(B) The estimated resources required to complete each major task identified pursuant to subparagraph (A).

(C) Any challenges associated with each major task identified pursuant to subparagraph (A) and related steps to mitigate such challenge.

(D) A description of how data security issues will be appropriately addressed in the implementation of the requirements of subsection (a).

(3) SUBMISSION TO CONGRESS.—Upon completion of the plan required under paragraph (1), the Deputy Chief Management Officer and the Director of Cost Assessment and Program Evaluation shall submit such plan to the congressional defense committees.

SEC. 832. MAJOR DEFENSE ACQUISITION PROGRAMS: DISPLAY OF BUDGET INFORMATION.

(a) IN GENERAL.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2433a the following new section:
§ 2434. Major defense acquisition programs: display of budget information

(a) IN GENERAL.—In the defense budget materials for fiscal year 2020 and each subsequent fiscal year, the Secretary of Defense shall ensure that the funding requirements listed in subsection (b) are displayed separately for major defense acquisition programs, as defined in section 2340 of title 10, United States Code.

(b) REQUIREMENTS FOR BUDGET DISPLAY.—The budget justification display for a fiscal year shall include the funding requirement for each major defense acquisition program, including all sources of appropriations—

(1) for developmental test and evaluation;

(2) for operational test and evaluation;

(3) for the purchase of cost data from contractors; and

(4) for the purchase or license of technical data.

(c) DEFINITIONS.—In this section, the terms ‘budget’ and ‘defense budget materials’ have the meaning given those terms in section 234 of this title.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2433a following new item:

“2434. Major defense acquisition programs: display of budget information.”.

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SEC. 833. ENHANCEMENTS TO TRANSPARENCY IN TEST AND EVALUATION PROCESSES AND DATA.

(a) Additional Requirements Relating to Designation of a Major Defense Acquisition Program.—Section 139 of title 10, United States Code, is amended—

(1) in subsection (a)(2)(B), by inserting before the period at the end the following: “and in accordance with subsection (l).”;

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

“(l) For purposes of subsection (a)(2)(B), before designating a program that is not a major defense acquisition program for the purposes of section 2430 of this title as a major defense acquisition program for the purposes of this section, the Director shall provide in writing to the Under Secretary of Defense for Acquisition and Sustainment, and the test and evaluation executive of the military department or departments executing the program, the specific circumstances of the program that led to the designation decision.”; and

(3) by adding at the end of subsection (h)(4) the following: “The report shall also include a brief statement of the rationale for placing on the oversight list of the Director each program that is not a major defense acquisition program for the pur-
poses of section 2430 of this title but has been des-
ignated as a major defense acquisition program for
the purposes of this section.”.

(b) CONSIDERATION OF LEGACY ITEMS OR COMPO-
MENTS IN OPERATIONAL TEST AND EVALUATION RE-
PORTS.—Section 2399(b)(2) of title 10, United States
Code, is amended—

(1) by striking “and” at the end of subpara-
graph (A)(ii); and

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

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

“(B) a description of the performance of the
items or components tested in relation to comparable
legacy items or components, if such items or compo-
nents exist and relevant data are available without
requiring additional testing; and”.

(c) OPPORTUNITY FOR MILITARY DEPARTMENT
COMMENTS ON ANNUAL REPORT ON OPERATIONAL TEST
AND EVALUATION.—Section 139(h) of title 10, United
States Code, is amended—

(1) by redesignating paragraph (5) as para-
graph (6), and in that paragraph by striking “and
the Secretaries of the military departments”; and
(2) by inserting after paragraph (4) the following new paragraph (5):

“(5) Within 45 days after the submission of an annual report by the Director to Congress, the Secretaries of the military departments may each submit a report to the congressional defense committees addressing any concerns related to information included in the annual report, or providing updated or additional information as appropriate.”.

(d) GUIDELINES FOR COLLECTION OF COST DATA ON TEST AND EVALUATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director of Operational Test and Evaluation and the senior Department of Defense official with responsibility for developmental testing shall jointly develop policies, procedures, guidance, and a collection method to ensure that consistent, high quality data are collected on the full range of estimated and actual developmental, live fire, and operational testing costs for major defense acquisition programs. Data on estimated and actual developmental, live fire, and operational testing costs shall be maintained in an electronic database maintained by the Director for Cost Assessment and Program Evaluation.
(2) **CONCURRENCE AND COORDINATION.**—In carrying out paragraph (1), the Director of Operational Test and Evaluation and the senior Department of Defense official with responsibility for developmental testing shall obtain the concurrence of the Director for Cost Assessment and Program Evaluation and shall coordinate with the Director of the Test Resource Management Center and the Secretaries of the military departments.

(3) **MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.**—In this section, the term “major defense acquisition program” has the meaning provided in section 2430 of title 10, United States Code.

(e) **REPORT ON ENTERPRISE APPROACH TO TEST AND EVALUATION KNOWLEDGE MANAGEMENT.**—

(1) **REPORT REQUIRED.**—Within one year after the date of the enactment of this Act, the Director of the Test Resource Management Center and the senior Department of Defense official with responsibility for developmental testing shall provide to the congressional defense committees a report on the development of an approach for managing test and evaluation knowledge across the entire Department of Defense.
(2) ELEMENTS.—The report required by paragraph (1) shall include the following elements:

(A) The detailed concepts, requirements, technologies, methodologies, and architecture necessary for an enterprise approach to knowledge management for test and evaluation, including data, data analysis tools, and modeling and simulation capabilities.

(B) Resources needed to develop and adopt an enterprise approach to knowledge management for test and evaluation.

(C) Roles and responsibilities of various Department of Defense entities to develop and adopt an enterprise approach to knowledge management for test and evaluation.

(D) Time frames required to develop and adopt an enterprise approach to knowledge management for test and evaluation.

(E) A description of pilot studies ongoing at the time of the date of the enactment of this Act or previously conducted related to developing an enterprise approach to test and evaluation knowledge management, including results of the pilot studies (if available) and lessons learned.
Subtitle B—Streamlining of Defense Acquisition Statutes and Regulations

SEC. 841. MODIFICATIONS TO THE ADVISORY PANEL ON STREAMLINING AND CODIFYING ACQUISITION REGULATIONS.

(a) Extension of Date for Final Report.—

(1) Transmittal of panel final report.—Subsection (e)(1) of section 809 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 889), as amended by section 863(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2303), is amended—

(A) by striking “Not later than two years after the date on which the Secretary of Defense establishes the advisory panel” and inserting “Not later than January 15, 2019”; and 

(B) by striking “the Secretary” and inserting “the Secretary of Defense and the congressional defense committees”.

(2) Secretary of defense action on final report.—Subsection (e)(4) of such section is amended—
(A) by striking “Not later than 30 days” and inserting “Not later than 60 days”; and

(B) by striking “the final report, together with such comments as the Secretary determines appropriate,” and inserting “such comments as the Secretary determines appropriate”.

(b) TERMINATION OF PANEL.—Such section is further amended by adding at the end the following new subsection:

“(g) TERMINATION OF PANEL.—The advisory panel shall terminate 180 days after the date on which the final report of the panel is transmitted pursuant to subsection (e)(1) or on such later date as may be specified by the Secretary of Defense.”.

SEC. 842. EXTENSION OF MAXIMUM DURATION OF FUEL STORAGE CONTRACTS.

(a) Extension.—Section 2922(b) of title 10, United States Code, is amended by striking “20 years” and inserting “30 years”.

(b) Effective Date.—The amendment made by subsection (a) shall apply with respect to contracts entered into on or after the date of the enactment of this Act and may be applied to a contract entered into before that date if the total contract period under the contract (including
options) has not expired as of the date of any extension of such contract period by reason of such amendment.

SEC. 843. EXCEPTION FOR BUSINESS OPERATIONS FROM REQUIREMENT TO ACCEPT $1 COINS.

Paragraph (1) of section 5112(p) of title 31, United States Code, is amended by adding at the end the following new flush sentence:

“This paragraph does not apply with respect to business operations conducted by any entity under a contract with an agency or instrumentality of the United States, including any nonappropriated fund instrumentality established under title 10, United States Code.”.

SEC. 844. REPEAL OF EXPIRED PILOT PROGRAM.

Section 807(c) of Public Law 104–106 (10 U.S.C. 2401a note) is repealed.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 851. LIMITATION ON UNILATERAL DEFINITIZATION.

(a) LIMITATION.—Section 2326 of title 10, United States Code, is amended—

(1) by redesignating subsections (e), (d), (e), (f), (g), (h), and (i) as subsections (d), (e), (f), (g), (h), (i), and (j) respectively; and
(2) by inserting after subsection (b) the following new subsection (c):

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(c) LIMITATION ON UNILATERAL DEFINITIZATION BY CONTRACTING OFFICER.—With respect to any undefinitized contractual action with a value greater than $1,000,000,000, if agreement is not reached on contractual terms, specifications, and price within the period or by the date provided in subsection (b)(1), the contracting officer may not unilaterally definitize those terms, specifications, or price over the objection of the contractor until—

“(1) the head of the agency approves the definitization in writing;

“(2) the contracting officer provides a copy of the written approval to the contractor; and

“(3) a period of 30 calendar days has elapsed after the written approval is provided to the contractor.”.
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(b) CONFORMING AMENDMENT.—Section 2326(b)(3) of such title is amended by striking “subsection (g)” and inserting “subsection (h)”.

(c) CONFORMING REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation
to implement section 2326 of title 10, United States Code, as amended by this section.

SEC. 852. CODIFICATION OF REQUIREMENTS PERTAINING TO ASSESSMENT, MANAGEMENT, AND CONTROL OF OPERATING AND SUPPORT COSTS FOR MAJOR WEAPON SYSTEMS.

(a) CODIFICATION AND AMENDMENT.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2337 the following new section:

“§ 2337a. Assessment, management, and control of operating and support costs for major weapon systems

“(a) GUIDANCE REQUIRED.—The Secretary of Defense shall issue and maintain guidance on actions to be taken to assess, manage, and control Department of Defense costs for the operation and support of major weapon systems.

“(b) ELEMENTS.—The guidance required by subsection (a) shall, at a minimum—

“(1) be issued in conjunction with the comprehensive guidance on life-cycle management and the development and implementation of product support strategies for major weapon systems required by section 2337 of this title;
“(2) require the military departments to retain each estimate of operating and support costs that is developed at any time during the life cycle of a major weapon system, together with supporting documentation used to develop the estimate;

“(3) require the military departments to update estimates of operating and support costs periodically throughout the life cycle of a major weapon system, to determine whether preliminary information and assumptions remain relevant and accurate, and identify and record reasons for variances;

“(4) establish policies and procedures for the collection, organization, maintenance, and availability of standardized data on operating and support costs for major weapon systems in accordance with section 2222 of this title;

“(5) establish standard requirements for the collection and reporting of data on operating and support costs for major weapon systems by contractors performing weapon system sustainment functions in an appropriate format, and develop contract clauses to ensure that contractors comply with such requirements;

“(6) require the military departments—
“(A) to collect and retain data from operational and developmental testing and evaluation on the reliability and maintainability of major weapon systems; and

“(B) to use such data to inform system design decisions, provide insight into sustainment costs, and inform estimates of operating and support costs for such systems;

“(7) require the military departments to ensure that sustainment factors are fully considered at key life cycle management decision points and that appropriate measures are taken to reduce operating and support costs by influencing system design early in development, developing sound sustainment strategies, and addressing key drivers of costs;

“(8) require the military departments to conduct an independent logistics assessment of each major weapon system prior to key acquisition decision points (including milestone decisions) to identify features that are likely to drive future operating and support costs, changes to system design that could reduce such costs, and effective strategies for managing such costs;

“(9) include—
“(A) reliability metrics for major weapon systems; and

“(B) requirements on the use of metrics under subparagraph (A) as triggers—

“(i) to conduct further investigation and analysis into drivers of those metrics; and

“(ii) to develop strategies for improving reliability, availability, and maintainability of such systems at an affordable cost; and

“(10) require the military departments to conduct periodic reviews of operating and support costs of major weapon systems after such systems achieve initial operational capability to identify and address factors resulting in growth in operating and support costs and adapt support strategies to reduce such costs.

“(c) RETENTION OF DATA ON OPERATING AND SUPPORT COSTS.—

“(1) IN GENERAL.—The Director of Cost Assessment and Program Evaluation shall be responsible for developing and maintaining a database on operating and support estimates, supporting docu-
mentation, and actual operating and support costs for major weapon systems.

“(2) SUPPORT.—The Secretary of Defense shall ensure that the Director, in carrying out such responsibility—

“(A) promptly receives the results of all cost estimates and cost analyses conducted by the military departments with regard to operating and support costs of major weapon systems;

“(B) has timely access to any records and data of the military departments (including classified and proprietary information) that the Director considers necessary to carry out such responsibility; and

“(C) with the concurrence of the Under Secretary of Defense for Acquisition and Sustainment, may direct the military departments to collect and retain information necessary to support the database.

“(d) MAJOR WEAPON SYSTEM DEFINED.—In this section, the term ‘major weapon system’ has the meaning given that term in section 2379(f) of title 10, United States Code.”
(2) Clerical Amendment.—The table of sections at the beginning of chapter 137 of such title is amended by adding after the item relating to section 2337 the following new item:

“2337a. Assessment, management, and control of operating and support costs for major weapon systems.”.

(b) Repeal of Superseded Section.—

(1) Repeal.—Section 832 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2430 note) is repealed.

(2) Conforming Amendment.—Section 2441(e) of title 10, United States Code, is amended by striking “section 2337 of this title” and all that follows through the period and inserting “sections 2337 and 2337a of this title.”.

SEC. 853. USE OF PROGRAM INCOME BY ELIGIBLE ENTITIES THAT CARRY OUT PROCUREMENT TECHNICAL ASSISTANCE PROGRAMS.

Section 2414 of title 10, United States Code, is amended—

(1) in the section heading, by striking “LIMITATION” and inserting “FUNDING”; and

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

“(d) Use of Program Income.—
“(1) An eligible entity that earned income in a specified fiscal year from activities carried out pursuant to a procurement technical assistance program funded under this chapter may expend an amount of such income not to exceed 25 percent of the cost of furnishing procurement technical assistance in such specified fiscal year, during the fiscal year following the specified fiscal year, to carry out a procurement technical assistance program funded under this chapter.

“(2) An eligible entity that does not enter into a cooperative agreement with the Secretary for a fiscal year—

“(A) shall notify the Secretary of the amount of any income the eligible entity carried over from the previous fiscal year; and

“(B) may retain an amount of such income equal to 10 percent of the value of assistance furnished by the Secretary under this section during the previous fiscal year.

“(3) In determining the value of assistance furnished by the Secretary under this section for any fiscal year, the Secretary shall account for the amount of any income the eligible entity carried over from the previous fiscal year.”.
SEC. 854. AMENDMENT TO SUSTAINMENT REVIEWS.

Section 2441(a) of title 10, United States Code, is amended by adding at the end the following: "The Secretary concerned shall make the memorandum and supporting documentation for each sustainment review available to the Under Secretary of Defense for Acquisition and Sustainment within 30 days after the review is completed.”.

SEC. 855. CLARIFICATION TO OTHER TRANSACTION AUTHORITY.

(a) Clarification to Requirement for Written Determinations for Prototype Projects.—Section 2371b(a)(2) of title 10, United States Code, is amended by striking "for a prototype project" each place such term appears and inserting "for a transaction (for a prototype project)".

(b) Clarification of Inclusion of Small Businesses Participating in SBIR or STTR.—Section 2371b(d)(1)(B) of title 10, United States Code, is amended by inserting "(including small businesses participating in a program described under section 9 of the Small Business Act (15 U.S.C. 638))" after "small businesses".
SEC. 856. CLARIFYING THE USE OF LOWEST PRICE TECHNICALLY ACCEPTABLE SOURCE SELECTION PROCESS.

Section 813 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2270; 10 U.S.C. 2305 note) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking “and” at the end;

(B) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

“(7) the Department of Defense would realize minimal or no additional innovation or future technological advantage; and

“(8) with respect to a contract for procurement of goods, the goods procured are predominately expendable in nature, nontechnical, or have a short life expectancy or short shelf life.”; and

(2) in subsection (c)—

(A) in paragraph (2), by striking “or” at the end;

(B) in paragraph (3), by striking the period at the end and inserting “; or”; and
(C) by adding at the end the following new paragraph:

“(4) electronic test and measurement equipment for which calibration or repair costs are expected to substantially affect full life-cycle costs.”.

SEC. 857. AMENDMENT TO NONTRADITIONAL AND SMALL CONTRACTOR INNOVATION PROTOTYPING PROGRAM.

Section 884(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2318; 10 U.S.C.2301 note) is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following new paragraph (9):

“(9) Unmanned ground logistics and unmanned air logistics capabilities enhancement.”.

SEC. 858. MODIFICATION TO ANNUAL MEETING REQUIREMENT OF CONFIGURATION STEERING BOARDS.

concerned determines in writing that there have been no changes to the program requirements of a major defense acquisition program during the preceding year.”.

SEC. 859. CHANGE TO DEFINITION OF SUBCONTRACT IN CERTAIN CIRCUMSTANCES.

Section 1906(c)(1) of title 41, United States Code, is amended by adding at the end the following: “The term does not include agreements entered into by a contractor for the supply of commodities that are intended for use in the performance of multiple contracts with the Government and other parties and are not identifiable to any particular contract.”.

SEC. 860. AMENDMENT RELATING TO APPLICABILITY OF INFLATION ADJUSTMENTS.

Subsection 1908(d) of title 41, United States Code, is amended by inserting before the period at the end the following: “, and shall apply, in the case of the procurement of property or services by contract, to a contract, and any subcontract at any tier under the contract, in effect on that date without regard to the date of award of the contract or subcontract.”.
SEC. 860A. EXEMPTION OF CERTAIN CONTRACTS FROM INFLATION ADJUSTMENTS.

Subparagraph (B) of section 1908(b)(2) of title 41, United States Code, is amended by inserting “3131 to 3134,” after “sections”.

SEC. 860B. INCLUSION OF SBIR AND STTR PROGRAMS IN TECHNICAL ASSISTANCE.

Subsection (c) of section 2418 of title 10, United States Code, is amended—

(1) by striking “issued under” and inserting the following: “issued—

“(1) under”,

(2) by striking “and on” and inserting “, and on”;

(3) by striking “requirements.” and inserting “requirements; and”; and

(4) by adding at the end the following new paragraph:

“(2) under section 9 of the Small Business Act (15 U.S.C. 638), and on compliance with those requirements.”.

Subtitle D—Other Matters

SEC. 861. EXEMPTION FROM DESIGN-BUILD SELECTION PROCEDURES.

Subsection (d) of section 2305a of title 10, United States Code, is amended by striking the second and third
sentences and inserting the following: “If the contract value exceeds $4,000,000, the maximum number specified in the solicitation shall not exceed 5 unless—

“(1) the solicitation is issued pursuant to a indefinite delivery-indefinite quantity contract for design-build construction; or

“(2)(A) the head of the contracting activity, delegable to a level no lower than the senior contracting official within the contracting activity, approves the contracting officer’s justification with respect to an individual solicitation that a number greater than 5 is in the Federal Government’s interest; and

“(B) the contracting officer shall provide written documentation of how a maximum number exceeding 5 is consistent with the purposes and objectives of the two-phase selection procedures.”.

SEC. 862. 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 2018 using funds available for National Defense Sealift Fund programs or Shipbuilding and Conversion, Navy.”.

SEC. 863. PROCUREMENT OF AVIATION CRITICAL SAFETY ITEMS.

Section 814(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2271; 10 U.S.C. 2302 note) is amended—

(1) in paragraph (1)—
(A) by inserting “or an aviation critical safety item (as defined in section 2319(g) of this title)” after “personal protective equipment”; and

(B) by inserting “equipment or” after “failure of the”; and

(2) in paragraph (2), by inserting “or item” after “equipment”.

SEC. 864. MILESTONES AND TIMELINES FOR CONTRACTS FOR FOREIGN MILITARY SALES.

(a) Establishment of Standard Timelines for Foreign Military Sales.—The Secretary of Defense shall establish specific milestones and standard timelines to achieve such milestones for a foreign military sale (as authorized under chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.)), including milestones and timelines for actions that occur after a letter of offer and acceptance (as described in chapter 5 of the Security Assistance Management Manual of the Defense Security Cooperation Agency) for such foreign military sale is completed. Such milestones and timelines—

(1) may vary depending on the complexity of the foreign military sale; and

(2) shall cover the period beginning on the date of receipt of a complete letter of request (as de-
scribed in such chapter 5) from a foreign country and ending on the date of the final delivery of a defense article or defense service sold through the foreign military sale.

(b) Submissions to Congress.—

(1) Quarterly Notification.—During the period beginning on the date of the enactment of this Act and ending on December 31, 2021, the Secretary shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate, on a quarterly basis, a report that includes a list of each foreign military sale with a value greater than or equal to the dollar threshold for congressional notification under section 36 of the Arms Export Control Act (22 U.S.C. 2776)—

(A) for which the final delivery of a defense article or defense service has not been completed; and

(B) that failed to meet a standard timeline to achieve a milestone as established under subsection (a).

(2) Annual Report.—Not later than November 1, 2019, and annually thereafter until December
31, 2021, the Secretary shall submit to the commit-
tees described in paragraph (1) a report that sum-
marizes—

(A) the number, set forth separately by
dollar value and milestone, of foreign military
sales that met the standard timeline to achieve
a milestone established under subsection (a)
during the preceding fiscal year; and

(B) the number, set forth separately by
dollar value, milestone, and case development
extenuating factor, of foreign military sales that
failed to meet the standard timeline to achieve
a milestone established under subsection (a).

(c) DEFINITIONS.—In this section:

(1) DEFENSE ARTICLE; DEFENSE SERVICE.—
The terms “defense article” and “defense service”
have the meanings given those terms, respectively, in
section 47 of the Arms Export Control Act (22

(2) CASE DEVELOPMENT EXTENUATING FACTOR.—The term “case development extenuating fac-
tor” means a reason from a list of reasons developed
by the Secretary (such as a change in requirements,
delay in performance, or failure to receive funding)
for the failure of a foreign military sale to meet a
standard timeline to achieve a milestone established
under subsection (a).

SEC. 865. NOTIFICATION REQUIREMENT FOR CERTAIN
CONTRACTS FOR AUDIT SERVICES.

(a) NOTIFICATION TO CONGRESS.—If the Under Sec-
retary of Defense (Comptroller) makes a written finding
that a delay in performance of a covered contract while
a protest is pending would hinder the annual preparation
of audited financial statements for the Department of De-
fense, and the head of the procuring activity responsible
for the award of the covered contract does not authorize
the award of the contract (pursuant to section 3553(c)(2)
of title 31, United States Code) or the performance of the
contract (pursuant to section 3553(d)(3)(C) of such title),
the Secretary of Defense shall—

   (1) notify the congressional defense committees
   within 10 days after such finding is made; and

   (2) describe any steps the Department of De-
   fense plans to take to mitigate any hindrance identi-
   fied in such finding to the annual preparation of au-
   dited financial statements for the Department.

(b) COVERED CONTRACT DEFINED.—In this section,
the term “covered contract” means a contract for services
to perform an audit to comply with the requirements of
section 3515 of title 31, United States Code.
SEC. 866. TRAINING IN ACQUISITION OF COMMERCIAL ITEMS.

(a) Training.—Not later than 180 days after the date of the enactment of this Act, the President of the Defense Acquisition University shall establish a comprehensive training program on the acquisition of commercial items, including part 12 of the Federal Acquisition Regulation. The curriculum shall include, at a minimum, the following:

(1) The reasons for and appropriate uses of part 12 of the Federal Acquisition Regulation, including the preference for the acquisition of commercial items under section 2377 of title 10, United States Code.

(2) The definition of a commercial item, including the interpretation of the phrase “of a type”.

(3) Price analysis and negotiations.

(4) Market research and analysis.

(5) Independent cost estimates.

(6) Parametric estimating methods.

(7) Value analysis.

(8) Other topics on the acquisition of commercial items necessary to ensure a well-educated acquisition workforce.

(b) Student Enrollment.—The President of the Defense Acquisition University shall set goals for student
enrollment for the training program established under subsection (a).

SEC. 867. NOTICE OF COST-FREE FEDERAL PROCUREMENT TECHNICAL ASSISTANCE IN CONNECTION WITH REGISTRATION OF SMALL BUSINESS CONCERNS ON PROCUREMENT WEBSITES OF THE DEPARTMENT OF DEFENSE.

(a) In General.—The Secretary of Defense shall establish procedures to ensure that any notice or direct communication regarding the registration of a small business concern on a website maintained by the Department of Defense relating to contracting opportunities contains information about cost-free Federal procurement technical assistance services that are available through a procurement technical assistance program established under chapter 142 of title 10, United States Code.

(b) Small Business Concern Defined.—The term “small business concern” has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 868. COMPTROLLER GENERAL REPORT ON CONTRACTOR BUSINESS SYSTEM REQUIREMENTS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States
shall submit to the congressional defense committees a re-
port on the feasibility and effects of an increase to the
percentage of total gross revenue included in the definition
of the term “covered contractor” in section 893(g)(2) of
the Ike Skelton National Defense Authorization Act for
Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2302
note). Such report shall include—

(1) an assessment of the effects of the amend-
ment to such definition made by subsection (c) of
section 893 of the National Defense Authorization
Act for Fiscal Year 2017 (Public Law 114–328);
and

(2) the feasibility and effects of a subsequent
increase to the percentage of total gross revenue in-
cluded in such definition.

SEC. 869. STANDARD GUIDELINES FOR EVALUATION OF RE-
QUIREMENTS FOR SERVICES CONTRACTS.

(a) In General.—The Secretary of Defense shall
encourage the use of standard guidelines within the De-
partment of Defense for the evaluation of requirements
for services contracts. Such guidelines shall be available
to the Services Requirements Review Boards (established
under Department of Defense Instruction 5000.74, titled
“Defense Acquisition of Services” and dated January 5,
2016, or a successor instruction) within each Defense
Agency, each Department of Defense Field Activity, and each military department for the purpose of standardizing the requirements evaluation required under section 2329 of title 10, United States Code, as added by this Act. Such guidelines may provide policy guidance or tools, including a comprehensive checklist of total force management policies and procedures that is modeled after the checklist used by the Army, to aid uniform decision-making during the requirements evaluation process.

(b) DEFINITIONS.—In this section—

(1) the terms “Defense Agency”, “Department of Defense Field Activity”, and “military department” have the meanings given those terms in section 101 of title 10, United States Code; and

(2) the term “total force management policies and procedures” means the policies and procedures established under section 129a of such title.

SEC. 870. TEMPORARY LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

(a) LIMITATION.—Except as provided in subsection (b)(1), the total amount obligated by the Department of Defense for contract services in fiscal year 2018 may not exceed the total amount requested for the Department for contract services in the budget of the President for fiscal
year 2010 (as submitted to Congress pursuant to section 1105(a) of title 31, United States Code) adjusted for net transfers from funding for overseas contingency operations.

(b) DEFINITIONS.—In this section:

(1) CONTRACT SERVICES.—The term “contract services” has the meaning given that term in section 235 of title 10, United States Code, except that the term does not include services that are funded out of amounts available for overseas contingency operations.

(2) TRANSFERS FROM FUNDING FOR OVERSEAS CONTINGENCY OPERATIONS.—The term “transfers from funding for overseas contingency operations” means amounts funded out of amounts available for overseas contingency operations in fiscal year 2010 that are funded out of amounts other than amounts so available in fiscal year 2018.

SEC. 871. DEVELOPMENT OF PROCUREMENT ADMINISTRATIVE LEAD TIME.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop, make available for public comment, and finalize—
(1) a definition of the term “Procurement Administrative Lead Time” or “PALT”, to be applied Department of Defense-wide, that describes the amount of time from the date on which a solicitation is issued to the date of an initial award of a contract or task order of the Department of Defense; and

(2) a plan for measuring and publicly reporting data on PALT for Department of Defense contracts and task orders above the micro-purchase threshold.

(b) REQUIREMENT FOR DEFINITION.—Unless the Secretary determines otherwise, the amount of time in the definition of PALT developed under subsection (a) shall—

(1) begin on the date on which a solicitation is issued for a contract or task order of the Department of Defense by the Secretary of a military department or head of a Defense Agency; and

(2) end on the date of an initial award of the contract or task order.

(c) DEVIATION FROM PALT MILESTONES.—The Secretary may deviate from current PALT milestones as the Secretary determines necessary, to develop the definition of PALT under subsection (a).

(d) COORDINATION.—In developing the definition of PALT, the Secretary shall coordinate with the senior contracting official of each military department and Defense
Agency to determine the variations of the definition in use across the Department of Defense and each military department and Defense Agency.

(e) Use of Existing Procurement Data Systems.—In developing the plan for measuring and publicly reporting data on PALT required by subsection (a), the Secretary shall consider, to the maximum extent practicable, relying on the information captured by the Federal procurement data system established pursuant to section 1122(a)(4) of title 41, United States Code (or any similar or successor system).

SEC. 872. SENSE OF CONGRESS REGARDING STEEL PRODUCED IN THE UNITED STATES.

(a) Findings.—Congress finds the following:

(1) Frequent surges in unfairly trade steel imports have materially injured the iron ore and steel industries in the United States, putting our national, economic, and energy security at risk.

(2) High-quality American steel products are vital to the success of the United States military and are used in a variety of applications from aircraft carriers to armor plate for tanks.

(3) Domestic producers of defense-related steel products are dependent on the overall financial
health of the iron ore and steel industries in the
United States.

(4) The loss of a strong domestic iron ore and
steel industry would make the United States dan-
gerously dependent upon foreign sources of steel,
such as China.

(b) Sense of Congress.—It is the sense of Con-
gress that a strong domestic iron ore and steel industry
is vital to the national security of the United States.

SEC. 873. AMENDMENTS RELATING TO INFORMATION
TECHNOLOGY.

(a) Elimination of Sunset Relating to Trans-
parency and Risk Management of Major Informa-
tion Technology Investments.—Subsection (c) of
section 11302 of title 40, United States Code, is amended
by striking the first paragraph (5).

(b) Elimination of Sunset Relating to Infor-
mation Technology Portfolio, Program, and Re-
source Reviews.—Section 11319 of title 40, United
States Code, is amended—

(1) by redesignating the second subsection (c)
as subsection (d); and

(2) in subsection (d), as so redesignated, by
striking paragraph (6).
(c) Extension of Sunset Relating to Federal Data Center Consolidation Initiative.—Subsection (e) of section 834 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 44 U.S.C. 3601 note) is amended by striking “2018” and inserting “2020”.

SEC. 874. REPEAL OF CERTAIN AUDITING REQUIREMENTS.

Section 190 of title 10, United States Code, as proposed to be added by section 820(b)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2274), is amended by striking subsection (f).

SEC. 875. PROHIBITION ON CONTRACTING WITH CERTAIN TELECOMMUNICATIONS PROVIDERS.

(a) List of Covered Contractors.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall develop a list of covered contractors, to be updated as frequently as the Director determines appropriate, and shall make such list available to the Secretary of Defense.

(b) Prohibition on Contracts.—The Secretary of Defense may not enter into a contract with a covered contractor on the list described under subsection (a).

(c) Removal From List.—To be removed from the list described in subsection (a), a covered contractor may
submit a request to the Director in such manner as the Director determines appropriate. Upon certification of the request, the Director shall remove the covered contractor from the list.

(d) WAIVER.—The President may waive the requirements of subsection (b) if the President determines that the waiver is justified for national security reasons.

(e) COVERED CONTRACTOR DEFINED.—The term “covered contractor” means a provider of telecommunications or telecommunications equipment that has been found by the Director to have knowingly assisted or facilitated a cyber attack carried out by or on behalf of the government of the Democratic People’s Republic of Korea or persons associated with such government.

(f) EFFECTIVE DATE.—This section shall apply with respect to contracts of a covered contractor entered into on or after the date of the enactment of this Act.

SEC. 876. ASSESSMENT AND AUTHORITY TO TERMINATE OR PROHIBIT CONTRACTS FOR PROCUREMENT FROM CHINESE COMPANIES PROVIDING SUPPORT TO THE DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, the Sec-
retary of the Treasury, and the Director of National
Intelligence, shall conduct an assessment of trade
between the People’s Republic of China and the
Democratic People’s Republic of Korea, including
elements deemed to be important to United States
national security and defense.

(2) ELEMENTS.—The assessment required by
paragraph (1) shall—

(A) assess the composition of all trade be-
tween China and the Democratic People’s Re-
public of Korea, including trade in goods and
services;

(B) identify whether any Chinese commer-
cial entities that are engaged in such trade ma-
terially support illicit activities on the part of
North Korea;

(C) evaluate the extent to which the
United States Government procures goods or
services from any commercial entity identified
under subparagraph (B);

(D) provide a list of commercial entities
identified under subparagraph (B) that provide
defense goods or services for the Department of
Defense; and
(E) evaluate the ramifications to United States national security, including any impacts to the defense industrial base, Department of Defense acquisition programs, and Department of Defense logistics or supply chains, of prohibiting procurements from commercial entities listed under subparagraph (D).

(3) REPORT.—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 assessment required by paragraph (1). The report shall be submitted in unclassified form, but may contain a classified annex.

(b) AUTHORITY.—The Secretary of Defense may terminate existing contracts or prohibit the award of contracts for the procurement of goods or services for the Department of Defense from a Chinese commercial entity listed under subsection (a)(2)(D) based on a determination informed by the assessment required under subsection (a).

(c) NOTIFICATION.—The Secretary of Defense shall submit to the appropriate committees of Congress a notification of, and detailed justification for, any exercise of the authority in subsection (b) not less than 30 days before the date on which the authority is exercised.
(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

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

SEC. 877. REPORT ON SOURCING OF TUNGSTEN AND TUNGSTEN POWDERS FROM DOMESTIC PRODUCERS.

(a) REPORT.—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 a report on the procurement of tungsten and tungsten powders for military applications.

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

(1) An overview of the quantities and countries of origin of tungsten and tungsten powders that are procured by the Department of Defense or prime contractors of the Department for military applications.
(2) An evaluation of the effects on the Department if domestic-produced tungsten and tungsten powders are given priority.

(3) An evaluation of the effects on the Department if tungsten and tungsten powders are required to be procured from only domestic producers.

(4) An estimate of any costs associated with domestic sourcing requirements related to tungsten and tungsten powders.

**TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT**

Subtitle A—Organization and Management of the Department of Defense Generally

**SEC. 901. RESPONSIBILITY OF THE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE FOR RISK MANAGEMENT ACTIVITIES REGARDING SUPPLY CHAIN FOR INFORMATION TECHNOLOGY SYSTEMS.**

Section 142(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (H), by striking “and” at the end;
(2) in subparagraph (I), by striking the period at the end and inserting a semicolon; and
(3) by adding at the end the following new sub-
paragraph:
“(J) has the responsibilities for policy, over-
sight, guidance, and coordination for risk manage-
ment activities for the Department regarding the
supply chain for information technology systems.”.

SEC. 902. REPEAL OF OFFICE OF CORROSION POLICY AND
OVERSIGHT.

(a) REPEAL.—Section 2228 of title 10, United States
Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections
at the beginning of chapter 131 of title 10, United States
Code, is amended by striking the item relating to section
2228.

SEC. 903. DESIGNATION OF CORROSION CONTROL AND
PREVENTION EXECUTIVES FOR THE MILI-
TARY DEPARTMENTS.

(a) DEPARTMENT OF THE ARMY.—

(1) DESIGNATION.—Chapter 303 of title 10,
United States Code, is amended by adding at the
end the following new section:
§ 3025. Corrosion control and prevention executive

(a) DESIGNATION.—(1) There is a corrosion control and prevention executive in the Department of the Army. The Assistant Secretary of the Army for Acquisition, Technology, and Logistics shall designate the corrosion control and prevention executive.

(2) In addition to the duties assigned under subsection (c), the principal responsibility of the civilian employee designated as the corrosion control and prevention executive shall be coordinating Department of the Army corrosion control and prevention program activities (including budget programming) with the Department and the Office of the Secretary of Defense, the program executive officers of the Department, and relevant major subordinate commands of the Department.

(3) The corrosion control and prevention executive shall be a civilian employee of the Department in the grade GS-15 or higher of the General Schedule.

(b) QUALIFICATIONS.—In order to qualify for designation as the corrosion control and prevention executive in the Department of the Army, an individual shall, at a minimum—

(1) have a working knowledge of corrosion prevention and control;

(2) have strong program management and communication skills; and
“(3) understand the acquisition, research and
development, test and evaluation, and sustainment
policies and procedures across the Department, in-
cluding sustainment of infrastructure.

“(c) DUTIES.—(1) The corrosion control and preven-
tion executive in the Department of the Army shall ensure
that corrosion control and prevention is maintained in the
Department’s policy and guidance for management of each
of the following:

“(A) System acquisition and production, includ-
ing design and maintenance.

“(B) Research, development, test, and evalua-
tion programs and activities.

“(C) Equipment standardization programs, in-
cluding international standardization agreements.

“(D) Logistics research and development initia-
tives.

“(E) Logistics support analysis as it relates to
integrated logistic support in the materiel acquisition
process.

“(F) Military infrastructure design, construc-
tion, and maintenance.

“(2) The corrosion control and prevention executive
in the Department shall be responsible for identifying the
funding levels necessary to accomplish the items specified in paragraph (1).

“(3) In cooperation with the appropriate staff of the Department, the corrosion control and prevention executive in the Department shall, develop, support, and provide the rationale for resources—

“(A) to initiate and sustain an effective corrosion control and prevention program in the Department;

“(B) to evaluate the program’s effectiveness; and

“(C) to ensure that corrosion control and prevention requirements for materiel are reflected in budgeting and policies of the Department for the formulation, management, and evaluation of personnel and programs for the entire Department, including the Army Reserve and the Army National Guard.

“(4) The corrosion control and prevention executive in the Department shall submit an annual report, not later than December 31 of each year, to the Secretary of the Army and the Secretary of Defense containing recommendations pertaining to the corrosion control and prevention program of the Department, including corrosion-
related funding levels to carry out all of the duties of the executive under this section.

“(5) The corrosion control and prevention executive in the Department may not be assigned other duties that may interfere with the duties specified in this subsection and the principal responsibility assigned under subsection (a)(2).”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 303 of title 10, United States Code, is amended by adding at the end the following new item:

“3025. Corrosion control and prevention executive.”.

(b) DEPARTMENT OF THE NAVY.—

(1) DESIGNATION.—Chapter 503 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 5029. Corrosion control and prevention executive

“(a) DESIGNATION.—(1) There is a corrosion control and prevention executive in the Department of the Navy. The Assistant Secretary of the Navy for Research, Development, and Acquisition shall designate the corrosion control and prevention executive.

“(2) In addition to the duties assigned under subsection (e), the principal responsibility of the civilian employee designated as the corrosion control and prevention executive shall be coordinating Department of the Navy
corrosion control and prevention program activities (including budget programming) with the Department and the Office of the Secretary of Defense, the program executive officers of the Department, and relevant major subordinate commands of the Department.

“(3) The corrosion control and prevention executive shall be a civilian employee of the Department in the grade GS-15 or higher of the General Schedule.

“(b) QUALIFICATIONS.—In order to qualify for designation as the corrosion control and prevention executive in the Department of the Navy, an individual shall, at a minimum—

“(1) have a working knowledge of corrosion prevention and control;

“(2) have strong program management and communication skills; and

“(3) understand the acquisition, research and development, test and evaluation, and sustainment policies and procedures across the Department, including sustainment of infrastructure.

“(c) DUTIES.—(1) The corrosion control and prevention executive in the Department of the Navy shall ensure that corrosion control and prevention is maintained in the Department’s policy and guidance for management of each of the following:
“(A) System acquisition and production, including design and maintenance.

“(B) Research, development, test, and evaluation programs and activities.

“(C) Equipment standardization programs, including international standardization agreements.

“(D) Logistics research and development initiatives.

“(E) Logistics support analysis as it relates to integrated logistic support in the materiel acquisition process.

“(F) Military infrastructure design, construction, and maintenance.

“(2) The corrosion control and prevention executive in the Department shall be responsible for identifying the funding levels necessary to accomplish the items specified in paragraph (1).

“(3) In cooperation with the appropriate staff of the Department, the corrosion control and prevention executive in the Department shall, develop, support, and provide the rationale for resources—

“(A) to initiate and sustain an effective corrosion control and prevention program in the Department;
“(B) to evaluate the program’s effectiveness;
and
“(C) to ensure that corrosion control and pre-
vention requirements for materiel are reflected in
budgeting and policies of the Department for the
formulation, management, and evaluation of per-
sonnel and programs for the entire Department, in-
cluding the Navy Reserve and the Marine Corps Re-
serve.
“(4) The corrosion control and prevention executive
in the Department shall submit an annual report, not later
than December 31 of each year, to the Secretary of the
Navy and the Secretary of Defense containing rec-
ommendations pertaining to the corrosion control and pre-
vention program of the Department, including corrosion-
related funding levels to carry out all of the duties of the
executive under this section.
“(5) The corrosion control and prevention executive
in the Department may not be assigned other duties that
may interfere with the duties specified in this subsection
and the principal responsibility assigned under subsection
(a)(2).”.
(2) CLERICAL AMENDMENT.—The table of sec-
ctions at the beginning of chapter 503 of title 10,
United States Code, is amended by adding at the end the following new item:

“5029. Corrosion control and prevention executive.”

(c) DEPARTMENT OF THE AIR FORCE.—

(1) DESIGNATION.—Chapter 803 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 8025. Corrosion control and prevention executive

“(a) DESIGNATION.—(1) There is a corrosion control and prevention executive in the Department of the Air Force. The Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics shall designate the corrosion control and prevention executive.

“(2) In addition to the duties assigned under subsection (c), the principal responsibility of the civilian employee designated as the corrosion control and prevention executive shall be coordinating Department of the Air Force corrosion control and prevention program activities (including budget programming) with the Department and the Office of the Secretary of Defense, the program executive officers of the Department, and relevant major subordinate commands of the Department.

“(3) The corrosion control and prevention executive shall be a civilian employee of the Department in the grade GS-15 or higher of the General Schedule.
“(b) QUALIFICATIONS.—In order to qualify for designation as the corrosion control and prevention executive in the Department of the Air Force, an individual shall, at a minimum—

“(1) have a working knowledge of corrosion prevention and control;

“(2) have strong program management and communication skills; and

“(3) understand the acquisition, research and development, test and evaluation, and sustainment policies and procedures across the Department, including sustainment of infrastructure.

“(c) DUTIES.—(1) The corrosion control and prevention executive in the Department of the Air Force shall ensure that corrosion control and prevention is maintained in the Department’s policy and guidance for management of each of the following:

“(A) System acquisition and production, including design and maintenance.

“(B) Research, development, test, and evaluation programs and activities.

“(C) Equipment standardization programs, including international standardization agreements.

“(D) Logistics research and development initiatives.
“(E) Logistics support analysis as it relates to integrated logistic support in the materiel acquisition process.

“(F) Military infrastructure design, construction, and maintenance.

“(2) The corrosion control and prevention executive in the Department shall be responsible for identifying the funding levels necessary to accomplish the items specified in paragraph (1).

“(3) In cooperation with the appropriate staff of the Department, the corrosion control and prevention executive in the Department shall, develop, support, and provide the rationale for resources—

“(A) to initiate and sustain an effective corrosion control and prevention program in the Department;

“(B) to evaluate the program’s effectiveness;

and

“(C) to ensure that corrosion control and prevention requirements for materiel are reflected in budgeting and policies of the Department for the formulation, management, and evaluation of personnel and programs for the entire Department, including the Air Force Reserve and the Air National Guard.
“(4) The corrosion control and prevention executive in the Department shall submit an annual report, not later than December 31 of each year, to the Secretary of the Air Force and the Secretary of Defense containing recommendations pertaining to the corrosion control and prevention program of the Department, including corrosion-related funding levels to carry out all of the duties of the executive under this section.

“(5) The corrosion control and prevention executive in the Department may not be assigned other duties that may interfere with the duties specified in this subsection and the principal responsibility assigned under subsection (a)(2).”.

(2) Clerical Amendment.—The table of sections at the beginning of chapter 803 of title 10, United States Code, is amended by adding at the end the following new item:

“8025. Corrosion control and prevention executive.”.

(d) Repeal of Replaced Provision.—Effective 90 days after the date of the enactment of this Act, section 903 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–117; 10 U.S.C. 2228 note) is repealed.

(e) Deadline for Designation.—Corrosion control and prevention executives who satisfy the qualifications specified in subsection (b) of sections 3025, 5029,
and 8025 of title 10, United States Code, as added by this section, shall be designated not later than 90 days after the date of the enactment of this Act.

SEC. 904. MAINTAINING CIVILIAN WORKFORCE CAPABILITIES TO SUSTAIN READINESS, THE ALL VOLUNTEER FORCE, AND OPERATIONAL EFFECTIVENESS.

SEC. 904. MAINTAINING CIVILIAN WORKFORCE CAPABILITIES TO SUSTAIN READINESS, THE ALL VOLUNTEER FORCE, AND OPERATIONAL EFFECTIVENESS.

Section 912(a)(2) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by adding at the end the following new subparagraphs:

“(D) The minimum civilian end strength specified in section 691 of title 10, United States Code, needed to support the national military strategy.

“(E) A civilian operating force structure sized for operational effectiveness, that is manned, equipped and trained to support deployment time and rotation ratios sized to sustain the readiness and needed retention levels for the regular and reserve components according to the judgment of the Joint Chiefs of Staff in fulfillment of their responsibilities under sections 151, 3033, 5033, 8033 and 5044 of title 10, United States Code.
“(F) The development of civilian workforce levels to ensure that every proposal to change military force structure is accompanied with the associated civilian force structure changes needed to support that military force structure.

“(G) The hiring authorities and other actions that the Secretary of Defense or the Secretary of the military department will take to eliminate any gaps between desired programmed civilian workforce levels and the existing size of the civilian workforce by mission and functional area.

“(H) A civilian workforce plan that is consistent with the total force management requirements of sections 129 and 129a of title 10, United States Code.”.

Subtitle B—Designation of the Navy and Marine Corps


(a) 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.
(b) Redesignation of Secretary and Other Statutory Offices.—

(1) Secretary.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(2) 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 Secretaries of the Navy and Marine Corps, and the General Counsel of the Department of the Navy and Marine Corps, respectively.

SEC. 912. CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.

(a) 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.”.

(b) Organization of Department.—The text 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 Secretary of the Navy and Marine Corps.”.

(e) 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”.

(d) Chapter Headings.—

(1) The heading of chapter 503 of such title is amended to read as follows:

“CHAPTER 503—DEPARTMENT OF THE NAVY AND MARINE CORPS”.

(2) The heading of chapter 507 of such title is amended to read as follows:


(e) Other Amendments.—

(1) 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 subsections (a), (b), (c), and (d) (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.

(2)(A) 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”.

(B) 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.

SEC. 913. OTHER PROVISIONS OF LAW AND OTHER REFERENCES.

(a) 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.
(b) 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 section 911(b) shall be considered to be a reference to that office as redesignated by that section.

SEC. 914. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle 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.

Subtitle C—Other Matters

SEC. 921. TRANSITION OF THE OFFICE OF THE SECRETARY OF DEFENSE TO REFLECT ESTABLISHMENT OF POSITIONS OF UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING, UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT, AND CHIEF MANAGEMENT OFFICER.

(a) References to Positions Pending Execution of Amendments.—Until February 1, 2018, any reference in this Act, or an amendment made by this Act—
(1) to the position of Under Secretary of Defense for Research and Engineering, to be established by the amendment made by section 901(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2339), shall be deemed to be a reference to the Under Secretary of Defense for Acquisition, Technology, and Logistics under section 133 of title 10, United States Code;

(2) to the position of Under Secretary of Defense for Acquisition and Sustainment, to be established by the amendment made by section 901(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2340), shall be deemed to be a reference to the Under Secretary of Defense for Acquisition, Technology, and Logistics under section 133 of title 10, United States Code; and

(3) to the position of Chief Management Officer of the Department of Defense, to be established by section 901(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2341; 10 U.S.C. 131 note), shall be deemed to be a reference to the Deputy Secretary of Defense under section 132 of title 10, United States Code.
(b) Service of Incumbents.—

(1) Principal deputy under Secretary of Defense for Acquisition, Technology, and Logistics.—The individual serving as Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics under section 137a(c)(1) of title 10, United States Code, as of February 1, 2018, may continue to serve as Under Secretary of Defense for Acquisition and Sustainment commencing as of that date, without further appointment under section 133b of such title, as added by section 901(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2340).

(2) Deputy Chief Management Officer.—The individual serving as Deputy Chief Management Officer of the Department of Defense under section 132a of title 10, United States Code, as of February 1, 2018, may continue to serve as Chief Management Officer commencing as of that date, without further appointment under section 901(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2341; 10 U.S.C. 131 note).
SEC. 922. EXTENSION OF DEADLINES FOR REPORTING AND
BRIEFING REQUIREMENTS FOR COMMISSION
ON THE NATIONAL DEFENSE STRATEGY FOR
THE UNITED STATES.

Section 942(e) of the National Defense Authorization
Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
2368) is amended—

(1) in paragraph (1), by striking “December 1,
2017” and inserting “January 31, 2018”; and

(2) in paragraph (2), by striking “June 1,
2017” and inserting “September 1, 2017”.

SEC. 923. BRIEFING ON FORCE MANAGEMENT LEVEL POL-
ICY.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) The force management level policy that
previously restricted the total number of mem-
bers of the Armed Forces of the United States
deployed to Afghanistan increased the cost of
operations in Afghanistan.

(B) The restriction meant that the Depart-
ment of Defense had to substitute available
military personnel for costlier contract support.

(2) SENSE OF CONGRESS.—It is the sense of
Congress that the Department of Defense should
discourage the practice of substituting contractor

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personnel for available members of the Armed Forces when a unit deploys overseas and should revise this practice as it pertains to unit deployment to Afghanistan.

(b) BRIEFING.—Not later than March 31, 2018, the Secretary of Defense shall provide to the congressional defense committees a briefing detailing—

(1) the steps that the Secretary is taking to revise deployment guidelines to ensure that readiness, unit cohesion, and maintenance are prioritized; and

(2) the plan of the Secretary to establish a policy that will avoid to the extent practicable these costly practices in the future.

SEC. 924. SENSE OF CONGRESS ON COOPERATIVE PROGRAM FOR INFORMATION SECURITY EDUCATION.

It is the sense of Congress that—

(1) the Secretary of Defense should provide adequate resources to the Office of the Chief Information Officer of the Department of Defense and the Defense Procurement Acquisition Policy to enable such entities to establish a cooperative program with the National Institute of Standards and Technology-Manufacturing Extension Partnership; and
(2) the cooperative program described in paragraph (1) should—

(A) educate and assist small- and medium-sized manufacturing firms in the Department of Defense supply chain in achieving compliance with NIST Special Publication 800–171 titled “Protecting Controlled Unclassified Information in Nonfederal Information Systems and Organizations” as such publication is incorporated into the Defense Federal Acquisition Regulation Supplement;

(B) highlight the resources available to businesses that have contracts with the Department or that are applying for such contracts; and

(C) educate such businesses on—

(i) the System Security Plan of the National Institute of Standards and Technology;

(ii) the procurement toolbox of the Defense Procurement Acquisition Policy;

(iii) the Cyber Security Evaluation Tool of the Department of Homeland Security; and
(iv) the risks of using third party companies in assessing compliance with NIST Special Publication 800–171.

SEC. 925. COMPLETION OF DEPARTMENT OF DEFENSE DIRECTIVE 2310.07E REGARDING MISSING PERSONS.

(a) In General.—The Secretary of Defense shall make the completion of Department of Defense Directive 2310.07E a top priority in order to improve the efficiency of locating missing persons.

(b) Definition.—In this section, the term “missing person” has the meaning given such term in section 1513 of title 10, United States Code.

SEC. 926. RESPONSIBILITY FOR DEVELOPMENTAL TEST AND EVALUATION WITHIN THE OFFICE OF THE SECRETARY OF DEFENSE.

(a) Briefing on Plans to Address Developmental Test and Evaluation Responsibilities Within the Office of the Secretary of Defense.—

(1) In General.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives on a strategy to ensure that there is sufficient exper-
tise, oversight, and policy direction on developmental
test and evaluation within the Office of the Sec-
retary of Defense after the completion of the reorga-
nization of such Office required under section 901 of
the National Defense Authorization Act for Fiscal
Year 2017 (Public Law 114–328; 130 Stat. 2339).

(2) ELEMENTS.—The briefing required by
paragraph (1) shall address the following:

(A) The structure of the roles and respon-
sibilities of the senior Department of Defense
official responsible for developmental test and
evaluation.

(B) The location of the senior Department
of Defense official responsible for developmental
test and evaluation within the organizational
structure of the Office of the Secretary of De-
fense.

(C) An estimate of personnel and other re-
sources that should be made available to the
senior Department of Defense official respon-
sible for developmental test and evaluation to
ensure that such official can provide inde-
pendent expertise, oversight, and policy direc-
tion and guidance Department of Defense-wide.
(D) Methods to ensure that the senior Department of Defense official responsible for developmental test and evaluation will be empowered to facilitate Department of Defense-wide efficiencies by helping programs to optimize test designs.

(E) Methods to ensure that an advocate for test and evaluation workforce will continue to exist within the acquisition workforce.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) developmental testing is critical to reducing acquisition program risk by providing valuable information to support sound decision making;

(2) major defense acquisition programs often do not conduct enough developmental testing, so too many problems are first identified during operational testing, when they are expensive and time-consuming to fix; and

(3) in order to ensure that effective developmental testing is conducted on major defense acquisition programs, the Secretary should—

(A) carefully consider where the senior Department of Defense official responsible for developmental test and evaluation is located with-
in the organizational structure of the Office of the Secretary of Defense; and

(B) ensure that such official has sufficient authority and resources to provide oversight and policy direction on developmental test and evaluation Department of Defense-wide.

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 2018 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.

(e) 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. PREPARATION OF CONSOLIDATED CORRECTIVE ACTION PLAN AND IMPLEMENTATION OF CENTRALIZED REPORTING SYSTEM.

(a) ESTABLISHMENT.—In accordance with the recommendations included in the Government Accountability Office report numbered GAO-17-85 and entitled “DOD Financial Management: Significant Efforts Still Needed for Remediated Audit Readiness Deficiencies”, the Under Secretary of Defense (Comptroller) of the Department of Defense shall—

(1) on a bimonthly basis, prepare a consolidated corrective action plan management summary on the status of all corrective actions plans related to critical capabilities for the military services and for the service providers and other defense organizations; and

(2) develop and implement a centralized monitoring and reporting process that captures and maintains up-to-date information, including the standard data elements recommended in the implementation guide for Office of Management and Budget Circular A-123, for all corrective action plans and findings and recommendations Department-wide that pertain to critical capabilities.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect on October 1, 2017.
SEC. 1003. ADDITIONAL REQUIREMENTS RELATING TO DEPARTMENT OF DEFENSE AUDITS.

(a) Financial Improvement Audit Readiness Plan.—Section 1003(a)(2)(A)(ii) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2222 note) is amended by striking “are validated as ready for audit by not later than September 30, 2017” and inserting “go under full financial statement audit beginning September 30, 2017, and that the department leadership make every effort to reach an unmodified opinion as soon as possible”.

(b) Audit of Fiscal Year 2018 Financial Statements.—Section 1003(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2222 note) is amended by striking “are validated as ready for audit by not later than” and inserting “go under full financial statement audit beginning”.

SEC. 1004. AMENDMENTS TO DEPARTMENT OF DEFENSE FINANCIAL AUDIT PLAN.

(a) Amendment to Name of Department of Defense Financial Audit Plan.—

(1) In general.—Section 1003 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2222 note) is amended by striking “Financial Improvement and Audit Readiness Plan” each place such term appears
in heading and text and inserting “Financial Improvement and Audit Remediation Plan”.

(2) CONFORMING AMENDMENT.—Section 1003(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2222 note) is amended by striking “Financial Improvement and Audit Readiness Plan” each place such term appears in heading and text and inserting “Financial Improvement and Audit Remediation Plan”

(b) REPORT AND BRIEFING REQUIREMENTS.—

(1) IN GENERAL.—Subsection (b) of section 1003 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2222 note) is amended to read as follows:

“(b) REPORT AND BRIEFING REQUIREMENTS.—

“(1) ANNUAL REPORT.—

“(A) IN GENERAL.—Not later than March 31, 2019, and annually thereafter, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees a report on the status of the implementation by the Department of Defense of the Financial Improvement and Audit Remediation Plan required by subsection (a).
“(B) ELEMENTS.—Each report under sub-
paragraph (A) shall include, at a minimum—

“(i) an analysis of the consolidated
corrective action plan management sum-
mary prepared pursuant to section 1002 of
this Act; and

“(ii) current Department of Defense-
wide information on the status of correc-
tive actions plans related to critical capa-
bilities and material weaknesses, including
the standard data elements recommended
in the implementation guide for Office of
Management and Budget Circular A-123,
for the armed forces, military departments,
and Defense Agencies.

“(2) SEMIANNUAL BRIEFINGS.—Not later than
March 31 and October 31 each year, the Under Sec-
retary of Defense (Comptroller) and the Comptrol-
lers of the military departments shall provide a
briefing to the congressional defense committees on
the status of the corrective action plan.

“(3) CRITICAL CAPABILITIES DEFINED.—In
this subsection, the term ‘critical capabilities’ means
the critical capabilities described in the Department
of Defense report titled ‘Financial Improvement and
Audit Readiness (FIAR) Plan Status Report’ and dated May 2016.”

(2) CONFORMING AMENDMENTS.—


(C) Section 1005(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2222 note) is amended by striking paragraph (2).

(e) EFFECTIVE DATE.—Subsection (b) shall take effect December 1, 2017.

SEC. 1005. REPORT ON AUDITABLE FINANCIAL STATEMENTS.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law. The report should not in-
Subclude information otherwise available in other reports to

Subtitle B—Naval Vessels and

Shipyards

SEC. 1011. NATIONAL DEFENSE SEALIFT FUND.

(a) Fund Purposes; Deposits.—Section 2218 of
title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by striking subparagraph (D); and

(ii) by redesignating subparagraph

(E) as subparagraph (D);

(B) in paragraph (3), by striking “or (D)”;

and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting

“and” after the semicolon;

(ii) in subparagraph (C), by striking

“; and” and inserting a period; and

(iii) by striking subparagraph (D);

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as

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

“(3) Any other funds made available to the Department of Defense to carry out any of the purposes described in subsection (e).”.

(b) AUTHORITY TO PURCHASE USED VESSELS.—

Subsection (f) of such section is amended by adding at the end the following new paragraph:

“(3)(A) Notwithstanding the limitations under subsection (c)(1)(E) and paragraph (1), the Secretary of Defense may, as part of a program to recapitalize the Ready Reserve Force component of the national defense reserve fleet and the Military Sealift Command surge fleet, purchase any used vessel, regardless of where such vessel was constructed if such vessel—

“(i) participated in the Maritime Security Fleet;

and

“(ii) is available for purchase at a reasonable cost, as determined by the Secretary.

“(B) If the Secretary determines that no used vessel meeting the requirements under clauses (i) and (ii) of subparagraph (A) is available, the Secretary may purchase a used vessel comparable to a vessel described in clause (i) of subparagraph (A), regardless of the source of the vessel or where the vessel was constructed, if such vessel
is available for purchase at a reasonable cost, as deter-
mined by the Secretary.

“(C) The Secretary may not use the authority under
this paragraph to purchase more than five additional for-
eign constructed ships. Any such ships may not be pur-
chased at a rate that exceeds one vessel constructed out-
side the United States for every new Department of De-
fense sealift vessel authorized by law to be constructed.

“(D) Prior to the purchase of any vessel that was
not constructed in the United States, the Secretary, in
consultation with the Maritime Administrator, shall certify
that there is no vessel available for purchase at a reason-
able price that—

“(i) was constructed in the United States; and

“(ii) is suitable for use by the United States for
national defense or military purposes in a time of
war or national emergency.”.

(c) Definition of Maritime Security Fleet.—
Subsection (k) of such section is amended by adding at
the end the following new paragraph:

“(5) The term ‘Maritime Security Fleet’ means
the fleet established under section 53102(a) of title
46.”.
SEC. 1012. NATIONAL DEFENSE SEALIFT FUND: CONSTRUCTION OF NATIONAL ICEBREAKER VESSELS.

Section 2218 of title 10, United States Code, as amended by section 2211, is further amended—

(1) in subsection (c)(1), by adding at the end the following new subparagraph:

“(E) Construction (including design of vessels), purchase, alteration, and conversion of national icebreaker vessels.”; and

(2) in subsection (d)(1),

(A) in subparagraph (B), by striking “and” and the end;

(B) in subparagraph (C), by striking the period and inserting “; and”; and

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

“(D) construction (including design of vessels), purchase, alteration, and conversion of national icebreaker vessels.”.

SEC. 1013. USE OF NATIONAL SEA-BASED DETERRENCE FUND FOR MULTIYEAR PROCUREMENT OF CERTAIN CRITICAL COMPONENTS.

(a) IN GENERAL.—Subsection (i) of section 2218a of title 10, United States Code, is amended—
(1) by striking “the common missile compart-
ment” each place it appears and inserting “critical
components”; and

(2) in paragraph (1), by striking “critical parts,
components, systems, and subsystems” and inserting
“critical components”.

(b) Definition of Critical Component.—Sub-
section (k) of such section is amended by adding at the
end the following new paragraph:

“(3) The term ‘critical component’ means
any—

“(A) any item that is high volume or high
value; or

“(B) any common missile compartment
component, shipyard manufactured component,
valve, torpedo tube, or Government furnished
equipment, including propulsors and strategic
weapons system launchers.”.

(c) Clerical Amendment.—The subsection head-
ing for subsection (i) of such section is amended by strik-
ing “OF THE COMMON MISSILE COMPARTMENT”.

SEC. 1014. 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, 2018.

SEC. 1015. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA-CLASS CRUISERS OR DOCK LANDING SHIPS.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Department
of Defense for fiscal year 2018 may be obligated or ex-

(1) to retire, prepare to retire, or inactivate a
cruiser or dock landing ship; or

(2) to place more than six cruisers and one
dock landing ship in the modernization program
under section 1026(a)(2) of the Carl Levin and
Howard P. “Buck” McKeon National Defense Au-
thorization Act for Fiscal Year 2015 (Public Law

SEC. 1016. POLICY OF THE UNITED STATES ON MINIMUM
NUMBER OF BATTLE FORCE SHIPS.

It shall be the policy of the United States to have
available, as soon as practicable, not fewer than 355 battle
force ships, with funding subject to the annual authoriza-
tion of appropriation and the annual appropriation of
funds.

Subtitle C—Counterterrorism

SEC. 1021. TERMINATION OF REQUIREMENT TO SUBMIT AN-
NUAL BUDGET JUSTIFICATION DISPLAY FOR
DEPARTMENT OF DEFENSE COMBATING TERRORISM PROGRAM.

Section 229 of title 10, United States Code, is
amended by adding at the end the following new sub-
section:
“(e) TERMINATION.—The requirement to submit a budget justification display under this section shall terminate on December 31, 2020.”.

SEC. 1022. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA TO THE UNITED STATES.

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, 2018, 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. 1023. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(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, 2018, 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 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10 U.S.C. 801 note).
SEC. 1024. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.

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, 2018, 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 the custody or control of any country, or any entity within such country, as follows:

(1) Libya.
(2) Somalia.
(3) Syria.
(4) Yemen.

SEC. 1025. BIANNUAL REPORT ON SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

Section 127e(g) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “March 1” and inserting “120 days after the last day of a fiscal year”; and
(2) in paragraph (2) by striking “September 1” and inserting “six months after the date of the submittal of the report most recently submitted under paragraph (1)”.

SEC. 1026. PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

None of the funds authorized to be appropriated or otherwise made available for the Department of Defense for fiscal year 2018 may be used—

(1) to close or abandon United States Naval Station, Guantanamo Bay, Cuba;

(2) to relinquish control of Guantanamo Bay to the Republic of Cuba; or

(3) to implement a material modification to the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934, that constructively closes United States Naval Station, Guantanamo Bay.

SEC. 1027. SENSE OF CONGRESS REGARDING PROVIDING FOR TIMELY VICTIM AND FAMILY TESTIMONY IN MILITARY COMMISSION TRIALS.

It is the sense of Congress that in the interests of justice, efficiency, and providing closure to victims of terrorism and their families, military judges overseeing mili-
tary commissions in United States Naval Station, Guanta-
namo Bay, Cuba, should consider making arrangements
to take recorded testimony from victims and their families
should they wish to provide testimony before such a com-
mission.

SEC. 1028. AUTHORITY TO USE VIDEO TELECONFERENCING
TECHNOLOGY IN MILITARY COMMISSION
PROCEDURES.

Section 949d of title 10, United States Code, is
amended by adding at the end the following new sub-
section:

“(e) USE OF VIDEO TELECONFERENCING.—The
military judge may provide for the participation of the ac-
cused, defense counsel, trial counsel, and any other par-
ticipants by video teleconferencing for any matter for
which the military judge may call the military commission
into session. Any party who participates through the use
of video teleconferencing shall be considered as present for
purposes of subsection (a)(2).”.

SEC. 1029. PUBLIC AVAILABILITY OF MILITARY COMMISS-
SION PROCEEDINGS.

Section 949d(e) of title 10, United States Code, is
amended by adding at the end the following new para-
graph:
“(4) In the case of any proceeding of a military commission under this chapter that is made open to the public, the military judge may order arrangements for the availability of the proceeding to be watched remotely by the public through the internet.”

Subtitle D—Miscellaneous Authorities and Limitations

SEC. 1031. LIMITATION ON EXPENDITURE OF FUNDS FOR EMERGENCY AND EXTRAORDINARY EXPENSES FOR INTELLIGENCE AND COUNTER-INTELLIGENCE ACTIVITIES AND REPRESENTATION ALLOWANCES.

(a) Recurring Expenses.—The first sentence of subsection (a) of section 127 of title 10, United States Code, is amended by inserting before the period at the end the following: “, and is not a recurring expense”.

(b) Limitation.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

“(4) Funds may not be obligated or expended in an amount in excess of $25,000 under the authority of subsection (a) or (b) for intelligence or counter-intelligence activities or representation allowances until the Secretary of Defense has notified the congressional defense commit-
tees and the congressional intelligence committees of the intent to obligate or expend the funds, and—

“(A) in the case of an obligation or expenditure in excess of $100,000, 15 days have elapsed since the date of the notification; or

“(B) in the case of an obligation or expenditure in excess of $25,000, but not in excess of $100,000, five days have elapsed since the date of the notification.”.

(c) Annual Report.—Subsection (d) of such section is amended—

(1) by striking “to the congressional defense committees” and all that follows through the period at the end and inserting an em dash; and

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

“(1) to the congressional defense committees a report on all expenditures during the preceding fiscal year under subsections (a) and (b); and

“(2) to the congressional intelligence committees a report on expenditures relating to intelligence and counter-intelligence during the preceding fiscal year under subsections (a) and (b).”.

(d) Definition.—Such section is further amended by adding at the end the following new subsection:
“(e) DEFINITION OF CONGRESSIONAL INTELLIGENCE COMMITTEES.—In this section, the term ‘congressional intelligence committees’ means the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.”.

SEC. 1032. MODIFICATIONS TO HUMANITARIAN DEMINING ASSISTANCE AUTHORITIES.

(a) MODIFICATION TO THE ROLE OF ARMED FORCES IN PROVIDING HUMANITARIAN DEMINING ASSISTANCE.—Subsection (a)(3) of section 407 of title 10, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “or stockpiled conventional munitions assistance”; and

(2) in subparagraph (A)—

(A) by inserting “, unexploded explosive ordnance,” after “landmines”; and

(B) by striking “, or stockpiled conventional munitions, as applicable”.

(b) MODIFICATION TO DEFINITION OF HUMANITARIAN DEMINING ASSISTANCE.—Subsection (e)(1) of such section is amended—
(1) by inserting “, unexploded explosive ordnance,” after “landmines” in each place it appears; and

(2) by striking “, and the disposal” and all that follows and inserting a period.

(e) Modification to Definition of Stockpiled Conventional Munitions Assistance.—Subsection (e)(2) of such section is amended, in the second sentence, by striking “, the detection and clearance of landmines and other explosive remnants of war,”.

SEC. 1033. PROHIBITION ON CHARGE OF CERTAIN TARIFFS ON AIRCRAFT TRAVELING THROUGH CHANNEL ROUTES.

(a) In General.—Chapter 157 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2652. Prohibition on charge of certain tariffs on aircraft traveling through channel routes

“The United States Transportation Command may not charge a tariff by reason of the use by a military service of an aircraft of that military service on a route designated by the United States Transportation Command as a channel route.”.
(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“2652. Prohibition on charge of certain tariffs on aircraft traveling through channel routes”.

SEC. 1034. **LIMITATION ON DIVESTMENT OF U-2 OR RQ-4 AIRCRAFT.**

(a) **LIMITATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for any fiscal year before fiscal year 2024 may be obligated or expended to prepare to divest, divest, place in storage, or place in a status awaiting further disposition of the possessing commander any U-2 or RQ-4 aircraft of the Department of Defense.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to an individual U-2 or RQ-4 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be non-returnable to flying service due to any mishap, other damage, or being uneconomical to repair.

(b) **CONFORMING REPEAL.**—Section 133 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is hereby repealed.
SEC. 1035. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF LEGACY MARITIME MINE COUNTERMEASURES PLATFORMS.

(a) Prohibition.—Except as provided in subsection (b), the Secretary of the Navy may not obligate or expend funds to—

(1) retire, prepare to retire, transfer, or place in storage any AVENGER-class mine countermeasures ship or associated equipment;

(2) retire, prepare to retire, transfer, or place in storage any SEA DRAGON (MH–53) helicopter or associated equipment;

(3) make any reductions to manning levels with respect to any AVENGER-class mine countermeasures ship; or

(4) make any reductions to manning levels with respect to any SEA DRAGON (MH–53) helicopter squadron or detachment.

(b) Waiver.—The Secretary of the Navy may waive the prohibition under subsection (a) if the Secretary certifies to the congressional defense committees that the Secretary has—

(1) identified a replacement capability and the necessary quantity of such systems to meet all combatant commander mine countermeasures operational requirements that are currently being met by
any AVENGER-class ship or SEA DRAGON helicopter to be retired, transferred, or placed in storage;

(2) achieved initial operational capability of all systems described in paragraph (1); and

(3) deployed a sufficient quantity of systems described in paragraph (1) that have achieved initial operational capability to continue to meet or exceed all combatant commander mine countermeasures operational requirements currently being met by the AVENGER-class ships and SEA DRAGON helicopters to be retired, transferred, or placed in storage.

SEC. 1036. RESTRICTION ON USE OF CERTAIN FUNDS PENDING SOLICITATION OF BIDS FOR WESTERN PACIFIC DRY DOCK.

(a) FINDINGS.—Congress makes the following findings:

(1) Following closure of the Department of the Navy ship repair facility in Guam in 1997 following the Base Realignment and Closure round of 1995, operation of the facility was turned over to a private company.

(2) While streamlining operations, resulting in savings to the Navy of approximately $38,000,000
each year, the company was able to maintain the depot-level capabilities of the facility with dry-docking capability that had existed in Apra Harbor since World War II.

(3) From 1997 to 2012, the private operator successfully performed 28 major overhauls with dry-dockings of Navy, Military Sealift Command, and Coast Guard vessels, 27 mid-term availabilities, as well as the emergency dry-docking of USS San Francisco (SSN-711) after the nuclear powered submarine collided with a seamount off the coast of Guam in 2005.

(4) While the privately owned dry-dock, Machinist, was undergoing upgrades and refurbishment in 2013, the Navy announced that it would split the long-standing depot-level capability in Guam into two pieces, awarding an initial contract for pier-side ship repair, to be followed by a contract for dry-dock ship repair.

(5) At this time, the Committee on Armed Services of the House of Representatives, including the Delegate from Guam, as well as the Governor of Guam, objected to this plan, and a conditional agreement was made wherein the Navy committed to
restoring dry-docking capabilities expeditiously following issuance of the pier-side contract.

(6) Despite repeated requests from the Committee on Armed Services of the House of Representatives, the Delegate from Guam, and the Governor of Guam over the past four years, the Secretary of the Navy has failed to issue the dry-dock contract.

(7) The Navy conducted a business case analysis to assess options for a dry-docking capability in Guam in 2014 and agreed to provide a copy of the report to Congress upon completion. The draft business case analysis was provided to the Committee on Armed Services of the House of Representatives on March 3, 2016, but a final document was not produced.

(8) The draft business case analysis evaluated 200 potential options for restoring a dry-docking capability in Guam, recommending seven potential courses of action, with estimated costs ranging from $324,000,000 to $398,000,000 over a 50-year life cycle. The business case analysis concluded that any of these options are significant savings when compared with the cost of not having a dry-docking ca-
pability in Guam, which exceeds $700,000,000 over a 50-year period.

(9) The Navy has removed machinery and equipment needed to perform major overhauls from the former ship repair facility, and shifted ship repair work previously performed in Guam to various foreign locations in the Western Pacific. The total cost of Navy ship repair contracts in Guam have gone from $45,000,000 in 2010 to $16,000,000 in 2016.

(10) As a result of Navy actions over the past five years, the number of skilled workers engaged in ship repair in Guam has been reduced from a combined total of approximately 550 at three ship-repair companies in Guam to the current level of 150. Due to this degraded workforce and equipment capabilities, the Navy is now forced to rely almost exclusively on foreign ship repair instead at a time when the Committee believes tensions and threats of crisis in the Western Pacific can put access to foreign shipyards at risk.

(11) Navy leadership has long acknowledged the importance of a depot-level, dry-docking capability in Guam, as evidenced by the following:
(A) “Robust depot-level ship repair capability in Guam is a matter of strategic importance and remains an operational necessity because ships of the 7th Fleet have high operational tempo and experience vast distances between repair facilities.” (Letter from the Commander of the Pacific Fleet to the Governor of Guam, dated February 15, 2013).

(B) “We must maintain a viable ship maintenance capability in Guam to include dry-docking in support of operations and contingency plans (OPLANs and CONPLANs) and the U.S. Navy rebalance to the Pacific. Guam is a strategic in-theater location for depot-level ship maintenance on sovereign U.S. territory. This is a significant factor given that commercial dry docks available in foreign countries considered friendly to the United States may become unavailable to SEVENTH Fleet ships in time of crisis or war. Availability of CPF ships would be stressed if assets are required to dry dock in CONUS due to the non-availability of a secure dry docking capability in the Western Pacific. Dry-docking in Guam is a critical component of depot-level ship repair. The capability

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must be maintained and regularly exercised so that a capability and expertise are available to support ships of the SEVENTH Fleet in peace and war.” (Letter from the Commander of the Pacific Fleet to the Chief of Naval Operations, dated February 7, 2014).

(C) On February 24, 2016, in testimony before the Committee on Armed Services of the House of Representatives, Admiral Harry Harris, Commander of the United States Pacific Command, affirmed that he continues to view robust ship repair capabilities as a matter of strategic importance and an operational priority for United States Pacific Fleet.

(12) The Navy currently has four fast-attack nuclear submarines homeported in Guam.

(13) The Navy homeports submarine squadrons at seven locations in the United States, each of which has a dry-docking capability, with the exception of Guam.

(14) The Committee on Armed Services of the House of Representatives believes that dry-docking capability in Guam is a strategic requirement and a cost-effective means of ensuring the Forward De-
ployed Fleet has depot-level repair capabilities at a United States port in the Western Pacific.

(15) Amounts were authorized to be appropriated in the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) and appropriated in the Consolidated Appropriations Act, 2017 (Public Law 115–31) for funds be applied to chartering a dry dock to meet fleet maintenance requirements in the Western Pacific.

(b) LIMITATION ON USE OF FUNDS.—Not more than 75 percent of the funds authorized to be appropriated or otherwise made available for the Office of the Secretary of the Navy may be obligated or expended until the Secretary submits to Congress notice that a request for proposals has been issued to solicit bids for the chartering of a dry dock in the Western Pacific that satisfies the minimum requirements for heavy ship depot-level repair.

SEC. 1037. NATIONAL GUARD FLYOVERS OF PUBLIC EVENTS.

(a) STATEMENT OF POLICY.—It shall be the policy of the Department of Defense that flyovers of public events in support of community relations activities may only be flown as part of an approved training mission at no additional expense to the Federal Government.
(b) National Guard Flyover Approval Process.—The Adjutant General of a State or territory in which an Army National Guard or Air National Guard unit is based will be the approval authority for all Air National Guard and Army National Guard flyovers in that State or territory, including any request for a flyover in any civilian domain at a nonaviation related event.

(c) Flyover Record Maintenance; Report.—

(1) Record Maintenance.—The Secretary of Defense shall keep and maintain records of flyover requests, approvals, and the total costs of all flyover missions, including the costs of fuel, maintenance, and manpower, in a publicly accessible database that is updated annually.

(2) GAO Report.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on flyovers and the process whereby flyover requests are made and evaluated, including—

(A) whether there is any cost to taxpayers associated with flyovers;
(B) whether there is any appreciable public relations or recruitment value that comes from flyovers; and

(C) the impact flyovers have to aviator training and readiness.

(d) FLYOVER DEFINED.—In this section, the term “flyover” means aviation support—

(1) in which a straight and level flight limited to one pass by a single military aircraft, or by a single formation of four or fewer military aircraft of the same type, from the same military department over a predetermined point on the ground at a specific time;

(2) that does not involve aerobatics or demonstrations; and

(3) uses bank angles of up to 90 degrees if required to improve the spectator visibility of the aircraft.

SEC. 1038. TRANSFER OF FUNDS TO WORLD WAR I CENTENNIAL COMMISSION.

(a) AUTHORITY TO TRANSFER FUNDS.—The Secretary of Defense may transfer to the World War I Centennial Commission, from amounts described in subsection (b), such amount as the Secretary and the Chair of the World War I Centennial Commission consider appropriate
to assist the Commission in carrying out activities under paragraphs (2) through (5) of section 5(a) of the World War I Centennial Commission Act (Public Law 112–272; 36 U.S.C. prec. 101 note) after fiscal year 2017.

(b) DESIGNATED ACCOUNT.—Funds transferred pursuant to subsection (a) shall be maintained in a specially designated account and may not be obligated or expended for the designation, establishment, or enhancement of a memorial or commemorative work by the World War I Centennial Commission.

c) COVERED FUNDS.—The funds transferrable by the Secretary pursuant to subsection (a) shall be derived from amounts authorized to be appropriated for fiscal year 2018 for Civil Military Programs as provided in section 4301 of this Act.

(d) TREATMENT AS GIFT.—Any amounts transferred to the World War I Centennial Commission pursuant to subsection (a) shall be treated as a gift to the Commission for purposes of sections 6(g) and 7(f) of the World War I Centennial Commission Act.

e) LIMITATION.—The total amount provided by the Secretary pursuant to subsection (a) shall not exceed $5,000,000.

(f) WORLD WAR I CENTENNIAL COMMISSION DEFINED.—In this section, the term “World War I Centen-

SEC. 1039. LIMITATION ON USE OF FUNDS FOR PROVISION OF MAN-PORTABLE AIR DEFENSE SYSTEMS TO THE VETTED SYRIAN OPPOSITION.

(a) LIMITATION.—If a determination is made during fiscal year 2018 to use funds available to the Department of Defense for that fiscal year to provide man-portable air defense systems (MANPADs) to the vetted Syrian opposition pursuant to the authority in section 1209 of the Carl Levin and Howard P. ‘‘Buck’’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541), such funds may not be used for that purpose until—

(1) the Secretary of Defense and the Secretary of State jointly submit to the appropriate congressional committees a report on the determination; and

(2) 30 days elapses after the date of the submittal of such report to the appropriate congressional committees.

(b) REPORT REQUIREMENTS.—The report under subsection (a) shall set forth the following: —

(1) A description of each element of the vetted Syrian opposition that will provided man-portable air
defense systems as described in subsection (a), including—

(A) the geographic location of such element;

(B) a detailed intelligence assessment of such element;

(C) a description of the alignment of such element within the broader conflict in Syria; and

(D) a description and assessment of the assurance, if any, received by the commander of such element in connection with the provision of man-portable air defense systems.

(2) The number and type of man-portable air defense systems to be so provided.

(3) The logistics plan for providing and resupplying each element to be so provided man-portable air defense systems with additional man-portable air defense systems.

(4) The duration of support to be provided in connection with the provision of man-portable air defense systems.

(5) The justification for the provision of man-portable air defense systems to each element of the vetted Syrian opposition, including an explanation of
the purpose and expected employment of such systems.

(6) Any other matters that the Secretary of Defense and the Secretary of State jointly consider appropriate.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” has the meaning given that term in section 1209(e)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541).

(d) PROHIBITION ON USE OF CERTAIN FUNDS.—None of the funds authorized to be appropriated or otherwise made available by this Act for fiscal year 2018 for “Counter-ISIS Train and Equip Fund” Counter may be used to procure or transfer man-portable air defense systems (MANPADS).

SEC. 1040. DETERMINATION REGARDING TRANSFER OF DEFENSE ARTICLES TO UNITS COMMITTING GROSS VIOLATIONS OF HUMAN RIGHTS.

(a) DETERMINATION REQUIRED.—In carrying out the Golden Sentry program to monitor end-use compliance of the government of a foreign state to which defense articles and services have been provided, the Director of the Defense Security Cooperation Agency, in consultation with
the appropriate United States embassy personnel in the
foreign state, shall determine whether the government of
the foreign state has transferred any defense article to a
unit that is prohibited from receiving assistance from the
United States by reason of a determination by the Sec-
retary of State that there is credible evidence that such
unit has committed a gross violation of human rights.

(b) REPORT.—Not later than 180 days after the date
of the enactment of this Act, the Secretary of Defense
shall submit to the Committee on Armed Services and the
Committee on Foreign Relations of the Senate and the
Committee on Armed Services and the Committee on For-
egn Affairs of the House of Representatives a report on
the implementation of subsection (a).

SEC. 1041. PROHIBITION ON USE OF FUNDS TO DESIGNATE
OR EXPAND FEDERAL NATIONAL HERITAGE
AREAS.

None of the funds authorized to be appropriated by
this Act or otherwise made available for fiscal year 2018
for the Department of Defense may be obligated or ex-
pended to designate or expand any Federal National Her-
itage Area in any of Baca, Bent, Crowley Huerfano,
Kiowa, Las Animas, Otero, Prowers, or Pueblo counties,
Colorado.
SEC. 1042. REQUIREMENT RELATING TO TRANSFER OF EXCESS DEPARTMENT OF DEFENSE EQUIPMENT TO FEDERAL AND STATE AGENCIES.

Section 2576a of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g) PREFERENCE FOR BORDER SECURITY PURPOSES.—(1) In transferring the items of personal property described in paragraph (2) under this section, the Secretary of Defense may give first preference to the Department of Homeland Security and then to Federal and State agencies that agree to use the property primarily for the purpose of strengthening border security along the southern border of the United States.

“(2) The items of personal property described in this paragraph are—

“(A) unmanned aerial vehicles;

“(B) the Aerostat radar system;

“(C) night-vision goggles; and

“(D) high mobility multi-purpose wheel vehicles (commonly known as ‘humvees’).”.

SEC. 1043. LIMITATION ON USE OF FUNDS TO CLOSE BIO- SAFETY LEVEL 4 LABORATORIES.

(a) LIMITATION.—None of the funds authorized to be appropriated in this Act may be used to support the closure or transfer of a biosafety level 4 laboratory until
the heads of the Federal agencies that use the laboratory jointly certify to the covered congressional committees that the closure or transfer of the lab would not have a negative effect on biological defense capabilities and would not result in a lapse of biological defense capabilities.

(b) COVERED CONGRESSIONAL COMMITTEES.—In this section, the term “covered congressional committees” means—

(1) the Committees on Armed Services of the Senate and House of Representatives;

(2) the Committees on the Judiciary of the Senate and House of Representatives;

(3) the Permanent Select Committee on Intelligence of the House of Representatives;

(4) the Select Committee on Intelligence of the Senate;

(5) the Committee on Homeland Security of the House of Representatives;

(6) the Committee on Homeland Security and Governmental Affairs of the Senate;

(7) the Committee on Oversight and Government Reform of the House of Representatives; and

(8) the Committees on Appropriations of the Senate and House of Representatives.
Subtitle E—Studies and Reports


(a) Title 10, United States Code.—Title 10, United States Code, is amended as follows:

(1) Section 113 reports.—

(A) Reserve forces policy board report.—Section 113(c) is amended—

(i) by striking paragraph (2);

(ii) by striking “(1)” after “(c)”;

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

(B) Total force management report.—Section 113 is amended by striking subsection (l).

(2) Defense industrial security report.—Section 428 is amended by striking subsection (f).

(3) Military musical units gift report.—Section 974(d) is amended by striking paragraph (3).
(4) Health Protection Quality Report.—Section 1073b is amended—
(A) by striking subsection (a); and
(B) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(5) Master Plans for Reductions in Civilian Positions.—
(A) In General.—Section 1597 is amended—
(i) by striking subsection (c);
(ii) by striking subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively; and
(iii) in subsection (e), as redesignated, by striking "or a master plan prepared under subsection (e)".

(B) Conforming Amendments.—Section 129a(d) is amended—
(i) by striking paragraphs (1) and (2);
and
(ii) by redesignating paragraphs (3) and (4) as paragraphs (1) and (2), respectively.

(6) Acquisition Workforce Development Fund Report.—Section 1705 is amended—
(A) in subsection (c)(1), by striking “subsection (h)(2)” and inserting “subsection (g)(2)”;
(B) by striking subsection (f); and
(C) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

(7) ACQUISITION CORPS REPORT.—Section 1722b is amended by striking subsection (c).

(8) MILITARY FAMILY READINESS REPORT.—Section 1781b is amended by striking subsection (d).

(9) PROFESSIONAL MILITARY EDUCATION REPORT.—
(A) ELIMINATION.—Section 2157 is repealed.
(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 107 is amended by striking the item relating to section 2157.

(10) DEPARTMENT OF DEFENSE CONFERENCES FEE-COLLECTION REPORT.—Section 2262 is amended by striking subsection (d).

(11) UNITED STATES CONTRIBUTIONS TO NATO COMMON-FUNDED BUDGETS REPORT.—Section 2263 is amended—
(A) by striking subsection (b); and
(B) by redesignating subsection (c) as subsection (b).

(12) FOREIGN COUNTER-SPACE PROGRAMS REPORT.—

(A) ELIMINATION.—Section 2277 is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 is amended by striking the item relating to section 2277.

(13) USE OF MULTIYEAR CONTRACTS REPORT.—Section 2306b(l)(4) is amended by striking “Not later than” and all that follows through the colon and inserting the following: “Each report required by paragraph (5) with respect to a contract (or contract extension) shall contain the following:”.

(14) BURDEN SHARING CONTRIBUTIONS REPORT.—Section 2350j is amended by striking subsection (f).

(15) CONTRACT PROHIBITION WAIVER REPORT.—Section 2410i(c) is amended by striking the second sentence.

(16) STRATEGIC SOURCING PLAN OF ACTION REPORT.—Subsection (a) of section 2475 is amended to read as follows:
“(a) Strategic Sourcing Plan of Action Defined.—In this section, the term ‘Strategic Sourcing Plan of Action’ means a Strategic Sourcing Plan of Action for the Department of Defense (as identified in the Department of Defense Interim Guidance dated February 29, 2000, or any successor Department of Defense guidance or directive) in effect for a fiscal year.’’.

(17) Technology and Industrial Base Policy Guidance Report.—Section 2506 is amended—

(A) by striking subsection (b); and

(B) in subsection (a), by striking “Such guidance” and inserting the following:

“(b) Purpose of Guidance.—The guidance prescribed pursuant to subsection (a)”.

(18) Foreign-Controlled Contractors Report.—Section 2537 is amended—

(A) by striking subsection (b); and

(B) by redesignating subsection (c).

(19) Support for Sporting Events Report.—Section 2564 is amended—

(A) in subsection (b)(3), by striking “section 377” and inserting “section 277”;

(B) by striking subsection (e);
(C) by redesignating subsections (f) and
(g) as subsections (e) and (f), respectively; and

(D) in subsection (e), as so redesignated,
by “striking sections 375 and 376” and insert-
ing “sections 275 and 276”.

(20) General and Flag Officer Quarters
Report.—Section 2831 is amended by striking sub-
section (e).

(21) Military Installations Vulnerability
Assessment Reports.—Section 2859 is amended—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as sub-
section (c).

(22) Industrial Facility Investment Pro-
gram Construction Report.—Section 2861 is
amended by striking subsection (d).

(23) Statement of Amounts Available for
Water Conservation at Military Installa-
tions.—Section 2866(b) is amended by striking
paragraph (3).

(24) Acquisition or Construction of Mili-
tary Unaccompanied Housing Pilot Projects
Report.—Section 2881a is amended by striking
subsection (e).
(25) Statement of amounts available from energy cost savings.—Section 2912 is amended by striking subsection (d).

(26) Army training report.—

(A) Elimination.—Section 4316 is repealed.

(B) Clerical amendment.—The table of sections at the beginning of chapter 401 is amended by striking the item relating to section 4316.

(27) State of the Army Reserve report.—Section 3038(f) is amended—

(A) by striking “(1)” before “The”; and

(B) by striking paragraph (2).

(28) State of the Marine Corps Reserve report.—Section 5144(d) is amended—

(A) by striking “(1)” before “The”; and

(B) by striking paragraph (2).

(29) State of the Air Force Reserve report.—Section 8038(f) is amended—

(A) by striking “(1)” before “The”; and

(B) by striking paragraph (2).

1 1928 note), relating to an annual report on allied con-
2 tributions to the common defense, is amended by striking
3 subsections (c) and (d).

(c) National Defense Authorization Act, Fiscal
4 Year 1989.—Section 1009 of the National Defense
5 Authorization Act, Fiscal Year 1989 (Public Law 100–
6 456; 22 U.S.C. 1928 note), relating to an annual report
7 on the official development assistance program of Japan,
8 is amended by striking subsection (b).

(d) National Defense Authorization Act for
9 Fiscal Year 1991.—Section 1518 of the Defense Au-
10 thorization Act for Fiscal Year 1991 (Public Law 101–
11 510; 24 U.S.C. 418), relating to reports on the results
12 of inspection of Armed Forces Retirement Homes, is
13 amended—

14 (1) in subsection (c)(1), by striking “Congress
15 and”; and

16 (2) in subsection (c)—

17 (A) by striking paragraph (2);
18 (B) by striking “(1)” before “Not later”;
19 and

20 (C) by redesignating subparagraphs (A)
21 and (B) as paragraphs (1) and (2), respectively.

(e) National Defense Authorization Act for
22 Fiscal Years 1992 and 1993.—Section 1046 of the Na-
tional Defense Authorization Act for Fiscal Years 1992
and 1993 (Public Law 102–190; 22 U.S.C. 1928 note),
relating to an annual report on defense cost-sharing, is
amended by striking subsections (e) and (f).

(f) NATIONAL DEFENSE AUTHORIZATION ACT FOR
FISCAL YEAR 1994.—Section 1603 of the National De-
fense Authorization Act for Fiscal Year 1994 (Public Law
103–160; 22 U.S.C. 2751 note), relating to an annual re-
port on counterproliferation policy and programs of the
United States, is amended by striking subsection (d).

(g) NATIONAL DEFENSE AUTHORIZATION ACT FOR
FISCAL YEAR 1995.—Section 533 of the National Defense
Authorization Act for Fiscal Year 1995 (Public Law 103–
337; 10 U.S.C. 113 note), relating to an annual report
on personnel readiness factors by race and gender, is re-
pealed.

(h) NATIONAL DEFENSE AUTHORIZATION ACT FOR
FISCAL YEAR 2000.—Section 366 of the National Defense
Authorization Act for Fiscal Year 2000 (Public Law 106–
65; 10 U.S.C. 113 note), relating to an annual report on
spare parts, logistics, and sustainment standards, is
amended by striking subsection (f).

(i) NATIONAL DEFENSE AUTHORIZATION ACT FOR
FISCAL YEAR 2002.—The National Defense Authoriza-
tion Act for Fiscal Year 2002 (Public Law 107–107) is amended as follows:

(1) Army workload and performance system report.—Section 346 (115 Stat. 1062) is amended—

(A) by striking subsections (b) and (c); and

(B) by redesignating subsection (d) as subsection (b).

(2) Reliability of financial statements report.—Section 1008(d) (10 U.S.C. 113 note) is amended—

(A) by striking “(1)” before “On each”; and

(B) by striking paragraph (2).


(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

(1) Notification of Adjustment in Limitation Amount for Next-Generation Destroyer Program.—Section 123 (119 Stat. 3156) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) Certification of Budgets for Joint Tactical Radio System Report.—Section 218(c) (119 Stat. 3171) is amended by striking paragraph (3).

(3) Department of Defense Costs to Carry Out United Nations Resolutions Report.—Section 1224 (10 U.S.C. 113 note) is repealed.

by striking “shall submit to the congressional defense committees” and inserting “shall prepare”.

(m) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008.—The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended as follows:

(1) ARMY INDUSTRIAL FACILITIES COOPERATIVE ACTIVITIES REPORT.—Section 328 (10 U.S.C. 4544 note) is amended by striking subsection (b).

(2) ARMY PRODUCT IMPROVEMENT REPORT.—Section 330 (122 Stat. 68) is amended by striking subsection (e).

(n) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009.—The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) is amended as follows:

(1) SUPPORT FOR NON-CONVENTIONAL ASSISTED RECOVERY ACTIVITIES REPORT.—Section 943 (122 Stat. 4578) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g), respectively.
(2) Reimbursement of Navy Mess Expenses

Section 1014 (122 Stat. 4585) is amended by striking subsection (c).


Section 1048 (122 Stat. 4603) is repealed.


Section 121 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2211), relating to an annual report on the Littoral Combat Ship Program, is amended by striking subsection (e).


The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) is amended as follows:

(1) Navy Airborne Signals Intelligence, Surveillance, and Reconnaissance Capabilities Report.

Section 112(b) (124 Stat. 4153) is amended—

(A) by striking paragraph (3); and

(B) by redesignating paragraph (4) as paragraph (3).

(2) Inclusion of Technology Protection Features during Research and Development
OF DEFENSE SYSTEMS REPORT.—Section 243 (10 U.S.C. 2358 note) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(3) ACQUISITION OF MILITARY PURPOSE NON-DEVELOPMENTAL ITEMS REPORT.—Section 866 (10 U.S.C. 2302 note) is amended—

(A) by striking subsection (d); and

(B) by redesigning subsection (e) as subsection (d).

(4) NUCLEAR TRIAD REPORT.—Section 1054 (10 U.S.C. 113 note) is repealed.

(q) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012.—The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended as follows:

(1) PERFORMANCE MANAGEMENT SYSTEM AND APPOINTMENT PROCEDURES REPORT.—Section 1102 (5 U.S.C. 9902 note) is amended by striking subsection (b).

(2) GLOBAL SECURITY CONTINGENCY FUND REPORT.—Section 1207 (22 U.S.C. 2151 note) is amended—

(A) by striking subsection (n); and
(B) by redesignating subsections (o) and
(p) as subsections (n) and (o).

(3) DATA SERVERS AND CENTERS COST SAV-
ings report.—Section 2867 (10 U.S.C. 2223a
note) is amended by striking subsection (d).

(r) NATIONAL DEFENSE AUTHORIZATION ACT FOR
FISCAL YEAR 2013.—The National Defense Authoriza-
tion Act for Fiscal Year 2013 (Public Law 112–239) is
amended as follows:

(1) F–22A RAPTOR MODERNIZATION PROGRAM
report.—Section 144 (126 Stat. 1663) is amended
by striking subsection (c).

(2) TRICARE MAIL-ORDER PHARMACY PRO-
gram report.—Section 716 (10 U.S.C. 1074g
note) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsections (f) and
(g) as subsections (e) and (f).

(3) WARRIORS IN TRANSITION PROGRAMS RE-
port.—Section 738 (10 U.S.C. 1071 note) is
amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as sub-
section (e).
(4) Use of indemnification agreements report.—Section 865 (126 Stat. 1861) is repealed.

(5) Counter space technology report.—Section 917 (126 Stat. 1878) is repealed.

(6) Imagery intelligence and geospatial information support report.—Section 921 (126 Stat. 1878) is amended by striking subsection (e).

(7) Computer network operations coordination report.—Section 1079 (10 U.S.C. 221 note) is amended by striking subsection (c).


(9) United States participation in the Atares Program report.—Section 1276 (10 U.S.C. 2350c note) is amended—

(A) by striking subsections (e) and (f); and

(B) by redesignating subsection (g) as subsection (e).

(1) **Modernizing personnel security**

strategy metrics report.—Section 907(e)(3) (10 U.S.C. 1564 note) is amended—

(A) by striking “(A) Metrics re-
quired.—In” and inserting “In”; and

(B) by striking subparagraph (B).

(2) **Defense clandestine service re-
port.**—Section 923 (10 U.S.C. prec. 421 note) is
amended—

(A) by striking subsection (b); and

(B) by redesignating subsections (c), (d),
and (e) as subsection (b), (c), and (d), respec-
tively.

(3) **International agreements relating**
to dod report.—Section 1249 (127 Stat. 925) is
repealed.

(4) **Small business growth report.**—Sec-
tion 1611 (127 Stat. 946) is amended by striking
subsection (d).

(t) **National Defense Authorization Act for**

Fiscal Year 2015.—The Carl Levin and Howard P.


Fiscal Year 2015 (Public Law 113–291) is amended as
follows:
(1) ASSIGNMENT OF PRIVATE SECTOR PERSONNEL TO DEFENSE ADVANCED RESEARCH PROJECTS AGENCY REPORT.—Section 232 (10 U.S.C. 2358 note) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(2) GOVERNMENT LODGING PROGRAM REPORT.—Section 914 (5 U.S.C. 5911 note) is amended by striking subsection (d).

(3) DOD RESPONSE TO COMPROMISES OF CLASSIFIED INFORMATION REPORT.—Section 1052 (128 Stat. 3497) is repealed.

(4) PERSONNEL PROTECTION AND PERSONNEL SURVIVABILITY EQUIPMENT LOAN REPORT.—Section 1207 (10 U.S.C. 2342 note) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(5) DOD ASSISTANCE TO COUNTER ISIS REPORT.—Section 1236 (128 Stat. 3558) is amended by striking subsection (d).

(6) COOPERATIVE THREAT REDUCTION PROGRAM USE OF CONTRIBUTIONS REPORT.—Section 1325 (50 U.S.C. 3715) is amended—
(A) by striking subsection (e); and
(B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(7) COOPERATIVE THREAT REDUCTION PROGRAM FACILITIES CERTIFICATION REPORT.—Section 1341 (50 U.S.C. 3741) is repealed.

(8) COOPERATIVE THREAT REDUCTION PROGRAM PROJECT CATEGORY REPORT.—Section 1342 (50 U.S.C. 3742) is repealed.

(9) STATEMENT ON ALLOCATION OF FUNDS FOR SPACE SECURITY AND DEFENSE PROGRAM.—Section 1607 (128 Stat. 3625) is amended—
(A) by striking "'(a) ALLOCATION OF FUNDS.—'";
(B) by striking subsections (b), (c), and (d); and
(C) by adding at the end the following new sentence: "This requirement shall terminate on December 19, 2019."

(u) PRESERVATION OF CERTAIN ADDITIONAL REPORTS.—Effective as of December 23, 2016, and as if included therein as enacted, section 1061(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended as follows:
(1) **GENERAL DEFENSE REPORTS.**—Paragraph (1) is amended by striking “113(i)” and inserting “113(c), (e), and (i)”.

(2) **ANNUAL OPERATIONS AND MAINTENANCE REPORT.**—Paragraph (2) is amended by inserting after “Section” the following: “116 and section”.

(3) **SELECTED ACQUISITION REPORTS.**—Paragraph (44) is amended by inserting after “Section” the following: “2432 and section”.

(4) **NATIONAL GUARD BUREAU REPORT.**—By inserting after paragraph (63) the following new paragraph:

“(64) Section 10504(b).”.

(5) **REPORT ON PROCUREMENT OF CONTRACT SERVICES.**—By inserting after paragraph (64), as added by paragraph (4), the following new paragraph:

“(65) Section 235.”.

(6) **ANNUAL DEFENSE MANPOWER REQUIREMENTS REPORT.**—By inserting after paragraph (64), as added by paragraph (4), the following new paragraph:

“(65) Section 115a.”.
(7) STARBASE PROGRAM REPORT.—By inserting after paragraph (64), as added by paragraph (4), the following new paragraph:

“(65) Section 2193b(g).”.

(v) PRESERVATION OF VETTED SYRIAN OPPOSITION REPORT.—Effective as of December 23, 2016, and as if included therein as enacted, section 1061(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by adding at the end the following new paragraph:

“(18) Section 1209(d) (127 Stat. 3542).”.

(w) PRESERVATION OF NATIONAL GUARD YOUTH CHALLENGE REPORT.—Effective as of December 23, 2016, and as if included therein as enacted, section 1061(i) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by adding at the end the following new paragraph:

“(34) Section 509(k) of title 32, United States Code.”.

(x) ANNUAL REPORT ON SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.—Effective as of December 23, 2016, and as if included therein as enacted, section 1061(d) of the National Defense Authorization Act for Fiscal Year
2017 (Public Law 114–328) is amended by adding at the end the following new paragraph:

“(5) Section 1022(c).”.

(y) EFFECTIVE DATE.—Except as provided in subsections (u), (v), (w), and (x) the amendments made by this section shall take effect on the later of—

(1) the date of the enactment of this Act; or

(2) November 25, 2017.

SEC. 1052. REPORT ON DEPARTMENT OF DEFENSE ARCTIC CAPABILITY AND RESOURCE GAPS AND REQUIRED INFRASTRUCTURE.

(a) REPORT REQUIRED.—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 report setting forth—

(1) necessary steps the Department of Defense is undertaking to resolve arctic security capability and resource gaps; and

(2) the requirements and investment plans for military infrastructure required to protect United States national security interests in the arctic region.

(b) ELEMENTS.—The report under subsection (a) shall include an analysis of each of the following:
(1) The infrastructure needed to ensure national security in the arctic region.

(2) Any shortfalls in observation, remote sensing capabilities, ice prediction, and weather forecasting.

(3) Any shortfalls of the Department in navigational aids.

(4) Any additional, necessary high-latitude electronic and communications infrastructure requirements.

(5) Any gaps in intelligence, surveillance, and reconnaissance coverage and recommendations for additional intelligence, surveillance, and reconnaissance capabilities.

(6) Any shortfalls in personnel recovery capabilities.

(7) Any additional capabilities the Secretary determines should be incorporated into future Navy surface combatants.

(c) ADDITIONAL ELEMENTS.—The report under subsection (a) shall also include the following:

(1) A review of United States national security interests in the arctic region, including strategic national assets, United States citizens, territory, free-
dom of navigation, and economic and trade interests in the region.

(2) A description of United States military capabilities needed for operations in arctic terrain, including types of forces, major weapon systems, and logistics required for operations in such terrain.

(3) A description of the installations, infrastructure, and deep water ports for deployment of assets required to support operations in the arctic region, including the stationing, deployment, and training of military forces for operations in the region.

(4) An investment plan to establish the installations and infrastructure required for operations in the arctic region.

(d) FORM OF REPORT.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1053. REVIEW AND ASSESSMENT OF DEPARTMENT OF DEFENSE PERSONNEL RECOVERY AND NON-CONVENTIONAL ASSISTED RECOVERY MECHANISMS.

(a) IN GENERAL.—Not later than March 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a review and assessment of personnel re-
covery and nonconventional assisted recovery programs, authorities, and policies.

(b) **ELEMENTS.**—The assessment required under subsection (a) shall include each of the following elements:

1. An overall strategy defining personnel recovery and nonconventional assisted recovery programs and activities, including how such programs and activities support the requirements of the geographic combatant commanders.

2. A comprehensive review and assessment of statutory authorities, policies, and interagency coordination mechanisms, including limitations and shortfalls, for personnel recovery and nonconventional assisted recovery programs and activities.

3. A comprehensive description of current and anticipated future personnel recovery and nonconventional assisted recovery requirements across the future years defense program, as validated by the Joint Staff.

4. An overview of validated current and expected future force structure requirements necessary to meet near-, mid-, and long-term personnel recovery and nonconventional assisted recovery programs and activities of the geographic combatant commanders.
(5) Any other matters the Secretary considers appropriate.

(c) Form of Assessment.—The assessment required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) Comptroller General Review.—Not later than 90 days after the date on which the assessment required under subsection (a) is submitted, the Comptroller General of the United States shall submit to the congressional defense committees a review of such assessment.

SEC. 1054. MINE WARFARE READINESS INSPECTION PLAN AND REPORT.

(a) Inspection Plan.—Not later than one year after the date of the enactment of this subsection, the Chief of Naval Operations, in consultation with the Combatant Commanders, shall submit a plan for inspections of each unit and organization tasked with delivering operational capability, missions and mission essential tasks, functions, supporting roles, organization, manning, training, and materiel for naval mine warfare. At a minimum, inspected units and organizations shall include those required in the Joint Strategic Capabilities Plan and those assigned in the Forces For Unified Commands document or have the potential to support, by deployment or otherwise, a directed Operation Plan, Concept Plan, contin-
gency operation, homeland security operation, or Defense Support of Civil Authorities requirements for naval offensive or defensive mine warfare.

(b) CRITERIA.—This inspection plan shall propose methods to analytically assess, evaluate, improve and assure mission readiness of each unit or organization with required operational capabilities for naval mine warfare. Inspection shall include—

(1) an assessment or verification of material condition;

(2) unit wide training and personnel readiness as measured by established tasks, conditions and standards that demonstrate the unit readiness to perform their wartime or homeland defense mission;

(3) force through unit level training;

(4) readiness to support multi-echelon, joint service mine warfare operations as part of an offensive, defensive mining or mine countermeasures task;

(5) readiness to support combatant commander campaign plans, operational plan, concept plan, or the Joint Strategic Capabilities Plan;

(6) required operational capability;

(7) inspection and reinspection process; and

(8) inspection periodicy.
(c) **APPLICABILITY.**—The inspection requirements under this subsection apply to the following units and organizations:

1. Surface MCM vessels or vessels performing MCM tasks.
2. Airborne MCM squadrons.
3. Mobile mine assembly groups and mobile mine assembly units.
4. Fleet patrol squadrons with mine laying capabilities.
5. LCS and LCS MCM mission modules upon reaching IOC.
7. Units exercising command and control over MIW forces.
8. MCM operational support ships.
10. Magnetic and acoustic silencing facilities.
11. EOD MCM or VSW Companies and Platoons.
12. SEAL (ESG / CSG) USMC units with VSW capability.

(d) **CERTIFICATION.**—The Chief of Naval Operations shall submit to the Secretary of Defense, the Combatant

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Commanders, the Chairman of the Joint Chiefs of Staff and to Congress a report on the program under this sub-
section. The report shall contain a classified section which addresses capability and capacity to meet JSCP, OPLAN,
CONPLAN and contingency requirements and unclassified section with general summary and readiness trends.

(e) CONFORMING REPEAL.—Section 1090 of the Na-
tional Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) is repealed.

SEC. 1055. REPORT ON CIVILIAN CASUALTIES FROM DE-
PARTMENT OF DEFENSE STRIKES.

(a) REPORT REQUIRED.—For each calendar year, the Secretary of Defense shall submit to the congressional defense committees a report on strikes carried out by the Department of Defense against terrorist targets located outside Government-designated areas of active hostilities and against enemy combatants located inside Government-designated areas of active hostilities during the period beginning on January 1 and ending on December 31 of the year covered by the report. Such report shall include each of the following, for the period covered by the report:

(1) The number of such strikes carried out in—

(A) locations outside Government-designated areas of active hostilities; and
(B) locations inside Government-designated areas of active hostilities.

(2) An assessment of the combatant and non-combatant deaths resulting from those strikes, including the number of such deaths—

(A) occurring outside of Government-designated areas of active hostilities; and

(B) occurring within Government-designated areas of active hostilities, with the number of such deaths displayed to indicate the Government-designated country or location within the Government-designated country where such deaths occurred.

(3) To the extent feasible and appropriate, the general reasons for any discrepancies between post-strike assessments from the Department of Defense and credible reporting from nongovernmental organizations regarding non-combatant deaths resulting from such strikes.

(4) A description of steps taken by the Department of Defense to mitigate harm to civilians in conducting such strikes.

(5) Definitions of the terms “combatant” and “noncombatant” as used in the report.
(6) The monthly tabulations collected by the Department of Defense of combatant and non-combatant casualties occurring inside of areas of active hostilities, and any revisions to previously reported tabulations.

(7) A specification of the countries where strikes occurred, or locations within countries where strikes occurred—

(A) designated as areas of active hostilities; and

(B) not designated as areas of active hostilities.

(b) DEADLINE FOR REPORTS.—The reports required by subsection (a) shall be submitted as follows:

(1) The report for 2018 shall be submitted not later than December 31, 2018.

(2) The report for 2019, and for each subsequent year, shall be submitted by not later than March 1 of the year following the year covered by the report.

(c) REVIEW OF REPORTING.—In preparing a report under this section, the Secretary of Defense shall review relevant and credible post-strike all-source reporting, including such information from nongovernmental sources.
(d) **Form of Report.**—The reports required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) **Public Availability.**—The Secretary of Defense shall make the unclassified form of the reports publicly available.

**Sec. 1056. Reports on Infrastructure and Capabilities of Lajes Field, Portugal.**

(a) **Findings.**—Congress makes the following findings:

(1) Lajes Field, Portugal, is an enabler of United States operations in Europe, Africa, and the Atlantic.

(2) Lajes field has capabilities and infrastructure that reflect significant long-term investments by the United States, including a 10,000 foot runway, housing for more than 650 personnel and their families, a power plant and water facilities, significant communication capability, and an award-winning medical clinic.

(3) Lajes Field provides a strategic location to monitor the activities of foreign powers in the Atlantic and Mediterranean, including Russia’s increased naval presence and China’s efforts to establish a military presence in the Atlantic.
(4) The Department of Defense has not fully utilized the infrastructure at Lajes Field.

(b) INFRASTRUCTURE AND CAPABILITIES REPORT.—Not later than 90 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 report on the infrastructure and capabilities of Lajes Field, Portugal. Such report shall include each of the following:

(1) An assessment of the communications infrastructure at Lajes Field, including the estimated cost to—

(A) upgrade the existing infrastructure to add additional bandwidth of 56 giga-bits-per-second; and

(B) connect the existing infrastructure to any currently planned additional undersea cables to increase the available bandwidth by at least 56 giga-bits-per-second.

(2) A justification for the current status of Lajes Field as an unaccompanied tour location and an assessment of the estimated costs of converting assignments at Lajes Field to an accompanied tour location.
(3) An assessment of the estimated cost of allowing members of the Armed Forces of the United States to occupy the on-base housing owned by the United States.

(4) An update to the Housing Requirements and Market Analysis for Lajes Field to assess the housing availability for a base population of up to 2000 military and civilian personnel.

(5) The cost to establish Lajes Field as a location for air-to-air training or anti-submarine warfare missions, including the costs of any necessary infrastructure upgrades, as well as any potential operational benefits.

(c) Fuel Storage System Report.—Not later than one year 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 report on the environmental impact of fuel storage systems at Lajes Field, Portugal. Such report shall include an impact assessment of the soil contamination from Department of Defense fuel storage systems at Lajes Field, including an assessment of the causes of the leak of the Cabrito Pipeline.
SEC. 1057. REPORT ON JOINT PACIFIC ALASKA RANGE COMPLEX MODERNIZATION.

(a) Report Required.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report regarding proposed improvements to the Joint Pacific Alaska Range Complex.

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

(1) An analysis of existing JPARC infrastructure.

(2) A summary of improvements to the range infrastructure the Secretary determines are necessary—

(A) for fifth generation fighters to train at maximum potential; and

(B) to provide a realistic air warfare environment versus a near-peer adversary for—

(i) four squadrons of fifth generation fighters;

(ii) annual Red Flag-Alaska exercises;

and

(iii) biannual Operation Northern Edge exercises.
SEC. 1058. REPORT ON POTENTIAL AGREEMENT WITH THE GOVERNMENT OF RUSSIA ON THE STATUS OF SYRIA.

Before entering into any agreement or understanding with the government of Russia regarding the status of Syria, the President shall submit to Congress a report that includes—

(1) a description of any understanding between the President and the government of Russia regarding a plan to divide territory among parties to the conflict; and

(2) a description of any such understanding that would provide Iran with access to the border between Israel and Syria.

SEC. 1059. REPORT ON PRIOR ATTEMPTED RUSSIAN CYBER ATTACKS AGAINST DEFENSE SYSTEMS.

(a) Report Required.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit to the Congress a written report on all attempts to breach, intrude, or otherwise hack into Department of Defense systems that—

(1) occurred during the last 24-month period ending on the date of the enactment of this Act; and

(2) were attributable either to the government of the Russian Federation or actors substantially...
supported by the government of the Russian Federation.

(b) Form of Report.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1060. REPORT ON ALTERNATIVES TO AQUEOUS FILM FORMING FOAM.

(a) Report Required.—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 Department’s status toward developing a new military specification for safe and effective alternatives to aqueous film forming foam (hereinafter referred to as “AFFF”) that do not contain perfluorooctanoic acid (hereinafter referred to as “PFOA”) or perfluorooctanesulfonic acid (hereinafter referred to as “PFOS”).

(b) Elements.—The report required by subparagraph (1) shall include the following:

(1) A detailed explanation of the Department’s status toward developing a new military specification for safe and effective alternatives to AFFF that do not contain PFOA or PFOS.
(2) An update on the Department’s plans for replacing AFFF containing PFOA or PFOS at military installations across the country and methods of disposal for AFFF containing PFOA or PFOS.

(3) An overview of current and planned research and development for AFFF alternatives that do not contain PFOA or PFOS.

(4) An assessment of how the establishment of a maximum contaminant level for PFOA or PFOS under the Safe Drinking Water Act (42 U.S.C. 300f et seq), rather than the current health advisory level, would impact the Department’s mitigation actions, prioritization of such actions, and research and development related to PFOA and PFOS.

SEC. 1060A. REPORT ON PROJECT, PROGRAM, AND PORTFOLIO MANAGEMENT STANDARDS.

(a) Report on Project, Program, and Portfolio Management Standards.—

(1) Report.—The Comptroller General of the United States shall deliver, not later than 90 days after enactment, a report to Congress on the adoption of project, program, and portfolio management standards within the Department of Defense.

(2) Elements.—The report under paragraph (1) shall address, at a minimum, the following:
(A) Existing policy, guidance, and instruction of the Department of Defense related to project, program, and portfolio management.

(B) An assessment of how the Department of Defense can incorporate nationally accredited standards for project, program, and portfolio management—as required by Public Law 104–113 and Public Law 114–264—into its existing project, program, and portfolio management policy, guidance, and instruction, as well as how it may replace or revise existing policy, guidance, and instruction related to project, program, and portfolio management.

(b) REPORT ON DEPARTMENT OF DEFENSE PORTFOLIO MANAGEMENT.—

(1) REPORT.—The Comptroller General of the United States shall deliver, not later than nine months after enactment, a report to Congress on enhancing portfolio management capabilities and structure within the Department of Defense.

(2) ELEMENTS.—The report under paragraph (1) shall address, at a minimum, the following:

(A) Existing policy and guidance of the Department of Defense related to portfolio management, the management and alignment of
portfolios of projects and programs to realize organization strategy and objectives.

(B) An assessment of how milestone decision authority and budget allocations in a portfolio management model at the enterprise, Program Executive Officer, and Service Acquisition Executive levels could be revised in a manner consistent with the existing Defense Acquisition Management System framework and Office of Management and guidance set forth in Office of Management and Budget Circular A–11 to streamline decisionmaking authority and enhance agility, including the appropriate roles for developing, managing, and overseeing portfolio strategies, portfolio roadmaps and portfolio documentation, portfolio decisionmaking, and portfolio budget decisions.

(C) An assessment of portfolio organizational structures within government and industry with the potential to improve integration of overall Department of Defense enterprise strategy and program execution.

(D) An assessment of nationally accredited standards-based portfolio management models for adoption by the Department of Defense to
manage its portfolios of projects and programs and streamline decisionmaking.

(E) An assessment of the Department of Defense’s existing standards, policy, guidance, and instruction for portfolio management and how the adoption of nationally accredited standards for portfolio management may replace or revise existing policy, guidance and instruction.

(F) Any other matters related to Department of Defense portfolio management the Comptroller General determines are relevant.

SEC. 1060B. STUDY ON HEALTH EFFECTS OF EXPOSURE TO

PERFLUOROOCTANE SULFONATE AND

PERFLUOROOCTANOIC ACID FROM FIRE-FIGHTING FOAM USED AT MILITARY INSTALLATIONS.

(a) Study.—The Secretary of Defense, in consultation with the Administrator of the Agency for Toxic Substances and Disease Registry, shall carry out a study on any health effects experienced by individuals who are exposed to perfluorooctane sulfonate and perfluorooctanoic acid from firefighting foam used at military installations or former military installations, including exposure through a well that provides water for human consumption that the Secretary determines is contaminated with
perfluorooctane sulfonate and perfluorooctanoic acid from
such firefighting foam.

(b) Design of Study.—The Secretary shall ensure
that the study under subsection (a) meets the following
criteria:

(1) The study includes a review of relevant liter-
erature.

(2) The study includes community input
through community advisory groups or focus groups.

(3) The study identifies existing research re-
garding health effects relating to exposure described
in subsection (a).

(4) The study includes protocols based on ex-
pertise from epidemiologists.

(5) The study identifies and characterizes one
or more sources of water contamination and collects
preliminary information on the magnitude and dis-
tribution of such exposure.

(6) Based on the information learned under
paragraphs (1) through (5), the study determines
the specific health effects and perfluorooctane
sulfonates and perfluorooctanoic acids to evaluate.

(7) The study includes biomonitoring from a
sample of community members, including with re-
spect to specific subgroups considered at risk for such exposure.

(8) The study collects data on possible biological changes potentially associated with such exposure.

(9) The study includes detailed exposure and health questionnaires.

(10) The study includes the review of medical records.

(11) The study analyzes data for an association between such exposure and potential health effects.

(c) SUBMISSION.—Not later than five years after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the study under subsection (a). The Secretary shall make such study publicly available pursuant to section 122a of title 10, United States Code.

SEC. 1060C. REPORT ON THE NATIONAL BIODEFENSE ANALYSIS AND COUNTERMEASURES CENTER.

(a) REPORT.—Not later than December 31, 2017, the Secretary of Defense shall submit to the appropriate Congressional committees a report, prepared in consultation with the officials listed in subsection (b), on the National Biodefense Analysis and Countermeasures Center
(referred to in this section as the “NBACC”) containing the following information:

(1) The functions of the NBACC.

(2) The end users of the NBACC, including those whose assets may be managed by other agencies.

(3) The cost and mission impact for each user identified under paragraph (2) of any potential closure of the NBACC, including an analysis of the functions of the NBACC that cannot be replicated by other departments and agencies of the Federal Government.

(4) In the case of closure of the NBACC, a transition plan for any essential functions currently performed by the NBACC to ensure mission continuity, including the storage of samples needed for ongoing criminal cases.

(b) CONSULTATION.—The officials listed in this subsection are the following:

(1) The Secretary of Homeland Security.

(2) The Director of the Federal Bureau of Investigation.

(3) The Attorney General.

(4) The Director of National Intelligence.
(5) As determined by the Secretary of Homeland Security, the leaders of other offices that utilize the NBACC.

c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—For purposes of this section, the term "appropriate Congressional Committees" means the Committees on Appropriations of the Senate and the House of Representatives, the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Homeland Security of the House of Representatives, the Committee on Homeland Security and Government Affairs of the Senate, the Committees on Judiciary of the Senate and the House of Representatives, and the Committee on Oversight and Government Reform of the House of Representatives.

Subtitle F—Other Matters

SEC. 1061. TECHNICAL, CONFORMING, AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 113(j)(1) is amended by striking “the Committee on” the first place it appears and
all that follows through “of Representatives” and inserting “congressional defense committees”.

(2) Section 115(i)(9) is amended by striking “section 1203(b) of the Cooperative Threat Reduction Act of 1993 (22 U.S.C. 5952(b))” and inserting “section 1321(a) of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711(a))”.

(3) Section 122a(a) is amended by striking “acting through the Office of the Assistant Secretary of Defense for Public Affairs” and inserting “acting through the Assistant to the Secretary of Defense for Public Affairs”.

(4) Section 127(c)(1) is amended by striking “the Committee on” the first place it appears and all that follows through “of Representatives” and inserting “congressional defense committees”.

(5) Section 129a(b) is amended by striking “(as identified pursuant to section 118b of this title)”.

(6) Section 130f(b)(1) is amended by adding a period at the end.

(7) Section 139b(c)(2) is amended by inserting a period at the end of subparagraph (K).
(8) Section 153(a) is amended by inserting a colon after “the following” in the matter preceding paragraph (1).

(9) Section 162(a)(4) is amended by striking the comma after “command of”.

(10) Section 164(a)(1)(B) is amended by striking “section 664(f)” and inserting “section 664(d)”.

(11) Section 166(c) is amended by striking “section 2011” and inserting “section 322”.

(12) Section 167b(e)(2)(A)(iii)(II) is amended by striking “Fiscal Year 2014” and inserting “Fiscal Year 2016”.

(13) Section 171a is amended—

(A) in subsection (f), by striking “(4))” and inserting “(4))”; and

(B) in subsection (i)(3), by striking “section 2366(e)” and inserting “sections 2366(e) and 2366a(d)”.

(14) Section 179(f)(3)(B)(iii) is amended by striking “Joints” and inserting “Joint”.

(15) Section 181(b)(1) is amended by striking “section 118” and inserting “section 113(g)”.

(16) Section 222(b) is amended by striking “both” through the period at the end and inserting “major force programs.”.
(17) Section 342(j)(2) is amended by striking the second period at the end.

(18) Section 347(a)(1)(A) is amended by inserting “section” in clauses (i) and (iii) after “Academy under”.

(19) Section 494(b)(2)(B) is amended by striking “of title 10” and inserting “of this title”.

(20) Section 661(c) is amended by striking “section 664(f)” in paragraphs (1)(B)(i) and (3)(A) and inserting “section 664(d)”.

(21) Section 801 (article 1 of the Uniform Code of Military Justice) is amended in the matter preceding paragraph (1) by striking “chapter:” and inserting “chapter (the Uniform Code of Military Justice):”.

(22) Section 806b(b) (article 6b(b) of the Uniform Code of Military Justice) is amended by striking “(the Uniform Code of Military Justice)”.

(23) Section 1073c(a)(1)(E) is amended by striking “miliary” and inserting “military”.

(24) Section 1074g(a)(9) is amended by moving subparagraphs (B) and (C) two ems to the left.

(25) Section 1451 is amended in subsections (a) and (b) by striking “section 1450(a)(4)” each place it appears and inserting “section 1450(a)(5)”.

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(26) Section 1452(c) is amended in paragraphs (1) and (3) by striking “section 1450(a)(4)” both places it appears and inserting “section 1450(a)(5)”.  

(27) Subsection (i) of section 1552, as redesignated by section 511(a)(1) of this Act, is amended by striking “calender” each place it appears and inserting “calendar”.

(28) Section 1553(f) is amended by striking “calender” each place it appears and inserting “calendar”.

(29) Section 2264(b)(3) is amended by striking “the date of the” and all the follows through “2015” and inserting “December 19, 2014”.

(30) Section 2330a is amended—

(A) in subsection (d)(1)(C), by striking “management.;” and inserting “management;”; and

(B) in subsection (h)—

(i) in paragraph (1), by inserting “PERFORMANCE-BASED.—” after “(1)”;

(ii) by designating the four paragraphs after paragraph (4) as paragraphs (5), (6), (7), and (8), respectively;
(iii) in paragraph (5), as redesignated, by inserting “SERVICE ACQUISITION PORTFOLIO GROUPS.—” after “(5)”; and
(iv) in paragraph (6), as redesignated, by inserting “STAFF AUGMENTATION CONTRACTS.—” after “(6)

(31) Section 2334(a)(6)(B) is amended by adding a semicolon at the end.

(32) Section 2335 is amended by striking “(2 U.S.C. 431 et seq.)” in subsections (c)(1) and (d)(3) and inserting “(52 U.S.C. 30101 et seq.)”.

(33) The table of sections at the beginning of chapter 139 is amended by inserting at period at the end of the items relating to sections 2372 and 2372a.

(34) Section 2364(a)(6) is amended by striking “conveys” and inserting “convey”.

(35) Section 2411(1)(D) is amended by striking “(Public Law 93–638; 25 U.S.C. 450b(l))” and inserting “(25 U.S.C. 5304(1))”.

(36) The item relating to section 2431b in the table of sections at the beginning of chapter 144 is amended to read as follows:

“2431b. Risk management and mitigation in major defense acquisition programs and major systems.”.
(37) Section 2430 is amended by striking “subsection (a)(2)” in subsections (b) and (c) and inserting “subsection (a)(1)(B)”. 

(38) Section 2431a(d) is amended by inserting “(1)” after “REVIEW.—”. 

(39) Section 2446b(e) is amended— 

(A) in the matter preceding paragraph (1), by striking “in writing that—” and inserting “in writing—”; and 

(B) in paragraph (1), by inserting “, that” after “open system approach”. 

(40) Section 2548(e) is amended— 

(A) by striking “REQUIREMENTS” and all that follows through “by the Secretary” and inserting “REQUIREMENT.—The annual report prepared by the Secretary”; 

(B) by striking “system; and” and inserting “system.”; and 

(C) by striking paragraph (2). 

(41) The table of sections at the beginning of chapter 152 is amended by inserting a period at the end of the item relating to section 2567. 

(42) Section 2576a(b) is amended by striking “and” at the end of paragraph (4).
(43) Section 2612(a) is amended by striking “section 2166(f)(4)” and inserting “section 343(f)(4)”.

(44) Section 2662(f)(1)(D) is amended by striking “section 334” and inserting “section 254”.

(45) Section 2667(e) is amended—

(A) in paragraph (1)(E), by striking “military museum described in section 489(a) of this title” and inserting “military museum”;

(B) in paragraph (4), by striking “before January 1, 2005, shall be deposited into the account” and inserting “shall be deposited into the Department of Defense Base Closure Account”; and

(C) by striking paragraph (5).

(46) Section 2667(k) is amended by striking “section 9101” and inserting “section 8101”.

(47) Section 2674(f)(2) is amended by adding at the end the following new sentence: “The term includes the Raven Rock Mountain Complex.”.

(48) Section 2925(b)(1) is amended by striking “section 138e” and inserting “section 2926(b)”.

(49) Chapter 449 is amended—

(A) by striking the second section 4781; and

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(B) in the table of sections, by striking the item relating to the second section 4781.

(50) Section 7235(e)(1) is amended by striking “24 months after the date of the enactment of this section” and inserting “November 25, 2017,”.

(51) The item relating to section 9517 in the table of sections at the beginning of chapter 931 is amended by making the first letter of the third word lower case.

(b) Amendments Related to Repeal of Pending Authority To Establish Under Secretary of Defense for Business Management and Information.—


(A) by striking subsection (j);

(B) in subsection (l)(1), by striking sub-paragraph (A);
(C) in subsection (m), by striking paragraphs (1) and (2); and

(D) in subsection (n), by striking paragraph (1).

(2) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016.—Effective as of November 25, 2015, subsection (f) of section 883 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), as added by section 1081(c)(5) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), is amended by striking paragraph (1).

(e) TECHNICAL CORRECTIONS RELATED TO UNIFORM CODE OF MILITARY JUSTICE REFORM.—

(1) IN GENERAL.—Chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), as amended by the Military Justice Act of 2016 (division E of Public Law 114–328), is further amended as follows:

(A) Subsection (a)(4) of section 839 (article 39), as added by section 5222(1) of the Military Justice Act of 2016 (130 Stat. 2909), is amended by striking “in non-capital cases unless the accused requests sentencing by members under section 825 of this title (article 25)”
and inserting “under section 853(b)(1) of this title (article 53(b)(1))”.

(B) Subsection (i) of section 843 (article 43), as added by section 5225(c) of the Military Justice Act of 2016 (130 Stat. 2909), is amended by striking “DNA EVIDENCE.—” and inserting “DNA EVIDENCE.—”.

(C) Section 848(e)(1) (article 48(e)(1)), as amended by section 5230 of the Military Justice Act of 2016 (130 Stat. 2913), is further amended by striking “section 866(g) of this title (article 66(g))” and inserting “section 866(h) of this title (article 66(h))”.

(D) Section 853(b)(1)(B) (article 53(b)(1)(B)), as amended by section 5236 of the Military Justice Act of 2016 (130 Stat. 2937), is further amended by striking “in a trial”.

(E) Subsection (d) of section 853a (article 53a), as added by section 5237 of the Military Justice Act of 2016 (130 Stat. 2917), is amended by striking “military judge” the second place it appears and inserting “court-martial”.

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(F) Section 864(a) (article 64(a)), as amended by section 5328(a) of the Military Justice Act of 2016 (130 Stat. 2929), is further amended by striking “(a) (a) IN GENERAL.—” and inserting “(a) IN GENERAL.—”.

(G) Subsection (b)(1) of section 865 (article 65), as added by section 5329 of the Military Justice Act of 2016 (130 Stat. 2930), is amended by striking “section 866(b)(2) of this title (article 66(b)(2))” and inserting “section 866(b)(3) of this title (article 66(b)(3))”.

(H) Subsection (f)(3) of section 866 (article 66), as added by section 5330 of the Military Justice Act of 2016 (130 Stat. 2932), is amended by inserting after “Court” the first place it appears the following: “of Criminal Appeals”.

(I) Section 869(c)(1)(A) (article 69(c)(1)(A)), as amended by section 5333 of the Military Justice Act of 2016 (130 Stat. 2935), is further amended by inserting a comma after “in part”.

(J) Section 882(b) (article 82(b)), as amended by section 5403 of the Military Justice Act of 2016 (130 Stat. 2939), is further
amended by striking “section 99” and inserting “section 899”.

(K) Section 919a(b) (article 119a(b)), as amended by section 5401(13)(B) of the Military Justice Act of 2016 (130 Stat. 2939), is further amended—

(i) by striking “928a, 926, and 928” and inserting “926, 928, and 928a”; and

(ii) by striking “128a 126, and 128” and inserting “126, 128, and 128a”.

(L) Section 920(g)(2) (article 120(g)(2)), as amended by section 5430(b) of the Military Justice Act of 2016 (130 Stat. 2949), is further amended in the first sentence by striking “brest” and inserting “breast”.

(M) Section 928(b)(2) (article 128(b)(2)), as amended by section 5441 of the Military Justice Act of 2016 (130 Stat. 2954), is further amended by striking the comma after “substantial bodily harm”.

(N) Subsection (b)(2) of section 932 (article 132), as added by section 5450 of the Military Justice Act of 2016 (130 Stat. 2957), is amended by striking “section 1034(h)” and inserting “section 1034(j)”. 
(O) Section 937 (article 137), as amended by section 5503 of the Military Justice Act of 2016 (130 Stat. 2960), is further amended by striking “(the Uniform Code of Military Justice)” each place it appears as follows:

(i) In subsection (a)(1), in the matter preceding subparagraph (A).

(ii) In subsection (b), in the matter preceding subparagraph (A).

(iii) In subsection (d), in the matter preceding paragraph (1).

(2) CROSS-REFERENCES TO STALKING.—Title 10, United States Code, is amended as follows:

(A) Section 673(a) is amended—

(i) by striking “920a, or 920c” and inserting “920c, or 930”; and

(ii) by striking “120a, or 120c” and inserting “120c, or 130”.

(B) Section 674(a) is amended—

(i) by striking “920a, 920b, 920c, or 925” and inserting “920b, 920c, 125, or 930”; and

(ii) by striking “120a, 120b, 120c, or 125” and inserting “120b, 120c, 125, or 130”.
(C) Section 1034(c)(2)(A) is amended by striking “sections 920 through 920e of this title (articles 120 through 120c of the Uniform Code of Military Justice)” and inserting “section 920, 920b, 920c, or 930 of this title (article 120, 120b, 120c, or 130 of the Uniform Code of Military Justice)”.

(D) Section 1044e(g)(1) is amended—

(i) by striking “920a, 920b, 920c, or 925” and inserting “920b, 920c, 125, or 930”; and

(ii) by striking “120a, 120b, 120c, or 125” and inserting “120b, 120c, 125, or 130”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect immediately after the amendments made by the Military Justice Act of 2016 (division E of Public Law 114–328) take effect as provided for in section 5542 of that Act (130 Stat. 2967).

(d) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017.—Effective as of December 23, 2016, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended as follows:
(1) Section 217(a)(2) (130 Stat. 2051) is amended by striking “section 821b” and inserting “section 821(b)”.

(2) Section 233 (10 U.S.C. 2358 note; 130 Stat. 2061) is amended in subsections (a)(1) and (b)(1), by striking “secretaries” and inserting “Secretaries”.

(3) Section 728(b)(1) (130 Stat. 2234) is amended by inserting “(e)” after “Section 1073b”.

(4) Section 805(a)(2) (130 Stat. 2255) is amended by striking “The table of chapters for title 10, United States Code, is” and inserting “The tables of chapters at the beginning of subtitle A, and at the beginning of part IV of subtitle A, of title 10, United States Code, are”.

(5) The matter to be inserted by section 824(d)(1)(B) (130 Stat. 2279) is amended—

   (A) by striking “(3)” and inserting “(4)”;

   and

   (B) by striking “(4)” and inserting “(5)”.

(6) Section 833(b)(2)(C) (130 Stat. 2284) is amended—

   (A) in clause (ii), by striking “Section 2330a(j) of title 10, United States Code,” and inserting “Section 2330a(h) of title 10, United
States Code, as redesignated by section 812(d),”; and

(B) in clause (iii), in the matter proposed to be inserted, by striking ‘‘section 2330a(j)’’ and inserting ‘‘section 2330a(h)’’.

(7) Section 865(b)(2) (130 Stat. 2305) is amended by striking ‘‘section 2330a(g)(5)’’ and inserting ‘‘section 2330a(h)(6)’’.

(8) Section 893(e) (130 Stat. 2324) is amended by inserting ‘‘paragraph (2) of’’ after ‘‘is further amended in’’.

(9) Section 902(b) (130 Stat. 2344) is amended by striking ‘‘Section 151(b)(5)’’ and inserting ‘‘Section 131(b)(5)’’.

(10) Section 921(c) (130 Stat. 2351) is amended by inserting after ‘‘The text of’’ the following: ‘‘subsection (a) (after the subsection heading)’’.

(11) Section 1061(c)(23) (130 Stat. 2400) is amended by striking ‘‘488(c)’’ and inserting ‘‘488’’.

(12) Section 1061(i) (130 Stat. 2404) is amended—

(A) in paragraph (23), by striking ‘‘2010 (Public Law 110–417)’’ and inserting ‘‘2009 (Public Law 110–417; 10 U.S.C. prece. 701 note)’’; and
(B) in paragraph (24), by striking “2010” and inserting “2009”.

(13) Section 1064(b) (130 Stat. 2409) is amended by striking “Public Law 113–239” and inserting “Public Law 112–239”.

(14) Section 1253(b) (130 Stat. 2532) is amended by striking “this subchapter” both places it appears and inserting “this subtitle”.

(15) Section 2811(c) (130 Stat. 2716) is amended by striking “, and the provisions of law amended by subsections (a) and (b) of that section shall be restored as if such section had not been enacted into law”.

(16) Section 2829E(a) (130 Stat. 2733) is amended by striking paragraph (3).

(17) Section 5225(f) (130 Stat. 2910) is amended by striking “this subsection” and inserting “this section”.

(18) The table of sections to be inserted by section 5452 (130 Stat. 2958) is amended—

   (A) by striking “Art.” each place it appears, except the first place it appears;

   (B) in the item relating to section 887a, by striking “Resistence” and inserting “Resist-
(C) in the item relating to section 908, by striking “of the United States–Loss” and inserting “of United States–Loss,”;

(D) in the item relating to section 909, by striking “of the” and inserting “of”; and

(E) in the item relating to section 909a, by striking the second period at the end.

(19) The matters to be inserted by section 5541 (130 Stat. 2965) is amended—

(A) by striking “Art.” each place it appears;

(B) by striking “825.” and inserting “825a.”; and

(C) by striking “830.” and inserting “830a.”.

(e) National Defense Authorization Act for Fiscal Year 2016.—Effective as of November 25, 2015, and as if included therein as enacted, section 574 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 831) is amended by striking “1785 note” both places it appears and inserting “1788 note”.

(f) National Defense Authorization Act for Fiscal Year 2015.—Effective as of December 19, 2014, and as if included therein as enacted, section

(1) in paragraph (1), by striking “Chapter” and inserting “Subchapter II of chapter”; and

(2) in paragraph (2), by striking “chapter” and inserting “subchapter”.


“section 1004(j)” and all that follows through the end of
the subsection and inserting “section 284(i) of title 10,
United States Code”.

(j) COORDINATION WITH OTHER AMENDMENTS
MADE BY THIS ACT.—For purposes of applying amend-
ments made by provisions of this Act other than this sec-
tion, 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. 1062. WORKFORCE ISSUES FOR RELOCATION OF MA-
RINES TO GUAM.

(a) IN GENERAL.—Section 6(b) of the Joint Resolu-
tion entitled “A Joint Resolution to approve the ‘Covenant
To Establish a Commonwealth of the Northern Mariana
Islands in Political Union With the United States of
America’, and for other purposes”, approved March 24,
1976 (48 U.S.C. 1806(b)) is amended to read as follows:

“(b) NUMERICAL LIMITATIONS FOR NONIMMIGRANT
WORKERS.—An alien, if otherwise qualified, may seek ad-
mission to Guam or to the Commonwealth during the
transition program as a nonimmigrant worker under sec-
tion 101(a)(15)(H) of the Immigration and Nationality
Act (8 U.S.C. 1101(a)(15)(H)) without counting against
the numerical limitations set forth in section 214(g) of
such Act (8 U.S.C. 1184(g)). An alien, if otherwise quali-
fied, may, before October 1, 2020, be admitted under sec-
tion 101(a)(15)(H)(ii)(b) of such Act for a period of up
to 3 years (which may be extended by the Secretary of
Homeland Security before October 1, 2020, for an addi-
tional period or periods not to exceed 3 years each) to per-
form services or labor on Guam pursuant to any agree-
ment entered into by a prime contractor or subcontractor
calling for services or labor required for performance of
the contract or subcontract in direct support of all mili-
tary-funded construction, repairs, renovation, and facili-
ties services, or to perform services or labor on Guam as
a health-care worker, notwithstanding the requirement of
such section that the service or labor be temporary. This
subsection does not apply to any employment to be per-
formed outside of Guam or the Commonwealth.”.

(b) EFFECTIVE DATE.—The amendment made by
subsection (a) shall take effect on the date that is 120
days after the date of the enactment of this Act.

SEC. 1063. PROTECTION OF SECOND AMENDMENT RIGHTS
OF MILITARY FAMILIES.

(a) SHORT TITLE.—This section may be cited as the
“Protect Our Military Families’ 2nd Amendment Rights
Act”.

(b) RESIDENCY OF SPOUSES OF MEMBERS OF THE
ARMED FORCES TO BE DETERMINED ON THE SAME
Basis as the Residency of Such Members for Purposes of Federal Firearms Laws.—Section 921(b) of title 18, United States Code, is amended to read as follows:

“(b) For purposes of this chapter:

“(1) A member of the Armed Forces on active duty and the spouse of such a member are residents of the State in which the permanent duty station of the member is located.

“(2) The spouse of such a member may satisfy the identification document requirements of this chapter by presenting—

“(A) the military identification card issued to the spouse; and

“(B) the official Permanent Change of Station Orders annotating the spouse as being authorized for collocation, or an official letter from the commanding officer of the member verifying that the member and the spouse are collocated at the permanent duty station of the member.”.

(c) Effective Date.—The amendment made by subsection (b) shall apply to conduct engaged in after the 6-month period that begins with the date of the enactment of this Act.
SEC. 1064. TRANSFER OF SURPLUS FIREARMS TO CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY.

(a) In General.—Section 40728(h) of title 36, United States Code, is amended—

(1) by striking ``(1) Subject to paragraph (2), the Secretary may transfer'' and inserting ``The Secretary shall transfer'';

(2) by striking ``The Secretary shall determine a reasonable schedule for the transfer of such surplus pistols.''; and

(3) by striking paragraph (2).

(b) Termination of Pilot Program.—Section 1087 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1012) is amended by striking subsections (b) and (c).

SEC. 1065. NATIONAL GUARD ACCESSIBILITY TO DEPARTMENT OF DEFENSE ISSUED UNMANNED AIRCRAFT.

(a) Review Required.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chief of the National Guard Bureau, the Commander of United States Northern Command, and the Commander of United States Pacific Command, shall conduct an efficiency and effectiveness review of the governance structure, coordination proc-
esses, documentation, and timing and deadline require-
ments stipulated in Department of Defense Policy Memo-
randum 15-002, entitled “Guidance for the Domestic Use
of Unmanned Aircraft Systems” and dated February 17,
2015. In conducting the review, the Secretary shall take
into account information and data points provided by
State governors and State adjutant generals in assessing
the efficiency and effectiveness of accessing Department
of Defense issued unmanned aircraft systems for State
and National Guard operations.

(b) Submittal to Congress.—Not later than 30
days after the completion of the review required by sub-
section (a), the Secretary shall submit the review to the
Committees on Armed Services of the Senate and House
of Representatives.

SEC. 1066. SENSE OF CONGRESS REGARDING AIRCRAFT
CARRIERS.

(a) Findings.—Congress makes the following find-
ings:

(1) Naval aviation was born in the United
States when Eugene Ely launched from the deck of
a United States Navy ship on November 14, 1910,
in a Curtiss Model D.

(2) In 1915, Cpt. Henry C. Mustin made the
first catapult launch and first take off in a ship un-
underway in a Curtiss Model AB-2, beginning a century of technological advancements that have led to today’s Electromagnetic Aircraft Launch System which has replaced the steam pistons with powerful magnets to launch jet aircraft.

(3) In 1924, Lt. Dixie Kiefer made the first night catapult launch in a Vought UO-1 in San Diego harbor, leading to today’s aircraft carriers being a floating city at sea with a 24-hour airport.

(4) The first nuclear-powered aircraft carrier, USS Enterprise (CVN 65), was commissioned in 1961, ushering in a new era of the world’s most dominant and capable warships.

(5) In 2013, the first of the next generation of aircraft carriers, Gerald R. Ford, was christened, marking a continuation of the innovative naval aviation spirit, technological advancement, and war fighting capabilities of aircraft carriers.

(6) In 2013, aircraft carrier USS George Washington (CVN 73) provided humanitarian assistance, medical supplies, food, and water to the victims in the Philippines of Super Typhoon Haiyan, once again demonstrating versatility of the aircraft carrier for combat, diplomatic and humanitarian operations.
(7) For over 70 years, aircraft carriers have been employed in every major and many smaller conflicts, including World War II, Korea, Vietnam, Grenada, Lebanon, Libya, Operation Desert Storm, Afghanistan, Iraq, and the fight against terrorism.

(8) The United States Navy’s aircraft carriers are a cornerstone of the Nation’s ability to project its power and strength.

(9) When aircraft carriers sail the globe they are a statement of national purpose and a symbol of the Nation’s industrial strength, competitive edge, and economic prosperity.

(10) Aircraft carriers are 4.5 acres of sovereign United States territory enabling the Nation to reduce its dependency on other nations while it pursues its national security interests.

(11) Aircraft carriers enable the United States Armed Forces to carry out operations from international waters, avoiding the complications of securing fly-over rights and land-base rights from other nations.

(12) Aircraft carriers are a modern, very mobile United States military base complete with airfield, hospital, and communications systems from which the United States can strike at its enemies.
(13) Over 90 percent of world trade is moved by sea, including much of the world’s gas and oil supply, and aircraft carriers and their strike forces are constantly on patrol in vital regions of the world to keep shipping lanes open and protect the interests of the United States and its allies.

(14) There are more than 2,450 companies in 48 States and over 364 congressional districts, and more than 13,100 shipbuilders who proudly contribute to the construction and maintenance of these complex and technologically advanced ships.

(15) Thousands of members of the United States Armed Forces have served the Nation aboard aircraft carriers in war, peace, and times of crisis.

(16) When crisis occurs the first question that comes to everyone’s lips is “Where is the nearest carrier?”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) United States aircraft carriers are the pre-eminent power projection platform and have served the Nation’s interests in times of war and in times of peace, adapting to the immediate and ever-changing nature of the world for over 90 years;
(2) aircraft carrier contributions and heritage should be celebrated; and

(3) the people of the United States should be encouraged to celebrate the history of aircraft carriers in the United States and to always remember the vital role these vessels play in defending the Nation’s freedom.

SEC. 1067. NOTICE TO CONGRESS OF TERMS OF DEPARTMENT OF DEFENSE SETTLEMENT AGREEMENTS.

(a) In General.—Notwithstanding any other provision of law or any court order, at the request of the Chairman of the Committee on Armed Services of the Senate or the House of Representatives or the Chairman of the Committee on Appropriations of the Senate or the House of Representatives, the Secretary of Defense shall make available (in an appropriate manner with respect to classified information, if necessary) to such chairman a settlement agreement (including a consent decree) in any civil action involving the Department of Defense, a military department, or a Defense Agency, if, in the opinion of the Secretary, in consultation with the Attorney General, the terms of the settlement agreement affect the congressional authorization or appropriations process with respect to the Department of Defense.
(b) CONSULTATION REQUIREMENT.—Before making a request under subsection (a)—

(1) the Chairman of the Committee on Armed Services or the Committee on Appropriations of the Senate shall consult with the Chairman of the Committee on the Judiciary of the Senate; and

(2) the Chairman of the Committee on Armed Services or the Committee on Appropriations of the House of Representatives shall consult with the Chairman of the Committee on the Judiciary of the House of Representatives.

SEC. 1068. SENSE OF CONGRESS RECOGNIZING THE UNITED STATES NAVY SEABEES.

(a) FINDINGS.—Congress makes the following findings:

(1) On March 5, 1942, Navy Construction Battalion personnel were officially named Seabees by the Navy Department.

(2) The purpose of the Navy Seabees is to build, maintain, and support base infrastructure in remote locations for the Navy and Marine Corps, while simultaneously being capable of engaging in combat operations.
(3) The Navy Seabees dual-role is exemplified by the Seabee motto Construimus, Batuimus: We Build, We Fight.

(4) Throughout their history, the Navy Seabees have answered the call of duty to protect the United States and its democratic values both in times of war and peace.

(5) The Navy Seabees support United States national security at combatant commands worldwide, through the construction, both on land and underwater, of bases, airfields, roads, bridges, and other infrastructure.

(6) Members of the Navy Seabees and their families have demonstrated unmatched courage and dedication to sacrifice for the United States, from service in World War II, Korea, and Vietnam to the recent conflicts in Afghanistan, Iraq, and elsewhere.

(7) The Navy Seabees exhibit honor, personal courage, and commitment as they sacrifice their personal comfort to keep the United States safe from threats.

(8) The Navy Seabees continue to display strength, professionalism, and bravery in the all-volunteer force.
(b) SENSE OF CONGRESS.—Congress recognizes the
United States Navy Seabees and the Navy personnel who
comprise the construction force for the Navy and the Ma-
rine Corps as critical elements in deterring conflict, over-
coming aggression, and rebuilding democratic institutions.

SEC. 1069. RECOGNITION OF THE UNITED STATES SPECIAL
OPERATIONS COMMAND.

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

(1) On April 16, 1987, Congress required the
establishment of a Special Operations Command,
which was to be an elite fighting force drawn from
all of the branches of the Armed Forces.

(2) As a headquarters organization, USSOCOM
comprises four service-component commands, con-
sisting of the United States Army Special Oper-
ations Command, United States Naval Special War-
fare Command, United States Marine Corps Forces
Special Operations Command, and United States Air
Force Special Operations Command, and includes
various sub-unified commands.

(3) Each service-component command has sub-
component commands consisting of—
(A) Army Special Forces (Green Berets), Rangers, Special Operations Aviation, Civil Affairs, Military Information Support Operations;

(B) Navy SEALs and Special Warfare Combatant-Craft Crewmen;

(C) Air Force Commandos and Special Tactics Airmen;

(D) Marine Raiders; and

(E) other Joint Special Operations Forces;

(4) USSOCOM protects and defends the United States in a variety of ways, including direct action, special reconnaissance, unconventional warfare, foreign internal defense, civil affairs operations, counterterrorism, military information support operations, counter-proliferation of weapons of mass destruction, security force assistance, counterinsurgency, hostage rescue and recovery, foreign humanitarian assistance, and other missions as assigned.

(5) USSOCOM has an unequaled ability to analyze and respond to terrorist threats and USSOCOM has led many successful missions globally.

(6) Many USSOCOM missions are classified, so the American people may never know the details and extent of the bravery of Special Operations Forces, but a sample of missions provide a glimpse into the
bravery and talents of these members of the Armed
Forces:

(A) On May 2, 2011, Osama bin Laden
was killed in a special operations mission in
Pakistan, for which the outstanding men and
women in America’s intelligence and Armed
Forces, especially those from SOCOM, re-
mained focused on bringing Osama bin Laden
to justice, and on May 2, 2011, justice was
done.

(B) On April 12, 2009, the Maersk Ala-
bama was rescued unharmed in a special oper-
ations mission in the Indian Ocean, after a five-
day standoff between the United States Navy
and Somalian pirates.

(C) On April 1, 2003, Jessica Lynch, a
United States Army clerk taken prisoner for
nine days in Iraq, was rescued by Special Oper-
ations Forces during a night raid in the hos-
pital where she was being held.

(D) On December 13, 2003, in Operation
Red Dawn, Special Operations Forces captured
deposed Iraqi president Saddam Hussein, who
was hiding in a spider hole.
(E) On January 17, 1991, as Operation Desert Storm began, Special Operations Forces slipped hundreds of miles into Iraq to identify Iraqi Scud missiles as targets for American fighter jets.

(F) On December 20, 1989, in Operation Just Cause and Operation Nifty Package, Special Operations Forces ventured into Panama to bring its then President Manuel Noriega to justice for drug-trafficking.

(7) Approximately 70,000 Regular component, National Guard, and reserve component personnel from all four services and Department of Defense civilians are assigned to USSOCOM headquarters in Tampa, its four service-component commands, and eight sub-unified commands.

(8) The heroism, skill, and patriotism of USSOCOM personnel and their families are without parallel.

(9) The responsibilities of USSOCOM are growing and its mission is now and will continue to be central to the defense of the United States in future decades.
The sacrifices of many, the service of all, and the talents of the Special Operations Forces are cause for confidence and optimism. 

(b) SENSE OF CONGRESS.—It is the sense of Congress that the soldiers, sailors, airmen, Marines, and civilians who, together with their family members, comprise the United States Special Operations Forces community should be honored for their service and commitment to keeping the United States safe.

SEC. 1070. SENSE OF CONGRESS REGARDING WORLD WAR I.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States declared war against Germany on April 6, 1917, to redress wrongs, including Germany’s resumption of unrestricted submarine warfare, violation of United States neutrality, and denial of freedom of the seas to non-belligerent nations.

(2) The United States associated itself with the allied powers of the United Kingdom and its Commonwealth, France and its colonies, Russia, Italy, and Japan to defeat the German Empire

(3) The United States Army, consisting of the Regular Army, National Guard, and Reserve Corps, with the addition of volunteers and the draftees of
the National Army, underwent a transformation from a frontier constabulary and coastal defense force to a modern land warfare force.

(4) Early 20th century military and technological advances resulted in the incorporation of motor transport, aviation, anti-aircraft artillery, tanks, chemical weapons, aircraft carriers, submarines and anti-submarine warfare, sonar, underwater mines, and other innovations into the military arsenal of the United States.

(5) The need to quickly build a military strength of four million soldiers and half a million sailors required the mobilization of the human resources of the United States, during which members of diverse ethnic groups, races, and creeds, both native-born and immigrant, forged a new American identity.

(6) The United States Army maintained its defense of American seacoasts, southern border, and overseas possessions, while the Army American Expeditionary Forces deployed “Over There” for combat operations in Europe starting in June 1917.

(7) By the end of World War I, almost two million members of the Army served overseas in the American Expeditionary Forces; Whereas, during
World War I, the United States Navy increased in strength from approximately 69,000 officers and sailors and 342 vessels to more than 533,000 officers and sailors and 774 vessels.

(8) The Navy operated in the Atlantic and Pacific Oceans, and the North and Mediterranean Seas in cooperation with allied navies.

(9) The Navy began the fight against the German U-boat menace by dispatching destroyers, which eventually totaled 70 in number, and 169 other vessels to counter the submarine threat.

(10) Navy vessels escorted troop transports carrying 1,250,000 passengers and escorted supply transports carrying 27 percent of all cargo shipped to Europe.

(11) The Navy deployed five batteries of large-caliber battleship guns mounted on railroad trains to France for service as long-range artillery for the Army.

(12) The United States Coast Guard transferred to the operational control of the Navy, and augmented that service with approximately 5,000 officers and sailors, 47 vessels of all types, and 279 shore stations.
(13) The United States Marine Corps, with an eventual wartime strength of 75,000 officers and men, detached two regiments and a machine gun battalion to constitute an infantry brigade integrated into the Army’s 2d Division for service in France.

(14) On July 4, 1917, Colonel Charles E. Stanton, one of the officers on the staff of General John Pershing, commander of the American Expeditionary Forces in Europe, famously announced America’s commitment to the fight when Colonel Stanton proclaimed upon his arrival in France, “Lafayette, we are here!”.

(15) Whereas the American Expeditionary Forces formed three field armies, nine corps and forty-three divisions, plus various units of the Services of Supply.

(16) The American Expeditionary Forces suffered 244,000 casualties in fighting in thirteen named campaigns in World War I.

(17) Participation in World War I resulted in the completion of a period of reform and professionalism that transformed the Armed Forces from a small dispersed organization to a modern industrialized fighting force capable of global reach and influence.
(b) Sense of Congress.—Congress—

(1) honors the memory of the fallen heroes who wore the uniform of the United States Armed Forces during World War I;

(2) commends the United States Armed Forces for preserving and protecting the interests of the United States during World War I;

(3) commends the brave members of the United States Armed Forces for their efforts in "making the world safe for democracy," and preserving the founding principles of the United States at home and abroad during World War I;

(4) commends the brave members of the United States Armed Forces for preserving and protecting the sea lanes of commerce and communications during World War I that ensured the continued prosperity of the United States;

(5) celebrates and congratulates the United States Army, Navy, Marine Corps, Air Force, and Coast Guard during the commemoration of the centennial of World War I for a job well done; and

(6) calls on all people of the United States to join in the commemoration of the centennial of World War I in events throughout the United States and overseas.
SEC. 1071. FINDINGS AND SENSE OF CONGRESS REGARDING THE NATIONAL GUARD YOUTH CHALLENGE PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) Fewer than 30 percent of youth in the United States qualify for military service, either because of poor physical health, a criminal record, or lack of a high school degree.

(2) The National Guard Youth Challenge Program provides the Department of Defense an opportunity to work with State and local governments to engage with the youth of the nation, providing military-based training, the opportunity to earn a high school degree, and high physical fitness standards.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is critical to allocate the necessary resources to the National Guard Youth Challenge Program of the Department of Defense as it plays a critical role in preparing the next generation of qualified youth for military service.

SEC. 1072. SENSE OF CONGRESS REGARDING NATIONAL PURPLE HEART RECOGNITION DAY.

(a) FINDINGS.—Congress finds the following:

(1) On August 7, 1782, during the Revolutionary War, General George Washington established what is now known as the Purple Heart medal...
when he issued an order establishing the Badge of Military Merit.

(2) The Badge of Military Merit was designed in the shape of a heart in purple cloth or silk.

(3) While the award of the Badge of Military Merit ceased with the end of the Revolutionary War, the Purple Heart medal was authorized in 1932 as the official successor decoration to the Badge of Military Merit.

(4) The Purple Heart medal is the oldest United States military decoration in present use.

(5) The Purple Heart medal is awarded in the name of the President of the United States to recognize members of the Armed Forces who are killed or wounded in action against an enemy of the United States or are killed or wounded while held as prisoners of war.

(b) SENSE OF CONGRESS.—Congress—

(1) supports the goals and ideals of National Purple Heart Recognition Day; and

(2) encourages all people of the United States—

(A) to learn about the history of the Purple Heart medal;
(B) to honor recipients of the Purple Heart medal; and

(C) to conduct appropriate ceremonies, activities, and programs to demonstrate support for people who have been awarded the Purple Heart medal.

SEC. 1073. PROVIDING ASSISTANCE TO HOUSE OF REPRESENTATIVES IN RESPONSE TO CYBERSECURITY EVENTS.

(a) Provision of Assistance.—If the Speaker of the House of Representatives (or the Speaker’s designee), with the concurrence of the Minority Leader of the House of Representatives (or the Minority Leader’s designee), determines that a cybersecurity event has occurred and that containing, mitigating, or resolving the event exceeds the resources of the House of Representatives, then notwithstanding any other provision of law or any rule, regulation, or executive order—

(1) the Speaker may request assistance in responding to the event from the head of any Executive department, military department, or independent establishment;

(2) not later than 24 hours after receiving the request, the head of the department or establishment shall begin to provide appropriate assistance in
response to the incident, including (if necessary) re-
storing the information systems of the House to an
operational state which allows for the continuation
of the legislative process and for Members, officers,
and employees of the House to continue to meet
their official and representational duties; and

(3) such assistance shall be provided without
reimbursement by the House of Representatives.
(b) SCOPE OF ASSISTANCE.—

(1) IN GENERAL.—The assistance provided to
the Speaker by the head of a department or estab-
lishment under this section may consist only of a
type that the head of the department or establish-
ment is authorized under law to provide to the de-
partment or establishment, another Executive de-
partment, military department, or independent es-
tablishment, or a private entity.

(2) CONNECTIONS BETWEEN DEPARTMENT OR
ESTABLISHMENT AND HOUSE INFORMATION SYS-
TEMS.—In providing assistance under this section—

(A) personnel of a department or establish-
ment may not log onto the information systems
of the House without the authorization of the
Speaker (or the Speaker’s designee); and
(B) personnel of a department or establishment may provide the House with access to technological support services of the department or establishment, including by authorizing personnel or systems of the House to connect with and operate services or programs of the department or establishment with guidance from subject matter experts of the department or establishment.

(c) Termination of Assistance.—

(1) Termination upon notice from Speaker.—After initiating assistance under this section, the head of the department or establishment shall continue providing assistance until the Speaker (or Speaker’s designee) notifies the head of the department or establishment that the cybersecurity incident has terminated and that it is no longer necessary for the department or establishment to provide post-incident assistance.

(2) Removal of technological support services.—Upon receiving notice from the Speaker under paragraph (1), the head of the department or establishment shall ensure that any technological support services or programs of the department or establishment are removed from the information sys-
tems of the House, and that personnel of the depart-
ment or establishment are no longer monitoring such
systems.

(d) Compliance With Existing Standards.—In
providing assistance under this section, the head of the
Executive department, military department, or inde-
pendent establishment shall meet the requirements of sec-
tion 113 of the Legislative Branch Appropriations Act,
2017 (Public Law 115–31).

(e) No Effect on Other Authority to Provide
Support.—Nothing in this section may be construed to
affect the authority of an Executive department, military
department, or independent establishment to provide any
support, including cybersecurity support, to the House of
Representatives under any other law, rule, or regulation.

(f) Definitions.—In this section, each of the terms
“Executive department”, “military department”, and
“independent establishment” has the meaning given such
term in chapter 1 of title 5, United States Code.

SEC. 1074. REVIEW AND UPDATE OF REGULATIONS GOV-
ERNING DEBT COLLECTORS INTERACTIONS
WITH UNIT COMMANDERS OF MEMBERS OF
THE ARMED FORCES.

Not later than 180 days after the date of the enact-
ment of this Act, the Secretary of Defense shall review
and update Department of Defense Directive 1344.09 and any associated regulations to ensure that such regulations comply with Federal consumer protection laws with respect to the collection of debt.

SEC. 1075. SENSE OF CONGRESS REGARDING PACIFIC WAR MEMORIAL.

(a) FINDING.—Congress recognizes that there is currently no memorial that specifically honors the members of the United States Armed Forces who served in the Pacific Theater of World War II, also known as the Pacific War.

(b) SENSE OF CONGRESS.—It is the sense of Congress that a Pacific War memorial should be established at a suitable location at or near the Pearl Harbor site of the World War II Valor in the Pacific National Monument in Honolulu, Hawaii.

SEC. 1076. SENSE OF CONGRESS ON CYBERSECURITY OPERATION WITH UKRAINE.

(a) FINDINGS.—Congress finds the following:

(1) There is a strong history of cyber attacks in Ukraine.

(2) The United States supports Ukraine and the European Deterrence Initiative.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the United States reaffirms support for the sovereignty and territorial integrity of Ukraine; and

(2) the United States should assist Ukraine in improving its cybersecurity capabilities.

SEC. 1077. APOLLO I MEMORIAL.

(a) FINDINGS.—Congress finds the following:

(1) On January 27, 1967, NASA Astronauts Command Pilot Virgil I. “Gus” Grissom, Senior Pilot Edward H. White II, and Pilot Roger B. Chaffee were killed in an electrical fire that broke out inside the Apollo I Command Module on Launch Pad 34 at the Kennedy Space Center in Cape Canaveral, Florida.

(2) Command Pilot Virgil Grissom was selected by NASA in 1959 as one of the original seven Mercury astronauts. He piloted the Liberty Bell 7 spacecraft on July 21, 1963, on the second and final Mercury suborbital test flight, served as command pilot on the first manned Gemini flight on March 23, 1965, and was named as Command Pilot of the first Apollo flight. He began his career in the United States Army Air Corps and was a Lieutenant Colonel in the United States Air Force at the time of the accident, and he is buried at Arlington National Cemetery.
(3) Senior Pilot Edward H. White II was selected by NASA as a member of the second astronaut team in 1962. He piloted the Gemini-4 mission, a 4-day mission that took place in June 1965, during which he conducted the first extravehicular activity in the United States human spaceflight program. He was named as Command Module Pilot for the first Apollo flight. He began his career as a cadet in United States Military Academy at West Point and was a Lieutenant Colonel in the United States Air Force at the time of the accident.

(4) Pilot Roger B. Chaffee was selected by NASA as part of the third group of astronauts in 1963. He was named as the Lunar Module Pilot for the first Apollo flight. He began his career as a ROTC cadet before commissioning as an ensign in the United States Navy, he was a Lieutenant Commander in the United States Navy at the time of the accident, and he is buried at Arlington National Cemetery.

(5) All 3 astronauts were posthumously awarded the Congressional Space Medal of Honor.

(6) As Arlington National Cemetery is where we recognize heroes who have passed in the service of our Nation, it is fitting on the 50th anniversary
of the Apollo I accident that we acknowledge those
astronauts by building a memorial in their honor.

(b) CONSTRUCTION OF MEMORIAL TO THE CREW OF
THE APOLLO I LAUNCH TEST ACCIDENT AT ARLINGTON
NATIONAL CEMETERY.—

(1) CONSTRUCTION REQUIRED.—The Secretary
of the Army shall, in consultation with the Adminis-
trator of the National Aeronautics and Space Ad-
ministration, construct at an appropriate place in
Arlington National Cemetery, Virginia, a memorial
marker honoring the three members of the crew of
the Apollo I crew who died during a launch re-
hearsal test on January 27, 1967, in Cape Canav-
eral, Florida.

(2) FUNDING.—Of the amounts authorized to
be appropriated in section 4201 for management
support, Space and Missile Center (SMC) civilian
workforce (Line 152), as specified in the cor-
responding funding table in section 4201, $50,000
shall be available for the construction required under
paragraph (1) of this subsection.

SEC. 1078. NATIONAL STRATEGY FOR COUNTERING VIO-
LENT EXTREMIST GROUPS.

(a) STRATEGY REQUIRED.—
(1) IN GENERAL.—Not later than June 1, 2018, the President shall submit to the appropriate committees of Congress a report on a comprehensive, interagency national strategy for countering violent extremist groups.

(2) ELEMENTS.—The comprehensive, interagency national strategy required by paragraph (1) shall include the following elements:

(A) Identification and prioritization of the threats, including a description of capability and intent posed to the United States and United States interests, from violent extremist groups and their ideologies, by region and affiliated group, including any state-sponsors for such groups.

(B) Identification of the interagency tools for combating and countering violent extremist groups, including—

(i) countering violent extremist group messaging and ideological support;

(ii) combating terrorist group financing; intelligence gathering and cooperation;

(iii) law enforcement activities; sanctions; counterterrorism and counterintelligence activities;
(iv) support to civil-society groups, commercial entities, allies and counter radicalization activities of such groups; and

(v) support by the Armed Forces of the United States to combat violent extremist groups.

(C) Use of, coordination with, or liaison to international partners, non-governmental organizations, or commercial entities that support United States policy goals in countering violent extremist ideologies and organizations.

(D) Synchronization processes for these use of these interagency tools against the priority threats, including the roles and responsibilities of the Global Engagement Center, as well as the National Security Council in coordinating the interagency tools.

(E) Recommendations for improving coordination between Federal Government agencies, as well as with State, local, international, and non-governmental entities.

(F) Other matters as the President considers appropriate.

(b) ASSESSMENT.—Not later than one year after the date of the submission of the strategy required by sub-
section (a), the President shall submit to the appropriate committees of Congress an assessment of the strategy, including—

(1) the status of implementation of the strategy;

(2) progress toward the achievement of benchmarks or implementation of any recommendations; and

(3) any changes to the strategy since such submission.

(c) FORM.—Each report required by this section shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

(1) the Committees on Foreign Relations, Armed Services, Appropriations, Homeland Security and Governmental Affairs, and the Judiciary and the Select Committee on Intelligence of the Senate; and

(2) the Committees on Foreign Affairs, Armed Services, Appropriations, Homeland Security, and the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives.
SEC. 1079. ADEQUACY OF THE REPORT ON THE
VULNERABILITIES OF THE DEFENSE INDUS-
TRIAL BASE.

(a) Comprehensive Report on Vulnerabilities
of, and Concentration of Purchases in, the De-
defense Industrial Base.—

(1) Report.—Not later than 180 days after
the date of the enactment of this Act, and at least
annually until September 30, 2023, before March
31, thereafter the President shall issue to the appro-
priate congressional committees a comprehensive re-
port combining all of the elements of the reports de-
scribed in paragraph (4) and any other relevant re-
ports on the adequacy of, vulnerabilities of, and con-
centration of purchases in the defense industrial sec-
tor.

(2) Consultation.—In preparing a report
under paragraph (1), the President shall consult
with the Secretary of State, the Secretary of the
Treasury, the Secretary of Defense, the Attorney
General, the Secretary of Homeland Security, the
Director of National Intelligence, the Director of the
National Security Agency and such other cabinet of-
officials and heads of Federal departments and agen-
cies? as the President determines to be appropriate.
(3) **Form of report.**—Each report issued under paragraph (1) shall be in unclassified form, but may contain a classified annex.

(4) **List of reports.**—Each report issued under paragraph (1) shall contain all relevant information and analysis from the following reports, as well as such other relevant information as the President determines to be appropriate:

(A) The report described under section 721(m) of the Defense Production Act of 1950 (50 U.S.C. 4565(m)), relating to concentrations of purchases of the defense industrial base.

(B) The report described under section 723(a) of the Defense Production Act of 1950 (50 U.S.C. 4568(a)), relating to offsets in defense production.

(C) The report described under section 2504 of title 10, United States Code, relating to annual industrial capabilities.


(E) The “Study of Field Failures Involving Counterfeit Electronic Parts” described under


(K) The report related to “Monitoring and Enforcement of Mitigation Agreements Related to Foreign Investment in the United States” described under House Report 113-102.

(L) The additive manufacturing recommendation described in House Report 113-446.

(M) The “Assessment of the directed energy industrial base” described in House Report 114-102.

(b) COMPREHENSIVE DATABASE OF PROPOSED TRANSACTIONS OR PURCHASES IN THE DEFENSE INDUSTRIAL BASE INVOLVING A FOREIGN PERSON.—

(1) ESTABLISHMENT AND MAINTENANCE OF DATABASE.—

(A) IN GENERAL.—The President shall establish and keep current a database of proposed transactions that would result in all of, a substantial part of, or a controlling interest in, a U. S. corporation, or the U. S. assets of a foreign corporation, being owned or controlled by a foreign person, in the defense industrial base and any manufacturing or intellectual property related to the defense industrial base.
(B) CONFIDENTIALITY OF INFORMATION.—Except as provided under subparagraph (C), the President shall ensure that the information contained in the database is kept confidential.

(C) ACCESS TO DATABASE.—The President shall—

(i) ensure that access to information in the database is strictly controlled;

(ii) make the database available to the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, the Director of National Intelligence, and the National Security Agency, with such limitations as the President may determine appropriate;

(iii) require that records are kept each time a person accesses information in the database; and

(iv) require that any person receiving information from the database continues to preserve the confidentiality of the information.

(2) MANDATORY FILING REQUIREMENT.—
(A) In general.—With respect to any proposed transaction described under paragraph (1)(A), the proposed purchaser and proposed seller in such proposed transaction shall file, and keep current, a report with the database containing a description of the proposed transaction.

(B) Additional information for proposed transactions involving a foreign government-controlled corporation.—If, with respect to proposed transaction described in subparagraph (A), any foreign person is a foreign government-controlled corporation, the report required under subparagraph (A) shall also disclose whether such foreign government-controlled corporation is—

(i) a Chinese corporation;

(ii) a Russian corporation;

(iii) an Iranian corporation; or

(iv) a North Korean corporation.

(C) Civil penalty.—Any person who willfully violates a provision of this paragraph shall be fined not more than $100,000 per violation.

(c) Defense Industrial Base Technologies Controlled.—
(1) **S**ENSE OF **C**ONGRESS.—It is the sense of Congress that statutes and mechanisms to control the export of critical technologies or related intellectual property must be kept up-to-date, reflecting changes in the defense industrial base, technology, and the global market, in order to adequately protect United States national security.

(2) **R**EPORT.—Annually, until September 30, 2023, before March 31, the President shall deliver to the appropriate congressional committees a report describing any need for reforms of policies governing the export of technology or related intellectual property, along with any proposed legislative changes the President believes are necessary.

(d) **S**EPARATE **R**EPORTS **R**EQUIRED.—The reports required under subsections (a)(1) and (e)(2) may be issued concurrently, but shall be issued as separate reports.

(e) **D**EFINITIONS.—For purposes of this section:

(1) **A**PPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representa-
tives and the Committee on Armed Services, the
Committee on Banking, Housing, and Urban Af-
fairs, the Committee on Foreign Relations, and the
Select Committee on Intelligence of the Senate.

(2) DATABASE.—The term “database” means
the database established pursuant to subsection
(b)(1)(A).

(3) DEFENSE INDUSTRIAL BASE.—The term
“defense industrial base” shall have the meaning
given the term “national technology and industrial
base” within the context of section 2503 of title 10,
United States Code.

(4) DEFINITIONS RELATED TO CORPORATIONS.—

(A) CORPORATION.—The term “corpora-
tion” means a corporation, partnership, or
other organization.

(B) FOREIGN CORPORATION.—The term
“foreign corporation” means a corporation or-
organized under the laws of a foreign country.

(C) U.S. CORPORATION.—The term “U.S.
corporation” means a corporation organized
under the laws of the United States.

SEC. 1080. FEDERAL CHARTER FOR SPIRIT OF AMERICA.

(a) FEDERAL CHARTER.—
(1) IN GENERAL.—Part B of subtitle II of title 36, United States Code, is amended by inserting after chapter 2003 the following new chapter:

“CHAPTER 2005—SPIRIT OF AMERICA

Sec.
200501. Organization.
200502. Purposes.
200503. Powers.
200504. Duty to maintain tax-exempt status.
200505. Annual report.

§ 200501. Organization

“(a) FEDERAL CHARTER.—Spirit of America (in this chapter ‘the corporation’), a nonprofit corporation, is a federally chartered corporation.

“(b) EXPIRATION OF CHARTER.—If the corporation does not comply with the provisions of this chapter, the charter granted by this chapter expires.

“(c) SCOPE OF CHARTER.—Nothing in the charter granted by this chapter shall be construed as conferring special rights or privileges upon the corporation, or as placing upon the Department of Defense any obligation with respect to the corporation.

§ 200502. Purposes

The purposes of the corporation are as provided in its constitution and bylaws and include the following patriotic, charitable, and inspirational purposes:

“(1) To respond to the needs of local populations abroad, as identified by members of the
Armed Forces and diplomats of the United States abroad.

“(2) To provide privately-funded humanitarian, economic, and other nonlethal assistance to address such needs.

“(3) To support the safety and success of members of the Armed Forces and diplomats of the United States abroad.

“(4) To connect the people of the United States more closely to the members of the Armed Forces and diplomats of the United States abroad, and to the missions carried out by such personnel abroad.

“(5) To demonstrate the goodwill of the people of the United States to peoples around the world.

§ 200503. Powers

“The corporation may—

“(1) adopt and amend a constitution, by-laws, and regulations to carry out the purposes of the corporation;

“(2) adopt and alter a corporate seal;

“(3) establish and maintain offices to conduct its activities;

“(4) enter into contracts;
“(5) acquire, own, lease, encumber, and transfer property as necessary and appropriate to carry out the purposes of the corporation;

“(6) establish, regulate, and discontinue subordinate State and territorial subdivisions and local chapters or posts;

“(7) publish a magazine and other publications (including through the Internet);

“(8) sue and be sued; and

“(9) do any other act necessary and proper to carry out the purposes of the corporation as provided in its constitution, by-laws, and regulations.

§ 200504. Duty to maintain tax-exempt status

“If the corporation fails to maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986, the charter granted under this chapter shall terminate.

§ 200505. Annual report

“The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.”.
(2) **Tables of Chapters.**—The table of chapters at the beginning of title 36, United States Code, and at the beginning of subtitle II of such title, are each amended by inserting after the item relating to chapter 2003 the following new item:

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(b) **Distribution of Corporation Assistance Abroad Through Department of Defense.**—

(1) **Acceptance and Coordination of Assistance.**—The Department of Defense (including members of the Armed Forces) may, in the discretion of the Secretary of Defense and in accordance with guidance issued by the Secretary—

(A) accept from Spirit of America, a federally-chartered corporation under chapter 2005 of title 36, United States Code (as added by subsection (a)), humanitarian, economic, and other nonlethal assistance funded by private funds in the carrying out of the purposes of the corporation; and

(B) respond to requests from the corporation for the identification of the needs of local populations abroad for assistance, and coordinate with the corporation in the provision and distribution of such assistance, in the carrying out of such purposes.
(2) DISTRIBUTION OF ASSISTANCE TO LOCAL
POPULATIONS.—In accordance with guidance issued
by the Secretary, members of the Armed Forces
abroad may provide to local populations abroad hu-
manitarian, economic, and other nonlethal assistance
provided to the Department by the corporation pur-
suant to this subsection.

(3) SCOPE OF GUIDANCE.—The guidance issued
pursuant to this subsection shall ensure that any as-
assistance distributed pursuant to this subsection shall
be for purposes of supporting the mission or mis-
sions of the Department and the Armed Forces for
which such assistance is provided by the corporation.

(4) DoD SUPPORT FOR CORPORATION ACTIVI-
TIES.—In accordance with guidance issued by the
Secretary, the Department and the Armed Forces
may—

(A) provide transportation, lodging, stor-
age, and other logistical support—

(i) to personnel of the corporation
(whether in the United States or abroad)
who are carrying out the purposes of the
corporation; and
(ii) in connection with the acceptance
and distribution of assistance provided by
the corporation; and
(B) use assets of the Department and the
Armed Forces in the provision of support de-
scribed in subparagraph (A).

SEC. 1081. AIR TRANSPORTATION OF CIVILIAN DEPART-
MENT OF DEFENSE PERSONNEL TO AND
FROM AFGHANISTAN.

(a) Policy Review.—Not later than 90 days after
the date of the enactment of this Act, the Secretary of
Defense shall conduct a policy review regarding the use
of commercial air transportation or alternative forms of
air transportation to transport civilian personnel of the
Department of Defense to and from Afghanistan.

(b) Report to Congress.—Not later than 90 days
after the completion of the policy review required by sub-
section (a), the Secretary shall submit to the congressional
defense committees a report on the results of such review.

(c) Updated Guidelines.—Not later than 90 days
after the completion of the policy review required by sub-
section (a), the Secretary shall issue updated guidelines,
based on the report submitted under subsection (b), re-
arding the use of commercial air transportation or alter-
native forms of air transportation to transport civilian per-
sonnel of the Department to and from Afghanistan.

SEC. 1082. COLLABORATION BETWEEN FAA AND DOD ON

UNMANNED AIRCRAFT SYSTEMS.

(a) COLLABORATION.—

(1) IN GENERAL.—The Administrator of the
Federal Aviation Administration and the Secretary
of Defense are encouraged to collaborate on sense-
and-avoid capabilities for unmanned aircraft sys-
tems.

(2) ELEMENTS.—The collaboration described in
paragraph (1) should include the following:

(A) Sharing information on safely inte-
grating unmanned aircraft systems and manned
aircraft in the national airspace system.

(B) Building upon the experience of the
Department of Defense, including the Air
Force, to inform the Federal Aviation Adminis-
tration’s development of civil standards, poli-
cies, and procedures for integrating unmanned
aircraft systems in the nation airspace system.

(C) Informing—

(i) development of airborne and
ground-based sense-and-avoid capabilities
for unmanned aircraft systems; and
(ii) research and development on unmanned aircraft systems, especially with respect to matters involving human factors, information assurance, and security.

(b) Participation by FAA in DOD Activities.—

(1) In general.—The Administrator of the Federal Aviation Administration is encouraged to participate, and provide assistance for participation, in test and evaluation efforts of the Department of Defense, including the Air Force, relating to airborne and ground-based sense-and-avoid capabilities for unmanned aircraft systems.

(2) Participation through centers of excellence and test sites.—Participation under paragraph (1) may include provision of assistance through unmanned aircraft systems test sites.

(c) Unmanned Aircraft Systems Defined.—In this section, the term “unmanned aircraft system” has the meaning given that term in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).
TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. EXTENSION OF DIRECT HIRE AUTHORITY FOR DOMESTIC DEFENSE INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE.

(a) In General.—Subsection (a) of section 1125 of subtitle B of title XI of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by striking “During fiscal years 2017 and 2018,” and inserting “During each of fiscal years 2017 through 2021,”.

(b) Briefing.—Not later than 90 days after the end of each of fiscal years 2018 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) a description of the effect of such section 1125 (as amended by subsection (a)) on the management of the Department of Defense civilian workforce during the most recently ended fiscal year; and

(2) the number of employees—

(A) hired under such section during such fiscal year; and
(B) expected to be hired under such section during the fiscal year in which the briefing is provided.

SEC. 1102. EXTENSION OF AUTHORITY TO PROVIDE VOLUNTARY SEPARATION INCENTIVE PAY FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Section 1107 of subtitle A of title XI of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by striking “September 30, 2018” and inserting “September 30, 2021”.

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2018 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) a description of the effect of such section 1107 (as amended by subsection (a)) on the management of the Department of Defense civilian workforce during the most recently ended fiscal year;

(2) the number of employees offered voluntary separation incentive payments during such fiscal year by operation of such section; and
(3) the number of such employees that accepted such payments.

SEC. 1103. ADDITIONAL DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

Section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2487; 10 U.S.C. 2358 note) is amended by adding at the end the following:

“(20) The Naval Medical Research Center.

“(21) The Joint Warfighting Analysis Center.”.

SEC. 1104. ONE YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.


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SEC. 1105. APPOINTMENT OF RETIRED MEMBERS OF THE ARMED FORCES TO POSITIONS IN OR UNDER THE DEPARTMENT OF DEFENSE.

(a) In General.—During fiscal years 2017 through 2021, in addition to the authority provided under paragraphs (1) and (2) of subsection (b) of section 3326 of title 5, United States Code, and consistent with the requirements of such section, a retired member of the armed forces may be appointed under such subsection if—

(1) the Department of Defense has been granted direct hire authority to fill the position;

(2) the appointment is to fill an emergency appointment for which the Secretary concerned determines competitive appointment is not appropriate or reasonable due to the need to fill the emergency need as quickly as possible; or

(3) the appointment is for a highly qualified expert under section 9903 of such title.

(b) Briefing.—Not later than 90 days after the end of each of fiscal years 2017 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) with respect to the waiver process under section 3326(b)(1) of title 5, United States Code—
(A) the number of individuals appointed during the most recently ended fiscal year under such process; and

(B) the Department of Defense’s plan on the use of such process during the fiscal year in which the report is submitted;

(2) the number of individuals—

(A) appointed under the authority provided by subsection (a) during the most recently ended fiscal year; and

(B) expected to be appointed under such subsection during the fiscal year in which the briefing is provided; and

(3) the impact of subsection (a) on the management of the Department civilian workforce during the most recently ended fiscal year.

SEC. 1106. DIRECT HIRE AUTHORITY FOR FINANCIAL MANAGEMENT EXPERTS IN THE DEPARTMENT OF DEFENSE WORKFORCE.

(a) IN GENERAL.—Section 1110 of the National Defense Authorization Act for 2017 (Public Law 114–328) is amended—

(1) in subsection (a), by striking “the Defense Agencies or the applicable military Department” and inserting “a Department of Defense component”;

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(2) in subsection (b)(1), by striking “the Defense Agencies” and inserting “each Department of Defense component listed in subsection (f)(2) other than the Department of the Army, the Department of the Navy, and the Department of the Air Force”;

(3) in subsection (d)—

(A) by striking “any Defense Agency or military department” and inserting “any Department of Defense component”; and

(B) by striking “such Defense Agency or military department” and inserting “such Department of Defense component”; and

(4) by striking subsection (f) and inserting the following:

“(f) DEFINITIONS.—In this section:

“(1) EMPLOYEE.—The term ‘employee’ has the meaning given that term in section 2105 of title 5, United States Code.

“(2) DEPARTMENT OF DEFENSE COMPONENT.—The term ‘Department of Defense component’ means the following:

“(A) A Defense Agency.

“(B) The Office of the Chairman of the Joint Chiefs of Staff.

“(C) The Joint Staff.
“(D) A combatant command.


“(F) A Field Activity of the Department of Defense.

“(G) The Department of the Army.

“(H) The Department of the Navy.

“(I) The Department of the Air Force.

“(J) Any organizational entity within the Department of Defense that is not described in subparagraphs (A) through (I).”.

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2017 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) a description of the effect of section 1110 of subtitle A of title XI of the National Defense Authorization Act, 2017 (Public Law 114–328), as amended by subsection (a), on the management of the Department of Defense civilian workforce during the most recently ended fiscal year; and

(2) the number of employees—
(A) hired under such section during such fiscal year; and

(B) expected to be hired under such section during the fiscal year in which the briefing is provided.

SEC. 1107. EXTENSION OF AUTHORITY FOR TEMPORARY PERSONNEL FLEXIBILITIES FOR DOMESTIC DEFENSE INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE CIVILIAN PERSONNEL.

(a) IN GENERAL.—Subsection (a) of section 1132 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2457) is amended by striking “and 2018” and inserting “through 2021”.

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2017 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) a description of the effect of such section 1132 (as amended by subsection (a)) on the management of civilian personnel at domestic defense industrial base facilities and Major Range and Test
Facilities Base during the most recently ended fiscal year; and

(2) the number of employees—

(A) hired under such section during such fiscal year; and

(B) expected to be hired under such section during the fiscal year in which the briefing is provided.

SEC. 1108. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.


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SEC. 1109. EXTENSION OF OVERTIME RATE AUTHORITY FOR DEPARTMENT OF THE NAVY EMPLOYEES PERFORMING WORK ABOARD OR DOCKSIDE IN SUPPORT OF THE NUCLEAR-POWERED AIRCRAFT CARRIER FORWARD DEPLOYED IN JAPAN.

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking “September 30, 2018” and inserting “September 30, 2019”.

SEC. 1110. BRIEFING ON DIVERSITY IN THE CIVILIAN WORKFORCE ON AIR FORCE INSTALLATIONS.

Not later than 120 days after the date of enactment of this Act, the Secretary of the Air Force shall brief the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives on efforts to increase diversity in the civilian workforce on each Air Force installation, including regional and State demographics regarding diversity.
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 2017” and inserting “fiscal year 2018”; (2) in subsection (d), by striking “during the period beginning on October 1, 2016, and ending on December 31, 2017” and inserting “during the period beginning on October 1, 2017, and ending on December 31, 2018”; and (3) in subsection (e)(1), by striking “December 31, 2017” and inserting “December 31, 2018”.

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SEC. 1202. MODIFICATION TO SPECIAL DEFENSE ACQUISITION FUND.

(a) In General.—Effective as of October 1, 2017, paragraph (1) of section 114(c) of title 10, United States Code, is amended by striking “$2,500,000,000” and inserting “$2,000,000,000”.

(b) Increase in Size of Fund.—Such section is further amended—

(1) in paragraph (1), by striking “The size” and inserting “Except as provided in paragraph (3), the size”; and

(2) in paragraph (3), by striking “Of the amount available in the Special Defense Acquisition Fund in any fiscal year after fiscal year 2016, $500,000,000” and inserting “The size of the Special Defense Acquisition Fund in any fiscal year after fiscal year 2017 may exceed the dollar amount limitation described in paragraph (1) by an amount not to exceed $500,000,000 and such excess amount”.

SEC. 1203. MODIFICATION TO MINISTRY OF DEFENSE ADVISOR AUTHORITY.

(a) Ministry of Defense Advisor Authority.—

Subsection (a) of section 332 of title 10, United States Code, is amended by inserting “and members of the armed
forces” after “civilian employees of the Department of De-
fense”.

(b) Training of Personnel of Foreign Min-
istries With Security Missions.—Subsection (b) of
such section is amended—

(1) in paragraph (1), by inserting “to assign ci-
vilian employees of the Department of Defense and
members of the armed forces as advisors or train-
ers” after “carry out a program”; and

(2) in paragraph (2)(B)—

(A) by striking “employees” in each place
it appears and inserting “advisors or trainers”; and

(B) by striking “each assigned employee’s
activities” and inserting “the activities of each
assigned advisor or trainer”.

(c) Congressional Notice.—Subsection (c) of
such section is amended—

(1) in the matter preceding paragraph (1), by
inserting “or a member of the armed forces” after
“a civilian employee of the Department of Defense”;\n
(2) in paragraph (1), by striking “employee as
an advisor” and inserting “advisor or trainer”; and

(3) in paragraph (3), by striking “employee”
and inserting “advisor or trainer”.

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SEC. 1204. MODIFICATION OF AUTHORITY TO BUILD CAPACITY OF FOREIGN SECURITY FORCES.

Subsection (c) of section 333 of title 10, United States Code, is amended—

(1) in paragraph (2), by adding at the end the following:

“(C) Institutional capacity building to organize, administer, employ, manage, maintain, sustain, or oversee national security forces.”;

(2) in paragraph (3), by inserting “or the Department of State” after “Department of Defense”;

(3) in paragraph (4)—

(A) in the heading, by striking “INSTITUTIONAL CAPACITY BUILDING” and inserting “RESPECT FOR CIVILIAN CONTROL OF THE MILITARY”;  

(B) in the first sentence, by striking “that the Department is already undertaking, or will undertake as part of the program” and all that follows and inserting “that the Department of Defense or another department or agency is already undertaking, or will undertake as part of the security sector assistance provided to the foreign country concerned, a program to enhance the capacity of such foreign country to exercise responsible civilian control of the na-
tional security forces of such foreign country.”;

and

(C) by striking the second sentence; and

(4) by adding at the end the following:

“(5) INSTITUTIONAL CAPACITY BUILDING.—In

order to meet the requirement in paragraph (2)(C)

with respect to a particular foreign country under a

program under subsection (a), the Secretary shall

certify, prior to the initiation of the program, that

the Department of Defense or another department

or agency is already undertaking, or will undertake

as part of the security sector assistance provided to

the foreign country concerned, a program of institu-
tional capacity building with appropriate institutions

of such foreign country to enhance the capacity of

such foreign country to organize, administer, em-
ploy, manage, maintain, sustain, or oversee the na-
tional security forces of such foreign country.”.

SEC. 1205. EXTENSION AND MODIFICATION OF AUTHORITY

ON TRAINING FOR EASTERN EUROPEAN NA-
TIONAL MILITARY FORCES IN THE COURSE
OF MULTILATERAL EXERCISES.

(a) ONE-YEAR EXTENSION.—Subsection (h) of sec-
tion 1251 of the National Defense Authorization Act for
Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1070;
593

1 10 U.S.C. 2282 note), as amended by section 1233 of the
3 (Public Law 114–328; 130 Stat. 2489), is further amend-
4 ed—
5
6     (1) by striking “September 30, 2018” and in-
7        serting “December 31, 2019”; and
8
9     (2) by striking “fiscal years 2016 through
10        2018” and inserting “for the period beginning on
11        October 1, 2015, and ending on December 31, 2019”.
12
13   (b) Regulations for Administration of Incremental Expenses.—Subsection (d) of such section, as
14      so amended, is further amended by adding at the end the
15      following:
16
17      “(4) Regulations.—
18
19          “(A) In general.—The Secretary of De-
20          fense shall prescribe regulations for payment of
21          incremental expenses under subsection (a). Not
22          later than 120 days after the date of the enact-
23          ment of this paragraph, the Secretary shall sub-
24          mit the regulations to the Committee on Armed
25          Services of the Senate and the Committee on
26          Armed Services of the House of Representa-
27          tives.
“(B) PROCEDURES TO BE INCLUDED.—

The regulations required under subparagraph (A) shall include the following:

“(i) Procedures to limit the payment of incremental expenses to developing countries determined pursuant to subsection (c) to be eligible for the provision of training under subsection (a), except in the case of exceptional circumstances as specified in the regulations.

“(ii) Procedures to require reimbursement of incremental expenses from non-developing countries determined pursuant to subsection (c) to be eligible for the provision of training under subsection (a), except in the case of exceptional circumstances as specified in the regulations.

“(C) DEVELOPING COUNTRY DEFINED.—

In this paragraph, the term ‘developing country’ has the meaning given such term in section 301(4) of title 10, United States Code.”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

Such section, as so amended, is further amended—

(1) in subsection (e), by striking “that” and inserting “than”;

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(2) in subsection (f), by striking “section 2282” and inserting “chapter 16”; and

(3) in subsection (g), by striking “means” and all that follows and inserting “has the meaning given such term in section 301(5) of title 10, United States Code.”.

SEC. 1206. EXTENSION OF PARTICIPATION IN AND SUPPORT OF THE INTER-AMERICAN DEFENSE COLLEGE.

Subsection (c) of section 1243 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2516; 10 U.S.C. 1050 note) is amended—

(1) in the heading, by striking “FISCAL YEAR 2017” and inserting “FISCAL YEARS 2017 AND 2018”; and

(2) by striking “fiscal year 2017” and inserting “fiscal years 2017 and 2018”.

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Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.


(b) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section, as so amended, is further amended by striking “December 31, 2017,” in each place it appears and inserting “December 31, 2018”.

SEC. 1212. REPORT ON UNITED STATES STRATEGY IN AFGHANISTAN.

(a) REPORT REQUIRED.—Not later than February 15, 2018, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report that describes the United States strategy in Afghanistan.
(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) A description of United States assumptions, security interests, and corresponding objectives in Afghanistan.

(2) A description of how current military efforts align to such objectives and, given current or projected progress, a realistic prognosis for a timeline necessary to achieve such objectives.

(3) An explanation of the conditions necessary for the Afghan National Defense and Security Forces to become self-sufficient.

(4) A description of the projected long-term and sustainable United States role in Afghanistan.

(5) A description of the threat of harm to United States forces in Afghanistan and a justification based on the threat to United States interests.

(6) A description of—

(A) support provided to the Taliban, al-Qaeda, the Haqqani network, the Islamic State of Iraq and the Levant, and other terrorist organizations operating in Afghanistan by Russia, Iran, Pakistan, and other countries; and

(B) United States military and diplomatic efforts to disrupt such support.
(7) The projected casualties and costs associated with the deployment of members of the Armed Forces to Afghanistan.

(8) The objectives of deployment of members of the Armed Forces to Afghanistan, including a timeline to achieve such objectives as determined by the Secretary of Defense.

(c) 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. 1213. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) Extension.—

(1) In general.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1218(a) of the National Defense Authorization Act for Fiscal
Year 2017 (Public Law 114–328; 130 Stat. 2482),
is further amended—

(A) by striking “October 1, 2016” and in-
serting “October 1, 2017”; and

(B) by striking “December 31, 2017” and
inserting “December 31, 2018”.

(2) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than Decem-
ber 31, 2018, the Secretary of Defense shall
submit to the appropriate congressional com-
mittees a report on the expenditure of funds
under the authority in subsection (a)(2) of sec-
tion 1233 of the National Defense Authoriza-
tion Act for Fiscal Year 2008 (Public Law
110–181; 122 Stat. 393), including a descrip-
tion of the following:

(i) The purpose for which such funds
were expended.

(ii) Each organization on whose behalf
such funds were expended, including the
amount expended on such organization and
the number of members of such organiza-
tion supported by such amount.

(iii) Any limitation imposed on the ex-
penditure of funds under such subsection,
including on any recipient of funds or any
use of funds expended.

(B) APPROPRIATE CONGRESSIONAL COM-
mittees defined.—In this paragraph, the
term “appropriate congressional committees”
means—

(i) the congressional defense commit-
tees; and

(ii) the Committee on Foreign Affairs
of the House of Representatives and the
Committee on Foreign Relations of the
Senate.

(b) NOTICE REQUIREMENT.—Section 1232(b)(6) of
the National Defense Authorization Act for Fiscal Year
2008 (Public Law 110–181; 122 Stat. 393), as most re-
cently amended by section 1218(e) of the National De-
fense Authorization Act for Fiscal Year 2017 (Public Law
114–328; 130 Stat. 2484), is further amended by striking
“December 31, 2017” and inserting “December 31,
2018”.

(c) LIMITATION ON REIMBURSEMENT PENDING CERT-
IFICATION.—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 sec-
tion 1218(f) of the National Defense Authorization Act
for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2484), is further amended by striking “December 31, 2017” and inserting “December 31, 2018”.

(d) ADDITIONAL LIMITATIONS ON REIMBURSEMENT.—

(1) EXTENSION OF LIMITATIONS ON AMOUNTS.—Subsection (d)(1) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1218(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2483), is further amended—

(A) in the first sentence, by striking “$1,100,000,000” and inserting “$1,000,000,000”;

(B) in the second sentence, by striking “$900,000,000” and inserting “$800,000,000”; and

(C) by striking “October 1, 2016” in each place it appears and inserting “October 1, 2017”; and

(D) by striking “December 31, 2017” in each place it appears and inserting “December 31, 2018”.

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(2) Extension of limitation on amounts eligible for waiver.—Subsection (g) of section 1218 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2484) is amended—

(A) by striking “October 1, 2016” and inserting “October 1, 2017”;

(B) by striking “December 31, 2017” and inserting “December 31, 2018”;

(C) in paragraph (3), strike “and” at the end;

(D) in paragraph (4), strike the period at the end and insert “; and”;

(E) by adding at the end the following:

“(5) Pakistan is not using its military or any funds or equipment provided by the United States to persecute minority groups seeking political or religious freedom, including the Balochi, Sindhi, and Hazara ethnic groups and minority religious groups, including Christian, Hindu, and Ahmadiyya Muslim.

“(6) Pakistan is not providing military, financial, or logistical support to specially designated global terrorists operating in Afghanistan or Pakistan.”.
SEC. 1214. SENSE OF CONGRESS RELATING TO DR. SHAKIL AFRIIDI.

(a) FINDINGS.—Congress finds the following:

(1) The attacks of September 11, 2001, killed approximately 3,000 people, most of whom were Americans, but also included hundreds of individuals with foreign citizenships, nearly 350 New York Fire Department personnel, and about 50 law enforcement officers.

(2) Downed United Airlines flight 93 was reportedly intended, under the control of the al-Qaeda high-jackers, to crash into the White House or the Capitol in an attempt to kill the President of the United States or Members of the United States Congress.

(3) The September 11, 2001, attacks were largely planned and carried out by the al-Qaeda terrorist network led by Osama bin Laden and his deputy Ayman al Zawahiri, after which Osama bin Laden enjoyed safe haven in Pakistan from where he continued to plot deadly attacks against the United States and the world.

(4) Since 2001, the United States has provided more than $30 billion in security and economic aid to Pakistan.
(5) The United States very generously and swiftly responded to the 2005 Kashmir Earthquake in Pakistan with more than $200 million in emergency aid and the support of several United States military aircraft, approximately 1,000 United States military personnel, including medical specialists, thousands of tents, blankets, water containers and a variety of other emergency equipment.

(6) The United States again generously and swiftly contributed approximately $150 million in emergency aid to Pakistan following the 2010 Pakistan flood, in addition to the service of nearly twenty United States military helicopters, their flight crews, and other resources to assist the Pakistan Army’s relief efforts.

(7) The United States continues to work tirelessly to support Pakistan’s economic development, including millions of dollars allocated towards the development of Pakistan’s energy infrastructure, health services and education system.

(8) The United States and Pakistan continue to have many critical shared interests, both economic and security related, which could be the foundation for a positive and mutually beneficial partnership.
(9) Dr. Shakil Afridi, a Pakistani physician, is a hero to whom the people of the United States, Pakistan and the world owe a debt of gratitude for his help in finally locating Osama bin Laden before more innocent American, Pakistani and other lives were lost to this terrorist leader.

(10) Pakistan, the United States and the international community had failed for nearly 10 years following attacks of September 11, 2001, to locate and bring Osama bin Laden, who continued to kill innocent civilians in the Middle East, Asia, Europe, Africa and the United States, to justice without the help of Dr. Afridi.

(11) The Government of Pakistan’s imprisonment of Dr. Afridi presents a serious and growing impediment to the United States’ bilateral relations with Pakistan.

(12) The Government of Pakistan has leveled and allowed baseless charges against Dr. Afridi in a politically motivated, spurious legal process.

(13) Dr. Afridi is currently imprisoned by the Government of Pakistan, a deplorable and unconscionable situation which calls into question Pakistan’s actual commitment to countering terrorism
and undermines the notion that Pakistan is a true ally in the struggle against terrorism.

(b) Sense of Congress.—It is the sense of Congress that Dr. Shakil Afridi is an international hero and that the Government of Pakistan should release him immediately from prison.

Subtitle C—Matters Relating to Syria, Iraq, and Iran

Sec. 1221. Report on United States Strategy in Syria.

(a) In General.—Not later than February 1, 2018, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report that describes the strategy of the United States in Syria.

(b) Matters to Be Included.—The report required by subsection (a) shall include each of the following:

(1) A description of the key security and geopolitical interests, objectives, and long-term goals in Syria for the United States and indicators for the effectiveness of efforts to achieve such objectives and goals.

(2) A description of United States assumptions regarding the current intelligence picture, the roles
and ambitions of other countries, and the interests of relevant Syrian groups with respect to such objectives.

(3) A description of how current military and diplomatic efforts in Syria align with such objectives, and a realistic projection of the timeline necessary to achieve such objectives.

(4) The resources required to achieve such objectives, including the funding estimated to be needed each year by the Department of Defense and by the Department of State (including the United States Agency for International Development).

(5) An analysis of the threats posed to United States interests by Russian and Iranian influences in Syria, as well as the threats posed to such interests by the Islamic State of Iraq and the Levant, Al Qaeda, Hezbollah, and other violent extremist organizations in Syria.

(6) A description of long-term and sustainable United States involvement in Syria and the conclusion of the current United States effort in Syria.

(7) A description of the coordination between the Department of Defense and the Department of State regarding the transition from military operations to stabilization programming, including a de-
scription of how local governance and civil society will be restored in areas secured through United States military operations in Syria.

(8) A description of the threat of harm to United States forces in Syria and a justification based on the threat to United States interests.

(9) A description of amounts and sources of Islamic State of Iraq and the Levant financing in Syria and efforts to disrupt this financing as part of the broader strategy of the United States in Syria.

(10) A description of the legal authority needed to introduce United States ground combat forces in Syria or needed to accomplish long term and short term military objectives in Syria and a description of the capabilities and willingness of the Syrian government (and its allies) to use chemical or other weapons of mass destructions against its citizens and potentially United States and associated military forces in Syria.

(11) A description of all necessary contact between the United States and the governments of Russia and other state actors in order to achieve the United States strategy in Syria.
(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1221A. REPORT ON IMPACT OF HUMANITARIAN CRISIS ON ACHIEVEMENT OF UNITED STATES SECURITY OBJECTIVES IN SYRIA.

(a) IN GENERAL.—Not later than February 1, 2018, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees (as defined in section 1221(c)) a report that provides an assessment of the impact of the humanitarian crisis in Syria on the achievement of goals of the United States in the region, such as destroying and dismantling the Islamic State in Iraq and the Levant and peace and stability in Syria and the broader region.

(b) CONTENTS.—The assessment under subsection (a) shall include a description of—

(1) the response of the United States to the short-term and long-term humanitarian crisis in Syria caused by attacks on the people of Syria by its
government, including attacks on hospitals and other
medical and educational facilities; and

(2) how the United States intends to support
the needs of refugees and internally displaced popu-
lations and intends to improve access to humani-
tarian aid for areas where such aid has been
blocked.

SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY
TO PROVIDE ASSISTANCE TO COUNTER THE
ISLAMIC STATE OF IRAQ AND THE LEVANT.

(a) Authority.—Subsection (a) of section 1236 of
the Carl Levin and Howard P. “Buck” McKeon National
Defense Authorization Act for Fiscal Year 2015 (Public
Law 113–291; 128 Stat. 3559), as most recently amended
by section 1222 of the National Defense Authorization Act
for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
2485), is further amended by striking “December 31,
2018” and inserting “December 31, 2019”.

(b) Quarterly Progress Report.—Subsection (d)
of such section is further amended—

(1) in the first sentence of the matter preceding
paragraph (1), by adding at the end before the pe-
period the following: “, which shall be provided in un-
classified form with a classified annex if necessary”; and
(2) by adding at the end the following:

“(12) An assessment of—

“(A) security in liberated areas in Iraq;

“(B) the extent to which security forces trained and equipped, directly or indirectly, through the Office of Security Cooperation in Iraq (OSC-I) are prepared to provide post-conflict stabilization and security in such liberated areas; and

“(C) the effectiveness of security forces in the post-conflict environment and an identification of which such forces will provide post-conflict stabilization and security in such liberated areas.”.

(c) FUNDING.—Subsection (g) of such section is further amended—


(2) by striking “fiscal year 2017” and inserting “fiscal year 2018”; and

(3) by striking “$630,000,000” and inserting “$1,269,000,000”.

(d) SENSE OF CONGRESS.—Recognizing the important role of the Iraqi Christian militias within the military
campaign against ISIL in Iraq, and the specific threat to the Christian population in Iraq, it is the sense of Congress that the United States should provide arms, training, and appropriate equipment to vetted elements of the Nineveh Plain Council.

SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.


(b) Limitation on Amount.—Subsection (c) of such section is amended—

(1) by striking “fiscal year 2017” and inserting “fiscal year 2018”; and

(2) by striking “$70,000,000” and inserting “$42,000,000”.

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(c) SOURCE OF FUNDS.—Subsection (d) of such section is amended by striking “fiscal year 2017” and inserting “fiscal year 2018”.

SEC. 1224. SENSE OF CONGRESS ON THREATS POSED BY THE GOVERNMENT OF IRAN.

(a) FINDING.—Congress expressed concerns over state-sponsored threats posed by Iran and over Iran’s integration of conventional warfare, cyber and information operations, intelligence operations, and other activities to undermine United States national security interests.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should counter the malign activities of the Government of Iran;

(2) the United States should maintain a capable military presence in the Arabian Gulf region to deter, and, if necessary, respond to Iranian aggression;

(3) the United States should strengthen ballistic missile defense capabilities;

(4) the United States should ensure freedom of navigation at the Bab al Mandab strait and the Strait of Hormuz; and
(5) the United States should counter Iranian efforts to illicitly proliferate weapons, including cruise and ballistic missiles.

SEC. 1225. REPORT ON MERITS OF AN INCIDENTS AT SEA AGREEMENT BETWEEN THE UNITED STATES, IRAN, AND CERTAIN OTHER COUNTRIES.

(a) Report Required.—Not later than 1 year 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 assessing the relative merits of a multilateral or bilateral Incidents at Sea military-to-military agreement between the United States, the Government of Iran, and other countries operating in the Persian Gulf aimed at preventing accidental naval conflict in the Persian Gulf and the Strait of Hormuz.

(b) Matters to Be Included.—Such assessment should consider and evaluate the current maritime security situation in the Persian Gulf and the effect that such an agreement might have on military and other maritime activities in the region, as well as other United States regional strategic interests.

(e) Form.—The report required by this section shall be submitted in unclassified form but may contain a classified annex.
(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

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

**SEC. 1226. EXTENSION OF QUARTERLY REPORTS ON CONFIRMED BALLISTIC MISSILE LAUNCHES FROM IRAN AND IMPOSITION OF SANCTIONS IN CONNECTION WITH THOSE LAUNCHES.**

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


(2) On January 29, 2017, Iran tested the medium-range Khorramshahr ballistic missile that flew 600 miles before exploding, in a failed test of a re-entry vehicle.

(3) According to press reports, in March 2017 Iran tested two short-range Fateh 110 ballistic missiles.
(4) Iran has inscribed anti-Israel propaganda on its missiles, including “Israel should be wiped off the Earth”.

(b) Extension.—Section 1226(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2487) is amended by striking “December 31, 2019” and inserting “December 31, 2022”.

SEC. 1227. REPORT ON STEPS AND PROTOCOLS RELATED TO THE RESCUE, CARE, AND TREATMENT OF CAPTIVES OF THE ISLAMIC STATE.

(a) Report Required.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congress a report containing each of the following:

(1) A description of any steps the Department of Defense is taking to ensure coordination between the Armed Forces of the United States and local forces in conducting military operations in regions controlled by the Islamic State where religious or minority groups are known or thought to be held captive, in order to incorporate the rescue of such captives as a secondary objective.

(2) A description of any protocols that will be put in place by the Department of Defense, includ-
ing protocols developed in coordination with the Government of Iraq, for the care and treatment of religious or minority groups rescued from captivity under the Islamic State, including any protocol for relocating such groups of captives to safe locations.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1228. REPORTS ON DEPLOYMENT OF UNITED STATES COMBAT FORCES TO SYRIA.

(a) IN GENERAL.—The President shall submit to Congress a report on the deployment of United States combat forces to Syria, including number of troops, extent of deployment, and purpose of deployment.

(b) DEADLINE.—The President shall submit the report required under subsection (a) not later than 90 days after the date of the enactment of this Act and every 90 days thereafter through the end of calendar year 2020.

SEC. 1229. REPORT ON USE BY THE GOVERNMENT OF IRAN OF COMMERCIAL AIRCRAFT AND RELATED SERVICES FOR ILLICIT ACTIVITIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in consultation with the Secretary of Defense, the Secretary of State, and the Director of Na-
tional Intelligence, shall submit to the Committee on
Armed Services, Committee on Foreign Affairs, Com-
mittee on Financial Services, and the Permanent Select
Committee on Intelligence of the House of Representatives
a report on use by the Government of Iran of commercial
aircraft and related services for illicit activities.

(b) ELEMENTS OF REPORT.—The report required
under subsection (a) shall include a description of the ex-
tent to which—

(1) the Government of Iran is using commercial
aircraft, including aircraft of Iran Air, or related
services to transport illicit cargo to or from Iran, in-
cluding military goods, weapons, military personnel,
military-related electronic parts and mechanical
equipment, or rocket or missile components; and

(2) the commercial aviation sector of Iran, in-
cluding Iran Air, is providing financial, material, or
technological support to the Islamic Revolutionary
Guard Corps, Iran’s Ministry of Defense and Armed
Forces Logistics, the Bashar al Assad Regime,
Hezbollah, Hamas, Kata’ib Hezbollah, or any other
Foreign Terrorist Organization or entities des-
ignated as a specially designated national and
blocked person on the list maintained by the Office
of Foreign Assets Control of the Department of the
Treasury.

(c) SUNSET.—This section shall cease to be effective
on the date that is 30 days after the date on which the
President certifies to Congress that the Government of
Iran has ceased providing support for acts of international
terrorism.

SEC. 1230. LIMITATION ON FUNDING.

None of the funds authorized to be appropriated by
this Act or otherwise made available for fiscal year 2018
for the Counter-ISIS Train and Equip Fund are author-
ized to be made available to provide assistance to any re-
cipient of such funds that the Secretary of Defense has
reported, pursuant to a quarterly progress report sub-
mitted pursuant to section 1209 of the National Defense
Authorization Act for Fiscal Year 2015 (Public Law 113–
291; 128 Stat. 3541), as having previously misused train-
ing or equipment provided by the United States.

SEC. 1230A. STRATEGY FOR SYRIA AND IRAQ.

(a) IN GENERAL.—Not later than 90 days after the
date of the enactment of this Act, the Secretary of Defense
shall, in coordination with the Secretary of State, submit
to the appropriate congressional committees a strategy for
Syria and Iraq.
(b) ELEMENTS.—The strategy required by paragraph 1 shall include the following:

(1) A description of the political and military objectives and end states for Syria and Iraq.

(2) A description of the plan for achieving the political and military objectives and end states for Syria and Iraq, including—

(A) with respect to Syria, a plan for political transition;

(B) with respect to Iraq—

(i) a plan for political reform and reconciliation among ethnic groups and political parties; and

(ii) an assessment of the required future size and structure of the Iraqi Security Forces, including irregular forces; and

(C) a description of the roles and responsibilities of United States allies and partners and other countries in the region in establishing regional stability.

(3) A description of the military conditions that must be met for the Islamic State of Iraq and Syria to be considered defeated.
(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—

In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

Subtitle D—Matters Relating to the Russian Federation

SEC. 1231. EXTENSION OF LIMITATION ON MILITARY CO-
OPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

Section 1232(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2488) is amended by striking “fiscal year 2017” and inserting “fiscal year 2018”.

SEC. 1232. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to implement any activity that
recognizes the sovereignty of the Russian Federation over Crimea.

(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the restriction on the obligation or expenditure of funds required by subsection (a) if the Secretary—

(1) determines that to do so is in the national security interest of the United States; and

(2) submits a notification of the waiver, at the time the waiver is invoked, to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1233. STATEMENT OF POLICY ON THE RUSSIAN FEDERATION.

(a) FINDINGS.—Congress makes the following findings:

(1) The Russian Federation, under the leadership of President Vladimir Putin, continues to demonstrate its malign activities to expand its sphere of influence and undermine international norms and institutions both regionally and globally, including through the following activities:

(B) The Russian Federation has interfered in the April 2017 election and runoff election in May 2017 of the French Presidential elections. As confirmed by Admiral Mike Rogers, Director of the National Security Agency, at a Senate Committee on Armed Services hearing on May 9, 2017, “If you look at the French elections . . . we had become aware of Russian activity.”

(C) The Russian Federation has threatened stability in their sphere of influence. As stated by General Curtis M. Scaparrotti, Commander of the United States European Command, in testimony at a House Committee on Armed Services hearing on March 28, 2017, “In the east, a resurgent Russia has turned from partner to antagonist. Countries along Russia’s periphery, especially Ukraine and
Georgia, are under threat from Moscow's malign influence and military aggression.”.

(D) The Russian Federation has occupied and attempted to annex Crimea from Ukraine.

(E) The Russian Federation has employed hybrid warfare tactics, including cyber warfare, electronic warfare, and information warfare to gain influence. This includes the use of hybrid tactics in assisting combined Russian-separatist forces in eastern Ukraine and, in 2008, the Russian incursion in Georgia.

(F) Military intervention in the civil war in Syria.

(2) Both the Secretary of Defense, James Mattis, and the Chairman of the Joint Chiefs of Staff, General Joseph Dunford, highlight the Russian Federation as the number one geo-strategic threat to the United States.

(3) The Government of the Russian Federation continues its decades’ long modernization of its conventional military force with the buildup of large numbers of professionalized forces on Russia’s borders with Europe, re-establishing military presence in the Arctic, investment in its nuclear triad, ad-
vanced weapons systems, fighter jets, and naval ves-
sels.

(4) In June 2016, the Center for Strategic and
International Studies released its report, “Evalu-
ating U.S. Army Force Posture in Europe: Phase
II”, which included the recommendation that an
Armed Brigade Combat Team and a combat aviation
brigade should be permanently assigned to Europe.
The report also recommends additional prepositioned
equipment in Western Europe.

(5) In January 2016, the National Commission
on the Future of the Army released its findings and
recommendations, which included Recommendation
14, calling for permanently stationing an Armored
Brigade Combat Team Forward in Europe and Rec-
ommendation 15 calling for the conversion of Army
Europe Aviation Headquarters to a warfighting mis-

(6) In the National Defense Authorization Act
for Fiscal Year 2015 (Public Law 113–291), the
National Defense Authorization Act for Fiscal Year
2016 (Public Law 114–92), and the National De-
fense Authorization Act for Fiscal Year 2017 (Pub-
lic Law 114–328), Congress authorized approxi-
mately $5,200,000 for the European Reassurance
Initiative, now the European Deterrence Initiative, to reassure partners and allies and begin building a credible deterrence to the Russian Federation through—

(A) large increases in conventional resources, including additional rotational deployments of United States troops and prepositioning of equipment into Europe; and

(B) increased funding for unconventional warfare resources, including cyber and special operations forces, and for intelligence and indicators and warnings.

(b) Statement of Policy.—

(1) In General.—It is the policy of the United States to develop, implement, and sustain credible deterrence against aggression by the Government of the Russian Federation, in order to enhance regional and global security and stability.

(2) Conduct of Policy.—The policy described in paragraph (1) shall, among other things, be carried out through a comprehensive defense strategy and guidance to outline and resource the necessary defense capabilities in the European theater. Such policy shall include the following:
(A) Increased United States presence in Europe through additional permanently stationed forces.

(B) Continued United States presence in Europe through additional rotational forces.

(C) Increased United States prepositioned military equipment to include logistics enablers and a division headquarters.

(D) Sufficient and necessary infrastructure additions and improvements throughout the European theater.

(E) Increased investment and priority to counter unconventional methods of warfare, including sufficient cyber warfare resources, information operations resources, and intelligence resources.

(F) Effective security cooperation resources and opportunities with partners and allies, including NATO member countries.

SEC. 1234. MODIFICATION AND EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068), as amended by section 1237 of the National De-
fense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2494), is further amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking “$175,000,000 of the funds available for fiscal year 2017 pursuant to subsection (f)(2)” and inserting “$75,000,000 of the funds available for fiscal year 2018 pursuant to subsection (f)(3)”;

(B) in paragraph (3)—

(i) by striking “fiscal year 2017” and inserting “fiscal year 2018”; and

(ii) by striking “$100,000,000” and inserting “$50,000,000”; and

(2) in subsection (f), by adding at the end the following:

“(3) For fiscal year 2018, $150,000,000.”; and

(3) in subsection (h), by striking “December 31, 2018” and inserting “December 31, 2019”.

SEC. 1235. LIMITATION ON AVAILABILITY OF FUNDS RELATING TO IMPLEMENTATION OF THE OPEN SKIES TREATY.

(a) LIMITATION ON CONDUCT OF FLIGHTS.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise
made available for any fiscal year after fiscal year 2017 for the Department of Defense for operation and maintenance, Defense-wide, or operation and maintenance, Air Force, may be obligated or expended to conduct any flight during such fiscal year for purposes of implementing the Open Skies Treaty until the date that is seven days after the date on which the President submits to the appropriate congressional committees a plan described in paragraph (2) with respect to such fiscal year.

(2) PLAN DESCRIBED.—The plan described in this paragraph is a plan developed by the Secretary of Defense, in coordination with the Secretary of State, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, that contains a description of the objectives for all planned flights described in paragraph (1) during such fiscal year.

(3) UPDATE.—To the extent necessary and appropriate, the Secretary of Defense, in coordination with the Secretary of State, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, may update the plan described in paragraph (2) with respect to a fiscal year and submit
the updated plan to the appropriate congressional committees.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Select Committee on Intelligence and Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs of the House of Representatives.

(5) SUNSET.—The requirements of this subsection shall terminate on the date that is five years after the date of the enactment of this Act.

(b) PROHIBITION ON ACTIVITIES TO MODIFY UNITED STATES AIRCRAFT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Air Force, for arms control implementation (PE 0305145F) or procurement, Air Force, for digital visual imaging system (BA–05, Line Item #1900) may be obligated or expended to carry out any activities to modify any United States aircraft for purposes of implementing the Open Skies Treaty.
(c) OPEN SKIES TREATY DEFINED.—In this section, the term “Open Skies Treaty” means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

SEC. 1236. SENSE OF CONGRESS ON IMPORTANCE OF NUCLEAR CAPABILITIES OF NATO.

(a) FINDINGS.—Congress finds the following:

(1) The Warsaw Summit Communique, issued on July 9, 2016, by the North Atlantic Treaty Organization (in this section referred to as “NATO”) clearly defines the need for, and the importance of, the nuclear mission of NATO.

(2) The Warsaw Summit Communique states—

(A) with respect to the nuclear deterrence capability of NATO, “As a means to prevent conflict and war, credible deterrence and defence is essential. Therefore, deterrence and defence, based on an appropriate mix of nuclear, conventional, and missile defence capabilities, remains a core element of our overall strategy. . . The fundamental purpose of NATO’s nuclear capability is to preserve peace, prevent coercion, and deter aggression. Nuclear weapons are unique. Any employment of nuclear weapons against NATO would fundamentally
alter the nature of a conflict. The circumstances in which NATO might have to use nuclear weapons are extremely remote’’;

(B) with respect to the nature of the nuclear deterrence posture of NATO, “NATO must continue to adapt its strategy in line with trends in the security environment—including with respect to capabilities and other measures required—to ensure that NATO’s overall deterrence and defence posture is capable of addressing potential adversaries’ doctrine and capabilities, and that it remains credible, flexible, resilient, and adaptable.”; and

(C) with respect to the importance of contributions to the nuclear deterrence mission from across the NATO alliance, “The strategic forces of the Alliance, particularly those of the United States, are the supreme guarantee of the security of the Allies. The independent strategic nuclear forces of the United Kingdom and France have a deterrent role of their own and contribute to the overall security of the Alliance. These Allies’ separate centres of decision-making contribute to deterrence by complicating the calculations of potential adversaries.”
NATO’s nuclear deterrence posture also relies, in part, on United States’ nuclear weapons forward-deployed in Europe and on capabilities and infrastructure provided by Allies concerned. These Allies will ensure that all components of NATO’s nuclear deterrent remain safe, secure, and effective. That requires sustained leadership focus and institutional excellence for the nuclear deterrence mission and planning guidance aligned with 21st century requirements. The Alliance will ensure the broadest possible participation of Allies concerned in their agreed nuclear burden-sharing arrangements.”.

(3) Secretary of Defense James Mattis, in response to the advance policy questions for his Senate confirmation hearing on January 12, 2017, stated that—

(A) “NATO’s nuclear deterrence posture relies in part on U.S. nuclear weapons forward-deployed in Europe and on capabilities and infrastructure provided by NATO allies. These capabilities include dual-capable aircraft that contribute to current burden-sharing arrangements within NATO. In general, we must take care to maintain this particular capability, and
to modernize it appropriately and in a timely fashion.”; and

(B) the role of the nuclear weapons of the United States is “to deter nuclear war and to serve as last resort weapons of self-defense. In this sense, U.S. nuclear weapons are fundamental to our nation’s security and have historically provided a deterrent against aggression and security assurance to U.S. allies. A robust, flexible, and survivable U.S. nuclear arsenal underpins the U.S. ability to deploy conventional forces worldwide.”.

(4) On March 28, 2017, General Curtis Scaparrotti, Commander of the United States European Command and the Supreme Allied Commander, Europe, testified to the Committee on Armed Services of the House of Representatives that “NATO and U.S. nuclear forces continue to be a vital component of our deterrence. Our modernization efforts are crucial; we must preserve a ready, credible, and safe nuclear capability.”.

(5) The Russian Federation is currently undergoing significant modernization and recapitalization of all three legs of its nuclear triad, continues to field and modernize a large variety of non-strategic
nuclear weapons, and is developing and deploying new and unique nuclear capabilities.

(6) Russia remains in violation of the INF Treaty due to the development, testing, and, most recently, the operational deployment of ground-launched cruise missiles in violation of the INF Treaty.

(7) On March 28, 2017, General Paul Selva, Vice Chairman of the Joint Chiefs of Staff, described the security consequences of the deployment of such INF Treaty-violating missiles, testifying to the Committee on Armed Services of the House of Representatives that “our assessment of the impact is that it more threatens NATO and infrastructure within the European continent than any other...area of the world that we have national interests in or alliance interests in.”.

(8) On March 28, 2017, General Curtis Scaparrotti, in testimony before the Committee on Armed Services of the House of Representatives, responded to a question asking if Russia intends to return to compliance with the INF Treaty by stating, “I don’t have any indication that they will at this time.”.
(9) Rhetoric from Russian officials has demonstrated that Moscow has sought to leverage its nuclear arsenal to threaten and intimidate neighboring countries, including members of NATO, as was the case when the Russian Ambassador to Denmark stated, “Danish warships will be targets for Russian nuclear missiles” in response to Denmark’s potential cooperation in the NATO missile defense system.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the nuclear and conventional deterrence capabilities of NATO are of critical importance to the security of the United States and of the NATO alliance, and must continue to adapt to the changed security environment in Europe;

(2) the ability of the United States to forward-deploy dual-capable aircraft and nuclear weapons, and of select members of NATO to participate in the nuclear deterrence mission of NATO by hosting forward-deployed nuclear weapons of the United States or operating dual-capable aircraft, is central to the credibility of the nuclear deterrence and defense posture of NATO;

(3) the strategic forces of the United States, the independent nuclear forces of the United King-
dom and the French Republic, and the dual-capable aircraft operated by the United States and other members of NATO constitute foundational elements of the nuclear deterrence and defense posture of NATO;

(4) NATO should modernize its nuclear-related infrastructure to ensure the highest-level of safety and security;

(5) effective deterrence requires NATO to conduct nuclear planning and exercises aligned with 21st century requirements and modernize nuclear-related capabilities and infrastructure, including dual-capable aircraft, command and control networks, and facilities; and

(6) to ensure the continued credibility of the deterrence and defense posture of NATO, the planned completion of F–35A aircraft development and testing, as well as the delivery of such aircraft to members of NATO, must not be delayed.

(c) INF Treaty Defined.—In this section, 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”,

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signed at Washington December 8, 1987, and entered into
force June 1, 1988.

3 SEC. 1237. SENSE OF CONGRESS ON SUPPORT FOR GEOR-
GIA.

(a) FINDINGS.—Congress finds the following:

(1) Georgia is a valued friend of the United
States and has repeatedly demonstrated its commit-
ment to advancing the mutual interests of both
countries, including the deployment of Georgian
forces as part of the NATO-led International Secu-
rity Assistance Force (ISAF) in Afghanistan and the
Multi-National Force in Iraq.

(2) The European Deterrence Initiative builds
the partnership capacity of Georgia so it can work
more closely with the United States and NATO, as
well as provide for its own defense.

(3) In addition to the European Deterrence Ini-
tiative, Georgia’s participation in the NATO initia-
tive Partnership for Peace is paramount to inter-
operability with the United States and NATO, and
establishing a more peaceful environment in the re-
gion.

(4) Despite the losses suffered, as a NATO
partner of ISAF, 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 Geor-
gia’s sovereignty and territorial integrity within its
internationally-recognized borders, and does not rec-
ognize the independence of the Abkhazia and South
Ossetia regions currently occupied by the Russian
Federation; and

(2) supports continued cooperation between the
United States and Georgia and the efforts of the
Government of Georgia to provide for the defense of
its people and sovereign territory.

SEC. 1238. 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 ex-
ercises and coordinating efforts demonstrating the
United States’ commitment to its European partners
and allies, including the Baltic States of Estonia,
Latvia, and Lithuania, with the shared goal of peace
and stability in the region. Operation Atlantic Re-
solve strengthens communication and understanding,
and is an important effort to deter Russian aggres-
sion in the region.

(3) Through Operation Atlantic Resolve, the
European Deterrence Initiative undertakes exercises,
training, and rotational presence necessary to reas-
sure and integrate our allies, including the Baltic
States, 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. The Baltic
States continue to engage in Operation Resolute
Support in Afghanistan.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its support for the principle of col-
lective defense in Article 5 of the North Atlantic
Treaty for our NATO allies, including Estonia, Lat-
via, and Lithuania;

(2) supports the sovereignty, independence, ter-
ritorial integrity, and inviolability of Estonia, Latvia,
and Lithuania as well as their internationally recog-
nized borders, and expresses concerns over increas-
ingly aggressive military maneuvering by the Russian Federation near their borders and airspace;

(3) expresses concern over and condemns 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. 1239. REPORT ON DEFENSE COOPERATION BETWEEN SERBIA AND THE RUSSIAN FEDERATION.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees and the Committees on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the defense and security relationship between Serbia and the Russian Federation.

(b) Matters to Be Included.—The report required under subsection (a) shall include the following:

(1) A list of Russian weapons systems and other military hardware and technology valued at
$1,000,000 or more that have been provided to Ser-
bia since 2012.

(2) A description of the participation by Ser-
bian armed forces in Russian military training or ex-
ercises since 2012.

(3) A list of any defense and security coopera-
tion agreements between Serbia and Russia entered
into since 2012.

(4) An assessment of how the countries bor-
dering Serbia assess the risk the Serbian armed
forces pose to their national security.

(5) An assessment of intelligence cooperation
between Serbia and Russia.

(6) An assessment of defense and security co-
operation between Serbia and the United States.

(7) An assessment of how military relations be-
tween Serbia and Russia affect United States de-
fense and security cooperation with Serbia and co-
operation between Serbia and the North Atlantic
Treaty Organization.

(c) FORM.—The report required under subsection (a)
shall be submitted in unclassified form, but may include
a classified annex.
SEC. 1240. PLAN TO RESPOND IN CASE OF RUSSIAN NON-COMPLIANCE WITH THE NEW START TREATY.

(a) In general.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report—

(1) describing the options available in response to a failure by Russia to achieve the reductions required by the New START Treaty before February 5, 2018; and

(2) including the assessment of the Secretary of Defense whether such a failure would constitute a material breach of the New START Treaty, providing grounds for the United States to withdraw from the treaty.

(b) Options described.—The report required under subsection (a) shall specifically describe options to respond to such a failure relating to the following:

(1) Economic sanctions.

(2) Diplomacy.

(3) Additional deployment of ballistic or cruise missile defense capabilities, or other United States capabilities that would offset any potential Russian military advantage from such a failure.
(4) Redeployment of United States nuclear forces beyond the levels required by the New START Treaty, and the associated costs and impacts on United States operations.

(5) Legal countermeasures available under other treaties between the United States and Russia, including under the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

(c) NEW START TREATY.—In this section, the term “New START Treaty” means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed at Prague April 8, 2010, and entered into force February 5, 2011.


SEC. 1241. SHORT TITLE.

This subtitle may be cited as the “Intermediate-Range Nuclear Forces (INF) Treaty Preservation Act of 2017”.

SEC. 1242. FINDINGS.

Congress makes the following findings:
(1) The 2014, 2015, and 2016 Department of State reports entitled, “Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments”, all stated that the United States has determined that “the Russian Federation is in violation 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) The 2016 report also noted that “the cruise missile developed by Russia meets the INF Treaty definition of a ground-launched cruise missile with a range capability of 500 km to 5,500 km, and as such, all missiles of that type, and all launchers of the type used or tested to launch such a missile, are prohibited under the provisions of the INF Treaty”.

(3) Potential consistency and compliance concerns regarding the INF Treaty noncompliant GLCM have existed since 2008, were not officially raised with the Russian Federation until 2013, and were not briefed to the North Atlantic Treaty Organization (NATO) until January 2014.
(4) The United States Government is aware of other consistency and compliance concerns regarding Russia actions vis-à-vis its INF Treaty obligations.

(5) Since 2013, senior United States officials, including the President, the Secretary of State, and the Chairman of the Joint Chiefs of Staff, have raised Russian noncompliance with the INF Treaty to their counterparts, but no progress has been made in bringing the Russian Federation back into compliance with the INF Treaty.

(6) In April 2014, General Breedlove, the Supreme Allied Commander Europe, correctly stated, "A weapon capability that violates the INF, that is introduced into the greater European land mass, is absolutely a tool that will have to be dealt with . . . It can't go unanswered.".

(7) The Department of Defense in its September 2013 report, Report on Conventional Prompt Global Strike Options if Exempt from the Restrictions of the Intermediate-Range Nuclear Forces Treaty Between the United States of America and the Union of Soviet Socialist Republics, stated that it has multiple validated military requirement gaps due to the prohibitions imposed on the United States as a result of its compliance with the INF Treaty.
(8) It is not in the national security interests of the United States to be unilaterally legally prohibited from developing dual-capable ground-launched cruise missiles with ranges between 500 and 5,500 kilometers, while Russia makes advances in developing and fielding this class of weapon systems, and such unilateral limitation cannot be allowed to continue indefinitely.

(9) Admiral Harry Harris, Jr., Commander of the United States Pacific Command, testified before the Senate Armed Services Committee on April 27, 2017, that “[W]e’re in a multi-polar world where we have a lot of countries who are developing these weapons, including China, that I worry about. And I worry about their DF-21 and DF-26 missile programs, their anti-carrier ballistic missile programs, if you will. INF doesn’t address missiles launched from ships or airplanes, but it focuses on those land-based systems. I think there’s goodness in the INF treaty, anything you can do to limit nuclear weapons writ-large is generally good. But the aspects of the INF Treaty that limit our ability to counter Chinese and other countries’ land-based missiles, I think, is problematic.”.
(10) A material breach of the INF Treaty by the Russian Federation affords the United States the right to invoke legal countermeasures which include suspension of the treaty in whole or in part.

(11) Article XV of the INF Treaty provides that “Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests.”.

SEC. 1243. COMPLIANCE ENFORCEMENT REGARDING RUSSIAN VIOLATIONS OF THE INF TREATY.

(a) Statement of United States Policy.—It is the policy of the United States as follows:

(1) The actions undertaken by the Russian Federation in violation of the INF Treaty constitute a material breach of the treaty.

(2) In light of the Russian Federation’s material breach of the INF Treaty, the United States is legally entitled to suspend the operation of the INF Treaty in whole or in part for so long as the Russian Federation continues to be in material breach.

(3) For so long as the Russian Federation remains in noncompliance with the INF Treaty, the United States should take actions to encourage the
Russian Federation return to compliance, including
by—

(A) providing additional funds for the ca-
pabilities identified in section 1243(d) of the
Year 2016 (Public Law 114–92; 129 Stat. 1062); and

(B) seeking additional missile defense as-
sets in the European theater to protect United
States and NATO forces from ground-launched
missile systems of the Russian Federation that
are in noncompliance with the INF Treaty.

(b) Authorization of Additional Appropri-
tions.—

(1) IN GENERAL.—Of the funds authorized to
be appropriated by this Act for fiscal year 2018 for
research, development, test, and evaluation, as speci-
fied in the funding table in division D, $50,000,000
shall be made available for—

(A) the development of active defenses to
counter ground-launched missile systems with
ranges between 500 and 5,500 kilometers;

(B) counterforce capabilities to prevent at-
tacks from these missiles; and
(C) countervailing strike capabilities to enhance the capabilities of the United States identified in section 1243(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1062).

(2) DEVELOPMENT.—Of the amount authorized to be appropriated by paragraph (1), $25,000,000 is authorized to be appropriated for activities undertaken to carry out section 1244(a), including with respect to research and development activities.

SEC. 1244. DEVELOPMENT OF INF RANGE GROUND-LAUNCHED MISSILE SYSTEM.

(a) ESTABLISHMENT OF A PROGRAM OF RECORD.—The Secretary of Defense shall establish a program of record to develop a conventional road-mobile ground-launched cruise missile system with a range of between 500 to 5,500 kilometers.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the cost, schedule, and feasibility to modify existing and planned missile systems, including the tomahawk land attack cruise missile, the standard missile-3,
the standard missile-6, and Army tactical missile system
missiles for ground launch with a range of between 500
and 5,500 kilometers in order to provide any of the capa-
bilities identified in section 1243(d) of the National De-
defense Authorization Act for Fiscal Year 2016 (Public Law

SEC. 1245. NOTIFICATION REQUIREMENT RELATED TO RUSSIAN FEDERATION DEVELOPMENT OF NON-COMPLIANT SYSTEMS AND UNITED STATES ACTIONS REGARDING MATERIAL BREACH OF INF TREATY BY THE RUSSIAN FEDERATION.

(a) Declaration of Policy.—Congress declares that because of the Russian Federation’s violations of the INF Treaty, including the flight-test, production, and possession of prohibited systems, its actions have defeated the object and purpose of the INF Treaty, and thus constitute a material breach of the INF Treaty.

(b) Notification by Director of National Intelligence.—

(1) In General.—The Director of National Intelligence shall notify the appropriate congressional committees of any development, deployment, or test of a system by the Russian Federation that the Director determines is inconsistent with the INF Treaty.
(2) **Deadline.**—A notification under this subsection shall be made not later than 15 days after the date on which the Director makes the determination under this subsection with respect to which the notification is required.

(c) **Report by President.**—Not later than 15 months after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a determination of the President of whether the Russian Federation has flight-tested, produced, or is in possession of a ground-launched cruise missile or ground-launched ballistic missile with a range of between 500 and 5,500 kilometers during each of the three consecutive 120-day periods beginning on the date of the enactment of this Act.

(d) **United States Actions.**—If the determination of the President contained in the report required to be submitted under subsection (c) is that the Russian Federation has flight-tested, produced, or is in possession of any missile described in subsection (c) during each of the periods described in subsection (c), the prohibitions set forth in Article VI of the INF Treaty shall no longer be binding on the United States as a matter of United States law.
SEC. 1246. LIMITATION ON AVAILABILITY OF FUNDS TO EXTEND THE IMPLEMENTATION OF THE NEW START TREATY.

None of the funds authorized to be appropriated or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to extend the implementation of the New START Treaty unless the President certifies to the appropriate congressional committees that the Russian Federation has verifiably eliminated all missiles that are in violation of or may be inconsistent with the INF Treaty.

SEC. 1247. REVIEW OF RS–26 BALLISTIC MISSILE.

(a) In General.—The President, in consultation with the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, shall conduct a review of the RS–26 ballistic missile of the Russian Federation.

(b) Report Required.—Not later than 90 days after the date of the enactment of this Act, the President, in consultation with the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on the review conducted under subsection (a). The report shall include—
(1) a determination whether the RS–26 ballistic missile is covered under the New START Treaty or would be a violation of the INF Treaty because Russia has flight-tested such missile to ranges covered by the INF Treaty in more than one warhead configuration; and

(2) if the President determines that the RS–26 ballistic missile is covered under the New START Treaty, a determination whether the Russian Federation—

(A) has agreed through the Bilateral Consultative Commission that such a system is limited under the New START Treaty central limits; and

(B) has agreed to an exhibition of such a system.

c) EFFECT OF DETERMINATION.—If the President, with the concurrence of the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, determines that the RS–26 ballistic missile is covered under the New START Treaty and that the Russian Federation has not taken the steps described under subsection (b)(2), the United States Government shall consider for purposes of all policies and decisions that the RS–26 ballistic mis-
sile of the Russian Federation is a violation of the INF Treaty.

SEC. 1248. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Select Committee on Intelligence, the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.


(3) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given the
term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).


Subtitle F—Fostering Unity Against Russian Aggression Act of 2017

SEC. 1251. SHORT TITLE.

This subtitle may be cited as the “Fostering Unity Against Russian Aggression Act of 2017”.

SEC. 1252. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) General Curtis M. Scaparrotti, Commander of the United States European Command, testified before the House Armed Services Committee on March 27, 2017, that “Today we face the most dy-
namic European security environment in history.”
and that “Russia’s malign actions are supported by
its diplomatic, information, economic, and military
initiatives.”.

(2) The Russian Federation has shifted to a
military doctrine that envisions using nuclear weap-
on in an attempt to end a failing regional conven-
tional conflict. On June 25, 2015, Deputy Secretary
of Defense Robert Work and then-Vice-Chairman of
the Joint Chiefs of Staff Admiral James Winnefeld
tested before the House Armed Services Com-
mittee that “Russian military doctrine includes what
some have called an ‘escalate to de-escalate’ strat-
ergy—a strategy that purportedly seeks to deescalate
a conventional conflict through coercive threats, in-
cluding limited nuclear use. We think that this label
is dangerously misleading. Anyone who thinks they
can control escalation through the use of nuclear
weapons is literally playing with fire. Escalation is
escalation, and nuclear use would be the ultimate es-
calation.”.

(3) General Scaparrotti noted in his March 27,
2017, testimony before the House Armed Services
Committee that “Moscow’s provocative rhetoric and
nuclear threats increase the likelihood of misunderstanding and miscalculation.”.

(4) The Russian Federation continues to conduct ongoing influence campaigns aimed at undermining democracies around the world. According to an assessment by the intelligence community, “Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election”, which included the use of the Russian military intelligence organization. The intelligence community also assessed that Russia would apply lessons learned to future influence efforts worldwide, including against United States allies and their election systems.

(5) The Russian Federation continues its aggression on its periphery. In 2008, the Russian Federation fomented conflict in Georgia. Further, the Russian Federation is directing combined Russian-Separatist units in eastern Ukraine, actively inciting violence and prolonging the most significant conflict in Europe.

(6) The investment of over $5 billion in the European Reassurance Initiative (ERI), now the European Deterrence Initiative (EDI), has proven successful in significantly enhancing the ability of
United States forces, NATO allies, and regional partners to deter Russian aggression. EDI has not only assured our European allies and partners but supported essential investments in NATO’s military capacity, interoperability, and agility.

(b) Sense of Congress.—It is the sense of Congress that—

(1) the risks of miscalculation in a crisis are exacerbated by the Russian Federation’s shift to a military doctrine of “escalate to de-escalate”, lowering the threshold for Russian use of nuclear weapons and thereby increasing the risk of using nuclear weapons, potentially escalating into a massive nuclear exchange;

(2) subversive and destabilizing activities by the Russian Federation targeting NATO allies and partners causes concern and should be condemned;

(3) European Deterrence Initiative (EDI) investments are long-term and, as such, Congress expects future budgets to reflect United States commitment by planning for funding in the base budget, and further EDI should build on United States presence by increasing the United States permanent force posture; and
(4) credible deterrence requires steadfast co-
operation and joint action with NATO allies and
partners and other United States allies and partners
in Europe.

SEC. 1253. STRATEGY TO COUNTER THREATS BY THE RUS-
SIAN FEDERATION.

(a) Strategy Required.—The Secretary of De-
fense, in coordination with the Secretary of State and in
consultation with each of the Secretaries of the military
departments, the Joint Chiefs of Staff, and the com-
manders of each of the regional and functional combatant
commands, shall develop and implement a comprehensive
strategy to counter threats by the Russian Federation.

(b) Report Required.—

(1) In general.—Not later than 180 days
after the date of the enactment of this Act, the Sec-
retary of Defense shall submit to the appropriate
congressional committees a report on the strategy
required by subsection (a).

(2) Elements.—The report required by this
subsection shall include the following elements:

(A) An evaluation of strategic objectives
and motivations of the Russian Federation.

(B) A detailed description of Russian
threats to the national security of the United
States, including threats that may pose chal-

lenges below the threshold of armed conflict.

(C) A discussion of how the strategy com-

plements the National Defense Strategy and

de the National Military Strategy.

(D) A discussion of the ends, ways, and

means inherent to the strategy.

(E) A discussion of the strategy’s objec-
tives with respect to deterrence, escalation con-
trol, and conflict resolution.

(F) A description of the military activities

across geographic regions and military func-
tions and domains that are inherent to the

strategy.

(G) A description of the posture, forward

presence, and readiness requirements inherent
to the strategy.

(H) A description of the roles of the

United States Armed Forces in implementing
the strategy, including—

(i) the role of United States nuclear
capabilities;

(ii) the role of United States space ca-
pabilities;
(iii) the role of United States cyber capabilities;

(iv) the role of United States conventional ground forces;

(v) the role of United States naval forces;

(vi) the role of United States air forces; and

(vii) the role of United States special operations forces.

(I) An assessment of the force requirements needed to implement and sustain the strategy.

(J) A description of the logistical requirements needed to implement and sustain the strategy.

(K) An assessment of the technological research and development requirements needed to implement and sustain the strategy.

(L) An assessment of the training and exercise requirements needed to implement and sustain the strategy.

(M) An assessment of the budgetary resource requirements needed to implement and
sustain the strategy through December 31, 2030.

(N) A discussion of how the strategy provides a framework for future planning and investments in regional defense initiatives, including the European Deterrence Initiative.

(3) FORM.—The report required by this subsection shall be submitted in unclassified form but may contain a classified annex.

SEC. 1254. STRATEGY TO INCREASE CONVENTIONAL PRECISION STRIKE WEAPON STOCKPILES IN THE UNITED STATES EUROPEAN COMMAND'S AREAS OF RESPONSIBILITY.

(a) Strategy Required.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State, shall develop and implement a strategy to increase conventional precision strike weapon stockpiles in the United States European Command’s areas of responsibility.

(2) ELEMENTS.—The strategy required by this subsection shall include necessary increases in the quantities of such stockpiles that the Secretary determines will enhance deterrence and warfighting ca-
pability of the North Atlantic Treaty Organization
forces.

(b) Report Required.—

(1) In general.—Not later than April 1, 2018, the Secretary of Defense shall submit to the appropriate congressional committees a report on the strategy required by subsection (a).

(2) Form.—The report required by this subsection shall be submitted in unclassified form but may contain a classified annex.

SEC. 1255. PLAN TO COUNTER THE MILITARY CAPABILITIES
OF THE RUSSIAN FEDERATION.

(a) Plan Required.—

(1) In general.—The Secretary of Defense shall develop and implement a plan to counter the military capabilities of the Russian Federation.

(2) Elements.—The plan required by this subsection shall include the following:

(A) Accelerating programs to improve the capability of United States military forces to operate in a Global Positioning System (GPS)-denied or GPS-degraded environment.

(B) Accelerating programs of the Department of the Army to counter Russian un-
manned aircraft systems, electronic warfare, and long-range precision strike capabilities.

(C) Countering unconventional capabilities and hybrid threats from the Russian Federation.

(D) Any other elements that the Secretary determines to be appropriate.

(b) Report Required.—

(1) In general.—Not later than April 1, 2018, the Secretary of Defense shall submit to the appropriate congressional committees a report on the plan required by subsection (a).

(2) Form.—The report required by this subsection shall be submitted in unclassified form but may contain a classified annex.

(e) Sense of Congress.—It is the sense of Congress that concerns persist over the growing sophistication of unconventional and hybrid state-sponsored threats by the Russian Federation as demonstrated through its advancement and integration of conventional warfare, economic warfare, cyber and information operations, intelligence operations, and other activities to undermine United States national security objectives.
SEC. 1256. PLAN TO INCREASE CYBER AND INFORMATION OPERATIONS, DETERRENCE, AND DEFENSE.

(a) Plan.—The Secretary of Defense and the Secretary of State shall jointly develop a plan to—

(1) increase inclusion of regional cyber planning within larger United States joint planning exercises in the European region;

(2) enhance joint, regional, and combined information operations and strategic communication strategies to counter Russian Federation information warfare, malign influence, and propaganda activities; and

(3) identify potential areas of cybersecurity collaboration and partnership capabilities with NATO and other European allies and partners of the United States.

(b) Briefing.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on the plan required under subsection (a).

SEC. 1257. SENSE OF CONGRESS ON ENHANCING MARITIME CAPABILITIES.

Congress notes the 2016 Force Structure Assessment (FSA) that increased the requirement for fast attack submarine (SSN) from 48 to 66 and supports an acquisition
plan that enhances maritime capabilities that address this requirement.

SEC. 1258. PLAN TO REDUCE THE RISKS OF MISCALCULATION AND UNINTENDED CONSEQUENCES THAT COULD PRECIPITATE A NUCLEAR WAR.

(a) FINDINGS.—Congress finds that—

(1) the Russian Federation has adopted a dangerous nuclear doctrine that includes a strategy of “escalate to de-escalate”, which could lower the threshold for Russian use of nuclear weapons in a regional conflict; and

(2) such nuclear doctrine exacerbates the risks of miscalculation and unintended consequences that could precipitate a nuclear war.

(b) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2018, the Secretary of Defense, in coordination with the Chairman of the Joint Chief of Staff, the Commander of the United States Strategic Command, and the Commander of the United States European Command, shall submit to the congressional defense committees a plan that includes options to reduce the risk of miscalculation and unintended consequences that could precipitate a nuclear war.
(2) ELEMENTS.—The plan required under this subsection shall include—

(A) an assessment of the value of military-to-military dialog to reduce such risk; and

(B) any other recommendations the Secretary determines to be appropriate.

SEC. 1259. DEFINITIONS.

In this subtitle:

(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) NATO.—The term “NATO” means the North Atlantic Treaty Organization.

Subtitle G—Matters Relating to the Indo-Asia-Pacific Region

SEC. 1261. SENSE OF CONGRESS ON THE INDO-ASIA-PACIFIC REGION.

It is the sense of Congress that—
(1) the security, stability, and prosperity of the Indo-Asia-Pacific region are vital to the national interests of the United States;

(2) the United States should maintain a military capability in the region that is able to project power, deter acts of aggression, and respond, if necessary, to regional threats;

(3) continuing efforts by the Department of Defense to realign forces, commit additional assets, and increase investments to the Indo-Asia-Pacific region are necessary to maintain a robust United States commitment to the region;

(4) the Secretary of Defense should—

(A) assess the current United States force posture in the Indo-Asia-Pacific region to ensure that the United States maintains an appropriate forward presence in the region;

(B) invest in critical munitions, undersea warfare capabilities, amphibious capabilities, resilient space architectures, missile defense, offensive and defensive cyber capabilities, and other capabilities conducive to operating effectively in contested environments; and

(C) enhance regional force readiness through joint training and exercises, consid-
ering contingencies ranging from grey zone to high-end near-peer conflict; and

(5) the United States should continue to engage in the Indo-Asia-Pacific region by strengthening alliances and partnerships, supporting regional institutions and bodies such as the Association of Southeast Asian Nations (ASEAN), building cooperative security arrangements, addressing shared challenges, and reinforcing the role of international law, including respect for human rights.

SEC. 1262. REPORT ON STRATEGY TO PRIORITIZE UNITED STATES DEFENSE INTERESTS IN THE INDO-ASIA-PACIFIC REGION.

(a) REQUIRED REPORT.—Not later than February 1, 2018, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report that contains a strategy to prioritize United States defense interests in the Indo-Asia-Pacific region. The strategy shall address the following:

(1) The security challenges, including threats, emanating from the Indo-Asia-Pacific region.
(2) The primary objectives and priorities in the Indo-Asia-Pacific region, including—

(A) the military missions necessary to address threats on the Korean Peninsula;

(B) the role of the Department of Defense in the Indo-Asia-Pacific region regarding security challenges posed by China;

(C) the primary objectives and priorities for combating terrorism in the Indo-Asia-Pacific region;

(3) Department of Defense plans, force posture, capabilities, and resources to address any gaps.

(4) The roles of allies, partners, and other countries in achieving United States defense objectives and priorities.

(5) Actions the Department of Defense could take, in cooperation with other Federal departments or agencies, to advance United States national security interests in the Indo-Asia-Pacific region.

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

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.
(c) **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, clearly highlights programs and projects that are being funded in the annual budget of the United States Government that relate to the strategy referred to in subsection (a).


**SEC. 1263. ASSESSMENT OF UNITED STATES FORCE POSTURE AND BASING NEEDS IN THE INDO-ASIA-PACIFIC REGION.**

(a) **Assessment Required.**—

(1) **In General.**—The Secretary of Defense shall conduct an assessment of United States force posture and basing needs in the Indo-Asia-Pacific region.

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

(A) A review of military requirements based on operation and contingency plans, scenarios, capabilities of potential adversaries, and
any assessed gaps or shortfalls of the Armed Forces.

(B) A review of current United States military force posture and deployment plans of the United States Pacific Command.

(C) An analysis of potential future realignments of United States forces in the region, including options for strengthening United States presence, access, readiness, training, exercises, logistics, and pre-positioning.

(D) A discussion of any factors that may influence the United States posture.

(E) Any recommended changes to the United States posture in the region.

(F) Any other matters the Secretary of Defense determines to be appropriate.

(b) Report.—

(1) In general.—Not later than March 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a report that includes the assessment required under subsection (a).

(2) Form.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.
SEC. 1264. EXTENDED DETERRENCE COMMITMENT TO THE

ASIA-PACIFIC REGION.

(a) FINDINGS.—Congress finds the following:

(1) The 2010 Nuclear Posture Review reaffirmed the commitment of the United States to extended deterrence and continued protection of the treaty allies of the United States under the United States nuclear umbrella.

(2) The United States-Republic of Korea Deterrence Strategy Committee and the United States-Japan Extended Deterrence Dialogue provide valuable communication channels for ensuring the commitment of the United States to the policy of extended nuclear deterrence and allow for bilateral discussions on how United States capabilities can be leveraged to credibly deter, and if necessary, defeat, North Korean nuclear weapons, weapons of mass destruction, and missile threats and aggression.

(3) Statements by officials of the United States have consistently emphasized the United States commitment to providing extended deterrence and defense across the full spectrum of military capabilities, including nuclear capabilities.

(4) On September 9, 2016, President Obama responded to a North Korean nuclear test by issuing the following statement, “I restated to President
Park and Prime Minister Abe the unshakable U.S. commitment to take necessary steps to defend our allies in the region, including through our deployment of a Terminal High Altitude Area Defense (THAAD) battery to the ROK, and the commitment to extended deterrence, guaranteed by the full spectrum of U.S. defense capabilities.”.

(5) On October 14, 2016, Chairman of the Joint Chiefs of Staff, General Joseph Dunford, “re-affirmed the ironclad commitment of the U.S. to defend both the ROK and Japan and provide extended deterrence guaranteed by the full spectrum of U.S. military capabilities, including conventional, nuclear, and missile defense capabilities”.

(6) On October 19, 2016, Secretary of Defense Ashton Carter, stated, “the U.S. commitment to the defense of South Korea is unwavering. This includes our commitment to provide extended deterrence, guaranteed by the full spectrum of U.S. defense capabilities. Make no mistake: Any attack on America or our allies will not only be defeated, but any use of nuclear weapons will be met with an overwhelming and effective response.”.

(7) On October 19, 2016, Secretary of State John Kerry, during a joint press conference with the
South Korean Foreign Minister, confirmed the United States would “defend South Korea through a robust combined defense posture and through extended deterrence, including the US nuclear umbrella, conventional strike and missile defense capabilities.”.

(8) On February 3, 2017, Secretary of Defense James Mattis, during a visit to South Korea, stated, “America’s commitments to defending our allies and to upholding our extended deterrence guarantees remain ironclad: Any attack on the United States, or our allies, will be defeated, and any use of nuclear weapons would be met with a response that would be effective and overwhelming.”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the defense of the Republic of Korea and Japan must remain a top priority for the administration;

(2) the United States maintains an unwavering and steadfast commitment to the policy of extended deterrence, especially with respect to South Korea and Japan;

(3) bilateral extended deterrence dialogues and discussions with South Korea and Japan are of
great value to the United States and its partners
and must remain a central component of these rela-
tionships;

(4) the United States must sustain and mod-
ernize current United States nuclear capabilities to
ensure the extended deterrence commitments of the
United States remain credible and executable; and

(5) the timely development, production, and de-
ployment of modern nuclear-capable aircraft are fun-
damental to ensure that the United States remains
able to meet extended deterrence requirements in the
Asia-Pacific region far into the future.

(e) RULE OF CONSTRUCTION.—Nothing in this sec-
tion may be construed to alter the shared goal of the
United States, South Korea, and Japan for a
denuclearized Korean Peninsula or to change the United
States nuclear posture in the Asia-Pacific region.

SEC. 1265. AUTHORIZATION OF APPROPRIATIONS TO MEET
UNITED STATES FINANCIAL OBLIGATIONS
UNDER COMPACT OF FREE ASSOCIATION
WITH PALAU.

There is authorized to be appropriated for fiscal year
2018 $123,900,000 to the Secretary of the Interior, to
remain available until expended, for use in meeting the
financial obligations of the Government of the United
It is the sense of Congress that—

(1) the United States values its alliances with the Governments of Japan and the Republic of Korea, based on shared values of democracy, the rule of law, free and open markets, and respect for human rights;

(2) the United States reaffirms its commitment to these alliances with Japan and South Korea, which are critical for the preservation of peace and stability in the Asia-Pacific region and throughout the world;

(3) the United States recognizes the substantial financial commitments of Japan and South Korea to the maintenance of United States forces in these
countries, making them among the most significant
burden-sharing partners of the United States;

(4) the United States reaffirms its commitment
to Article V of the Treaty of Mutual Cooperation
and Security between the United States of America
and Japan, which applies to the Japanese-adminis-
tered Senkaku Islands;

(5) the United States supports continued imple-
mentation and expansion of defense cooperation with
Japan in accordance with the 2015 U.S.-Japan De-
fense Guidelines and additional measures to
strengthen this defense cooperation, including by ex-
panding foreign military sales, establishing new co-
operative technology development programs, increas-
ing military exercises, or other actions as appro-
priate;

(6) the United States and South Korea share
deep concerns that the nuclear and ballistic missile
programs of North Korea and its repeated provo-
cations pose great threats to peace and stability on
the Korean Peninsula, and the United States recog-
nizes that South Korea has made important commit-
ments to the bilateral security alliance, including by
hosting a Terminal High Altitude Area Defense
(THAAD) system;
(7) the United States and South Korea should continue further defense cooperation, by enhancing mutual security based on the Mutual Defense Treaty between the United States and the Republic of Korea and investing in capabilities critical to the combined defense;

(8) the United States welcomes greater security cooperation with, and among, Japan and South Korea to promote mutual interests and address shared concerns, including the bilateral military intelligence-sharing pact between Japan and South Korea, signed on November 23, 2016, and the trilateral intelligence sharing agreement between the United States, Japan, and South Korea, signed on December 29, 2015; and

(9) recognizing that North Korea poses a threat to the United States, Japan, and South Korea, and that the security of the three countries is intertwined, the United States welcomes and encourages deeper trilateral defense cooperation, including through expanded exercises, training, and information sharing that strengthens integration.

SEC. 1267. SENSE OF CONGRESS ON FREEDOM OF NAVIGATION OPERATIONS IN THE SOUTH CHINA SEA.

It is the sense of Congress that—
(1) the United States has a national interest in maintaining freedom of navigation, respect for international law, and unimpeded lawful commerce in the South China Sea;

(2) the United States should condemn any assertion that limits the right to freedom of navigation and overflight; and

(3) the United States should keep to a regular and routine schedule for freedom of navigation operations in the sea and air.

SEC. 1268. SENSE OF CONGRESS ON STRENGTHENING THE DEFENSE OF TAIWAN.

It is the sense of Congress that—

(1) the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) codified the basis for commercial, cultural, and other relations between the United States and Taiwan, and the Six Assurances are an important aspect in guiding bilateral relations;

(2) Section 3(a) of that Act states that “the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability”;
(3) the United States, in accordance with such section, should make available and provide timely re-
view of requests for defense articles and defense services that may be necessary for Taiwan to main-
tain a sufficient self-defense capability;

(4) Taiwan should significantly increase its de-
fense budget to maintain a sufficient self-defense ca-
pability;

(5) the United States should support expanded exchanges focused on practical training for Taiwan personnel by and with United States military units, including exchanges between services, to empower senior military officers to identify and develop asym-
metric and innovative capabilities that strengthen Taiwan’s ability to deter aggression;

(6) the United States should seek opportunities for expanded training and exercises with Taiwan;

(7) the United States should encourage Tai-
wan’s continued investments in asymmetric self-de-
fense capabilities that are mobile, survivable against threatening forces, and able to take full advantage of Taiwan’s geography; and

(8) the United States should continue to—

(A) support humanitarian assistance and disaster relief exercises that increase Taiwan’s
resiliency and ability to respond to and recover from natural disasters; and

(B) recognize Taiwan’s already valuable military contributions to such efforts.

SEC. 1269. SENSE OF CONGRESS ON THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS.

(a) FINDING.—Congress finds that 2017 is the 50th anniversary of the formation of the Association of Southeast Asian Nations (ASEAN), which includes Indonesia, Malaysia, the Philippines, Singapore, Thailand, Brunei, Vietnam, Laos, Burma, and Cambodia.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States supports the development of regional institutions and bodies, including the ASEAN Regional Forum, the ASEAN Defense Ministers Meeting Plus, the East Asia Summit, and the expanded ASEAN Maritime Forum, to increase regional cooperation and ensure that disputes are managed without intimidation, coercion, or force;

(2) the United States recognizes ASEAN efforts to promote peace, stability, and prosperity in the region, including the steps taken to highlight the importance of peaceful dispute resolution and the
need for adherence to international rules and standards.

(3) United States defense engagement with ASEAN and the ASEAN Defense Ministers Meeting Plus should continue to be forums to discuss shared challenges in the maritime domain and the need for greater information sharing among ASEAN nations; and

(4) the United States welcomes continued work with ASEAN and other regional partners to establish more reliable and routine crisis communication mechanisms.

SEC. 1270. SENSE OF CONGRESS ON REAFFIRMING THE IMPORTANCE OF THE UNITED STATES-AUSTRALIA DEFENSE ALLIANCE.

It is the sense of Congress that—

(1) the United States values its alliance with the Government of Australia, and the shared values and interests between both countries are essential to promoting peace, security, stability, and economic prosperity in the Indo-Asia-Pacific region;

(2) the annual rotations of United States Marine Corps forces to Darwin, Australia and enhanced rotations of United States Air Force aircraft to Aus-
tralia pave the way for even closer defense and secu-

rity cooperation;

(3) the Treaty Between the Government of the
United States of America and the Government of
Australia Concerning Defense Trade Cooperation,
done at Sydney, September 5, 2007, should continue
to facilitate industry collaboration and innovation to
meet shared security challenges and reinforce mili-
tary ties;

(4) as described by Australian Prime Minister
Malcolm Turnbull, North Korea is “a threat to the
peace of the region” and the United States and Aus-
tralia should continue to cooperate to defend against
the threat of North Korea’s nuclear and missile ca-
pabilities; and

(5) the United States and Australia also should
continue to address the threat of terrorism and
strengthen information sharing.

SEC. 1270A. RESTRICTION ON FUNDING FOR THE PRE-
PARATORY COMMISSION FOR THE COM-
PREHENSIVE NUCLEAR-TEST-BAN TREATY
ORGANIZATION.

(a) Statement of Policy.—Congress declares that
United Nations Security Council Resolution 2310 (Sep-
tember 23, 2016) does not obligate the United States nor
does it impose an obligation on the United States to re-
frain from actions that would run counter to the object
and purpose of the Comprehensive Nuclear-Test-Ban
Treaty.

(b) Restriction on Funding.—

(1) In general.—No United States funds may be made available to the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Org-

ination.

(2) Exception.—The restriction under para-

graph (1) shall not apply with respect to the avail-

ability of United States funds for the Comprehensive Nuclear-Test-Ban Treaty Organization’s Intern-

tional Monitoring System.

SEC. 1270B. Sense of Congress on North Korea.

(a) Findings.—Congress finds the following:

(1) The Democratic People’s Republic of Korea, also known as North Korea, continues to develop a ballistic and nuclear weapons development program that poses a grave threat to the United States, United States allies the Republic of Korea, Japan, and Australia, and to regional and global security.

(2) North Korea continues to escalate the pace and number of its ballistic missile launches, and to date has conducted five nuclear tests.
(3) On July 4, 2017, North Korea conducted the first test of an intercontinental ballistic missile (ICBM) it claims is capable of reaching United States territory, which, if reliable and effective, constitutes a new threat to America’s security.

(4) On June 3, 2017, Secretary of Defense James Mattis stated, during remarks at the Shangri-La Dialogue, that “the current North Korea program signals a clear intent to acquire nuclear armed ballistic missiles, including those of intercontinental range that pose direct and immediate threats to our allies, our partners and all the world”.

(5) On April 27, 2017, Admiral Harry Harris, Jr., Commander of the United States Pacific Command, testified that “North Korea continues to disregard United Nations sanctions by developing, and threatening to use intercontinental ballistic missiles and nuclear weapons that will threaten the U.S. Homeland.”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should act to counter North Korea’s continued development and testing of nuclear weapons and intercontinental ballistic missiles;
(2) the development of a functional and operational North Korean nuclear and intercontinental ballistic missile program constitutes a threat to the security of the United States and to our allies and partners in the region;

(3) the defense of the United States and our allies against North Korean aggression remains a top priority, and the United States maintains an unwavering and steadfast commitment to the policy of extended deterrence, especially with respect to South Korea and Japan;

(4) the United States supports the deployment of the Terminal High Altitude Area Defense (THAAD) system in South Korea to counter North Korea’s missile threat and the deployment of ballistic missile defense systems to allies in the Indo-Asia-Pacific region to protect from the growing threat of North Korea’s nuclear weapons and ballistic missile programs;

(5) the United States should encourage further multilateral security cooperation and dialogue among South Korea, Japan, and Australia to address the North Korea threat;

(6) the United States calls upon the People’s Republic of China to use its leverage to pressure
North Korea to cease its provocative behavior and abandon and dismantle its nuclear and ballistic missile programs, and comply with all relevant United Nations Security Council resolutions;

(7) the United States should fully enforce all existing sanctions on North Korea and undertake a comprehensive diplomatic effort to urge allies and other countries to fully enforce, and build upon, existing international sanctions; and

(8) the United States should retain diplomatic, economic, and military options to defend against and pressure North Korea to abandon its illicit weapons program.

SEC. 1270C. STRATEGY TO FURTHER UNITED STATES-INDIA DEFENSE COOPERATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall develop a strategy for advancing defense cooperation between the United States and India.

(b) ELEMENTS.—The strategy shall address the following:

(1) Common security challenges.

(2) The role of United States partners and allies in the United States-India defense relationship.
(3) The role of the Defense Technology and Trade Initiative.

(4) How to advance the Communications Interoperability and Security Memorandum of Agreement and the Basic Exchange and Cooperation Agreement for Geospatial Cooperation.

(5) Any other matters the Secretary of Defense or the Secretary of State determines to be appropriate.

SEC. 1270D. PLAN TO ENHANCE THE EXTENDED DETERRENCE AND ASSURANCE CAPABILITIES OF THE UNITED STATES IN THE ASIA-PACIFIC REGION.

(a) FINDING.—Congress recognizes that North Korea’s first successful test of an intercontinental ballistic missile (ICBM) constitutes a grave and imminent threat to United States security and to the security of United States allies and partners in the Asia-Pacific region.

(b) PLAN.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Commander of the United States Pacific Command and the Commander of the United States Strategic Command, shall submit to the congressional defense committees a plan to enhance the extended
deterrence and assurance capabilities of the United States in the Asia-Pacific region.

(c) MATTERS TO BE INCLUDED.—Such plan shall include consideration of actions that will enhance United States security by strengthening deterrence of North Korean aggression and providing increased assurance to United States allies in the Asia-Pacific region, including the following:

(1) Increased visible presence of key United States military assets, such as missile defenses, long-range strike assets, and intermediate-range strike assets to the region.

(2) Increased military cooperation, exercises, and integration of defenses with allies in the region.

(3) Development and deployment of ground-based intermediate-range missiles, whether by allies or by the United States, if the United States were no longer bound by the limitations of the INF Treaty.

(4) Increased foreign military sales to allies in the region.

(5) Planning for, exercising, or deploying dual-capable aircraft to the region.

(6) Any necessary modifications to the United States nuclear force posture, including re-deploy-
ment of submarine-launched nuclear cruise missiles
to the region.

(7) Such other actions the Secretary considers
appropriate to strengthen extended deterrence and
assurance in the region.

(d) FORM.—Such plan shall be submitted in unclassi-
fied form, but may contain a classified annex.

(e) INF TREATY DEFINED.—In this section, the
term “INF Treaty” means the Treaty between the United
States of America and the Union of Soviet Socialist Re-
publics on the Elimination of Their Intermediate-Range
and Shorter-Range Missiles, signed at Washington De-

SEC. 1270E. REPORT ON NAVAL PORT OF CALL EXCHANGES
BETWEEN THE UNITED STATES AND TAIWAN.

(a) REPORT REQUIRED.—Not later than September
1, 2018, the Secretary of Defense shall submit to the ap-
propriate committees of Congress a report on the fol-
lowing:

(1) An assessment of the feasibility and advis-
ability regarding ports of call by the United States
Navy at ports on the island of Taiwan.

(2) An assessment of the feasibility and advis-
ability of the United States to receiving ports of call
by the Republic of China navy in Hawaii, Guam,
and other appropriate locations.

(b) FORM.—The report required by subsection (a)
shall be submitted in unclassified form, but may include
a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS DE-
FINED.—In this section, the term “appropriate commit-
tees of Congress” means—

(1) the Committee on Armed Services and the
Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the
Committee on Foreign Affairs of the House of Rep-
resentatives.

SEC. 1270F. ASSESSMENT ON UNITED STATES DEFENSE IM-
PLICATIONS OF CHINA’S EXPANDING GLOBAL
ACCESS.

(a) ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Defense, in
consultation with the Secretary of State, shall assess
the foreign military and non-military activities of the
People’s Republic of China which could affect the re-
gional and global national security and defense in-
terests of the United States.

(2) ELEMENTS.—The assessment required by
paragraph (1) shall evaluate the following:
(A) China’s use of military and non-military means in the Indo-Asia-Pacific region and globally, including tourism, media, influence campaigns, investment projects, infrastructure, and access to foreign ports and military bases, and whether such means could affect United States national security or defense interests, including operational access.

(B) The implications, if any, of such means for the military force posture, access, training, and logistics of both the United States and China.

(C) The United States strategy and policy for mitigating any harmful effects resulting from such means.

(D) The resources required to implement such strategy and policy, and the mitigation plan to address any gaps in capabilities or resources necessary for such implementation.

(E) Measures to bolster the roles of allies, partners, and other countries to implement such strategy and policy.

(F) Any other matters the Secretary of Defense or the Secretary of State determines to be appropriate.
(3) **Report required.**—

(A) **In general.**—Not later than 120 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 congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the assessment required under subsection (b).

(B) **Form.**—The report required by this paragraph may be submitted unclassified or classified form.

**SEC. 1270G. NORMALIZING THE TRANSFER OF DEFENSE ARTICLES AND DEFENSE SERVICES TO TAIWAN.**

(a) **Sense of Congress.**—It is the sense of Congress that any requests from the Government of Taiwan for defense articles and defense services should receive a case-by-case review by the Secretary of Defense, in consultation with the Secretary of State, that is consistent with the standard processes and procedures in an effort to normalize the arms sales process with Taiwan.

(b) **Report.**—

(1) **In general.**—Not later than 120 days after the date on which the Secretary of Defense re-
receives a Letter of Request from Taiwan with respect to the transfer of a defense article or defense service to Taiwan, the Secretary, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report that includes—

(A) the status of such request;

(B) if the transfer of such article or service would require a certification or report to Congress pursuant to any applicable provision of section 36 of the Arms Export Control Act (22 U.S.C. 2776), the status of any Letter of Offer and Acceptance the Secretary of Defense intends to issue with respect to such request; and

(C) an assessment of whether the transfer of such article or service would be consistent with United States obligations under the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.).

(2) ELEMENTS.—Each report required under paragraph (1) shall specify the following:

(A) The date the Secretary of Defense received the Letter of Request.

(B) The value of the sale proposed by such Letter of Request.
(C) A description of the defense article or
defense service proposed to be transferred.

(D) The view of the Secretary of Defense
with respect to such proposed sale and whether
such sale would be consistent with defense
plans.

(3) FORM.—Each report required under para-
graph (1) shall be submitted in unclassified form but
may contain a classified annex.

(c) BRIEFING.—Not later than 180 days after the
date of the enactment of this Act, and every 180 days
thereafter, the Secretary of Defense, in coordination with
the Secretary of State, shall provide a briefing to the ap-
propriate congressional committees with respect to the se-
curity challenges faced by Taiwan and the military co-
operation between the United States and Taiwan, includ-
ing a description of any requests from Taiwan for the
transfer of defense articles or defense services and the sta-
tus, whether signed or unsigned, of any Letters of Offer
and Acceptance with respect to such requests.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMIT-
TEES.—The term “appropriate congressional com-
mittees” means—
(A) the Committee on Armed Services and
the Committee on Foreign Affairs of the House
of Representatives; and

(B) the Committee on Armed Services and
the Committee on Foreign Relations of the Sen-
ate.

(2) DEFENSE ARTICLE; DEFENSE SERVICE.—
The terms “defense article” and “defense service”
have the meanings given such terms in section 47 of
the Arms Export Control Act (22 U.S.C. 2794).

(3) LETTER OF REQUEST; LETTER OF OFFER
AND ACCEPTANCE.—The terms “Letter of Request”
and “Letter of Offer and Acceptance” have the
meanings given such terms for purposes of Chapter
5 of the Security Assistance Management Manual of
the Defense Security Cooperation Agency, as in ef-
fecf on the date of the enactment of this Act.

Subtitle H—Other Matters

SEC. 1271. NATO COOPERATIVE CYBER DEFENSE CENTER
OF EXCELLENCE.

(a) AUTHORIZATION.—Of the amounts authorized to
be appropriated by this Act for fiscal year 2018 for sup-
port of North Atlantic Treaty Organization (in this section
referred to as “NATO”) operations, as specified in the
funding tables in division D, not more than $5,000,000
(b) PURPOSES.—The Secretary of Defense shall pro-
vide funds for the NATO Cooperative Cyber Defense Cen-
ter of Excellence (in this section referred to as the "Cen-
ter") to—

(1) enhance the capability, cooperation, and in-
formation sharing among NATO, NATO member
ations, and partners, with respect to cyber defense
and warfare; and

(2) facilitate education, research and develop-
ment, lessons learned and consultation in cyber de-
defense and warfare.

(c) CERTIFICATION.—Not later than 180 days after
the date of the enactment of this Act, the Secretary of
Defense shall certify to the Committees on Armed Services
of the House of Representatives and the Senate that the
Secretary has assigned executive agent responsibility for
the Center to an appropriate organization within the De-
partment of Defense, and detail the steps being under-
taken to strengthen the role of the Center in fostering
cyber defense and warfare capabilities within NATO.

(d) BRIEFING REQUIREMENT.—The Secretary of De-
defense shall periodically brief the Committees on Armed
Services of the House of Representatives and the Senate
on the efforts of the Department of Defense to strengthen
the role of the Center in fostering cyber defense and war-
fare capabilities within NATO.

SEC. 1272. NATO STRATEGIC COMMUNICATIONS CENTER
OF EXCELLENCE.

(a) AUTHORIZATION.—Of the amounts authorized to
be appropriated by this Act for fiscal year 2018 for sup-
port of North Atlantic Treaty Organization (in this section
referred to as “NATO”) operations, as specified in the
funding tables in division D, not more than $5,000,000
may be obligated or expended for the purposes described
in subsection (b).

(b) PURPOSES.—The Secretary of Defense shall pro-
vide funds for the NATO Strategic Communications Cen-
ter of Excellence (in this section referred to as the “Cen-
ter”) to—

(1) enhance the capability, cooperation, and in-
formation sharing among NATO, NATO member
ations, and partners, with respect to strategic com-
munications and information operations; and

(2) facilitate education, research and develop-
ment, lessons learned, and consultation in strategic
communications and information operations.

(c) CERTIFICATION.—Not later than 180 days after
the date of the enactment of this Act, the Secretary of
Defense shall certify to the Committees on Armed Services of the House of Representatives and the Senate that the Secretary has assigned executive agent responsibility for the Center to an appropriate organization within the Department of Defense, and detail the steps being undertaken to strengthen the role of Center in fostering strategic communications and information operations within NATO.

(d) Briefing Requirement.—

(1) In general.—The Secretary of Defense shall periodically brief the committees listed in paragraph (2) on the efforts of the Department of Defense to strengthen the role of the Center in fostering strategic communications and information operations within NATO.

(2) Committees.—The committees listed in this paragraph are the following:

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

(B) The Committee on Armed Services and the Committee on Foreign Relations of the Senate.
SEC. 1273. SECURITY AND STABILITY STRATEGY FOR SOMALIA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a comprehensive United States strategy to achieve long-term security and stability in Somalia and includes each of the following elements:

(1) A description of United States strategic objectives in Somalia and the benchmarks for assessing progress toward such objectives.

(2) An assessment of the threats posed to Somalia, the broader region, the United States, and partners of the United States, by al-Shabaab and organizations affiliated with the Islamic State of Iraq and the Levant in Somalia, including the origins, strategic aims, tactical methods, funding sources, and leadership of each organization.

(3) A description of the key international and United States governance, diplomatic, development, military, and intelligence resources available to address instability in Somalia.

(4) A plan to improve coordination among, and effectiveness of, United States governance, diplomatic, development, military, and intelligence resources to counter the threat of al-Shabaab and or-
ganizations affiliated with the Islamic State of Iraq and the Levant in Somalia.

(5) A description of the role the United States is playing or will play to address political instability and support long-term security and stability in Somalia.

(6) A description of the contributions made by the African Union Mission in Somalia (in this section referred to as “AMISOM”) to security in Somalia and an assessment of the anticipated duration of support provided to AMISOM by troop contributing countries.

(7) A plan to train the Somali National Army and other Somali security forces, that also includes—

(A) a description of the assistance provided by other countries for such training; and

(B) a description of the efforts to integrate regional militias into the uniformed Somali security forces; and

(C) a description of the security assistance authorities under which any such training would be provided by the United States and the recommendations of the Secretary to address any gaps under such authorities to advise, as-
sist, or accompany the Somali National Army
or other Somali security forces within appro-
priate roles and responsibilities that are not ful-
filled by other countries or by international or-
ganizations.

(8) A description of the steps the United
States, AMISOM, and any forces trained by the
United States are taking in Somalia to minimize ci-
vilian casualties and other harm to civilians.

(9) Any other matters the President considers
appropriate.

(b) FORM.—The report required under subsection (a)
shall be submitted in unclassified form but may include
a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
FINED.—In this section, the term “appropriate congres-
sional committees” means—

(1) the Committee on Armed Services, the
Committee on Foreign Affairs, the Committee on
Appropriations, and the Permanent Select Com-
mittee on Intelligence of the House of Representa-
tives; and

(2) the Committee on Armed Services, the
Committee on Foreign Relations, the Committee on
Appropriations, and the Select Committee on Intelligence of the Senate.

SEC. 1274. ASSESSMENT OF GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEM.

(a) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment, obtained by the Secretary for purposes of the report, of the effectiveness of measures taken to improve the functionality of the Global Theater Security Cooperation Management Information System (in this section referred to as the “G-TSCMIS”).

(b) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—The assessment obtained for purposes of subsection (a) shall be conducted by a federally funded research and development center (FFRDC), or another appropriate independent entity with expertise in security cooperation programs and activities of the Department of Defense, selected by the Secretary for purposes of the assessment.

(2) USE OF PREVIOUS STUDIES.—The entity conducting the assessment may use and incorporate information from previous studies on matters appropriate to the assessment.
(c) ELEMENTS.—The assessment obtained for purposes of subsection (a) shall include the following:

(1) An assessment of the extent to which security cooperation organizations are entering consistent, full, and accurate information into G-TSCMIS in a timely manner, and the impacts of inconsistent, incomplete, inaccurate, and tardy data entry on the functionality of the G-TSCMIS as a tool for security cooperation planning, resource allocation, and program adjustment.

(2) An assessment of any measures taken by the Department of Defense to ensure the full scope of security cooperation activities are entered into the G-TSCMIS in a timely manner, including any guidance issued or resource allocation determinations.

(3) An assessment of the effectiveness of oversight measures to ensure the full scope of security cooperation activities are entered into the G-TSCMIS in a timely manner.

(4) An assessment of utilization by and functionality for users of the G-TSCMIS across the Department of Defense, including the extent of G-TSCMIS business process reengineering that was conducted to best align needs from the functional
community with the capabilities of the information
management tool.

(5) Such other matters as the Secretary con-
siders appropriate.

(d) FORM.—The report required under subsection (a)
shall be submitted in unclassified form, but may include
a classified annex.

SEC. 1275. FUTURE YEARS PLAN FOR THE EUROPEAN DE-
TERRENCE INITIATIVE.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 120 days
after the date of the enactment of this Act, the Sec-
retary of Defense, in consultation with the Com-
mander of the United States European Command,
shall submit to the congressional defense committees
a future years plan on activities and resources of the
European Deterrence Initiative (in this section re-
ferred to as the “EDI”).

(2) APPLICABILITY.—The plan shall apply with
respect fiscal year 2018 and at least the four suc-
ceeding fiscal years.

(b) MATTERS TO BE INCLUDED.—The plan required
under subsection (a) shall include the following:

(1) A description of the objectives of the EDI.
(2) An assessment of resource requirements to achieve the objectives of the EDI.

(3) An assessment of capabilities requirements to achieve the objectives of the EDI.

(4) An assessment of logistics requirements, including force enablers, equipment, supplies, storage, and maintenance requirements, to achieve the objectives of the EDI.

(5) An identification and assessment of required infrastructure investments to achieve the objectives of the EDI, including potential infrastructure investments by host nations and new construction or modernization of existing sites that would be funded by the United States.

(6) An assessment of security cooperation investments required to achieve the objectives of the EDI.

(7) A plan to fully resource United States force posture and capabilities, including—

(A) details regarding the strategy to balance the force structure of the United States forces to source additional permanently stationed United States forces in Europe as a part of any planned growth in end strength and force posture;
(B) the infrastructure capacity of existing locations and their ability to accommodate additional permanently stationed United States forces in Europe;

(C) the potential new locations for additional permanently stationed United States forces in Europe, including an assessment of infrastructure and military construction resources necessary to accommodate additional United States forces in Europe;

(D) a detailed timeline to achieve desired permanent posture requirements;

(E) a reevaluation of sites identified for divestiture but not yet divested under the European Infrastructure Consolidation initiative, accounting for updated military requirements; and

(F) any changes and associated costs incurred with retaining each site identified for divestiture but not yet divested under the European Infrastructure Consolidation initiative, including possible leasing agreements, sustainment, and maintenance.

(e) FORM.—The plan required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.
(d) Limitations.—

(1) General Limitation.—The Secretary of Defense may not take any action to divest any site identified for divestiture but not yet divested under the European Infrastructure Consolidation initiative until the Secretary submits to the congressional defense committees the plan required under subsection (a).

(2) Site-Specific Limitation.—In the case of a proposed divestiture of a site under the European Infrastructure Consolidation initiative, the Secretary of Defense may not take any action to divest the site unless prior to taking such action, the Secretary certifies to the congressional defense committees that no military requirement for future use of the site is foreseeable.

Sec. 1276. Extension of Authority to Enter Into Agreements with Participating Countries in the American, British, Canadian, and Australian Armies’ Program.

Section 1274(g) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2026; 10 U.S.C. 2350a note) is amended by striking “five years” and inserting “ten years”.

•HR 2810 EH
SEC. 1277. SECURITY STRATEGY FOR YEMEN.

(a) REPORT REQUIRED.—Not later than 120 days after the date of enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a security strategy for Yemen.

(b) ELEMENTS.—The report required by subsection (a) shall include the following elements:

(1) A discussion of the strategy’s compliance with applicable legal authorities.

(2) A detailed description of the security environment.

(3) A detailed description of the threats posed by Al Qaeda in the Arabian Peninsula and the Islamic State in Iraq and the Levant–Yemen Province, including the origins, leadership, strategic aims, tactical methods, and resources attributable to each organization.

(4) A detailed description of the threats posed to freedom of navigation through the Bab al Mandab Strait and waters in proximity to Yemen as well as any United States efforts to mitigate those threats.

(5) A discussion of the ends, ways, and means inherent to the strategy.

(6) A discussion of the strategy’s objectives regarding counterterrorism and long-term stability in Yemen.
(7) A plan to coordinate the United States diplomatic, development, military, and intelligence resources necessary to implement the strategy.

(8) A detailed description of the roles of the United States Armed Forces in implementing the strategy.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(e) NO AUTHORIZATION FOR DEPLOYMENT OF ARMED FORCES.—None of the funds authorized to be appropriated by this Act are authorized to be made available...
to deploy members of the Armed Forces to participate in
the ongoing civil war in Yemen.

**SEC. 1278. LIMITATION ON TRANSFER OF EXCESS DEFENSE ARTICLES THAT ARE HIGH MOBILITY MULTI-PURPOSE WHEELED VEHICLES.**

(a) LIMITATION.—The President may not transfer excess defense articles that are high mobility multi-purpose wheeled vehicles under the authority of section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) to foreign countries until 30 days after the date on which the Comptroller General of the United States has submitted the report required under subsection (b) to the appropriate congressional committees.

(b) REPORT REQUIRED.—The Comptroller General of the United States shall submit to the appropriate congressional committees a report on all proposed and completed transfers of excess defense articles that are high mobility multi-purpose wheeled vehicles under the authority of section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) during fiscal years 2012 through 2016. Such report shall include the following:

(1) An assessment of the timing, rigorousness, and procedures used in conducting the analysis of the impact of each such transfer on the national technology and industrial base and, particularly, the
impact on opportunities of entities in the national
technology and industrial base to sell new or used
equipment to the countries to which such articles
were to be or were transferred in accordance with
section 516(b)(1)(E) of the Foreign Assistance Act
of 1961 (22 U.S.C. 2321j(b)(1)(E)).

(2) Any other related matters the Comptroller
General determines to be appropriate.

(e) WAIVER.—The President may waive the limita-
tion in subsection (a) with respect to a proposed transfer
of excess defense articles if the President—

(1) determines that such transfer is in the na-
tional interest of the United States; and

(2) notifies the appropriate congressional com-
mittees of such waiver in writing not less than 30
days prior to such transfer.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES
DEFINED.—In this section, the term “appropriate con-
gressional 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) EFFECTIVE DATE.—This section shall take effect
on the date of the enactment of this Act and shall apply
with respect to letters of offer to transfer excess defense articles that are high mobility multi-purpose wheeled vehicles issued on or after such date of enactment.

SEC. 1279. DEPARTMENT OF DEFENSE PROGRAM TO PROTECT UNITED STATES STUDENTS AGAINST FOREIGN AGENTS.

(a) PROGRAM.—The Secretary of Defense shall develop and implement a program to prepare United States students studying abroad through Department of Defense National Security Education Programs to recognize and protect themselves against recruitment efforts by intelligence agents.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the program required under subsection (a).

SEC. 1280. EXTENSION OF UNITED STATES-ISRAEL ANTITUNNEL COOPERATION AUTHORITY.

SEC. 1281. ANTICORRUPTION STRATEGY.

(a) IN GENERAL.—Not later than 120 days after the United States engages in a contingency operation, the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development, in consultation with the heads of other relevant Federal agencies, shall jointly develop a strategy to prevent corruption in any reconstruction efforts associated with such operation and submit such strategy to—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations of the Senate; and

(3) the Committee on Foreign Affairs of the House of Representatives.

(b) BENCHMARKS.—The strategy described in subsection (a) shall include measurable benchmarks to be met as a condition for disbursement of any funds for reconstruction efforts associated with such operation.

(c) REPORT.—For the duration of a contingency operation for which the Secretary of Defense has submitted a strategy pursuant to subsection (a), the Secretary shall submit to Congress an annual report evaluating the implementation and effectiveness of such strategy and describing any necessary adjustments to the strategy.
SEC. 1282. REPORT BY DEFENSE INTELLIGENCE AGENCY ON CERTAIN MILITARY CAPABILITIES OF CHINA AND RUSSIA.

(a) REPORT.—The Director of the Defense Intelligence Agency shall submit to the Secretary of Defense and the appropriate congressional committees a report on the military capabilities of the People’s Republic of China and the Russian Federation.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include, with respect to the military of China and the military of Russia, the following:

(1) An update on the presence, status, and capability of the military with respect to any national training centers similar to the Combat Training Center Program of the United States.

(2) An analysis of a readiness deployment cycle of the military, including—

(A) as compared to such a cycle of the United States; and

(B) an identification of metrics used in the national training centers of that military.

(3) A comprehensive investigation into the capability and readiness of the mechanized logistics of the army of the military, including—
(A) an analysis of field maintenance, sustainment maintenance, movement control, intermodal operations, and supply; and

(B) how such functions under subparagraph (A) interact with specific echelons of that military.

(4) An assessment of the future of mechanized army logistics of that military.

(e) NONDUPlication OF EFFORTS.—The Defense Intelligence Agency may make use of or add to any existing reports completed by the Agency in order to respond to the reporting requirement.

(d) FORM.—The report under subsection (a) may be submitted in classified form.

(e) BRIEFING.—The Director shall provide a briefing to the Secretary and the committees specified in subsection (a) on the report under such subsection.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term “appropriate congressional committees” means—

(1) the Committees on Armed Services of the House of Representatives and the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.
SEC. 1283. SENSE OF CONGRESS ON THE NORTH ATLANTIC TREATY ORGANIZATION.

(a) FINDINGS.—Congress finds the following:

(1) The North Atlantic Treaty Organization (NATO) has been the cornerstone of transatlantic security cooperation and an enduring instrument for promoting stability in Europe and around the world for over 65 years.

(2) NATO currently faces a range of security challenges, including Russian aggression in Eastern Europe and instability and conflict in the Middle East and North Africa.

(3) In light of these and other threats, NATO must have a credible deterrence to defend NATO members, if necessary, against adversaries or threats.

(4) Since the 2014 NATO summit in Wales and the 2016 summit in Warsaw, NATO has made progress in implementing a Readiness Action Plan to enhance allied readiness and collective defense in response to Russian aggression. However, much work remains to be done.

(5) NATO’s solidarity is strengthened by bolstering its conventional and nuclear deterrence, increasing defense spending by NATO members, and continuing the enlargement of NATO.
(b) Sense of Congress.—It is the sense of Congress that—

(1) NATO members should—

(A) continue to advance the NATO Open-Door Policy and build on the successes of previous enlargement initiatives;

(B) continue to work with countries that are seeking to join NATO to prepare for entry;

(C) commend Montenegro’s final accession to NATO;

(D) seek a Dayton II agreement to resolve the constitutional issues faced by Bosnia and Herzegovina;

(E) work with the Republic of Kosovo to prepare the country for entrance into the NATO Partnership for Peace program;

(F) continue support for the NATO Membership Action Plan for Georgia;

(G) implement specific plans to ensure that sufficient investments are made to meet NATO responsibilities, including by allocating at least 2 percent of each member’s gross domestic product to defense spending, 20 percent of which should be dedicated to major equipment procurement, as agreed at the 2014 Wales
Summit and reaffirmed at the 2016 Warsaw Summit;

(H) continue to build on efforts to identify and address, through consensus, the security threats facing the alliance, such as by enhancing counterterrorism activities;

(I) continue to bolster deterrence efforts and promote the Enhanced Forward Presence in Eastern Europe;

(J) as decided at the 2016 Warsaw Summit, use the new rotational deployments of four multinational combat battalions in Poland, Lithuania, Latvia, and Estonia to promote stability in that region as well as to deter Russian aggression; and

(K) invest in infrastructure projects necessary to guarantee free and efficient movement throughout the territories of NATO members; and

(2) the United States should commit to maintaining a robust military presence in Europe as a means of promoting allied interoperability, providing visible assurance to NATO allies, and deterring Russian aggression in the region.
SEC. 1284. SENSE OF CONGRESS ON THE EXPORT OF DEFENSE ARTICLES TO TURKEY.

(a) FINDINGS.—Congress finds that—

(1) on June 6, 2017, the House of Representatives voted unanimously to pass H. Res. 354, condemning the violence that took place outside the Turkish Ambassador’s residence on May 16, 2017, and calling on the perpetrators to be brought to justice under United States law; and

(2) the security force that participated in this violence may be the recipient of arms exported from the United States under a proposed deal.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the proposed sale of semiautomatic handguns for export to Turkey should remain under scrutiny until a satisfactory and appropriate resolution is reached to the violence described in subsection (a)(1).

SEC. 1285. STRATEGY TO IMPROVE DEFENSE INSTITUTIONS AND SECURITY SECTOR FORCES IN NIGERIA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a comprehensive strategy to support improvements in defense institutions and security sector forces in Nigeria.
(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) An assessment of the threats posed by terrorist and other militant groups operating in Nigeria, including Boko Haram, ISIS-WA, and Niger Delta militants, as well as a description of the origins, strategic aims, tactical methods, funding sources, and leadership structures of each such organization.

(2) An assessment of efforts by the Government of Nigeria to improve civilian protection, accountability for human rights violations, and transparency in the defense institutions and security sector forces.

(3) A description of the key international and United States diplomatic, development, intelligence, military, and economic resources available to address instability across Nigeria, and a plan to maximize the coordination and effectiveness of these resources to counter the threats posed by Boko Haram, ISIS-WA, and Niger Delta militants.

(4) An assessment of efforts undertaken by the security forces of the Government of Nigeria to improve the protection of civilians in the context of—

(A) ongoing military operations against Boko Haram in the northeast region;
(B) addressing farmer-herder land disputes in the Middle Belt;

(C) renewed militant attacks on oil and gas infrastructure in the Delta; and

(D) addressing pro-Biafra protests in the southeast region.

(5) An assessment of the effectiveness of the Civilian Joint Task Force that has been operating in parts of northeastern Nigeria in order to ensure that underage youth are not participating in government-sponsored vigilante activity in violation of the Child Soldiers Prevention Act of 2008 (Public Law 110–340).

(6) An assessment of the options for the Government of Nigeria to eventually incorporate the Civilian Joint Task Force into Nigeria’s military or law enforcement agencies or reintegrate its members into civilian life.

(7) A plan for the United States to work with the Nigerian security forces and judiciary to transparently investigate allegations of human rights violations committed by the security forces of the Government of Nigeria that have involved civilian casualties, including a plan to undertake tangible meas-
ures of accountability following such investigations
in order to break the cycle of conflict.

(8) A plan for the United States to work with
the Nigerian defense institutions and security sector
forces to improve detainee conditions.

(9) A plan to work with the Nigerian military,
international organizations, and nongovernmental
organizations to demilitarize the humanitarian re-
response to the food insecurity and population dis-
placement in northeastern Nigeria.

(10) Any other matters the President considers
appropriate.

(e) Updates.—Not later than 1 year after the date
on which the report required under subsection (a) is sub-
mitted to the appropriate congressional committees, and
annually thereafter for 5 years, the President shall submit
to the appropriate congressional committees an update of
the report containing updated assessments and evalua-
tions on progress made on the plans described in the re-
port, including—

(1) updated assessments on the information de-
scribed in paragraphs (2), (4), and (6) of subsection
(a); and

(2) descriptions of the steps taken and out-
comes achieved under each of the plans described in
paragraphs (7), (8), (9), and (10) of subsection (a), as well as assessments of the effectiveness and descriptions of the metrics used to evaluate effectiveness for each such plan.

(d) Form.—The report required under subsection (a) and the updates required under (c) shall be submitted in unclassified form, but may include a classified annex.

(e) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1286. SENSE OF CONGRESS REGARDING THE CHIBOK SCHOOLGIRLS AND BOKO HARAM.

(a) Findings.—Congress finds the following:

(1) the members of Jama’atu Ahlis Sunna Lidda’awati wal-Jihad, commonly known as Boko Haram, have terrorized the people of Nigeria with
increasing violence since 2009, targeting military, government, and civilian sites in Nigeria, including schools, mosques, churches, markets, villages, and agricultural centers, and killing thousands and abducting hundreds of civilians in Nigeria and the surrounding countries.

(2) On the night of April 14, 2014, 276 female students, most of them between 15 and 18 years old, were abducted by Boko Haram from the Chibok Government Girls Secondary School, a boarding school located in Borno state in the Federal Republic of Nigeria.

(3) While some Chibok girls have fled their captors and others have been released through negotiations, more than 100 Chibok girls remain in captivity.

(4) In addition to kidnapping the Chibok schoolgirls, Boko Haram has killed more than 20,000 people, coerced women and girls into carrying out suicide missions, displaced more than 3,000,000 Nigerians, tens of thousands of whom are at risk of starving to death, and caused thousand of school closures.

(5) In supporting efforts to reunite the Chibok schoolgirls with their families, the United States has
authorized the deployment of military personnel to assist with intelligence, surveillance, and reconnaissance, and provided training, equipment, and humanitarian services to the populations affected by and vulnerable to Boko Haram violence.

(6) The Secretary of State designated several individuals linked to Boko Haram, including its leader, Abubakar Shekau, as Specially Designated Global Terrorists in 2012, and designated Boko Haram as a Foreign Terrorist Organization in November 2013.

(7) The Senate and the House of Representatives have both passed legislation and undertaken other initiatives to condemn Boko Haram and support the Chibok schoolgirls.

(8) In addition to legislation, members of Congress have traveled to Nigeria to meet with freed Chibok schoolgirls and their families, held briefings, press conferences, and hearings, and, every week that Congress is in session, participated in Wear Something Red Wednesday, a bipartisan campaign led by Democratic Leader Nancy Pelosi, Republican Conference Chair Cathy McMorris Rodgers, and Congresswoman Frederica Wilson, during which lawmakers wear a red outfit or accessory and take
group photos to share on social media to raise awareness about the kidnapped Chibok schoolgirls.

(9) The 114th Congress unanimously passed S. 1632, which President Barack Obama signed into law on December 14, 2016, to direct the Secretary of State and the Secretary of Defense to jointly develop a five-year strategy to aid Nigeria and the Multinational Joint Task Force, composed of troops from Benin, Cameroon, Chad, Niger, and Nigeria, to combat Boko Haram.

(10) On June 27, 2017, President Donald Trump met with two freed Chibok schoolgirls at the White House.

(b) SENSE OF CONGRESS.—Congress—

(1) commends the Secretary of State, Secretary of Defense, and Director of National Intelligence for delivering a report to Congress on a five-year strategy for the United States to employ diplomatic, development, defense, and other tools to assist and enable our African partners to lead the effort to degrade and ultimately defeat Boko Haram, the Islamic State in Iraq and ash Sham – West Africa (ISIS-WA), and any potential splinter or successor groups;
(2) affirms United States support for the international effort to degrade Boko Haram and ISIS-WA and to assist the Multinational Joint Task Force to address the underlying drivers of violent extremism; and

(3) supports the efforts of the Department of Defense to implement a United States strategy for countering Boko Haram and ISIS-WA.

SEC. 1287. MODIFICATION OF ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE’S REPUBLIC OF CHINA.

Subsection (b) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 113 note), as most recently amended by section 1271 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2538), is further amended by adding at the end the following:

“(23) Any Chinese laws, regulations, or policies that could jeopardize the economic security of the United States.”.
SEC. 1288. REPORT ON IRAN AND NORTH KOREA NUCLEAR AND BALLISTIC MISSILE COOPERATION.

(a) Sense of Congress.—It is the sense of Congress that—

(1) the ballistic missile programs of Iran and North Korea represent a serious threat to allies of the United States in the Middle East, Europe, and Asia, members of the Armed Forces deployed in those regions, and ultimately the United States; and

(2) further cooperation between Iran and North Korea on nuclear weapons or ballistic missile technology is not in the security interests of the United States or our allies.

(b) Report.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the President, in coordination with the Secretary of Defense, the Secretary of State, and the heads of other relevant agencies, shall submit to the appropriate committees of Congress a report that includes—

(A) an assessment of the extent of cooperation on nuclear programs, ballistic missile development, chemical and biological weapons development, or conventional weapons programs between the Government of Iran and the Government of the Democratic People’s Republic of
Korea, including the identity of Iranian and North Korean persons that have knowingly engaged in or directed the provision of material support or the exchange of information (including through the transfer of goods, services, technology, or intellectual property) between the Government of Iran and the Government of the Democratic People’s Republic of Korea; and


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

(3) Appropriate Committees of Congress Defined.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and
(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1289. MODIFICATION OF ANNUAL UPDATE OF DEPARTMENT OF DEFENSE FREEDOM OF NAVIGATION OPERATIONS REPORT.

(a) IN GENERAL.—Subsection (b) of section 1275 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2540) is amended by adding at the end the following:

“(4) For each country identified under paragraph (1) as making an excessive maritime claim challenged by the United States under the program referred to in subsection (a), the types and locations of excessive maritime claims by such country that have not been challenged by the United States, if any, under the program referred to in subsection (a).”.

(b) EFFECTIVE DATE.—The amendment made subsection (a) takes effect of the date of the enactment of this Act and applies with respect to each report required to be submitted under section 1275 of the National Defense Authorization Act for Fiscal Year 2017 on or after such date of enactment.
SEC. 1290. CONTINGENCY PLANS RELATING TO SOUTH SUDAN.

The Secretary of Defense shall prepare contingency plans—

(1) to assist relief organizations in delivery of humanitarian assistance in South Sudan; and

(2) to engage South Sudan’s military to promote efforts to reduce conflicts.

SEC. 1291. REPORT ON STRATEGY TO DEFEAT AL-QAEDA, THE TALIBAN, THE ISLAMIC STATE OF IRAQ AND SYRIA (ISIS), AND THEIR ASSOCIATED FORCES AND CO-BELLIGERENTS.

(a) In General.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress a report on the United States strategy to defeat Al-Qaeda, the Taliban, the Islamic State of Iraq and Syria (ISIS), and their associated forces and co-belligerents.

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

(1) An analysis of the adequacy of the existing legal framework to accomplish the strategy described in subsection (a), particularly with respect to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) and the Authorization for Use of Military Force Against Iraq Resolu-
note).

(2) An analysis of the budgetary resources nec-
essary to accomplish the strategy described in sub-
section (a).

(c) CONGRESSIONAL TESTIMONY.—Not later than 30
days after the date on which the President submits to the
appropriate congressional committees the report required
by subsection (a), the Secretary of State and the Secretary
of Defense shall testify at any hearing held by any of the
appropriate congressional committees on the report and
to which the Secretary is invited.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES
DEFINED.—In this section, the term “appropriate con-
gressional committees” means—

(1) the Committee on Foreign Relations and
the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the
Committee on Armed Services of the House of Rep-
resentatives.
SEC. 1292. NOTICE OF CHANGES TO THE LEGAL AND POLICY FRAMEWORKS GUIDING THE UNITED STATES’ USE OF MILITARY FORCE AND RELATED NATIONAL SECURITY OPERATIONS.

(a) NOTICE REQUIRED.—Not later than 30 days after the date on which a change is made to any of the legal or policy frameworks described in the report entitled “Report on the Legal and Policy Frameworks Guiding the United States Use of Military Force and Related National Security Operations” prepared by the national security departments and agencies and published on December 5, 2016, the President shall notify the appropriate congressional committees of such change, including the legal, factual, and policy justification for such change.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives;

(2) the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives;

(3) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives; and
(4) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1293. REPORT ON MILITARY ACTION OF SAUDI ARABIA AND ITS COALITIONS PARTNERS IN YEMEN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Defense and the Secretary of State shall jointly submit the appropriate congressional committees a report on military action of Saudi Arabia and its coalitions partners in Yemen.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include a description of the following:

(1) The extent to which the Government of Saudi Arabia and its coalition partners in Yemen are abiding by their “No Strike List and Restricted Target List”.

(2) Roles played by United States military personnel with respect to operations of such coalition partners in Yemen.

(3) Progress made by the Government of Saudi Arabia in improving its targeting capabilities.

(4) Progress made by such coalition partners to implement the recommendations of the Joint Inci-
dent Assessment Team and participation if any by
the United States in the implementation of such rec-
ommendations.

(5) Progress made toward implementation of
United Nations Security Council Resolution 2216
(2015) or any successor United Nations Security
Council resolution relating to the conflict in Yemen.

(c) FORM.—The report required by subsection (a)
shall be submitted in unclassified form, but may contain
a classified annex.

(d) TERMINATION.—This section shall terminate
on—

(1) the date that is 2 years after the date of the
enactment of this Act, or

(2) the date on which the Secretary of Defense
and Secretary of State jointly certify to the appro-
priate congressional committees that the conflict in
Yemen has come to a conclusion,

whichever occurs earlier.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
FINED.—In this section, the term “appropriate congress-
ional 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. 1294. SENSE OF CONGRESS ON THE WESTERN HEMISPHERE REGION.

It is the sense of Congress that—

(1) the security, stability, and prosperity of the Western Hemisphere region are vital to the national interests of the United States;

(2) the United States should maintain a military capability in the Western Hemisphere region that is able to project power, build partner capacity, deter acts of aggression, and respond, if necessary, to regional threats or to threats to the national security of the United States by the activities of Iran, China, Russia, North Korea, transnational criminal organizations, or terrorist organizations in the region;

(3) continuing efforts by the Department of Defense to commit additional assets and increase investments to the Western Hemisphere are necessary to maintain a robust United States commitment to the region;

(4) the Secretary of Defense should—
(A) assess the current United States force posture in the Western Hemisphere to ensure that the United States maintains an appropriate forward presence in the region;

(B) prioritize—

(i) intelligence, surveillance, and reconnaissance;

(ii) maritime patrol aircraft to support detection and monitoring missions;

(iii) efforts to disrupt and degrade transregional and transnational threat networks; and

(iv) when possible, efforts to support the mission of the Department of Homeland Security, as requested, in monitoring individuals identified by the Secretary of Homeland Security as “special interest aliens” or as “foreign terrorist fighters”; and

(C) enhance regional force readiness through joint training and exercises; and

(5) the United States should continue to engage in the Western Hemisphere by strengthening alliances and partnerships, working with regional institutions, addressing the shared challenges of illicit
trafficking of humans, drugs, and other contraband, transnational criminal organizations, and foreign terrorist fighters, and supporting the rule of law and democracy in the region.

SEC. 1295. SENSE OF CONGRESS RELATING TO INCREASES IN DEFENSE CAPABILITIES OF UNITED STATES ALLIES.

It is the sense of Congress that the President, in furtherance of increased unity, equitable sharing of the common defense burden, and international stability, should—

1. encourage all member countries of the North Atlantic Treaty Organization ("NATO allies") to fulfill their commitments to levels and composition of defense expenditures as agreed upon at the NATO 2014 Wales Summit and NATO 2016 Warsaw Summit;

2. call on NATO allies to finance, equip, and train their armed forces to fulfill their national and regional security interests; and

3. recognize NATO allies that are meeting their defense spending commitments or otherwise providing adequately for their national and regional security interests.
SEC. 1296. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.

(a) In General.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to fund a Secretariat or any other international organization established to support the implementation of the Arms Trade Treaty, to sustain domestic prosecutions based on any charge related to the Treaty, or to implement the Treaty until the Senate approves a resolution of ratification for the Treaty and implementing legislation for the Treaty has been enacted into law.

(b) Rule of Construction.—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws, regulations, and practices related to export control up to United States standards.

SEC. 1297. CULTURAL HERITAGE PROTECTION COORDINATOR.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate an employee of the Department of Defense to serve concurrently as the Coordinator for Cultural Heritage Protection (in this section referred to as the “Coordinator”).

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(b) DUTIES.—The Coordinator shall have the following duties:


(2) The Coordinator shall convene a coordinating committee of entities within the Department of Defense that have the responsibility or capacity for protecting cultural heritage.

(e) COORDINATING COMMITTEE.—The coordinating committee convened pursuant to subsection (b)(2) shall—

(1) meet not less than annually;

(2) coordinate with the Cultural Heritage Coordinating Committee convened by the Department of State; and

(3) solicit consultation and coordination with other Federal agencies and nongovernmental organizations, including the U.S. Committee of the Blue Shield, as well as other expert and stakeholder organizations, as appropriate for the national security interests of the United States.
SEC. 1298. PROHIBITION ON USE OF FUNDS TO CONDUCT MILITARY OPERATIONS IN YEMEN.

(a) Prohibition.—No amounts authorized to be appropriated by this Act or otherwise made available to the Department of Defense for fiscal year 2018 may be made available to conduct military operations in Yemen.

(b) Rule of Construction.—Nothing in this section shall be construed to prohibit the following:


(2) The provision of humanitarian assistance.

(3) The defense of United States Armed Forces.

(4) Support for freedom of navigation operations.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) Fiscal Year 2018 Cooperative Threat Reduction Funds Defined.—In this title, the term “fiscal year 2018 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 division D for the Department of Defense

(b) Availability of Funds.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2018, 2019, and 2020.

SEC. 1302. FUNDING ALLOCATIONS.

(a) In General.—Of the $324,600,000 authorized to be appropriated to the Department of Defense for fiscal year 2018 in section 301 and made available by the funding table in division D 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, $12,100,000.

(2) For chemical weapons destruction, $5,000,000.

(3) For global nuclear security, $17,900,000.

(4) For cooperative biological engagement, $172,800,000.
(5) For proliferation prevention, $89,800,000.

(6) For activities designated as Other Assessments/Administrative Costs, $27,000,000.

(b) MODIFICATION TO CERTAIN REQUIREMENTS.—The Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3701 et seq.) is amended as follows:

(1) Section 1321(g)(1) (50 U.S.C. 3711(g)(1)) is amended by striking “45 days” and inserting “15 days”.

(2) Section 1324 (50 U.S.C. 3714) is amended—

(A) in subsection (a)(1)(C), by striking “45 days” and inserting “15 days”; and

(B) in subsection (b)(3), by striking “45 days” and inserting “15 days”.

(3) Section 1335(a) (50 U.S.C. 3735(a)) is amended by striking “or expended”.

TITLE XIV—OTHER AUTHORIZATIONS
Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.
Funds are hereby authorized to be appropriated for fiscal year 2018 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. 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 2018 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. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2018 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. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for
the Department of Defense for fiscal year 2018 for ex-
penses, not otherwise provided for, for the Office of the
Inspector General of the Department of Defense, as speci-
fied in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for
fiscal year 2018 for the Defense Health Program, as spec-
ified in the funding table in section 4501, for use of the
Armed Forces and other activities and agencies of the De-
partment of Defense in providing for the health of eligible
beneficiaries.

SEC. 1406. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for
fiscal year 2018 for the National Defense Sealift Fund,
as specified in the funding table in section 4501.
Subtitle B—Other Matters

SEC. 1411. 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 by section 1405 and available for the Defense Health Program for operation and maintenance, $115,500,000 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

SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2018 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 AND TREATMENT OF CERTAIN AUTHORIZATIONS OF APPROPRIATIONS.

(a) PURPOSE.—The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2018 to provide additional funds—

(1) for overseas contingency operations being carried out by the Armed Forces; and
(2) pursuant to sections 1502, 1503, 1504, and 1505 for expenses, not otherwise provided for, for procurement, research, development, test, and evaluation, operation and maintenance, and military personnel, as specified in the funding tables in sections 4103, 4203, 4303, and 4403.

(b) Treatment of Funds.— The Director of the Office of Management and Budget shall apportion the funds identified in subsection (a)(2) 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 2018 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in—

(1) the funding table in section 4102; or

(2) the funding table in section 4103.
SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2018 for the use of the Department of Defense for research, development, test, and evaluation, as specified in—

(1) the funding table in section 4202; or
(2) the funding table in section 4203.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2018 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 2018 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—

(1) the funding table in section 4402; or
(2) the funding table in section 4403.
SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2018 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 2018 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 2018 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 2018 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. 1511. 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. 1512. 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 2018 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 $2,500,000,000.

(4) EXCEPTION.—In the case of the authorizations of appropriations contained in sections 1502, 1503, 1504, and 1505 that are provided for the pur-
pose specified in section 1501(a)(2), the transfer au-

thority provided under section 1001, rather than the
transfer authority provided by this subsection, shall
apply to any transfer of amounts of such authoriza-
tions.

(b) TERMS AND CONDITIONS.—Transfers under this
section shall be subject to the same terms and conditions
as transfers under section 1001.

e) ADDITIONAL AUTHORITY.—The transfer author-
ity provided by this section is in addition to the transfer
authority provided under section 1001.

Subtitle C—Limitations, Reports,
and Other Matters

SEC. 1521. AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF PRIOR AUTHORITIES AND

NOTICE AND REPORTING REQUIREMENTS.—Funds avail-
able to the Department of Defense for the Afghanistan
Security Forces Fund for fiscal year 2018 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

(b) EQUIPMENT DISPOSITION.—
(1) Acceptance of certain equipment.—Subject to paragraph (2), the Secretary of Defense may accept equipment that is procured using amounts in the Afghanistan Security Forces Fund authorized under this Act and is intended for transfer to the security forces of Afghanistan, but is not accepted by such security forces.

(2) Conditions on acceptance of equipment.—Before accepting any equipment under the authority provided by paragraph (1), the Commander of United States forces in Afghanistan shall make a determination that the equipment was procured for the purpose of meeting requirements of the security forces of Afghanistan, as agreed to by both the Government of Afghanistan and the United States, but is no longer required by such security forces or was damaged before transfer to such security forces.

(3) Elements of determination.—In making a determination under paragraph (2) regarding equipment, the Commander of United States forces in Afghanistan shall consider alternatives to Secretary of Defense acceptance of the equipment. An explanation of each determination, including the basis for the determination and the alternatives con-
sidered, shall be included in the relevant quarterly report required under paragraph (5).

(4) **TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.**—Equipment accepted under the authority provided by paragraph (1) may be treated as stocks of the Department of Defense upon notification to the congressional defense committees of such treatment.

(5) **QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.**—Not later than 90 days after the date of the enactment of this Act and every 90-day period thereafter during which the authority provided by paragraph (1) is exercised, the Secretary of Defense shall submit to the congressional defense committees a report describing the equipment accepted under this subsection, section 1531(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 938; 10 U.S.C. 2302 note), section 1532(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3612), section 1531(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1088), and section 1521(b) of the National Defense Authorization Act for Fiscal Year
2017 (Public Law 114–328) during the period covered by the report. Each report shall include a list of all equipment that was accepted during the period covered by the report and treated as stocks of the Department and copies of the determinations made under paragraph (2), as required by paragraph (3).

(e) ALLOCATION OF FUNDS.—

(1) IN GENERAL.—Of the funds available to the Department of Defense for the Afghan Security Forces Fund for fiscal year 2018, it is the goal that $41,000,000 shall be used for—

(A) the recruitment, integration, retention, training, and treatment of women in the Afghan National Security Forces; and

(B) the recruitment, training, and contracting of female security personnel for future elections.

(2) TYPES OF PROGRAMS AND ACTIVITIES.—Such programs and activities may include—

(A) efforts to recruit women into the Afghan National Security Forces, including the special operations forces;

(B) programs and activities of the Afghan Ministry of Defense Directorate of Human Rights and Gender Integration and the Afghan
Ministry of Interior Office of Human Rights, Gender and Child Rights;

(C) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(D) efforts to address harassment and violence against women within the Afghan National Security Forces;

(E) improvements to infrastructure that address the requirements of women serving in the Afghan National Security Forces, including appropriate equipment for female security and police forces, and transportation for policewomen to their station;

(F) support for Afghanistan National Police Family Response Units; and

(G) security provisions for high-profile female police and army officers.

(d) ASSESSMENT OF AFGHANISTAN PROGRESS ON SECURITY OBJECTIVES.—

(1) ASSESSMENT REQUIRED.—Not later than June 1, 2018, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the
Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate an assessment describing the progress of the government of the Islamic Republic of Afghanistan toward meeting shared security objectives. In conducting such assessment the Secretary shall consider each of the following:

(A) The extent to which the government of Afghanistan has taken steps toward increased accountability and reducing corruption within the Ministries of Defense and Interior.

(B) The extent to which the capability and capacity of the Afghan National Defense and Security Forces have improved as a result of Afghan Security Forces Fund investment, including through training.

(C) The extent to which the Afghan National Defense and Security Forces have been able to increase pressure on the Taliban, al-Qaeda, the Haqqani network, and other terrorist organizations, including by re-taking territory, defending territory, and disrupting attacks.
(D) Whether or not the government of Afghanistan is ensuring that supplies, equipment, and weaponry supplied by the United States are appropriately distributed to security forces charged with fighting the Taliban and other terrorist organizations.

(E) Such other factors as the Secretaries consider appropriate.

(2) WITHHOLDING OF ASSISTANCE FOR INSUFFICIENT PROGRESS.—

(A) IN GENERAL.—If the Secretary of Defense, in consultation with the Secretary of State, determines pursuant to the assessment under paragraph (1) that the government of Afghanistan has made insufficient progress, the Secretary of Defense may withhold assistance for the Afghan National Defense and Security Forces until such time as the Secretary determines sufficient progress has been made.

(B) NOTICE TO CONGRESS.—If the Secretary of Defense withholds assistance under subparagraph (A), the Secretary, in consultation with the Secretary of State, shall provide notice to Congress not later than 30 days after
making the decision to withhold such assist-
ance.

SEC. 1522. JOINT IMPROVISED-THREAT DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsections
(b) and (c) of section 1514 of the John Warner National
Defense Authorization Act for Fiscal Year 2007 (Public
Law 109-364; 120 Stat. 2439), as in effect before the
amendments made by section 1503 of the Duncan Hunter
(Public Law 110-417; 122 Stat. 4649), shall apply to the
funds made available for fiscal year 2018 to the Depart-
ment of Defense for the Joint Improvised-Threat Defeat
Fund.

(b) INTERDICTION OF IMPROVISED EXPLOSIVE DE-
VICE PRECURSOR CHEMICALS.—

(1) AVAILABILITY OF FUNDS.—Of the funds
made available to the Department of Defense for the
Joint Improvised-Threat Defeat Fund for fiscal year
2018, $15,000,000 may be available to the Secretary
of Defense, with the concurrence of the Secretary of
State, to provide training, equipment, supplies, and
services to ministries and other entities of foreign
governments that the Secretary has identified as
critical for countering the flow of improvised explo-
sive device precursor chemicals.
(2) **PROVISION THROUGH OTHER US AGENCIES.**—If jointly agreed upon by the Secretary of Defense and the head of another department or agency of the United States Government, the Secretary of Defense may transfer funds available under paragraph (1) to such department or agency for the provision by such department or agency of training, equipment, supplies, and services to ministries and other entities of foreign governments as described in that paragraph.

(3) **NOTICE TO CONGRESS.**—None of the funds made available pursuant to paragraph (1) may be obligated or expended to supply training, equipment, supplies, or services to a foreign country before the date that is 15 days after the date on which the Secretary of Defense, in coordination with the Secretary of State, submits to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a notice that contains—

(A) the foreign country for which training, equipment, supplies, or services are proposed to be supplied;
(B) a description of the training, equipment, supplies, and services to be provided using such funds;

(C) a detailed description of the amount of funds proposed to be obligated or expended to supply such training, equipment, supplies or services, including any funds proposed to be obligated or expended to support the participation of another department or agency of the United States and a description of the training, equipment, supplies, or services proposed to be supplied;

(D) an evaluation of the effectiveness of the efforts of the foreign country identified under subparagraph (A) to counter the flow of improvised explosive device precursor chemicals; and

(E) an overall plan for countering the flow of precursor chemicals in the foreign country identified under subparagraph (A).

(4) EXPIRATION.—The authority provided by this subsection expires on December 31, 2018.
SEC. 1523. SEPARATE ACCOUNT LINES FOR OVERSEAS CONTINGENCY OPERATIONS FUNDS.

For accountability and transparency purposes, the Director of the Office of Management and Budget and the Secretary of Defense shall establish separate accounts to ensure that amounts authorized to be appropriated pursuant to this title are administered separately from amounts otherwise authorized to be appropriated or made available for the Department of Defense.

SEC. 1524. GUIDELINES FOR BUDGET ITEMS TO BE COVERED BY OVERSEAS CONTINGENCY OPERATIONS ACCOUNTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of Management and Budget, shall update the guidelines regarding the budget items that may be covered by overseas contingency operations accounts. Such revised guidelines shall be consistent with the recommendations included in Government Accountability Report GAO-17-68 entitled “Overseas Contingency Operations: OMB and DOD Should Revise the Criteria for Determining Eligible Costs and Identify the Costs Likely to Endure Long Term” published January 18, 2017.
SEC. 1601. ESTABLISHMENT OF SPACE CORPS IN THE DEPARTMENT OF THE AIR FORCE.

(a) CERTIFICATION.—Not later than January 1, 2019, the Secretary of the Air Force shall certify to the congressional defense committees that the Space Corps under chapter 809 of title 10, United States Code, as added by subsection (b), is established.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Part I of subtitle D of title 10, United States Code, is amended by adding at the end the following new chapter:

“CHAPTER 809—SPACE CORPS

18 “SUBCHAPTER I—GENERAL MATTERS

19 “§ 8091. Establishment

“(a) ESTABLISHMENT.—Not later than January 1, 2019, the Secretary of Defense shall establish in the exec-
utive part of the Department of the Air Force a Space Corps. The function of the Space Corps shall be to assist the Secretary of the Air Force in carrying out the duties described in subsection (c).

"(b) COMPOSITION.—The Space Corps shall be composed of the following:

"(1) The Chief of Staff of the Space Corps.

"(2) Such other offices and officials as may be established by law or as the Secretary of the Air Force, in consultation with the Chief of Staff of the Space Corps, may establish or designate.

"(c) DUTIES.—Except as otherwise specifically prescribed by law, the Space Corps shall be organized in such manner, and the members of the Space Corps shall perform, such duties and have such titles, as the Secretary may prescribe. Such duties shall include—

"(1) protecting the interests of the United States in space;

"(2) deterring aggression in, from, and through space;

"(3) providing combat-ready space forces that enable the commanders of the combatant commands to fight and win wars;

"(4) organizing, training, and equipping space forces; and
“(5) conducting space operations of the Space Corps under the command of the Commander of the United States Space Command.

§ 8092. Authorities and responsibilities

“(a) PROFESSIONAL ASSISTANCE.—The Chief of Staff of the Space Corps shall furnish professional assistance to the Secretary, the Under Secretary, and the Assistant Secretaries of the Air Force.

“(b) AUTHORITIES.—Under the authority, direction, and control of the Secretary of the Air Force, the Chief of Staff of the Space Corps, shall—

“(1) subject to subsections (c) and (d) of section 8014 of this title, prepare for such employment of the Space Corps, and for such recruiting, organizing, supplying, equipping (including research and development), training, servicing, mobilizing, demobilizing, administering, and maintaining of the Space Corps, as will assist in the execution of any power, duty, or function of the Secretary or the Chief of Staff;

“(2) investigate and report upon the efficiency of the Space Corps and its preparation to support military operations by commanders of the combatant commands;
“(3) prepare detailed instructions for the execution of approved plans and supervise the execution of those plans and instructions;

“(4) as directed by the Secretary, coordinate the action of organizations of the Space Corps; and

“(5) perform such other duties, not otherwise assigned by law, as may be prescribed by the Secretary.

“(e) FUNCTIONS.—To the extent practicable, the Secretary shall provide to the Space Corps the functions of the Department of the Air Force that may be feasibly shared with the Space Corps, including with respect to the United States Air Force Academy, recruitment, and basic training.

§ 8093. Research and development and procurement of satellites and terminals

“(a) RESEARCH AND DEVELOPMENT.—The Secretary of the Air Force shall serve as the primary agent of the Department of Defense with respect to the research, development, test, and evaluation of satellites and user satellite terminals used by the Air Force, the Space Corps, and the Defense Agencies (except as otherwise provided by section 8094 of this title).

“(b) PROCUREMENT.—The Secretary shall serve as the primary agent of the Department of Defense with re-
spect to the procurement of satellites and user satellite terminals used by the military departments and the Defense Agencies (except as otherwise provided by section 8094 of this title).

“(c) MILESTONE DECISION AUTHORITY.—(1) Notwithstanding any other provision of law, and except as provided in paragraph (2), the Secretary shall serve as the milestone decision authority (as defined in section 2366a of this title) for major defense acquisition programs or major subprograms relating to space.

“(2) The Secretary may not serve as the milestone decision authority for the user satellite terminal programs of—

“(A) the military departments other than the Air Force and the Space Corps; and

“(B) the Defense Agencies specified in section 8094(c)(1) of this title.

“(d) REQUIREMENTS.—The Chief of Staff of the Space Corps shall develop the requirements for the satellites and user satellite terminals for which the Secretary has the authority for research, development, test, and evaluation, procurement, and milestone decisions pursuant to this section.
§ 8094. Space functions of other elements of Department of Defense

(a) MILITARY DEPARTMENTS.—Nothing in this chapter shall affect the authority of each Secretary concerned to—

“(1) carry out the research, development, test, and evaluation of satellites and user satellite terminals of the military department of the Secretary concerned;

“(2) operate such terminals; and

“(3) develop requirements to ensure that the space programs of the Department of Defense support the mission of the Secretary concerned.

(b) CERTAIN DEFENSE AGENCIES.—Nothing in this chapter shall affect the authority of each Director concerned to—

“(1) carry out the research, development, test, and evaluation and procurement of satellites and user satellite terminals of the Defense Agency of the Director concerned;

“(2) operate such terminals; and

“(3) develop requirements to ensure that the space programs of the Department of Defense support the mission of the Director concerned.

(c) DEFINITIONS.—In this section:

“(1) The term ‘Director concerned’ means—
“(A) the Director of the National Reconnaissance Office, with respect to matters concerning the National Reconnaissance Office; and

“(B) the Director of the National Geospatial-Intelligence Agency, with respect to matters concerning the National Geospatial-Intelligence Agency.

“(2) The term ‘Secretary concerned’ means—

“(A) the Secretary of the Army, with respect to matters concerning the Army; and

“(B) the Secretary of the Navy, with respect to matters concerning the Navy, the Marine Corps, and the Coast Guard when it is operating as a service in the Department of the Navy.

“SUBCHAPTER II—ORGANIZATION

“§ 8096. Chief of Staff of the Space Corps

“(a) APPOINTMENT.—(1) There shall be a Chief of Staff of the Space Corps, appointed by the President, by and with the advice and consent of the Senate. The Chief of Staff shall serve at the pleasure of the President.

“(2) The Chief of Staff shall be appointed for a term of six years. In time of war or during a national emergency

"8096. Chief of Staff of the Space Corps."
declared by Congress, the Chief of Staff may be re-appointed for a term of not more than six years.

“(3)(A) The first Chief of Staff appointed after the date of the enactment of this section shall be appointed from the general officers of the Air Force. The President may appoint the incumbent Commander of the Air Force Space Command as the first such Chief of Staff without regard to the requirement in paragraph (1) for the advice and consent of the Senate.

“(B) Each subsequent Chief of Staff shall be appointed from the general officers of the Space Corps.

“(4) The President may appoint an officer as Chief of Staff only if—

“(A) the officer has had significant experience in joint duty assignments; and

“(B) such experience includes at least one full tour of duty in a joint duty assignment (as defined in section 664(d) of this title) as a general officer.

“(5) The President may waive paragraph (4) in the case of an officer if the President determines such action is necessary in the national interest.

“(b) GRADE.—The Chief of Staff of the Space Corps, while so serving, has the grade of general without vacating the permanent grade of the officer.
“(c) REPORTING.—Except as otherwise prescribed by law and subject to section 8013(f) of this title, the Chief of Staff of the Space Corps performs the duties of such position under the authority, direction, and control of the Secretary of the Air Force and is directly responsible to the Secretary.

“(d) DUTIES.—Subject to the authority, direction, and control of the Secretary of the Air Force, the Chief of Staff of the Space Corps shall—

“(1) preside over the Space Corps;

“(2) transmit the plans and recommendations of the Space Corps to the Secretary and advise the Secretary with regard to such plans and recommendations;

“(3) after approval of the plans or recommendations of the Space Corps by the Secretary, act as the agent of the Secretary in carrying them into effect;

“(4) exercise supervision, consistent with the authority assigned to commanders of unified or specified combatant commands under chapter 6 of this title, over such of the members and organizations of the Space Corps and the Air Force as the Secretary determines;
“(5) perform the duties prescribed for the Chief of Staff by sections 171 and 2547 of this title and other provisions of law; and

“(6) perform such other military duties, not otherwise assigned by law, as are assigned to the Chief of Staff by the President, the Secretary of Defense, or the Secretary of the Air Force.

“(e) JOINT CHIEFS OF STAFF.—(1) The Chief of Staff of the Space Corps shall also perform the duties prescribed for the Chief of Staff as a member of the Joint Chiefs of Staff under section 151 of this title.

“(2) To the extent that such action does not impair the independence of the Chief of Staff in the performance of the duties of the Chief of Staff as a member of the Joint Chiefs of Staff, the Chief of Staff shall inform the Secretary regarding military advice rendered by members of the Joint Chiefs of Staff on matters affecting the Department of the Air Force.

“(3) Subject to the authority, direction, and control of the Secretary of Defense, the Chief of Staff shall keep the Secretary of the Air Force fully informed of significant military operations affecting the duties and responsibilities of the Secretary.”.

(2) CLERICAL AMENDMENTS.—The table of chapters at the beginning of subtitle D of title 10,
United States Code, and at the beginning of part I of such subtitle, are each amended by inserting after the item relating to chapter 807 the following new item:

“809. Space Corps ................................................................. 8091.”.

(c) JOINT CHIEFS OF STAFF.—Chapter 5 of title 10, United States Code, is amended as follows:

(1) In section 151(a), by adding at the end the following new paragraph:

“(8) The Chief of Staff of the Space Corps.”.

(2) In section 152(b)(1)(B), by striking “or the Commandant of the Marine Corps” and inserting “the Commandant of the Marine Corps, or the Chief of Staff of the Space Corps”.

(d) ARMED FORCES POLICY COUNCIL.—Section 171 of title 10, United States Code, is amended—

(1) in paragraph (12), by striking “; and”;

(2) in paragraph (13), by striking the period at the end and inserting “; and”; and

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

“(14) the Chief of Staff of the Space Corps.”.

(e) CHIEF OF SERVICE.—Section 1406(i)(3)(A) of title 10, United States Code, is amended by adding at the end the following new clause:
“(vi) Chief of Staff of the Space Corps.”.

(f) Acquisition-related Functions of Chiefs of the Armed Forces.—Section 2547(a) of title 10, United States Code, is amended by striking “and the Commandant of the Marine Corps” and inserting “the Commandant of the Marine Corps, and the Chief of Staff of the Space Corps”.

(g) Successors to Duties.—Section 8017 of title 10, United States Code, is amended by striking paragraph (4) and inserting the following:

“(4) The Chief of Staff of the Air Force.

“(5) The Chief of Staff of the Space Corps.”.

(h) Termination of Principal Department of Defense Space Advisor and Defense Space Council.—Effective on the date on which the Space Corps is established under section 8091 of title 10, United States Code, as added by subsection (a)(1)—

(1) the position, and the office of, the Principal Department of Defense Space Advisor (previously known as the Department of Defense Executive Agent for Space) shall be terminated;

(2) the personnel of such office shall be transferred to the Air Force and to the Space Corps, as determined appropriate by the Secretary of Defense;
(3) any reference in Federal law, regulations, guidance, instructions, or other documents of the Federal Government to the Principal Department of Defense Space Advisor or the Department of Defense Executive Agent for Space shall be deemed to be a reference to the Secretary of the Air Force or the Chief of Staff of the Space Corps, as appropriate; and

(4) the Defense Space Council shall be terminated.

(i) MILITARY INSTALLATIONS.—Nothing in this section, or the amendments made by this section, shall be construed to authorize or require the relocation of any facility, infrastructure, or military installation of the Air Force.

(j) REPORTS.—

(1) INTERIM REPORT.—Not later than March 1, 2018, the Secretary of Defense shall submit to the congressional defense committees an interim report on the Space Corps established under chapter 809 of title 10, United States Code, as added by subsection (a)(1), that includes—

(A) a review of the organizational and management structure of the Space Corps; and
(B) recommendations for the modification
and improvement of such organizational and
management structure.

(2) FINAL REPORT.—Not later than August 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a final report on
the Space Corps that includes—

(A) an update of the review and rec-
ommendations described in paragraph (1), in-
cluding recommendations for any necessary re-
visions to appointments and qualifications, du-
ties and powers, and precedent in the Depart-
ment of Defense;

(B) recommendations for the appropriate
sharing of functions between the Air Force and
the Space Corps, including functions with re-
spect to personnel matters and uniforms;

(C) a plan for implementing the rec-
ommendations described in subparagraphs (A)
and (B), which shall include proposed legislative
and administrative actions, including con-
forming and other amendments to law, that the
Secretary determines to be appropriate for car-
rying out such plan;
(D) the estimated number of general officers of the Space Corps, including an identification of the current positions of such general officers that will be transferred to the Space Corps and whether the Secretary determines it necessary for the number of general officers authorized in chapter 32 of title 10, United States Code, to be increased; and

(E) any other matters that the Secretary determines to be appropriate.

SEC. 1602. ESTABLISHMENT OF SUBORDINATE UNIFIED COMMAND OF THE UNITED STATES STRATEGIC COMMAND.

(a) SUBORDINATE UNIFIED COMMAND.—Not later than January 1, 2019, the Secretary of Defense shall establish a subordinate unified command to be known as the United States Space Command under the United States Strategic Command.

(b) COMMANDER.—The Commander of the United States Space 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 the permanent grade of the officer. The Commander shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position.
(c) Command of Joint Space Activity or Missions.—Unless otherwise directed by the President or the Secretary of Defense, the Commander of the United States Space Command shall exercise command of joint space activities or missions.

(d) Jointly Staffed.—The United States Space Command shall be jointly staffed.

Subtitle B—Space Activities

SEC. 1611. Codification, Extension, and Modification

OF LIMITATION ON CONSTRUCTION ON UNITED STATES TERRITORY OF SATELLITE POSITIONING GROUND MONITORING STATIONS OF FOREIGN GOVERNMENTS.

(a) Codification, Extension, and Modification.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2279c. Limitation on construction on United States territory of satellite positioning ground monitoring stations of certain foreign governments.

“(b) Exception.—The limitation in subsection (a) shall not apply to foreign governments that are allies of the United States.

“(c) Sunset.—The limitation in subsection (a) shall terminate on December 31, 2023.”.
(b) Transfer of Provision.—Subsection (b) of section 1602 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2281 note) is—

(1) transferred to section 2279e of title 10, United States Code, as added by subsection (a);

(2) inserted as the first subsection of such section;

(3) redesignated as subsection (a); and

(4) amended—

(A) by amending the subsection heading to read as follows: “LIMITATION”; and

(B) by striking paragraph (6).

SEC. 1612. FOREIGN COMMERCIAL SATELLITE SERVICES: CYBERSECURITY THREATS AND LAUNCHES.

(a) Cybersecurity Risks.—Subsection (a) of section 2279 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “; or” and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting: “; or”; and

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

“(3) entering into such contract would create a cybersecurity risk for the Department of Defense.”.
(b) Launches.—

(1) In General.—Such section is amended—

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

(B) by inserting after subsection (a) the following new subsection (b):

“(b) Launches and Manufacturers.—

“(1) Limitation.—In addition to the prohibition in subsection (a), and except as provided in subsection (c), the Secretary may not enter into a contract for satellite services with any entity if the Secretary reasonably believes that such satellite services will be provided using satellites that will be—

“(A) designed or manufactured in a covered foreign country, or by an entity controlled in whole or in part by, or acting on behalf of, the government of a covered foreign country; or

“(B) launched using a launch vehicle that is designed or manufactured in a covered foreign country, or that is provided by the government of a covered foreign country or by an entity controlled in whole or in part by, or acting on behalf of, the government of a covered foreign country, regardless of the location of the
launch (unless such location is in the United States).

“(2) UNITED STATES LAUNCHES.—The limitation in paragraph (1) shall not—

“(A) apply to launches in the United States using launch vehicles with engines designed or manufactured in or provided by any entity of the Russian Federation; or

“(B) affect any other provision of law authorizing the use of Russian rocket engines within a United States launch vehicle.

“(3) LAUNCH VEHICLE DEFINED.—In this subsection, the term ‘launch vehicle’ means a fully integrated space launch vehicle.”.

(2) EXCEPTION.—The prohibition in subsection (b) of section 2279 of title 10, United States Code, as added by paragraph (1), shall not apply with respect to—

(A) a launch that occurred prior to the date that is six months after the date of the enactment of this Act; or

(B) a contract or other agreement relating to launch services that, prior to the date that is six months after the date of the enactment of this Act, was either fully paid for by the con-
tractor or covered by a legally binding commitment of the contractor to pay for such services.

(c) DEFINITIONS.—Subsection (f) of section 2279 of title 10, United States Code, as redesignated by subsection (b)(1)(A), is amended to read as follows:

“(f) DEFINITIONS.—In this section:

“(1) The term ‘covered foreign country’ means any of the following:


“(B) The Russian Federation.

“(2) The term ‘cybersecurity risk’ means threats to and vulnerabilities of information or information systems and any related consequences caused by or resulting from unauthorized access, use, disclosure, degradation, disruption, modification, or destruction of such information or information systems, including such related consequences caused by an act of terrorism.”.

(d) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Such section 2279 is further amended—
(A) in the section heading, by striking “services” and inserting “services and foreign launches”;

(B) by striking “subsection (b)” each place it appears and inserting “subsection (c)”;

(C) in subsection (a)(2), by striking “launch or other”;

(D) in subsection (c), as redesignated by subsection (b)(1), by striking “prohibition in subsection (a)” and inserting “prohibitions in subsection (a) and (b)”;

(E) in subsection (d), as so redesignated, by striking “prohibition under subsection (a)” and inserting “prohibition under subsection (a) or (b)”.

(2) Clerical Amendment.—The table of sections at the beginning of chapter 135 of title 10, United States Code, is amended by striking the item relating to section 2279 and inserting the following:

“2279. Foreign commercial satellite services and foreign launches.”.

(e) Application.—Except as provided by subsection (b)(2), the amendments made by this section shall apply with respect to contracts for satellite services awarded by the Secretary of Defense on or after the date of the enactment of this Act.
SEC. 1613. EXTENSION OF PILOT PROGRAM ON COMMERCIAL WEATHER DATA.

Section 1613 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

(1) in subsection (b), by striking “one year” and inserting “two years”;

(2) in subsection (c)—

(A) by striking “Committees on Armed Services of the House of Representatives and the Senate” each place it appears and inserting “appropriate congressional committees”; and

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

“(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ‘appropriate congressional committees’ means—

“(A) the Committees on Armed Services of the Senate and the House of Representatives; and

“(B) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.”.
SEC. 1614. CONDITIONAL TRANSFER OF ACQUISITION AND FUNDING AUTHORITY OF CERTAIN WEATHER MISSIONS TO NATIONAL RECONNAISSANCE OFFICE.

Section 1614 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) IMPLEMENTATION OF PLANS.—The Secretary of the Air Force shall implement the plan developed under paragraph (1) of subsection (b), and the Director of the National Reconnaissance Office shall implement the plan developed under paragraph (2) of such subsection, unless the Secretary and the Director each make a waiver under subsection (e).”.

SEC. 1615. EVOLVED EXPENDABLE LAUNCH VEHICLE MODERNIZATION AND SUSTAINMENT OF ASSURED ACCESS TO SPACE.

(a) DEVELOPMENT.—

(1) EVOLVED EXPENDABLE LAUNCH VEHICLE.—Using funds described in paragraph (3), the Secretary of Defense may only obligate or expend
funds to carry out the evolved expendable launch ve-

hicle program to—

(A) develop a domestic rocket propulsion

system to replace non-allied space launch en-
gines;

(B) develop the necessary interfaces to, or
integration of, such domestic rocket propulsion
system with an existing or new launch vehicle;

(C) develop capabilities necessary to enable
commercially available space launch vehicles or
infrastructure to meet any requirements that
are unique to national security space missions
to meet the assured access to space require-
ments pursuant to section 2273 of title 10,
United States Code, with respect to only—

(i) modifications to such vehicles re-
quired for national security space missions,
including—

(I) certification and compliance
of such vehicles for use in national se-
curity space missions;

(II) fairings necessary for the
launch of national security space pay-
loads to orbit; and
(III) other upgrades to meet performance, reliability, and orbital requirements that cannot otherwise be met through the use of commercially available launch vehicles; and

(ii) the development of infrastructure unique to national security space missions, such as infrastructure for the use of heavy launch vehicles, including—

(I) facilities and equipment for the vertical integration of payloads;

(II) secure facilities for the processing of classified payloads; and

(III) other facilities and equipment, including ground systems and expanded capabilities, unique to national security space launches and the launch of national security payloads;

(D) conduct activities to modernize and improve existing certified launch vehicles, or existing launch vehicles previously contracted for use by the Air Force, including restarting a dormant supply chain, and infrastructure to increase the cost effectiveness of the launch system;
(E) certify new, modified, or existing launch vehicle systems; or

(F) develop, design, and integrate parts for new launch vehicle systems to the extent such parts are developed primarily for national security use.

(2) PROHIBITION.—Except as provided in this section, none of the funds described in paragraph (3) shall be obligated or expended for the evolved expendable launch vehicle program, including the development of new launch vehicles under such program.

(3) FUNDS DESCRIBED.—The funds described in this paragraph are the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Air Force, for the evolved expendable launch vehicle program.

(b) OTHER AUTHORITIES.—Nothing in this section shall affect or prohibit the Secretary from procuring launch services of evolved expendable launch vehicle launch systems, including with respect to any associated operation and maintenance of capabilities and infrastructure relating to such systems.
(c) **Notification.**—Not later than 30 days before any date on which the Secretary publishes a draft or final request for proposals, or obligates funds, for the development under subsection (a)(1), the Secretary shall notify the congressional defense committees of such proposed draft or final request for proposals or proposed obligation, as the case may be. If such proposed draft or final request for proposals or proposed obligation relates to intelligence requirements, the Secretary shall also notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(d) **Assessment.**—Not later than 120 days after the date of the enactment of this Act, the Secretary, in coordination with the Director of Cost Assessment and Program Evaluation, 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 containing an assessment of the most cost-effective method to meet the assured access to space requirements pursuant to section 2273 of title 10, United States Code, with respect to each of the following periods:

(1) The five-year period beginning on the date of the report.
(2) The 10-year period beginning on the date of the report.

(3) The period consisting of the full lifecycle of the evolved expendable launch vehicle program.

(e) Rocket Propulsion System Defined.—In this section, the term “rocket propulsion system” means, with respect to the development authorized by subsection (a)(1), a main booster, first-stage rocket engine (including such an engine using kerosene or methane-based or other propellant) or motor. The term does not include a launch vehicle, an upper stage, a strap-on motor, or related infrastructure.

SEC. 1616. COMMERCIAL SATELLITE COMMUNICATIONS PATHFINDER PROGRAM.

(a) Sense of Congress.—It is the Sense of Congress that the Secretary of the Air Force should—

(1) use the acquisition authority under the pathfinder program to acquire, from commercial providers, satellite bandwidth, ground services, and advanced services; and

(2) use the transaction authority provided by section 2371 of title 10, United States Code, to make a portion of such acquisitions.

(b) Report.—Not later than March 1, 2018, the Secretary of the Air Force shall submit to the Committees
on Armed Services of the Senate and the House of Representa-
tives a report that includes the views and plans of the Secretary with respect to making a portion of the acquisitions described in subsection (a)(1) using the trans-
ation authority provided by section 2371 of title 10, United States Code.

(e) DEFINITION.—In this section, the term “path-
finder program” means the commercial satellite commu-
ications programs of the Air Force designed to dem-
strate the feasibility of new, alternative acquisition and procurement models for commercial satellite communications.

SEC. 1617. DEMONSTRATION OF BACKUP AND COMPLEMENTARY POSITIONING, NAVIGATION, AND TIMING CAPABILITIES OF GLOBAL POSITIONING SYSTEM.

(a) PLAN.—During fiscal year 2018, the Secretary of Defense, the Secretary of Transportation, and the Secretary of Homeland Security (referred to in this section as the “Secretaries”) shall jointly develop a plan for carrying out a backup GPS capability demonstration. The plan shall—

(1) be based on the results of the study con-
ducted under section 1618 of the National Defense
Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2595); and

(2) include the activities that the Secretaries determine necessary to carry out such demonstration.

(b) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Secretaries shall provide to the appropriate congressional committees a briefing on the plan developed under subsection (a). The briefing shall include—

(1) identification of the sectors that would be expected to participate in the backup GPS capability demonstration described in the plan;

(2) an estimate of the costs of implementing the demonstration in each sector identified in paragraph (1); and

(3) an explanation of the extent to which the demonstration may be carried out with the funds appropriated for such purpose.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—Subject to the availability of appropriations and beginning not earlier than the day after the date on which the briefing is provided under subsection (b), the Secretaries shall jointly
initiate the backup GPS capability demonstration to
the extent described under subsection (b)(3).

(2) TERMINATION.—The authority to carry out
the backup GPS capability demonstration under
paragraph (1) shall terminate on the date that is 18
months after the date of the enactment of this Act.

(d) REPORT.—Not later than 18 months after the
date of the enactment of this Act, the Secretaries shall
submit to the appropriate congressional committees a re-
port on the backup GPS capability demonstration carried
out under subsection (e) that includes—

(1) a description of the opportunities and chal-
   lenges learned from such demonstration; and

(2) a description of the next actions the Secre-
taries determine appropriate to backup and com-
plement the positioning, navigation, and timing ca-
pabilities of the Global Positioning System for na-
tional security and critical infrastructure, including,
at a minimum, the timeline and funding required to
issue a request for proposals for such capabilities.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated to carry out this section for
fiscal year 2018 not more than $10,000,000 for the De-
partment of Defense, as specified in the funding tables
in division D.
(f) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Committee on Science, Space, and Technology, the Committee on Transportation and Infrastructure, and the Committee on Homeland Security of the House of Representatives; and

(C) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) The term “backup GPS capability demonstration” means a proof-of-concept demonstration of capabilities to backup and complement the positioning, navigation, and timing capabilities of the Global Positioning System for national security and critical infrastructure.

SEC. 1618. ENHANCEMENT OF POSITIONING, NAVIGATION, AND TIMING CAPACITY.

(a) PLAN.—The Secretary of Defense shall develop and implement a plan to increase the positioning, navigation, and timing capacity of the Department of Defense
to provide resilience to the positioning, navigation, and timing capabilities of the Department. Such plan shall—

(1) ensure that military Global Positioning System user equipment terminals have the capability to receive signals from the Galileo satellites of the European Union and the QZSS satellites of Japan, beginning with increment 2 of the acquisition of such terminals;

(2) include an assessment of the feasibility, benefits, and risks of military Global Positioning System user equipment terminals having the capability to receive foreign positioning, navigation, and timing signals (with respect to such signals described in the classified annex accompanying this Act), beginning with increment 2 of the acquisition of such terminals;

(3) include an assessment of options to use hosted payloads to provide redundancy for the Global Positioning System signal;

(4) ensure that the Secretary, with the concurrence of the Secretary of State, engages with relevant allies of the United States to—

(A) enable military Global Positioning System user equipment terminals to receive the po-
positioning, navigation, and timing signals of such
allies; and

(B) negotiate other potential agreements
relating to the enhancement of positioning,
navigation, and timing;

(5) include any other options the Secretary of
Defense determines appropriate; and

(6) include an evaluation by the Director of Na-
tional Intelligence of the benefits and risks, if any,
of using foreign positioning, navigation, and timing
signals.

(b) SUBMISSION.—Not later than 180 days after the
date of the enactment of this Act, the Secretary shall—

(1) submit to the congressional defense commit-
tees, the Committee on Foreign Affairs of the House
of Representatives, and the Committee on Foreign
Relations of the Senate the plan under subsection
(a); and

(2) submit to the Permanent Select Committee
on Intelligence of the House of Representatives and
the Select Committee on Intelligence of the Senate
the evaluation described in paragraph (6) of such
subsection.
SEC. 1619. ESTABLISHMENT OF SPACE FLAG TRAINING EVENT.

(a) Establishment.—Not later than December 31, 2020, the Secretary of Defense shall establish an annual capstone training event titled “Space Flag” for space professionals to—

(1) develop and test doctrine, concepts of operation, and tactics, techniques, and procedures, for—

(A) protecting and defending assets and interests of the United States through the spectrum of space control activities;

(B) operating in the event of degradation or loss of space capabilities;

(C) conducting space operations in a conflict that extends to space;

(D) deterring conflict in space; and

(E) other areas the Secretary determines necessary; and

(2) inform and develop the appropriate design of the operational training infrastructure of the space domain, including with respect to appropriate and dedicated ranges, threat replication, test community support, advanced space training requirements, training simulators, and multi-domain force packaging.
(b) Training.—In establishing the Space Flag training event under subsection (a), the Secretary shall—

(1) model the training event on the Red Flag and Cyber Flag exercises; and

(2) ensure that Space Flag includes live, virtual, and constructive training and on-orbit threat replication, as appropriate.

(c) Plan.—Not later than one year after the date of the enactment of this Act, the Secretary, in coordination with the Commander of the Air Force Space Command, the Commander of the Army Space and Missile Defense Command, and the Commander of the Navy Space and Naval Warfare Systems Command, shall submit to the congressional defense committees a plan to establish the Space Flag training under subsection (a), including a description of each objective of the training.

SEC. 1620. REPORT ON OPERATIONAL AND CONTINGENCY PLANS FOR LOSS OR DEGRADATION OF SPACE CAPABILITIES.

(a) Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, in coordination with each commander of a combatant command, shall jointly submit to the appropriate congressional committees a report evaluating all operational and contingency plans...
to assess the implications for mission performance in the event of a loss or degradation of space capabilities of the United States (including with respect to space control) either through the loss or degradation of on-orbit assets or through the disabling of ground components.

(b) MATTERS INCLUDED.—The report under subsection (a) shall address and describe the extent to which the operational and contingency plans described in such subsection—

(1) depend upon space capabilities to achieve successful execution;

(2) account for the loss or degradation of space capabilities;

(3) appropriately reflect intelligence concerning current and projected adversary counter-space capabilities and vulnerabilities of the space systems of the United States;

(4) include measures to mitigate any loss or degradation of space capabilities;

(5) include specific guidance for the short- and long-term loss or disruption of space capabilities;

(6) include specific guidance for the period in which there is a total loss of space capabilities before replacement assets are able to be brought online and operational; and
(7) assess the extent to which adversaries rely on space, including the potential effects of a short or long term loss of, or disruption to, the space capabilities of such adversaries.

(c) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means the following:

   (A) With respect to the full report under subsection (a), the Committees on Armed Services of the House of Representatives and the Senate.

   (B) With respect to the matters in the report described in subsection (b)(3), and for any other matters in the report relating to the limitations, impacts, and vulnerabilities of the capabilities and systems of the intelligence community, the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).
SEC. 1621. LIMITATION ON AVAILABILITY OF FUNDING FOR JOINT SPACE OPERATIONS CENTER MISSION SYSTEM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Joint Space Operations Center mission system, not more than 75 percent may be obligated or expended until the date on which the Secretary of the Air Force certifies to the congressional defense committees that the Secretary has developed the plan under subsection (b).

(b) PLAN.—The Secretary shall develop and implement a plan to operationalize existing commercial space situational awareness capabilities to address warfighter requirements, consistent with the best-in-breed concept. The Secretary shall commence such implementation by not later than March 30, 2018.

SEC. 1622. LIMITATION ON AVAILABILITY OF FUNDS RELATING TO ADVANCED EXTREMELY HIGH FREQUENCY PROGRAM.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Air Force, for protected tactical enterprise (PE 1206760F), protected tactical service (PE 1206761F), or protected satellite communication services

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(PE 1206855F) for the Evolved Strategic SATCOM (EES) system, may be obligated or expended on a final request for proposals, other than evolution of the AEHF program of record until the date on which the reports required under subsection (b) are submitted to the congressional defense committees.

(b) ASSESSMENTS AND CERTIFICATIONS.—

(1) The Commanders of STRATCOM and NORTHCOM jointly certifies a protected satcom system other than the AEHF program of record or an evolution of the same will meet all applicable requirements for Nuclear Command and Control and continuity of government, and all other functions related to protected communications of the National Command Authority and the Combatant Commands, to include operational forces in a peer-near-peer jamming environment;

(2) The Chairman of the Joint Chiefs of Staff submits the validated military requirement for resilience and mission assurance, and the criteria to measure and evaluate the same, of each and any alternative to an evolved advanced extremely high frequency program; how each alternative affects deterrence and full spectrum warfighting, warfighter requirements and relative costs, including with respect
to ground station and user terminals; the assessed
order of battle of adversaries; and the required capa-
bilities of the broader space security and defense en-
terprise;

(3) The Secretary of the Air Force submits a
detailed plan for the ground control system and all
user terminals developed and acquired by the Air
Force will be synchronized through development and
deployment to meet all applicable requirements for
Nuclear Command and Control and continuity of
government, and other functions related to protected
communications of the National Command Authority
and the Combatant Commands; and

(4) The Chairmen of the Joint Chiefs of Staff
completes an assessment concerning the impact of
developing and fielding all the waveforms and termi-
nals required to utilize the proposed alternative sys-
tems to the AEHF program of record or an evo-
lution of the same.

(c) Exception.—The limitation in paragraph (a)
shall not apply to efforts to examine and develop tech-
nology insertion opportunities for the satellite communica-
tions programs of record.

(d) Rule of Construction.—Nothing in this sec-
tion may be construed as delaying the request for pro-
posals for the Enhanced Advanced Extremely High Frequency (E-AEHF) program.

SEC. 1623. COORDINATING EFFORTS TO PREPARE FOR SPACE WEATHER EVENTS.

The Secretary of Defense shall ensure the timely provision of operational space weather observations, analyses, forecasts, and other products to support the mission of the Department of Defense and coalition partners, including the provision of alerts and warnings for space weather phenomena that may affect weapons systems, military operations, or the defense of the United States.

SEC. 1624. REPORT ON SPACE-BASED NUCLEAR DETECTION.

(a) Report.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Secretary of Energy, and the Secretary of State shall jointly 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 space-based nuclear detection.

(b) Elements.—The report under subsection (a) shall include, at a minimum, the following:
(1) A description of the space-based nuclear detection program (including the space-based atmospheric burst reporting system).

(2) The strategic plan, including with respect to current and planned space platforms, to host the relevant payloads for such program.

(3) The current and planned national security requirements for space-based nuclear detection, including—

(A) an attribution of such requirements to specific missions of the departments and agencies of the Federal Government; and

(B) how such requirements compare to past requirements.

(4) How current and future funding for the space-based nuclear detection program is being provided by each such department or agency to meet each mission requirement.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1625. SENSE OF CONGRESS ON NEW COMMERCIAL SATELLITE SERVICING ACTIVITIES.

It is the sense of Congress that—
(1) Government funding and support is an important element in fostering the development of a robust marketplace of new commercial satellite servicing activities; and

(2) the Federal Government should ensure that in its actions it does not unduly or artificially distort competition in the market for new commercial satellite servicing activities.

Subtitle C—Defense Intelligence and Intelligence-Related Activities

SEC. 1631. SECURITY CLEARANCES FOR FACILITIES OF CERTAIN CONTRACTORS.

(a) In General.—Chapter 141 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2410s. Security clearances for facilities of certain contractors.

“If the senior management official of a contractor of the Department of Defense does not have a security clearance, the Secretary of Defense may grant a security clearance to a facility of such contractor only if the following criteria are met:

“(1) The contractor has appointed a senior officer, director, or employee of the contractor who has a security clearance at the level of the security clear-
ance of the facility to act as the senior management official of the contractor with respect to such facility.

“(2) Any senior management official, senior officer, or director of the contractor who does not have such a security clearance will not have access to any classified information, including with respect to such facility.

“(3) The contractor has certified to the Secretary that the senior officer, director, or employee appointed under paragraph (1) has the authority to act on behalf of the contractor with respect to such facility independent of any senior management official, senior officer, or director described in paragraph (2).

“(4) The facility meets all of the requirements to be granted a security clearance other than any requirement relating to the senior management official of the contractor having an appropriate security clearance.”.

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

“2410s. Security clearances for facilities of certain contractors”.

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SEC. 1632. Extension of authority to engage in certain commercial activities.

Section 431(a) of title 10, United States Code, is amended by striking “December 31, 2017” and inserting “December 31, 2023”.

SEC. 1633. Submission of audits of commercial activity funds.

Section 432(b)(2) of title 10, United States Code, is amended—

(1) by striking “promptly”; and

(2) by inserting before the period at the end the following: “by not later than December 31 of each year”.

SEC. 1634. Clarification of annual briefing on the intelligence, surveillance, and reconnaissance requirements of the combatant commands.


(1) by inserting “(including with respect to space-based intelligence, surveillance, and reconnaissance)” after “intelligence, surveillance, and reconnaissance requirements” both places it appears; and
(2) in paragraph (2), by striking “critical intelligence, surveillance and reconnaissance requirements” and inserting “critical intelligence, surveillance, and reconnaissance requirements (including with respect to space-based intelligence, surveillance, and reconnaissance)”.

SEC. 1635. REVIEW OF SUPPORT PROVIDED BY DEFENSE INTELLIGENCE ELEMENTS TO ACQUISITION ACTIVITIES OF THE DEPARTMENT.

(a) REVIEW.—The Secretary of Defense shall review the support provided by Defense intelligence elements to the acquisition activities conducted by the Secretary, with a specific focus on such support—

(1) consisting of planning, prioritizing, and resourcing relating to developmental weapon systems; and

(2) for existing weapon systems throughout the program lifecycle of such systems.

(b) BUDGET STRUCTURE.—The Secretary shall develop a specific budget structure for a sustainable funding profile to ensure the support provided by Defense intelligence elements described in subsection (a). The Secretary shall implement such structure beginning with the defense budget materials for fiscal year 2020.
(c) Briefing.—Not later than May 1, 2018, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on the results of the review under subsection (a) and a plan to carry out subsection (b).

(d) Definitions.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term “defense budget materials” has the meaning given that term in section 231(f) of title 10, United States Code.

(3) The term “Defense intelligence element” means any of the agencies, offices, and elements of the Department of Defense included within the definition of “intelligence community” under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).
SEC. 1636. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN OFFENSIVE COUNTERINTELLIGENCE ACTIVITIES.

(a) LIMITATION ON OFFENSIVE COUNTERINTELLIGENCE ACTIVITIES.—

(1) IN GENERAL.—Of the funds described in paragraph (2), not more than 75 percent may be obligated or expended until—

(A) the Secretary of Defense submits to the appropriate congressional committees the report under subsection (b);

(B) the Director of the Defense Intelligence Agency submits to such committees the report under subsection (c); and

(C) the Director and the Under Secretary of Defense for Intelligence jointly provide to such committees the briefing under subsection (d).

(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 2018 under the General Defense Intelligence Program for any operations and maintenance account for offensive counterintelligence activities.
(B) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 under the Military Intelligence Program for any operations and maintenance account for offensive counterintelligence activities.

(b) Report on Oversight Processes.—Not later than March 1, 2018, the Secretary of Defense shall submit to the appropriate congressional committees a report certifying that each Defense intelligence element with offensive counterintelligence authorities has the appropriate oversight processes necessary to ensure compliance with the regulations of the Department of Defense.

c) Report on Certain Resources.—Not later than March 1, 2018, the Director of the Defense Intelligence Agency shall submit to the appropriate congressional committees a report that includes an accounting of the counterintelligence enterprise management resources transferred from the Counterintelligence Field Activity to the Defense Intelligence Agency that identifies such resources that are no longer dedicated to counterintelligence activities, as of the date of the report.

d) Briefing on Functional Management.—Not later than March 1, 2018, the Director and the Under Secretary of Defense for Intelligence shall jointly provide
to the appropriate congressional committees a briefing on how the Director and the Under Secretary plan to improve the functional management of offensive counterintelligence activities.

(e) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees;

and

(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term “Defense intelligence element” means any of the Department of Defense agencies, offices, and elements included within the definition of “intelligence community” under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 1637. PROHIBITION ON AVAILABILITY OF FUNDS FOR CERTAIN RELOCATION ACTIVITIES FOR NATO INTELLIGENCE FUSION CENTER.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for operation and maintenance may be obligated or ex-
pended for the procurement of fit-out supplies and equipment to support the relocation of the NATO Intelligence Fusion Center from Royal Air Force Molesworth, United Kingdom, to Royal Air Force Croughton, United Kingdom.

SEC. 1638. ESTABLISHMENT OF CHAIRMAN’S CONTROLLED ACTIVITY WITHIN JOINT STAFF FOR INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE.

(a) CHAIRMAN’S CONTROLLED ACTIVITY.—The Chairman of the Joint Chiefs of Staff shall—

(1) undertake the roles, missions, and responsibilities of, and an equal or greater number of personnel billets than the amount of such billets previously prescribed for the Joint Functional Component Command for Intelligence, Surveillance, and Reconnaissance of United States Strategic Command; and

(2) not later than 30 days after the date of the enactment of this Act, establish an organization within the Joint Staff—

(A) that is designated as a chairman’s controlled activity;
(B) for which the Chairman of the Joint Chiefs of Staff shall serve as the joint functional manager; and

(C) which shall synchronize cross-combatant command intelligence, surveillance, and reconnaissance plans and develop strategies integrating all joint service-provided and allied intelligence, surveillance, and reconnaissance capabilities to satisfy combatant command intelligence needs for the Department of Defense.

(b) EXECUTIVE AGENT.—The Secretary of Defense shall designate the Secretary of the Air Force as the executive agent and sponsor for funding for the organization established under subsection (a)(2).

SEC. 1639. SENSE OF CONGRESS AND REPORT ON GEOSPATIAL COMMERCIAL ACTIVITIES FOR BASIC AND APPLIED RESEARCH AND DEVELOPMENT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) rapid technology change and a significant increase in data collection by the intelligence community has outpaced the ability of the intelligence community to exploit vast quantities of intelligence data;
(2) the data collection capabilities of the intelligence community and the Department of Defense have outpaced to exploit vast quantities of data;

(3) furthermore, international competitors may be catching up, and in some cases leading, in key technology areas;

(4) many U.S. companies have talent and technological capability that the Federal Government could harness; and

(5) these companies would be able to more effectively develop automation, artificial intelligence, and associated algorithms if given access to data of the National Geospatial-Intelligence Agency, consistent with the protection of sources and methods.

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Director of the National Geospatial-Intelligence Agency shall submit to the appropriate congressional committees a report on the authorities necessary to conduct commercial activities relating to geospatial intelligence that the Director determines necessary to engage in basic research, applied research, data transfers, and development projects, with respect to automation, artificial intelligence, and associated algorithms, including how the Director would use such authorities,
consistent with applicable laws and procedures relating to
the protection of sources and methods.

(c) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means—

(1) the Committees on Armed Services of the
House of Representatives and the Senate; and
(2) the Permanent Select Committee on Intel-
ligence of the House of Representatives and the Se-
lect Committee on Intelligence of the Senate.

SEC. 1640. DEPARTMENT OF DEFENSE COUNTERINTEL-
LIGENCE POLYGRAPH PROGRAM.

Section 1564a(b) of title 10, United States Code, is
amended by adding at the end the following new para-
graph:

“(5) Any person who is a United States na-
tional who also has the nationality of a foreign
state.”.

SEC. 1641. SECURITY CLEARANCE FOR DUAL-NATIONALS.

(a) In General.—Chapter 80 of title 10, United
States Code, is amended by inserting after section 1564a
the following new section:

“§1564b. Security clearance for dual nationals

“(a) In General.—In the case of an individual who
is a United States national who also has the nationality
of a foreign state who is appointed to or hired for a position designated by the Office of Personnel Management as critical sensitive or special sensitive, the Secretary shall provide additional review before approving a security clearance for such individual.

“(b) WAIVER.—

“(1) WAIVER AUTHORITY.—In the case of a person who is a United States national who also has the nationality of a foreign state identified under paragraph (2), the Secretary may waive the requirement under subsection (a).

“(2) FOREIGN STATES.—The Director of National Intelligence shall identify foreign states that permit citizens or nationals of the United States to serve in positions of trust equivalent to positions identified by the Office of Personnel Management as critical sensitive or special sensitive.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1564a the following new item:

“1564b. Security clearance for dual nationals of high threat foreign states.”.
SEC. 1642. SUSPENSION OR REVOCATION OF SECURITY CLEARANCES BASED ON UNLAWFUL OR INAPPROPRIATE CONTACTS WITH REPRESENTATIVES OF A FOREIGN GOVERNMENT.

The Secretary of Defense may suspend or revoke any security clearance granted by the Department of Defense if the holder of that security clearance has engaged in unlawful or inappropriate contacts with representatives of the government of a foreign country.

Subtitle D—Cyberspace-Related Matters

SEC. 1651. NOTIFICATION REQUIREMENTS FOR SENSITIVE MILITARY CYBER OPERATIONS AND CYBER WEAPONS.

(a) Notification.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new sections:

“§ 130j. Notification requirements for sensitive military cyber operations

“(a) In General.—Except as provided in subsection (d), the Secretary of Defense shall promptly submit to the congressional defense committees notice in writing of any sensitive military cyber operation conducted under this title no later than 48 hours following such operation.

“(b) Procedures.—(1) The Secretary of Defense shall establish and submit to the congressional defense
committees procedures for complying with the requirements of subsection (a) consistent with the national security of the United States and the protection of operational integrity. The Secretary shall promptly notify the congressional defense committees in writing of any changes to such procedures at least 14 days prior to the adoption of any such changes.

“(2) The congressional defense committees shall ensure that committee procedures designed to protect from unauthorized disclosure classified information relating to national security of the United States are sufficient to protect the information that is submitted to the committees pursuant to this section.

“(3) In the event of an unauthorized disclosure of a sensitive military cyber operation covered by this section, the Secretary shall ensure, to the maximum extent practicable, that the congressional defense committees are notified immediately of the sensitive military cyber operation concerned. The notification under this paragraph may be verbal or written, but in the event of a verbal notification a written notification shall be provided by not later than 48 hours after the provision of the verbal notification.

“(c) SENSITIVE MILITARY CYBER OPERATION DEFINED.—(1) In this section, the term ‘sensitive military
cyber operation’ means an action described in paragraph
(2) that—

“(A) is carried out by the armed forces or by a foreign partner in coordination with the armed
forces; and

“(B) is intended to cause effects outside a geo-
graphic location where United States armed forces are involved in hostilities (as that term is used in
section 1543 of title 50, United States Code).

“(2) The actions described in this paragraph are the following:

“(A) An offensive cyber operation.

“(B) A defensive cyber operation outside the Department of Defense Information Networks to de-
feat an ongoing or imminent threat.

“(d) EXCEPTIONS.—The notification requirement under subsection (a) does not apply—

“(1) to a training exercise conducted with the consent of all nations where the intended effects of
the exercise will occur; or

“(2) to a covert action (as that term is defined in section 3093 of title 50, United States Code).

“(e) RULE OF CONSTRUCTION.—Nothing in this sec-
tion shall be construed to provide any new authority or to alter or otherwise affect the War Powers Resolution (50

§ 130k. Notification requirements for cyber weapons

“(a) IN GENERAL.—Except as provided in subsection (c), the Secretary of Defense shall promptly submit to the congressional defense committees notice in writing of the following:

“(1) With respect to a cyber capability that is intended for use as a weapon, the results of any review of the capability for legality under international law pursuant to Department of Defense Directive 5000.01 no later than 48 hours after any military department concerned has completed such review.

“(2) The use as a weapon of any cyber capability that has been approved for such use under international law by a military department no later than 48 hours following such use.

“(b) PROCEDURES.—(1) The Secretary of Defense shall establish and submit to the congressional defense committees procedures for complying with the requirements of subsection (a) consistent with the national security of the United States and the protection of operational integrity. The Secretary shall promptly notify the congres-
sional defense committees in writing of any changes to
such procedures at least 14 days prior to the adoption of
any such changes.

“(2) The congressional defense committees shall en-
sure that committee procedures designed to protect from
unauthorized disclosure classified information relating to
national security of the United States are sufficient to pro-
tect the information that is submitted to the committees
pursuant to this section.

“(3) In the event of an unauthorized disclosure of a
cyber capability covered by this section, the Secretary shall
ensure, to the maximum extent practicable, that the con-
gressional defense committees are notified immediately of
the cyber capability concerned. The notification under this
paragraph may be verbal or written, but in the event of
a verbal notification a written notification shall be pro-
vided by not later than 48 hours after the provision of
the verbal notification.

“(c) EXCEPTIONS.—The notification requirement
under subsection (a) does not apply—

“(1) to a training exercise conducted with the
consent of all nations where the intended effects of
the exercise will occur; or

“(2) to a covert action (as that term is defined
in section 3093 of title 50, United States Code).
“(d) Rule of Construction.—Nothing in this section shall be construed to provide any new authority or to alter or otherwise affect the War Powers Resolution (50 U.S.C. 1541 et seq.), the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), or any requirement under the National Security Act of 1947 (50 U.S.C. 3001 et seq.).”.

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by adding at the end the following new items:

“130j. Notification requirements for sensitive military cyber operations.
“130k. Notification requirements for cyber weapons.”.

SEC. 1652. MODIFICATION TO QUARTERLY CYBER OPERATIONS BRIEFINGS.

(a) In General.—Section 484 of title 10, United States Code, is amended—

(1) by striking “The Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate” and inserting the following:

“(a) Briefings Required.—The Secretary of Defense shall provide to the congressional defense committees”; and

(2) by adding at the end the following:
“(b) ELEMENTS.—Each briefing under subsection (a) shall include, with respect to the military operations in cyberspace described in such subsection, the following:

“(1) An update, set forth separately for each geographic and functional command, that describes the operations carried out by the command and any hostile cyber activity directed at the command.

“(2) An overview of authorities and legal issues applicable to the operations, including any relevant legal limitations.

“(3) An outline of any interagency activities and initiatives relating to the operations.

“(4) Any other matters the Secretary determines to be appropriate.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to briefings required be provided under section 484 of title 10, United States Code, on or after that date.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the quarterly cyber operations briefings required under section 484 of title 10, United States Code, as amended by subsection (a), should include an update on the progress of the Secretary of Defense in carrying out the cooperative program described in section 924.
SEC. 1653. CYBER SCHOLARSHIP PROGRAM.

(a) NAME OF PROGRAM.—Section 2200 of title 10, United States Code, is amended by adding at the end the following:

“(e) NAME OF PROGRAM.—The programs authorized under this chapter shall be known as the ‘Cyber Scholarship Program’.”.

(b) MODIFICATION TO ALLOCATION OF FUNDING FOR CYBER SCHOLARSHIP PROGRAM.—Section 2200a(f) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “Not less”; and

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

“(2) Not less than five percent of the amount available for financial assistance under this section for a fiscal year shall be available for providing financial assistance for the pursuit of an associate degree at an institution described in paragraph (1).”.

(c) CYBER DEFINITION.—Section 2200e of title 10, United States Code, is amended to read as follows:

“§ 2200e. Definitions

“In this chapter:

“(1) The term ‘cyber’ includes the following:

“(A) Offensive cyber operations.

“(B) Defensive cyber operations.
“(C) Department of Defense information network operations and defense.

“(D) Any other information technology that the Secretary of Defense considers to be related to the cyber activities of the Department of Defense.

“(2) The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(3) The term ‘Center of Academic Excellence in Cyber Education’ means an institution of higher education that is designated by the Director of the National Security Agency as a Center of Academic Excellence in Cyber Education.”.

(d) CONFORMING AMENDMENTS.—

(1) Chapter 112 of title 10, United States Code, is further amended—

(A) in the chapter heading, by striking “INFORMATION SECURITY” and inserting “CYBER”;

(B) in section 2200 (as amended by subsection (a))—

(i) in subsection (a), by striking “Department of Defense information assurance requirements” and inserting “the cyber re-
requirements of the Department of Defense”; and

(ii) in subsection (b)(1), by striking “information assurance” and inserting “cyber disciplines”; (C) in section 2200a (as amended by subsection (b))—

(i) in subsection (a)(1), by striking “an information assurance discipline” and inserting “a cyber discipline”; (ii) in subsection (f)(1), by striking “information assurance” and inserting “cyber disciplines”; and (iii) in subsection (g)(1), by striking “an information technology position” and inserting “a cyber position”; (D) in section 2200b, by striking “information assurance disciplines” and inserting “cyber disciplines”; and (E) in section 2200c, by striking “Information Assurance” each place it appears and inserting “Cyber”. (2) The table of sections at the beginning of chapter 112 of title 10, United States Code, is
amended by striking the item relating to section 2200c and inserting the following:

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“2200c. Centers of Academic Excellence in Cyber Education.”.
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(3) Section 7045 of title 10, United States Code, is amended—

(A) by striking “Information Security Scholarship program” each place it appears and inserting “Cyber Scholarship program”; and

(B) in subsection (a)(2)(B), by striking “information assurance” and inserting “a cyber discipline”.

(4) Section 7904(4) of title 38, United States Code, is amended by striking “Information Assurance” and inserting “Cyber”.

(e) REDesignations.—

(1) Scholarship Program.—The Information Security Scholarship program under chapter 112 of title 10, United States Code, is redesignated as the “Cyber Scholarship program”. Any reference in a law (other than this section), map, regulation, document, paper, or other record of the United States to the Information Security Scholarship program shall be deemed to be a reference to the Cyber Scholarship Program.

(2) Centers of Academic Excellence.— Any institution of higher education designated by
the Director of the National Security Agency as a
Center of Academic Excellence in Information As-
surance Education is redesignated as a Center of
Academic Excellence in Cyber Education. Any ref-
ence in a law (other than this section), map, regu-
lation, document, paper, or other record of the
United States to a Center of Academic Excellence in
Information Assurance Education shall be deemed to
be a reference to a Center of Academic Excellence
in Cyber Education.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated to the Secretary of Defense
to provide financial assistance under section 2200a of title
10, United States Code (as amended by this section), and
grants under section 2200b of such title (as so amended),
$10,000,000 for fiscal year 2018.

SEC. 1654. PLAN TO INCREASE CYBER AND INFORMATION
OPERATIONS, DETERRENCE, AND DEFENSE.

(a) FINDINGS.—Congress finds following:

(1) Cyber threats originating from the Asia-Pa-
cific region targeting the United States and the al-
lies of the United States have grown through the use
of cyber intrusions, exfiltration, and espionage by
China and North Korea.
(2) In February 2016, Admiral Harry Harris Jr., Commander of the United States Pacific Command, in his testimony noted “increased cyber capacity and nefarious activity, especially by China, North Korea, and Russia underscore the growing requirement to evolve command, control, and operational authorities”.

(3) Admiral Harris stated “that in order to fully leverage the cyber domain, PACOM requires an enduring theater cyber capability able to provide cyber planning, integration, synchronization, and direction of cyber forces.”.

(b) PLAN.—The Secretary of Defense shall develop a plan to—

(1) increase inclusion of regional cyber planning within larger United States joint planning exercises in the Indo-Asia-Pacific region;

(2) enhance joint, regional, and combined information operations and strategic communication strategies to counter Chinese and North Korean information warfare, malign influence, and propaganda activities; and

(3) identify potential areas of cybersecurity collaboration and partnership capabilities with Asian allies and partners of the United States.
(c) Briefing.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the plan required under subsection (b).

SEC. 1655. REPORT ON TERMINATION OF DUAL-HAT ARRANGEMENT FOR COMMANDER OF THE UNITED STATES CYBER COMMAND.

(a) Report.—Not later than December 1, 2017, the Secretary of Defense shall submit to the appropriate congressional committees a report on the progress of the Department of Defense in meeting the requirements of section 1642 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2601).

(b) Elements.—The report under subsection (a) shall include, with respect to any decision to terminate the dual-hat arrangement as described in section 1642 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2601), the following:

(1) Metrics and milestones for meeting the conditions described in subsection (b)(2)(C) of such section 1642.

(2) Identification of any challenges to meeting such conditions.
(3) Identification of entities or persons requiring additional resources as a result of any decision to terminate the dual-hat arrangement.

(4) Identification of any updates to statutory authorities needed as a result of any decision to terminate the dual-hat arrangement.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees;

(2) the Select Committee on Intelligence of the Senate; and

(3) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1656. STRATEGY FOR THE OFFENSIVE USE OF CYBER CAPABILITIES.

(a) FINDINGS.—

(1) The North Atlantic Treaty Organization (commonly known as “NATO”) remains a critical alliance for the United States and a cost-effective, flexible means of providing security to the most important allies of the United States.

(2) The regime of Russian President Vladimir Putin is actively working to erode democratic sys-
tems of NATO member states, including the United States.

(3) According to the report of the Office of the Director of National Intelligence dated January 6, 2017, on the Russian Federation’s hack of the United States presidential election: “Russian efforts to influence the 2016 presidential election represent the most recent expression of Moscow’s longstanding desire to undermine the US-led liberal democratic order.”.

(4) As recently as May 4, 2017, the press reported a massive cyber hack of French President Emmanuel Macron’s campaign, likely attributable to Russian actors.

(5) It is in the core interests of the United States to enhance the offensive and defensive cyber capabilities of NATO member states to deter and defend against Russian cyber and influence operations.

(6) Enhanced offensive cyber capabilities would enable the United States to demonstrate strength and deter the Russian Federation from threatening NATO, while reassuring allies, without a provocative buildup of conventional military forces.
(b) Sense of Congress on Cyber Strategy of the Department of Defense.—It is the sense of Congress that—

(1) the Secretary of Defense should update the cyber strategy of the Department of Defense (as that strategy is described in the Department of Defense document titled “The Department of Defense Cyber Strategy” dated April 15, 2015); and

(2) in updating the cyber strategy of the Department, the Secretary should—

(A) specifically develop an offensive cyber strategy that includes plans for the offensive use of cyber capabilities, including computer network exploitation and computer network attacks, to thwart air, land, or sea attacks by the regime of Russian President Vladimir Putin and other adversaries;

(B) provide guidance on integrating offensive tools into the cyber arsenal of the Department; and

(C) assist NATO partners, through the NATO Cooperative Cyber Center of Excellence and other entities, in developing offensive cyber capabilities.
(c) **Strategy for Offensive Use of Cyber Capabilities.**—

(1) **Strategy Required.**—The President shall develop a written strategy for the offensive use of cyber capabilities by departments and agencies of the Federal Government.

(2) **Elements.**—The strategy developed under paragraph (1) shall include, at minimum—

(A) a description of enhancements that are needed to improve the offensive cyber capabilities of the United States and partner nations, including NATO member states; and

(B) a statement of principles concerning the appropriate deployment of offensive cyber capabilities.

(3) **Submission to Congress.**—

(A) **In General.**—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees (as that term is defined in section 101(a)(16) of title 10, United States Code) the strategy developed under paragraph (1).
(B) FORM OF SUBMISSION.—The strategy submitted under subparagraph (A) may be submitted in classified form.

(d) INTERNATIONAL COOPERATION.—

(1) AUTHORITY TO PROVIDE TECHNICAL ASSISTANCE.—The President, acting through the Secretary of Defense and with the concurrence of the Secretary of State, is authorized to provide technical assistance to NATO member states to assist such states in developing and enhancing offensive cyber capabilities.

(2) TECHNICAL EXPERTS.—In providing technical assistance under paragraph (1), the President, acting through the NATO Cooperative Cyber Center of Excellence, may detail technical experts in the field of cyber operations to NATO member states.

(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude or limit the authorities of the President or the Secretary of Defense to provide cyber-related assistance to foreign countries, including the authority of the Secretary to provide such assistance under section 333 of title 10, United States Code.
SEC. 1657. DEPARTMENT OF DEFENSE CYBER WORKFORCE DEVELOPMENT PILOT PROGRAM.

(a) Establishment.—The Secretary of Defense may carry out a pilot program to be known as the “Cyber Workforce Development Pilot Program” (in this section referred to as the “Pilot Program”) under which the Secretary shall provide funds, in addition to other funds that may be available, for the recruitment, training, professionalization, and retention of personnel in the cyber workforce of the Department of Defense.

(b) Purpose.—The purpose of the Pilot Program shall be to assess the effectiveness of carrying out a full-scale talent management program to ensure that the cyber workforce of the Department of Defense has the capacity, in both personnel and skills, needed to effectively perform its cyber missions and the kinetic missions impacted by cyber activities.

(c) Management.—The Pilot Program shall be managed by the Chief Information Officer of the Department of Defense, in consultation with the Principal Cyber Advisor to the Secretary of Defense.

(d) Guidance.—The Chief Information Officer of the Department of Defense, in consultation with the Principal Cyber Advisor to the Secretary of Defense, shall issue guidance for the administration of the Pilot Program. Such guidance shall include provisions that—
(1) identify areas of need in the cyber workforce that funds under the Pilot Program may be used to address, including—

(A) changes to the types of skills needed in the cyber workforce;

(B) capabilities to develop the cyber workforce and assist members of the cyber workforce in achieving qualifications and professionalization through activities such as training, education, and exchange programs;

(C) incentives to retain qualified, experienced cyber workforce personnel; and

(D) incentives for attracting new, high-quality personnel to the cyber workforce;

(2) describe the process under which entities may submit an application to receive funds under the Pilot Program;

(3) describe the evaluation criteria to be used for approving or prioritizing applications for funds under the Pilot Program in any fiscal year; and

(4) describe measurable objectives of performance for determining whether funds under the Pilot Program are being used in compliance with this section.
(e) CONSIDERATIONS.—When selecting entities to provide training and education services under the Pilot Program, consideration shall be given to whether the entity providing such services is a Center of Academic Excellence in Information Assurance Education (as that term is defined in section 2200e of title 10, United States Code).

(f) ANNUAL REPORT.—Not later than 120 days after the end of each of fiscal year for which funds are appropriated for the Pilot Program, the Secretary of Defense shall submit to the congressional defense committees a report on the operation of the Pilot Program during such fiscal year. Each report shall include, for the fiscal year covered by such report, the following:

(1) A description of the expenditures made under the Pilot Program (including expenditures following a transfer of funds under the Pilot Program to a military department or Defense Agency) in such fiscal year, including the purpose of such expenditures.

(2) A description and assessment of improvements in the Department of Defense cyber workforce resulting from such expenditures.

(3) Recommendations for additional authorities to fulfill the purpose of the Pilot Program.
(4) A statement of the funds that remain available under the Pilot Program at the end of such fiscal year.

(g) TERMINATION.—The Pilot Program and the annual reporting requirement under subsection (f) shall each terminate on the date that is five years after the date on which funds are first appropriated for the Pilot Program and any funds not obligated or expended under the Pilot Program on that date shall be deposited in the general fund of the Treasury of the United States.

(h) CYBER WORKFORCE DEFINED.—In this Act, the term “cyber workforce” means the following:

(1) Personnel in positions that require the performance of cybersecurity or other cyber-related functions as so identified pursuant to the Federal Cybersecurity Workforce Assessment Act of 2015 (Public Law 114–113; 5 U.S.C. 301 note).

(2) Military personnel or civilian employees of the Department of Defense who are not described in paragraph (1) but who—

(A) are assigned functions that contribute significantly to cyber operations; and

(B) are designated as temporary members of the cyber workforce by the Chief Information Officer of the Department of Defense, or by the
head of a military department or Defense Agen-

cy, for the limited purpose of receiving training

for the performance of cyber-related functions.

SEC. 1658. DEFINITION OF DETERRENCE IN THE CONTEXT

OF CYBER OPERATIONS.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) develop a definition of the term “deter-

rence” as such term is used in the context of the
cyber operations of the Department of Defense; and

(2) assess how the definition developed under

paragraph (1) affects the overall cyber strategy of

the Department.

(b) INCLUSION OF OTHER ACTIVITIES.—The defini-
tion of the term “deterrence” developed under subsection

(a) may include activities, capability efforts, and oper-

ations other than cyber activities, cyber capability efforts,
and cyber operations.

Subtitle E—Nuclear Forces

SEC. 1661. NOTIFICATIONS REGARDING DUAL-CAPABLE F–

35A AIRCRAFT.

Section 179(f) of title 10, United States Code, is

amended—

(1) by redesignating paragraph (6) as para-

graph (7); and
(2) by inserting after paragraph (5) the following new paragraph (6):

“(6) If a House of Congress adopts a bill authorizing or appropriating funds for the Department of Defense that, as determined by the Council, provides funds in an amount that will result in a delay in the nuclear certification or delivery of F–35A dual-capable aircraft, the Council shall notify the congressional defense committees of the determination.”.

SEC. 1662. OVERSIGHT OF DELAYED ACQUISITION PROGRAMS BY COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

(a) STATUS UPDATES.—Section 171a of title 10, United States Code, is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following new subsection (k):

“(k) STATUS OF ACQUISITION PROGRAMS.—(1) On a quarterly basis, each program manager of a covered acquisition program shall transmit to the co-chairs of the Council, acting through the senior steering group of the Council, a report that identifies—

“(A) the covered acquisition program;
“(B) the requirements of the program;

“(C) the development timeline of the program;

and

“(D) the status of the program, including

whether the program is delayed and, if so, whether

such delay will result in a program schedule delay.

“(2) Not later than seven days after the end of each

quarter, the co-chairs of the Council shall submit to the

congressional defense committees a report that identifies,

with respect to the reports transmitted to the Council

under paragraph (1) for that quarter—

“(A) each covered acquisition program that is

delayed more than 180 days; and

“(B) any covered acquisition program that

should have been included in such reports but was

excluded, and the reasons for such exclusion.

“(3) In this subsection, the term ‘covered acquisition

program’ means each acquisition program of the Depart-

ment of Defense that materially contributes to—

“(A) the nuclear command, control, and com-

munications systems of the United States; or

“(B) the continuity of government systems of

the United States.”.

(b) INSTRUCTIONS.—The Secretary of Defense shall

issue a Department of Defense Instruction, or revise such
an Instruction, to ensure that program managers carry
out subsection (k)(1) of section 171a of title 10, United
States Code, as added by subsection (a).

SEC. 1663. ESTABLISHMENT OF NUCLEAR COMMAND AND
CONTROL INTELLIGENCE FUSION CENTER.

(a) Establishment.—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 establish an intelligence fusion center to enhance
the protection of nuclear command, control, and commu-
ications programs, systems, and processes and continuity
of government programs, systems, and processes.

(b) Charter.—In establishing the fusion center
under subsection (a), the Secretary and the Director shall
develop a charter for the fusion center that includes the
following:

(1) To carry out the duties of the fusion center,
a description of—

(A) the roles and responsibilities of official-
cials and elements of the Federal Government,
including a detailed description of the organiza-
tional relationships of such officials and the ele-
ments of the Federal Government that are key
stakeholders;
(B) the organization reporting chain of the fusion center;

(C) the staffing of the fusion center;

(D) the processes of the fusion center; and

(E) how the fusion center integrates with other elements of the Federal Government;

(2) The management and administration processes required to carry out the fusion center, including with respect to facilities and security authorities.

(3) Procedures to ensure that the appropriate number of staff of the fusion center have the security clearance necessary to access information on the programs, systems, and processes that relate, either wholly or substantially, to nuclear command, control, and communications or continuity of government, including with respect to both the programs, systems, and processes that are designated as special access programs (as described in section 4.3 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor Executive order) and the programs, systems, and processes that contain sensitive compartmented information.

(e) COORDINATION.—In establishing the fusion center under subsection (a), the Secretary and the Director shall coordinate with the elements of the Federal Govern-
ment that the Secretary and Director determine appro-

priate.

(d) Reports.—

(1) Initial report.—Not later than 120 days
after the date of the enactment of this Act, the Sec-
retary and the Director shall jointly submit to the
appropriate congressional committees a report con-
taining—

(A) the charter for the fusion center devel-
oped under subsection (b); and

(B) a plan on the budget and staffing of
the fusion center.

(2) Annual reports.—At the same time as
the President submits to Congress the annual budg-
et request under section 1105 of title 31, United
States Code, for fiscal year 2019 and each fiscal
year thereafter, the Secretary and the Director shall
submit to the appropriate congressional committees
a report on the fusion center, including, with respect
to the period covered by the report—

(A) any updates to the plan on the budget
and staffing of the fusion center;

(B) any updates to the charter developed
under subsection (b); and
(C) a summary of the activities and accomplishments of the fusion center.

(3) SUNSET.—No report is required under this subsection after December 31, 2021.

(e) 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. 1664. SECURITY OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM FROM COMMERCIAL DEPENDENCIES.

(a) FINDINGS.—Congress finds the following:

(1) At a hearing before the Committee on Armed Services of the House of Representatives on September 30, 2015, Deputy Secretary of Defense Robert Work, responding to a question about the use of Huawei telecommunications equipment, stated, “In the Office of the Secretary of Defense, absolutely not. And I know of no other—I don’t believe we operate in the Pentagon, any [Huawei] systems in the Pentagon.”.
(2) At such hearing, the Commander of the United States Cyber Command, Admiral Mike Rogers, responding to a question about why such Huawei telecommunications equipment is not used, stated, ‘‘as we look at supply chain and we look at potential vulnerabilities within the system, that it is a risk we felt was unacceptable.’’.

(3) At a hearing before the Committee on Armed Services of the House of Representatives on June 22, 2016, Acting Assistant Secretary of Defense for Homeland Defense and Global Security Thomas Atkin, stated, ‘‘There are currently no Huawei or ZTE products on the DoD Unified Capabilities Approved Products List (APL).’’.

(b) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the congressional defense committees whether the Secretary uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, to carry out—

(1) the nuclear deterrence mission of the Department of Defense, including with respect to nuclear command, control, and communications, inte-
grated tactical warning and attack assessment, and
continuity of government; or

(2) the homeland defense mission of the De-
partment, including with respect to ballistic missile
defense.

(c) PROHIBITION AND MITIGATION.—

(1) PROHIBITION.—Except as provided by
paragraph (2), beginning on the date that is one
year after the date of the enactment of this Act, the
Secretary of Defense may not procure or obtain, or
extend or renew a contract to procure or obtain, any
equipment, system, or service to carry out the mis-
sions described in paragraphs (1) and (2) of sub-
section (b) that uses covered telecommunications
equipment or services as a substantial or essential
component of any system, or as critical technology
as part of any system.

(2) WAIVER.—The Secretary may waive the
prohibition in paragraph (1) on a case-by-case basis
for a single one-year period if the Secretary—

(A) determines such waiver to be in the
national security interests of the United States;

and

(B) certifies to the congressional commit-
tees that—
(i) there are sufficient mitigations in place to guarantee the ability of the Secretary to carry out the missions described in paragraphs (1) and (2) of subsection (b); and

(ii) the Secretary is removing the use of covered telecommunications equipment or services in carrying out such missions.

(3) DELEGATION.—The Secretary may not delegate the authority to make a waiver under paragraph (2) to any official other than the Deputy Secretary of Defense or the co-chairs of the Council on Oversight of the National Leadership Command, Control, and Communications System established by section 171a of title 10, United States Code.

(d) DEFINITIONS.—In this section:

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

(2) The term “covered foreign country” means any of the following:

(A) The People’s Republic of China.

(B) The Russian Federation.

(3) The term “covered telecommunications equipment or services” means any of the following:
(A) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(B) Telecommunications services provided by such entities or using such equipment.

(C) Telecommunications equipment or services produced or provided by an entity that the Secretary of Defense reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

SEC. 1665. OVERSIGHT OF AERIAL-LAYER PROGRAMS BY COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

Any analysis of alternatives for the Senior Leader Airborne Operations Center, the executive airlift program of the Air Force, and the E–6B modernization program may not receive final approval by the Joint Requirements Oversight Council, and the Director of Cost Assessment and Program Evaluation may not conduct any sufficiency review of such an analysis of alternatives, unless—

(1) the Council on Oversight of the National Leadership Command, Control, and Communications
System established by section 171a of title 10, United States Code, determines that the alternatives for such programs are capable of meeting the requirements for senior leadership communications in support of the nuclear command, control, and communications mission of the Department of Defense and the continuity of government mission of the Department;

(2) the Council submits to the congressional defense committees such determination; and

(3) a period of 30 days elapses following the date of such submission.

SEC. 1666. SECURITY CLASSIFICATION GUIDE FOR PROGRAMS RELATING TO NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS AND NUCLEAR DETERRENCE.

(a) Requirement for Security Classification Guide.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall require the issuance of a security classification guide for each covered program to ensure the protection of sensitive information from public disclosure.

(b) Requirements.—Each security classification guide issued pursuant to subsection (a) shall be—

(1) approved by—
(A) the Council on Oversight of the National Leadership Command, Control, and Communications System with respect to covered programs under paragraph (1) or (2) of subsection (c); or

(B) the Nuclear Weapons Council with respect to covered programs under paragraph (3) of such subsection; and

(2) issued not later than March 19, 2019, with respect to a covered program in existence as of such date.

(c) COVERED PROGRAM DEFINED.—In this section, the term “covered program” means programs of the Department of Defense in existence on or after the date of the enactment of this Act relating to any of the following:

(1) Continuity of government.

(2) Nuclear command, control, and communications.

(3) Nuclear deterrence.

SEC. 1667. EVALUATION AND ENHANCED SECURITY OF SUPPLY CHAIN FOR NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS AND CONTINUITY OF GOVERNMENT PROGRAMS.

(a) EVALUATIONS OF SUPPLY CHAIN VULNERABILITIES.—
(1) IN GENERAL.—Not later than December 31, 2019, and in accordance with the plan under paragraph (2)(A), the Secretary of Defense shall conduct evaluations of the supply chain vulnerabilities of each covered program.

(2) PLAN.—

(A) DEVELOPMENT.—The Secretary shall develop a plan to carry out the evaluations under paragraph (1).

(B) 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 subparagraph (A).

(3) WAIVER.—The Secretary may waive, on a case-by-case basis with respect to a weapons system, a program, or a system of systems, of a covered program, either the requirement to conduct an evaluation under paragraph (1) or the deadline specified in such paragraph if the Secretary certifies to the congressional defense committees before such date that all known supply chain vulnerabilities of such weapons system, program, or system of systems have minimal consequences for the capability of such weapons system, program, or system of systems to
meet operational requirements or otherwise satisfy mission requirements.

(4) **Risk Mitigation Strategies.**—In carrying out an evaluation under paragraph (1) with respect to a covered program specified in subparagraph (B) or (C) of subsection (c)(2), the Secretary shall develop strategies for mitigating the risks of supply chain vulnerabilities identified in the course of such evaluation.

(b) **Prioritization of Certain Supply Chain Risk Management Efforts.**—

(1) **Instructions.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a Department of Defense Instruction, or update such an Instruction, establishing the prioritization of supply chain risk management programs, including supply chain risk management threat assessment reporting, to ensure that acquisition and sustainment programs relating to covered programs receive the highest priority of such supply chain risk management programs and reporting.

(2) **Requirements.**—

(A) **Establishment.**—The Secretary shall establish requirements to carry out supply chain risk management threat assessment col-
lections and analyses under acquisition and sustainment programs relating to covered programs.

(B) Submission.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees the requirements established under subparagraph (A).

(e) Definitions.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees;

and

(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term “covered programs” means programs relating to any of the following:

(A) Nuclear weapons.

(B) Nuclear command, control, and communications.

(C) Continuity of government.

(D) Ballistic missile defense.
SEC. 1668. LIMITATION ON PURSUIT OF CERTAIN COMMAND AND CONTROL CONCEPT.

(a) LIMITATION ON COMMAND AND CONTROL CONCEPT.—The Secretary of the Air Force may not award a contract for engineering and manufacturing development for the ground-based strategic deterrent program that would result in a command and control concept for such program that consists of less than 15 fixed launch control centers per missile wing unless the Commander of the United States Strategic Command—

(1) determines that—

(A) the plans of the Secretary for a command and control concept consisting of less than 15 fixed launch control centers per missile wing are appropriate, meet requirements, and do not contain excessive risk;

(B) the risks to schedules and costs from such concept are minimized and manageable;

(C) the strategy and plan of the Secretary for addressing cyber threats for such concept are robust; and

(D) with respect to such concept, the Secretary has established an appropriate process for considering and managing trade-offs among requirements relating to survivability, long-term
operations and sustainment costs, procurement
costs, and military personnel needs; and
(2) submits, in writing, to the Secretary and
the congressional defense committees such deter-
mination.
(b) INABILITY TO MAKE DETERMINATION.—If the
Secretary proposes to award a contract specified in sub-
section (a) and the Commander is unable to make the de-
termination under such subsection, the Commander shall
submit, in writing, to the Secretary and the congressional
defense committees the reasons for not making such deter-
mination.
(c) NO EFFECT ON COMPETITION.—Nothing in sub-
section (a) or (b) shall be construed to affect or prohibit
the ability of the Secretary to use fair and open competi-
tion procedures in soliciting, evaluating, and awarding
contracts for the ground-based strategic deterrent pro-
gram.
SEC. 1669. 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 2018
by section 101 and available for Missile Procurement, Air
Force, as specified in the funding table in division D, $6,334,000 shall be available for the procurement of covered parts pursuant to contracts entered into under section 1645(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3651).

(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. 1670. SENSE OF CONGRESS ON IMPORTANCE OF INDEPENDENT NUCLEAR DETERRENT OF UNITED KINGDOM.

It is the sense of Congress that—

(1) nuclear deterrence is foundational to the defense and security of the United States and the security of the United States is enhanced by a nuclear-armed ally with common values and security priorities;

(2) the United States sees the nuclear deterrent of the United Kingdom as central to transatlantic security and welcomes the commitment of the United Kingdom to the North Atlantic Treaty Organization (NATO) to continue to spend two percent of gross domestic product on defense;
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(3) in the face of increasing threats, the presence of credible nuclear deterrent forces of the United Kingdom is essential to international stability and for NATO;

(4) the commitment of the United Kingdom to sustaining an independent nuclear deterrent, deployed continuously at sea, provides a vital second decision-making point within the deterrent capability of NATO, creating essential uncertainty in the mind of any potential adversary;

(5) the United States Navy must continue to execute the Columbia-class submarine program on time and within budget to ensure that the sea-based leg of the nuclear triad of the United States is sustained and the program delivers a Common Missile Compartment, the Trident II (D5) Strategic Weapon System, and associated equipment and production capabilities, to support the successful development and deployment of the Dreadnought submarines of the United Kingdom;

(6) the support that the United Kingdom provides to deployments of strategic ships and aircraft of the United States at specialized facilities enables a vital part of the deterrence posture of the United States as well as mutual deterrence of adversaries.
and assurance to the allies and partners of the United States; and

(7) the collaboration of the United Kingdom with the United States on the military use of atomic energy ensures a peer in the technology and science of nuclear weapons and provides independent expert peer review of the nuclear programs of the United States, ensuring resilience, and cost effectiveness to the nuclear defense programs of both nations.

SEC. 1671. PROHIBITION ON AVAILABILITY OF FUNDS FOR MOBILE VARIANT OF GROUND-BASED STRATEGIC DETERRENT MISSILE.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2017 through 2019 may be obligated or expended to retain the option for, or develop, a mobile variant of the ground-based strategic deterrent missile.

(b) CONFORMING REPEAL.—Section 1664 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2615) is repealed.

SEC. 1672. REPORT ON IMPACTS OF NUCLEAR PROLIFERATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) nuclear proliferation continues to be a serious threat to the security of the United States;

(2) it is critical for the United States to understand the impacts of nuclear proliferation and ensure the necessary policies and resources are in place to prevent the proliferation of nuclear materials and weapons;

(3) effectively addressing the danger of states and non-state actors acquiring nuclear weapons or nuclear-weapons-usable material should be a clear priority for United States national security; and

(4) Secretary of Defense James Mattis testified before Congress on June 12, 2017, that “nuclear nonproliferation has not received enough attention over quite a few years”.

(b) REPORT.—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 report containing—

(1) a description of the impacts of nuclear proliferation on the security of the United States;

(2) a description of how the Department of Defense is contributing to the current strategy to respond to the threat of nuclear proliferation, and
what resources are being applied to this effort, including whether there are any funding gaps; and

(3) if and how nuclear proliferation is being addressed in the Nuclear Posture Review and other pertinent strategy reviews.

SEC. 1673. MODIFICATION TO ANNUAL REPORT ON PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, NUCLEAR WEAPONS DELIVERY SYSTEMS, AND NUCLEAR WEAPONS COMMAND AND CONTROL SYSTEM.

Subsection (a)(2)(F) of section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576), as most recently amended by section 1643 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3650), is further amended by inserting after the period at the end the following: “The Secretary may include information and data for a period beyond such 10-year period if the Secretary determines that such information and data is accurate and useful in understanding the long-term nuclear modernization plan.”.
SEC. 1674. PROHIBITION ON REDUCTION OF THE INTER-
CONTINENTAL BALLISTIC MISSILES OF THE
UNITED STATES.

(a) Prohibition.—Except as provided by subsection
(b), none of the funds authorized to be appropriated by
this Act or otherwise made available for fiscal year 2018
for the Department of Defense shall be obligated or ex-
pended for—

(1) reducing, or preparing to reduce, the re-
ponsiveness or alert level of the intercontinental
ballistic missiles of the United States; or

(2) reducing, or preparing to reduce, the quan-
tity of deployed intercontinental ballistic missiles of
the United States to a number less than 400.

(b) Exception.—The prohibition in subsection (a)
shall not apply to any of the following activities:

(1) The maintenance or sustainment of inter-
continental ballistic missiles.

(2) Ensuring the safety, security, or reliability
of intercontinental ballistic missiles.

(3) Reduction in the number of deployed inter-
continental ballistic missiles that are carried out in
compliance with—

(A) the limitations of the New START
Treaty (as defined in section 494(a)(2)(D) of
title 10, United States Code); and
Subtitle F—Missile Defense Programs

SEC. 1681. ADMINISTRATION OF MISSILE DEFENSE AND DEFEAT PROGRAMS.

(a) Major Force Program.—

(1) In general.—Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 239a. Missile defense and defeat 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 missile defense and defeat programs pursuant to section 222(b) of this title to prioritize missile defense and defeat programs 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 2019 through 2023 a report on the budget for mis-
sile defense and defeat programs of the Department of De-
fense.

“(2) Each report on the budget for missile defense and defeat programs of the Department 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 Con-
gress under section 221 of this title (such com-
parison shall exclude the responsibility for re-
search and development of the continuing im-
provement of such missile defense and defeat program), and the amounts appropriated for such missile defense and defeat programs dur-
ing the previous fiscal year; and

“(ii) the specific identification, as a budg-
etary line item, for the funding under such pro-
grams.

“(B) An assessment of the budget, including significant changes, priorities, challenges, and risks.

“(C) Any additional matters the Secretary de-
termines 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.

“(3) The term ‘missile defense and defeat programs’ means active and passive ballistic missile defense programs, cruise missile defense programs for the homeland, and missile defeat programs.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 239 the following new item:

“239a. Missile defense and defeat programs: major force program and budget assessment.”.

(b) TRANSITION OF BALLISTIC MISSILE DEFENSE PROGRAMS TO MILITARY DEPARTMENTS.—

(1) REQUIREMENT.—Not later than the date on which the budget of the President for fiscal year
2020 is submitted under section 1105 of title 31, United States Code, the Secretary of Defense shall transfer the acquisition authority and the total obligational authority for each missile defense program described in paragraph (2) from the Missile Defense Agency to a military department.

(2) Missile defense program described.—A missile defense program described in this paragraph is a missile defense program of the Missile Defense Agency that, as of the date specified in paragraph (1), has received Milestone C approval (as defined in section 2366 of title 10, United States Code).

(3) Report.—

(A) In general.—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 a report on the plans of the Department of Defense for the transition of missile defense programs from the Missile Defense Agency to the military departments pursuant to paragraph (1).

(B) Scope.—The report under subparagraph (A) shall cover the period covered by the future-years defense program that is submitted
under section 221 of title 10, United States Code, in the year in which such report is submitted.

(C) MATTERS INCLUDED. — The report under subparagraph (A) shall include the following:

(i) An identification of—

(I) the missile defense programs planned to be transitioned from the Missile Defense Agency to the military departments; and

(II) the missile defense programs, if any, not planned for transition to the military departments.

(ii) The schedule for transition of each missile defense program planned to be transitioned to a military department, and an explanation of such schedule.

(iii) A description of—

(I) the status of the plans of the Missile Defense Agency and the military departments for the transition of missile defense programs from that agency to the military departments; and
(II) the status of any agreement between the Missile Defense Agency and one or more of the military departments on the transition of any such program from that agency to the military departments, including any agreement on the operational test criteria that must be achieved before such transition.

(iv) An identification of the element of the Department of Defense (whether the Missile Defense Agency, a military department, or both) that will be responsible for funding each missile defense program to be transitioned to a military department, and at what date.

(v) A description of the type of funds that will be used (whether funds for research, development, test, and evaluation, procurement, military construction, or operation and maintenance) for each missile defense program to be transitioned to a military department.

(vi) An explanation of the number of systems planned for procurement for each
missile defense program to be transitioned
to a military department, and the schedule
for procurement of each such system.

(vii) A description of how the Missile
Defense Agency will continue the responsi-
ability for the research and development of
improvements to missile defense programs.

(c) ROLE OF MISSILE DEFENSE AGENCY.—

(1) IN GENERAL.—Chapter 8 of title 10, United
States Code, is amended by adding at the end the
following new section:

“§ 205. Missile Defense Agency

“(a) TERM OF DIRECTOR.—The Director of the Mis-
sile Defense Agency shall be appointed for a six-year term.

“(b) REPORTING.—The Missile Defense Agency shall
be under the authority, direction, and control of the Under
Secretary of Defense for Research and Engineering.”.

(2) CLERICAL AMENDMENT.—The table of sec-
tions at the beginning of subchapter II of such chap-
ter is amended by adding at the end the following
new item:

“205. Missile Defense Agency.”.

(3) APPLICATION.—

(A) TERMS.—Subsection (a) of section 205
of title 10, United States Code, as added by
paragraph (1), shall apply the day following the
date on which the present incumbent in the office of the Director of the Missile Defense Agency, as of the date of the enactment of this Act, ceases to serve as such.

(B) REPORTING.—Subsection (b) of such section 205 shall apply beginning on February 1, 2018. In carrying out such subsection, the Missile Defense Agency shall be under the authority, direction, and control of the Under Secretary of Defense for Research and Engineering in the same manner as the Missile Defense Agency was under the authority, direction, and control of the Under Secretary of Defense for Acquisition, Technology, and Logistics pursuant to Department of Defense Directive 5134.09. Any reference in such Instruction to the Under Secretary of Defense for Acquisition, Technology, and Logistics shall be deemed to be a reference to the Under Secretary of Defense for Research and Engineering, including with respect to the Under Secretary serving as the chairman of the Missile Defense Executive Board.
SEC. 1682. PRESERVATION OF THE BALLISTIC MISSILE DEFENSE CAPACITY OF THE ARMY.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 or any fiscal year thereafter for the Army may be obligated or expended to demilitarize any GEM–T interceptor or remove any such interceptor from the operational inventory of the Army until the date on which the Secretary of the Army submits to the congressional defense committees the evaluation conducted under subsection (b).

(b) EVALUATION.—The Secretary and the Chief of Staff of the Army shall jointly conduct an evaluation of the ability of the Army to meet warfighter requirements and operational needs if GEM–T interceptors are removed from the operational inventory of the Army. In conducting such evaluation, the Secretary and the Chief of Staff shall evaluate whether the Army can maintain an inventory of interceptors necessary to retain the capability provided by GEM–T interceptors and to meet such operational needs by either—

(1) recertifying GEM–T interceptors (either with or without modification); or

(2) developing, testing, and fielding a new low-cost interceptor that can be placed on the oper-
national inventory of the Army prior to the retirement of GEM-T interceptors.

(c) EXCEPTION.—The limitation in subsection (a) shall not apply to activities that the Secretary determines are critical to the safety of GEM–T interceptors.

(d) GEM–T INTERCEPTOR DEFINED.—In this section, the term “GEM–T interceptor” means the Patriot guidance enhanced missile TBM.

SEC. 1683. MODERNIZATION OF ARMY LOWER TIER AIR AND MISSILE DEFENSE SENSOR.

(a) APPROVAL OF ACQUISITION STRATEGY.—

(1) IN GENERAL.—Not later than April 15, 2018, the Secretary of the Army shall issue an acquisition strategy for a 360-degree lower tier air and missile defense sensor that achieves initial operating capability by not later than January 1, 2022.

(2) REQUIREMENTS.—The acquisition strategy under paragraph (1) shall—

(A) ensure the use of competitive procedures;

(B) clearly describe the open-architecture design to be used;

(C) provide a comprehensive fielding plan that provides 360-degree lower tier air and mis-
sile defense sensor capability to all units of the Army by not later than January 1, 2026;

(D) define the operation and sustainment cost savings of the acquisition strategy and other acquisition options of the Army;

(E) identify any programmatic cost avoidance that could be achieved through co-production, co-development, or foreign military sales;

(F) ensure the fielding of an interim gap-filler capability to the highest priority forces (consisting of not less than three battalions) for imminent threats; and

(G) identify the estimated cost to field both the 360-degree lower tier air and missile defense sensor capability and the interim capability pursuant to subparagraph (E).

(3) LIMITATION.—If the Secretary of the Army does not issue the acquisition strategy under subsection (a) by April 15, 2018, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the lower tier air and missile defense sensor of the Army that are unobligated as of such date may be obligated or expended.

(b) CONDITIONAL TRANSFER.—
(1) MDA.—If the Secretary of the Army does not issue the acquisition strategy under subsection (a) by April 15, 2018, the Secretary of Defense shall transfer from the Secretary of the Army to the Director of the Missile Defense Agency—

(A) the responsibility to issue the acquisition strategy described in subsection (a) by not later than December 15, 2018; and

(B) beginning on the date of such approval, the responsibility to implement such acquisition strategy to procure a 360-degree lower tier air and missile defense sensor.

(2) ARMY.—If the Secretary of Defense carries out the transfer under paragraph (1), after the 360-degree lower tier air and missile defense sensor achieves Milestone B approval (or equivalent), but before such sensor achieves Milestone C approval (or equivalent), the Secretary of Defense shall transfer from the Director of the Missile Defense Agency to the Secretary of the Army the responsibility to procure such sensor.

(c) DEFINITIONS.—The terms “Milestone B approval” and “Milestone C approval” have the meanings given those terms in section 2366 of title 10, United States Code.
SEC. 1684. ENHANCEMENT OF OPERATIONAL TEST AND EVALUATION OF BALLISTIC MISSILE DEFENSE SYSTEM.

(a) INTEGRATION OF PATRIOT MISSILES INTO INTEGRATED MASTER TEST PLAN.—Not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency, the Director of Operational Test and Evaluation, the Secretary of the Army, and the Secretary of the Navy shall jointly ensure that—

(1) the test plans of the Integrated Master Test Plan of the ballistic missile defense system include planned tests activity of the lower tier ballistic missile defenses of the Army;

(2) such plans prioritize the integration of such defenses with elements of the ballistic missile defense system; and

(3) such plans are clearly described in such Integrated Master Test Plan.

(b) NORMALIZING OPERATIONAL TEST AND EVALUATION.—

(1) CONDITION FOR PROCEEDING BEYOND LOW-RATE INITIAL PRODUCTION.—Section 2399(a)(1) of title 10, United States Code, is amended by striking “or a covered designated major subprogram” and inserting “a covered designated
major subprogram, or an element of the ballistic missile defense system”.


SEC. 1685. DEFENSE OF HAWAII FROM NORTH KOREAN BALLISTIC MISSILE ATTACK.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) The North Korean ballistic missile threat to the United States, including Hawaii, is growing rapidly.

(B) Since Kim Jong-un took power in 2012, North Korea has conducted 78 ballistic missile tests, of which 61 are considered to have been successful.

(C) The existing ballistic missile defense protection for Hawaii, including the ground-based midcourse defense system in Alaska, and the sea-based x-band radar, provide limited ballistic missile defense capabilities today.

(D) Through use of existing ballistic missile defense assets, including AN/TPY–2 radars
and the Aegis Ashore Site located on the Pacific Missile Range Facility, the ballistic missile defense of Hawaii could benefit from a near-term improvement by adding a layer of defense.

(E) The proposed program of record for a medium range discriminating radar to be fully mission capable after 2023 would leave the defense of Hawaii dependent only on the ground-based midcourse defense system in Alaska, and the sea-based x-band radar until that time, while the threat to the United States, including Hawaii, from North Korean ballistic missiles continues to grow.

(F) The National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) required that the Missile Defense Agency plan to provide additional ballistic missile defense sensor coverage for the defense of Hawaii and “field such radar or equivalent sensor by not later than December 31, 2021”.

(G) When asked at a hearing of the Committee on Armed Services of the House of Representatives on April 26, 2017, about the threat to Hawaii from North Korean ballistic missiles, the Commander of the United States Pacific
Command, Admiral Harry Harris, testified that “Kim Jong-un is clearly in a position to threaten Hawaii today. . .I believe that our ballistic missile (defense) architecture is sufficient to protect Hawaii today. But it can be overwhelmed” and “I think that we would be better served, my personal opinion, is that we would be better served with a defensive Hawaii radar and interceptors in Hawaii. I know that is being discussed”.

(2) Sense of Congress.—It is the sense of Congress that Congress supports assessing the feasibility of improving the missile defense of Hawaii from the evolving ballistic missile threat, including from North Korea, through a permanent missile defense sensor capability and the possible introduction of interim missile defense coverage.

(b) Sequenced Approach.—The Secretary of Defense shall protect the test and training operations of the Pacific Missile Range Facility, and assess the siting and functionality of a discrimination radar for homeland defense throughout the Hawaiian Islands before assessing the feasibility of improving the missile defense of Hawaii by using existing missile defense assets that could materially improve the defense of Hawaii.
(c) Test.—The Director of the Missile Defense Agency shall—

(1) not later than 270 days after the date of the enactment of this Act, conduct a test to evaluate and demonstrate, if technologically feasible, the capability to defeat a simple intercontinental ballistic missile threat using the standard missile 3 block IIA missile interceptor; and

(2) as part of the integrated master test plan for the ballistic missile defense system, develop a plan to demonstrate a capability to defeat a complex intercontinental ballistic missile threat, including a complex threat posed by the intercontinental ballistic missiles of North Korea.

(d) Report.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report—

(1) that indicates whether demonstrating an intercontinental ballistic missile defense capability against North Korean ballistic missiles by the standard missile 3 block IIA missile interceptor poses any risks to strategic stability; and

(2) if the Secretary determines under paragraph (1) that such demonstration poses such risks
to strategic stability, a description of the plan developed and implemented by the Secretary to address and mitigate such risks, as determined appropriate by the Secretary.

SEC. 1686. AEGIS ASHORE ANTI-AIR WARFARE CAPABILITY.

(a) Authorization.—Using funds authorized to be appropriated by sections 101 and 201 of this Act or otherwise made available for fiscal year 2018 for procurement and research, development, test, and evaluation, as specified in the funding tables in division D, the Secretary of Defense shall continue the development, procurement, and deployment of anti-air warfare capabilities at each Aegis Ashore site in Romania and Poland. The Secretary shall ensure the deployment of such capabilities—

(1) at such sites in Romania by not later than one year after the date of the enactment of this Act; and

(2) at such sites in Poland by not later than one year after the declaration of operational status for such sites.

(b) Reprogramming and Transfers.—Any reprogramming or transfer made to carry out subsection (a) shall be carried out in accordance with established procedures for reprogramming or transfers.
SEC. 1687. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM, ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND CO-PRODUCTION, AND ARROW 3 TESTING.

(a) Iron Dome Short-range Rocket Defense System.—

(1) Availability of Funds.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $92,000,000 may be provided to the Government of Israel to procure system components for the Iron Dome Defense short-range rocket defense program, through the co-production of such system components in the United States by industry of the United States.

(2) Conditions.—

(A) Agreement.—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions 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, subject to an amend-
ed bilateral international agreement for co-
production for Tamir interceptors. In negotia-
tions by the Missile Defense Agency and the
Missile Defense Organization of the Govern-
ment of Israel regarding such production, the
goal of the United States is to maximize oppor-
tunities for coproduction of the Tamir intercep-
tors described in paragraph (1) in the United
States by industry of the United States.

(B) CERTIFICATION.—Not later than 30
days prior to the initial obligation of funds de-
scribed in paragraph (1), the Director of the
Missile Defense Agency and the Under Sec-
retary of Defense for Acquisition, Technology,
and Logistics shall jointly submit to the appro-
priate congressional committees—

(i) a certification that the amended bi-
lateral international agreement specified in
subparagraph (A) is being implemented as
provided in such agreement; and

(ii) an assessment detailing any risks
relating to the implementation of such
agreement.

(b) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-
gram Codevelopment and Coproduction.—
(1) IN GENERAL.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2018 for procurement, Defense-wide, and available for the Missile Defense Agency—

(A) not more than $221,500,000 may be provided to the Government of Israel for the David’s Sling Weapon System Program, of which not more than $120,000,000 may be used to procure the David’s Sling Weapon System, including for coproduction of parts and components in the United States by United States industry; and

(B) not more than $287,300,000 may be provided to the Government of Israel for the Arrow Weapon System, including the Arrow 3 Upper Tier System, of which not more than $120,000,000 may be used to procure the Arrow 3 Upper Tier Interceptor System, including for coproduction of parts and components in the United States by United States industry.

(2) CERTIFICATION.—

(A) CRITERIA.—Except as provided by paragraph (3), the Under Secretary of Defense for Acquisition, Technology, and Logistics shall
submit to the appropriate congressional committees a certification that—

(i) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreements for the David’s Sling Weapon System and the Arrow 3 Upper Tier Development Program, respectively;

(ii) funds specified in subparagraphs (A) and (B) of paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel for such respective systems or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(iii) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(I) in accordance with clause (iv),

the terms of coproduction of parts and components of such respective
891 systems on the basis of the greatest
practicable coproduction of parts,
components, and all-up rounds (if ap-
propriate) by United States industry
and minimizes nonrecurring engineer-
ing and facilitization expenses to the
costs needed for coproduction;

(II) complete transparency on the
requirement of Israel for the number
of interceptors and batteries of such
respective systems that will be pro-
cured, including with respect to the
procurement plans, acquisition strat-
egy, and funding profiles of Israel;

(III) technical milestones for co-
production of parts and components
and procurement of such respective
systems; and

(IV) joint approval processes for
third-party sales of such respective
systems and the components of such
respective systems;

(iv) the level of coproduction described
in clause (iii)(I) for the Arrow 3 Upper
Tier Interceptor Program and the David’s
Sling Weapon System is not less than 50 percent; and

(v) there is a separate, clear plan for each of the David’s Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program for improving the affordability of the respective system, and each such plan is approved by a United States-Israeli joint working group on cost-reduction for such respective system.

(B) NUMBER.—In carrying out subparagraph (A), the Under Secretary may submit—

(i) one certification covering both the David’s Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program;

or

(ii) separate certifications for each respective system.

(C) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification under subparagraph (A) by not later than 60 days before the funds specified in paragraph (1) for the respective system covered by the certification are provided to the Government of Israel.
(3) WAIVER.—The Under Secretary may waive the certification required by paragraph (2) if the Under Secretary certifies to the appropriate congressional committees that the Under Secretary has received sufficient data from the Government of Israel to demonstrate—

(A) the funds specified in subparagraphs (A) and (B) of paragraph (1) are provided to Israel solely for funding the procurement of long-lead components and critical hardware in accordance with a production plan, including a funding profile detailing Israeli contributions for production, including long-lead production, of either David’s Sling Weapon System or the Arrow 3 Upper Tier Interceptor Program;

(B) such long-lead components have successfully completed knowledge points, technical milestones, and production readiness reviews; and

(C) the long-lead procurement will be conducted in a manner that maximizes coproduction in the United States without incurring nonrecurring engineering activity or cost other than such activity or cost required for suppliers
of the United States to start or restart production in the United States.

(4) Briefing.—Not later than 30 days after the date on which both plans described in paragraph (2)(A)(v) are completed, the Under Secretary shall provide to the appropriate congressional committees a joint briefing on such plans.

(c) Limitation on Availability of Funding for Certain Arrow 3 Testing.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Missile Defense Agency, not more than $105,000,000 may be obligated or expended for—

(1) testing of the Arrow 3 Upper Tier Development Program that is carried out at ranges located in the United States; and

(2) expenses relating to such testing that the Director determines to be required and appropriate.

(d) Cross Reference.—The amounts and purposes referred to in this section correspond to amounts specified for such purposes in the funding tables in division D.

(e) 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. 1688. REVIEW OF PROPOSED GROUND-BASED MID-
COURSE DEFENSE SYSTEM CONTRACT.

(a) LIMITATION ON CHANGES TO CONTRACTING
STRATEGY.—The Director of the Missile Defense Agency
may not change the contracting strategy for the systems
integration, operations, and test of the ground-based mid-
course defense system until the date on which—

(1) the report under subsection (b)(3) is sub-
mitted to the congressional defense committees; and

(2) a period of 30 days has elapsed following
the date of such submission.

(b) REVIEW.—

(1) IN GENERAL.—The Director of Cost Assess-
ment and Program Evaluation shall conduct a re-
view of the contract for the systems integration, op-

erations, and test of the ground-based midcourse de-

fense system. Such review shall include the fol-

owing:

(A) Contract performance of current in-
dustry-led prime contract approach, including

with respect to—
(i) system readiness performance and reliability growth;

(ii) development, integration, and fielding of new homeland defense capabilities; and

(iii) cost performance against baseline contract.

(B) With respect to alternate contracting approaches—

(i) an enumeration and detailing of any specific benefits for each such alternate approach;

(ii) an identification of specific costs to switching to each such alternate approach; and

(iii) detailing of the specific risks of each such alternate approach to homeland defense, including regarding schedule, costs, and the sustainment, maintenance, development, and fielding, of integrated capabilities.

(C) With respect to contracting approaches that transition to Federal Government-led systems engineering integration and test—
(i) an enumeration of the processes, procedures, and command media that have been established by the Missile Defense Agency and proven to be effective for the execution of programs that are of the scale of the ground-based midcourse defense system; and

(ii) the manner in which a new contract will control for growth in the personnel and support contracts of the Federal Government to support cost growth and minimize the risk of schedule delay.

(D) A baseline for historical and current staffing of the ground-based midcourse defense system program, specifically with respect to personnel of the Federal Government, personnel of federally funded research and development centers, personnel of departments and agencies of the Federal Government, and support contractors.

(E) Projections of the staffing categories specified in subparagraph (D) under a new contracting strategy and how such staffing categories will be limited to prevent significant
cost growth and to minimize the risk of schedule delays.

(F) The views and recommendations of the Director for any changes the current ground-based midcourse defense system contract or a new contract, including the proposed contracting strategy of the Missile Defense Agency.

(G) Any other such matters the Director determines appropriate.

(2) TRANSMISSION.—The Director of Cost Assessment and Program Evaluation shall transmit to the Under Secretary of Defense for Research and Engineering and the Missile Defense Executive Board the review under paragraph (1).

(3) REPORT.—Not later than 30 days after the date on which the Under Secretary and the Missile Defense Executive Board receive the review under paragraph (1), the Under Secretary and Board shall jointly submit to the congressional defense committees a report containing—

(A) the review, without change; and

(B) any views and recommendations of the Under Secretary and the Board on such review.
SEC. 1689. SENSE OF CONGRESS AND PLAN FOR DEVELOPMENT OF SPACE-BASED SENSOR LAYER FOR BALLISTIC MISSILE DEFENSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the defense of the homeland, the deployed members of the Armed Forces, and the allies of the United States against the threat of attack by ballistic and hypersonic missiles is the highest priority of the Missile Defense Agency;

(2) the Missile Defense Agency, and the Defense Agencies and combat support agencies, must prioritize the design, development, and deployment of the space-based missile defense sensor layer;

(3) a space-based missile defense sensor layer is essential for the future of the missile defense of the homeland, the deployed members of the Armed Forces, and the allies of the United States; and

(4) such a space-based layer can, and should, benefit a multitude of other important defense and intelligence requirements, including targeting and space situational awareness.

(b) DEVELOPMENT.—After the date on which the Director of the Missile Defense Agency submits the plan under subsection (c), the Director, in coordination with the Secretary of the Air Force and the heads of the De-
fense Agencies and combat support agencies that the Di-
rector determines appropriate, shall develop a space-based
ballistic missile defense sensor layer that—

(1) provides missile defense engagement quality
precision tracking data of the United States begin-
nning in the boost phase and continuing throughout
subsequent flight regimes; and

(2) serves other defense and intelligence re-
quirements for intelligence, surveillance, and recon-
aissance, including targeting and space situational
awareness; and

(3) achieves an operational prototype payload at
the earliest practicable date.

(e) SPACE-BASED MISSILE DEFENSE SENSOR LAYER
PLAN.—Not later than one year after the date of the en-
actment of this Act, the Director shall submit to the ap-
propriate congressional committees a plan that includes—

(1) how the Director will carry out subsection
(b), including with respect to the estimated costs—

(A) for the operational prototype payload
specified in paragraph (3) of such subsection;

and

(B) to develop, acquire, and deploy, and
the lifecycle costs to operate and sustain, a
space-based sensor layer and support systems
to provide global missile defense coverage;

(2) an assessment of the maturity of critical
technologies necessary to make operational such a
space-based sensor layer, and recommendations for
any research and development activities to rapidly
mature such technologies;

(3) an assessment of what capabilities such a
space-based sensor layer can contribute that other
sensor layers do not contribute;

(4) how the Director will leverage the use of na-
tional technical means, commercially available space
and terrestrial capabilities, hosted payloads, small
satellites, and other capabilities to carry out sub-
section (b); and

(5) any other matters the Director determines
appropriate.

(d) DEFINITIONS.—In this section:

(1) The term “appropriate congressional com-
mittees” means—

(A) the congressional defense committees;

and

(B) the Select Committee on Intelligence
of the Senate and the Permanent Select Com-
mittee on Intelligence of the House of Representa-
tives.

(2) The term “combat support agency” has the meaning given that term in section 193(f) of title 10, United States Code.

(3) The term “Defense Agency” has the meaning given that term in section 101(a)(11) of title 10, United States Code.

SEC. 1690. SENSE OF CONGRESS AND PLAN FOR DEVELOPMENT OF SPACE-BASED BALLISTIC MISSILE INTERCEPT LAYER.

(a) Sense of Congress.—It is the sense of Congress that—

(1) a space-based missile defense layer will exploit the natural advantages of space systems and integrate them into the ballistic missile defense system; and

(2) these advantages include—

(A) a 24/7 global presence to defend against asymmetric threats;

(B) access to geographically denied areas;

(C) an ability to close a global fire control loop for such system;

(D) complementing existing terrestrial ca-
pabilities; and
(E) increasing the overall survivability and resilience of the entire national missile defense system.

(b) DEVELOPMENT.—The Director of the Missile Defense Agency shall develop a space-based ballistic missile intercept layer to the ballistic missile defense system that is—

(1) regionally focused;

(2) capable of providing boost-phase defense; and

(3) achieves an operational capability at the earliest practicable date.

(c) SPACE-BASED BALLISTIC MISSILE INTERCEPT LAYER PLAN.—Not later than one year after the date of enactment of this Act, the Director shall submit to the appropriate congressional committees a plan to carry out subsection (b) during the five-year period following the date of the plan. Such plan shall include the following:

(1) A concept definition phase consisting of multiple awarded contracts to identify feasible solutions consistent with architectural principles, performance goals, and price points established by the Director, such as contracts relating to—

(A) refined requirements;

(B) conceptual designs;
(C) technology readiness assessments;

(D) critical technical and operational issues;

(E) cost, schedule, performance estimates;

and

(F) risk reduction plans.

(2) A technology risk reduction phase consisting of up to three competitively awarded contracts focused on maturing, integrating, and characterizing key technologies, algorithms, components, and sub-systems, such as contracts relating to—

(A) refined concepts and designs;

(B) engineering trade studies;

(C) medium-to-high fidelity digital representations of the space-based ballistic missile intercept weapon system; and

(D) a proposed integration and test sequence that could potentially lead to a live-fire boost phase intercept during fiscal year 2022.

(3) During the technology risk reduction phase, contractors will define proposed demonstrations to a preliminary design review level prior to a technology development phase down-select.

(4) A technology development phase consisting of two competitively awarded contracts to mature
the preferred space-based ballistic missile intercept
weapon system concepts and to potentially conduct
a live-fire boost phase intercept fly-off during fiscal
year 2022 with brassboard hardware and prototype
software on a path to the operational goal.

(5) A concurrent space-based ballistic missile
intercept weapon system fire control test bed activity
that incrementally incorporates modeling and sim-
ulation elements, real-world data, hardware, algo-
rithms, and systems to evaluate with increasing con-
fidence the performance of evolving designs and con-
cepts of such weapon system from target detection
to intercept.

(6) Any other matters the Director determines
appropriate.

(d) ESTABLISHMENT OF SPACE TEST BED.—In car-
yrying out subsection (b), the Director of the Missile De-
fense Agency shall establish a space test bed to—

(1) conduct research and development regard-
ing options for a space-based defensive layer, includ-
ing with respect to space-based interceptors and di-
rected energy platforms; and

(2) identify the most cost-efficient and prom-
ising technological solutions to implementing such
layer.
(c) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1691. LIMITATION ON AVAILABILITY OF FUNDS FOR GROUND-BASED MIDCOURSE DEFENSE ELEMENT OF THE BALLISTIC MISSILE DEFENSE SYSTEM.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the ground-based midcourse defense element of the ballistic missile defense system, $50,000,000 may not be obligated or expended until the date on which the Secretary of Defense provides to the congressional defense committees—

(1) a written certification that the risk of mission failure of ground-based midcourse interceptor enhanced kill vehicles due to foreign object debris has been minimized; or

(2) if the certification under paragraph (1) cannot be made, a briefing on the corrective measures
that will be carried out to minimize such risk, including—

(A) a timeline for the implementation of the measures; and

(B) the estimated cost of implementing the measures.

SEC. 1692. CONVENTIONAL PROMPT GLOBAL STRIKE WEAPONS SYSTEM.

(a) Early Operational Capability.—The Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall plan to reach early operational capability for the conventional prompt strike weapon system by not later than September 30, 2022.

(b) Limitation on Availability of Funds.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Defense-wide, for the conventional prompt global strike weapons system, not more than 50 percent may be obligated or expended until the date on which the Chairman of the Joint Chiefs of Staff, in consultation with the Chief of Staff of the Army, the Commander of the United States European Command, the Commander of the United States Pacific Command, and the Commander of the United States Strategic Com-
mand, submits to the congressional defense committees, a report on—

(1) the required level of resources that is consistent with the level of priority assigned to the associated capability gap;

(2) the estimated period for the delivery of a medium-range early operational capability, the required level of resources necessary to field a medium-range conventional prompt global strike weapon within the United States (including the territories and possessions of the United States), and a detailed plan consistent with the urgency of the associated capability gap across multiple platforms;

(3) the joint performance requirements that—

(A) ensure interoperability, where appropriate, between and among joint military capabilities; and

(B) are necessary, as designated by the Chairman of the Joint Chiefs of Staff, to fulfill capability gaps of more than one military department, Defense Agency, or other element of the Department; and

(4) in coordination with the Secretary of Defense, any plan (including policy options) considered appropriate to address any potential risks of ambi-
guity from the launch or employment of such a ca-

pability.

SEC. 1693. DETERMINATION OF LOCATION OF CONTIN-

ENTAL UNITED STATES INTERCEPTOR SITE.

(a) DETERMINATION.—Not later than 30 days after

the date on which the Ballistic Missile Defense Review is

issued, the Secretary of Defense shall determine the loca-
tion of a potential additional continental United States in-
terceptor site. In making such determination, the Sec-
retary shall consider the full spectrum of contributing fac-
tors, including with respect to each of the following:

(1) Strategic and operational effectiveness, in-
cluding with respect to the location that is the most
advantageous site to the continental United States,
including by having the capability to provide shoot-
assess-shoot coverage to the entire continental
United States.

(2) Existing infrastructure at the location.

(3) Economic impacts.

(4) Public support.

(5) Cost to construct and operate.

(b) REPORT.—Not later than 30 days after making

the determination described in subsection (a), the Sec-
retary shall submit to the congressional defense commit-
tees a report detailing all of the contributing factors con-
sidered by the Secretary in making such determination, including any other factors that the Secretary considered, including any relevant recommendations of the Ballistic Missile Defense Review.

SEC. 1694. NORTH KOREAN NUCLEAR INTERCONTINENTAL BALLISTIC MISSILES.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the hazards or risks posed directly or indirectly by the nuclear ambitions of North Korea, focusing upon—

(1) the development and deployment of intercontinental ballistic missiles or nuclear weapons;

(2) the consequences to the United States, the interests of the United States, and allies of the United States of North Korea’s nuclear and missile programs;

(3) a plan to deter and defend against such threats from North Korea;

(4) protecting vital interest and capabilities of the United States in space from such threats from North Korea; and

(5) the potential damage or destruction caused by such missiles to satellites and space stations, including magnetic fields such as the Van Allen belts.
SEC. 1694A. BOOST PHASE BALLISTIC MISSILE DEFENSE.

(a) INITIAL OPERATIONAL DEPLOYMENT.—The Secretary of Defense shall ensure that an effective interim kinetic or directed energy boost phase ballistic missile defense capability is available for initial operational deployment not later than December 31, 2020.

(b) PLAN.—Together with the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2019, the Secretary of Defense shall submit to the congressional defense committees a plan to achieve the requirement in subsection (a). Such plan shall include—

(1) the budget requirements;

(2) a robust test schedule;

(3) a plan to develop an enduring boost phase ballistic missile defense capability, including cost and test schedule.

Subtitle G—Other Matters

SEC. 1695. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

Subparagraph (C) of section 130i(e)(1) of title 10, United States Code, is amended to read as follows:

“(C)(i) relates to—

“(I) the nuclear deterrence mission of the Department of Defense, including with respect to
nuclear command and control, inte-
tegrated tactical warning and at-
tack assessment, and continuity 
of government;

“(II) the missile defense 
mission of the Department; or

“(III) the national security 
space mission of the Department;
or

“(ii) is part of a Major Range 
and Test Facility Base (as defined in 
section 196(i) of this title).”.

SEC. 1696. USE OF COMMERCIAL ITEMS IN DISTRIBUTED 
COMMON GROUND SYSTEMS.

(a) IN GENERAL.—The procurement process for each
covered Distributed Common Ground System shall be car-
rried out in accordance with section 2377 of title 10,
United States Code.

(b) CERTIFICATION.—Not later than 30 days after 
the date of the enactment of this Act, the Service Acquisi-
tion Executive responsible for each covered Distributed 
Common Ground System shall certify to the appropriate 
congressional committees that the procurement process for 
increments of the system procured after the date of the
enactment of this Act will be carried out in accordance
with section 2377 of title 10, United States Code.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMIT-
TEES DEFINED.—The term “appropriate congress-
sional committees” means—

(A) the congressional defense committees;

and

(B) the Select Committee on Intelligence
of the Senate and the Permanent Select Com-
mittee on Intelligence of the House of Rep-
resentatives.

(2) COVERED DCGS SYSTEM.—The term “cov-
ered Distributed Common Ground System” includes
the following:

(A) The Distributed Common Ground Sys-
tem of the Army.

(B) The Distributed Common Ground Sys-
tem of the Navy.

(C) The Distributed Common Ground Sys-
tem of the Marine Corps.

(D) The Distributed Common Ground Sys-
tem of the Air Force.

(E) The Distributed Common Ground Sys-
tem of the Special Operations Forces.
SEC. 1697. INDEPENDENT ASSESSMENT OF COSTS RELATING TO AMMONIUM PERCHLORATE.

(a) Assessment.—Not later than 30 days after the date of the enactment of this Act, 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 costs to the Department of Defense relating to contractors and subcontractors of the Department using a new supplier of ammonium perchlorate for weapon systems.

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

(1) For each weapon system that must be requalified by reason of the new supplier of ammonium perchlorate as described in subsection (a), an estimate of the requalification costs.

(2) The types and number of tests that are needed for any such requalification, including whether any currently planned tests, as of the date of the assessment, may be leveraged, or testing across programs may be used, to decrease requalification costs while retaining and ensuring qualification standards.

(3) Estimates of any other costs relating to ammonium perchlorate that the Secretary determines appropriate.
(c) Submission.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the assessment under subsection (a), without change, together with any comments or views of the Secretary regarding the assessment.

SEC. 1698. LIMITATION AND BUSINESS CASE ANALYSIS REGARDING AMMONIUM PERCHLORATE.

(a) In General.—The Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation, shall conduct a business case analysis regarding the options of the Federal Government to ensure a robust domestic industrial base to supply ammonium perchlorate for use in solid rocket motors. Such analysis should include assessments of the near and long-term costs, program impacts, opportunities for competition, opportunities for redundant or complementary capabilities, and national security implications of—

(1) continuing to rely on one domestic provider;

(2) supporting development of a second domestic source;

(3) procuring ammonium perchlorate as Government-furnished material and providing it to all necessary programs; and
(4) such other options as the Secretary determines appropriate.

(b) Elements.—The analysis under subsection (a) shall, at minimum, include—

(1) an estimate of all associated costs, including development, procurement, and qualification costs, as applicable;

(2) an assessment of options, under various scenarios, for the quantity of ammonium perchlorate that would be required by the Department of Defense; and

(3) the assessment of the Secretary of how the requirements for ammonium perchlorate of other Federal agencies impact the requirements of the Department of Defense.

(c) Report.—The Secretary shall submit the business case analysis required by subsection (a) to the Comptroller General of the United States and the Committees on Armed Services of the Senate and House of Representatives by March 1, 2018, along with any views of the Secretary.

(d) Review.—The Comptroller General of the United States shall conduct a review of the report submitted by the Secretary under subsection (c) and, not later than 30 days after receiving such report, provide a briefing on such
review to the Committees on Armed Services of the Senate and House of Representatives.

(e) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended for the development or construction of a new source for ammonium perchlorate until 45 days after the date on which the report under subsection (c) is submitted to the Comptroller General and the Committees on Armed Services of the Senate and House of Representatives.

(f) WAIVER.—The Secretary of Defense may waive the limitation under subsection (e) if the Secretary—

(1) determines such waiver to be in the national security interest of the United States; and

(2) submits written notification of such determination to the congressional defense committees and waits 15 days.

SEC. 1699. INDUSTRIAL BASE FOR LARGE SOLID ROCKET MOTORS AND RELATED TECHNOLOGIES.

(a) PLAN.—The Secretary of Defense, in consultation with the Administrator of the National Aeronautics and Space Administration, shall develop a plan to ensure a robust domestic industrial base for large solid rocket motors, including with respect to the critical technologies, sub-
systems, components, and materials within and relating to such rocket motors.

(b) SUSTAINMENT OF DOMESTIC SUPPLIERS.—The Secretary shall develop the plan under subsection (a) in a manner that, if carried out, sustains not less than two domestic suppliers for each of the following:

(1) Large solid rocket motors.

(2) Small liquid-fueled rocket engines.

(3) Aeroshells for reentry vehicles (or reentry bodies).

(4) Strategic radiation-hardened microelectronics.

(5) Any other critical technologies, subsystems, components, and materials within and relating to large solid rocket motors that the Secretary determines appropriate.

(c) REPORT.—

(1) Submission.—Not later than February 1, 2018, the Secretary shall submit to the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services of the Senate a report that includes the plan under subsection (a).
(2) MATTERS INCLUDED.—With respect to the sustainment of domestic suppliers as described in subsection (b), the report under paragraph (1) shall include the views of the Secretary on the following:

(A) Such sustainment of not less than two domestic suppliers for each item specified in paragraphs (1) through (5) of such subsection.

(B) The risks within the industrial base for each such item.

(C) The estimated costs for such sustainment.

(D) The opportunities to ensure or promote competition within the industrial base for each such item.

SEC. 1699A. PILOT PROGRAM ON ENHANCING INFORMATION SHARING FOR SECURITY OF SUPPLY CHAIN.

(a) ESTABLISHMENT.—Not later than June 1, 2019, the Secretary of Defense shall establish a pilot program to enhance information sharing with cleared defense contractors to ensure all source information is appropriately, singularly, and exclusively shared for the purpose of ensuring the security of the supply chain of covered programs.

(b) SELECTION.—The Secretary shall select 10 acquisition or sustainment programs of the Department of De-
enforce to participate in the pilot program under subsection (a), of which—

(1) not fewer than one program shall be related to nuclear weapons;

(2) not fewer than one program shall be related to nuclear command, control, and communications;

(3) not fewer than one program shall be related to continuity of government;

(4) not fewer than one program shall be related to ballistic missile defense;

(5) not fewer than one program shall be related to other command and control systems; and

(6) not fewer than one program shall be related to logistics.

(c) REPORT.—Not later than March 1, 2018, the Secretary shall submit to the congressional defense committees a report that includes—

(1) details on how the Secretary will establish the pilot program under subsection (a) to ensure all source information is appropriately, singularly, and exclusively shared for the purpose of ensuring the security of the supply chain of covered programs; and

(2) the identification of any legislative action or administrative action required to provide the Sec-
retary with specific additional authorities required to
fully implement the pilot program.

(d) CLEARED DEFENSE CONTRACTORS DEFINED.—
In this section, the term “cleared defense contractors”
means contractors of the Department of Defense who have
a security clearance, including contractor facilities that
have a security clearance.

SEC. 1699B. COMMISSION TO ASSESS THE THREAT TO THE
UNITED STATES FROM ELECTROMAGNETIC
PULSE ATTACKS AND EVENTS.

(a) ESTABLISHMENT.—There is hereby established a
commision to be known as the “Commission to Assess
the Threat to the United States from Electromagnetic
Pulse Attacks and Events” (hereafter in this section re-
ferred to as the “Commission”). The purpose of the Com-
mission is to assess and make recommendations with re-
pect to the threat to the United States from electro-
magnetic pulse attacks and events.

(b) COMPOSITION.—

(1) MEMBERSHIP.—The Commission shall be
composed of 12 members appointed as follows:

(A) Three members appointed by the chair
of the Committee on Armed Services of the
House of Representatives.
(B) Three members appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(C) Three members appointed by the chair of the Committee on Armed Services of the Senate.

(D) Three members appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(2) CHAIR AND VICE CHAIR.—

(A) CHAIR.—The chair of the Committee on Armed Services of the House of Representative and the chair of the Committee on Armed Services of the Senate shall jointly designate one member of the Commission to serve as chair of the Commission.

(B) VICE CHAIR.—The ranking minority member of the Committee on Armed Services of the House of Representative and the ranking minority member of the Committee on Armed Services of the Senate shall jointly designate one member of the Commission to serve as vice chair of the Commission.
(3) **Security clearance required.**—Each individual appointed as a member of the Commission shall possess (or have recently possessed before the date of such appointment) the appropriate security clearance necessary to carry out the duties of the Commission.

(4) **Qualification.**—Members of the Commission shall be appointed from among private United States citizens with knowledge and expertise in the scientific, technical, and defense aspects of electromagnetic pulse threats and vulnerabilities.

(5) **Period of appointment; vacancies.**—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(c) **Duties.**—

(1) **Review and assessment.**—The Commission shall review and assess—

(A) the nature, magnitude, and likelihood of potential electromagnetic pulse (hereafter in section referred to as “EMP”) attacks and events, both manmade and natural, that could be directed at or affect the United States within the next 20 years;
(B) the vulnerability of United States military and civilian systems to EMP attacks and events, including with respect to emergency preparedness and immediate response;

(C) the capability of the United States to repair and recover from damage inflicted on United States military and civilian systems by EMP attacks and events; and

(D) the feasibility and cost of hardening critical military and civilian systems against EMP attack and events.

(2) RECOMMENDATIONS.—The Commission shall recommend any actions it believes should be taken by the United States to better prepare, prevent, mitigate, or recover military and civilian systems with respect to EMP attacks and events.

(d) COOPERATION FROM GOVERNMENT.—

(1) COOPERATION.—In carrying out its duties, the Commission shall receive the full and timely cooperation of the Secretary of Defense and the pertinent heads of any other Federal agency in providing the Commission with analysis, briefings, and other information necessary for the fulfillment of its responsibilities.
(2) **Liaison.**—The Secretary shall designate at least one officer or employee of the Department of Defense to serve as a liaison officer between the Department and the Commission.

(e) **Report.**—

(1) **Final report.**—

(A) **In general.**—Not later than December 1, 2018, the Commission shall submit to the President, the Secretary of Defense, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate a report on the findings, conclusions, and recommendations of the Commission.

(B) **Form of report.**—The report submitted to Congress under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(2) **Views of the Secretary.**—Not later than 90 days after the submittal of the report under paragraph (1), the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report that contains the views of the Secretary with respect to the findings,
conclusions, and recommendations of the Commission and any actions the Secretary intends to take as a result.

(3) INTERIM BRIEFING.—Not later than June 1, 2018, the Commission shall provide to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a briefing on the status of the activities of the Commission, including a discussion of any interim recommendations.

(f) FUNDING.—Of the amounts authorized to be appropriated by this Act for the Department of Defense, $3,000,000 is available to fund the activities of the Commission, as specified in the funding tables in division D.

(g) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(h) TERMINATION.—The Commission shall terminate three months after the date on which the Secretary of Defense submits the report under subsection (e)(2).

(i) REPEAL.—Title XIV of Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398) is repealed.
SEC. 1699C. PILOT PROGRAM ON ELECTROMAGNETIC SPECTRUM MAPPING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to assess the viability of space-based mapping of the electromagnetic spectrum used by the Department of Defense.

(b) DURATION.—The authority of the Secretary to carry out the pilot program under subsection (a) shall terminate on the date that is one year after the date of the enactment of this Act.

(c) INTERIM BRIEFING.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate (and to any other congressional defense committee upon request) demonstrating how the Secretary plans to implement the pilot program under subsection (a).

(d) FINAL BRIEFING.—Not later than 90 days after the pilot program under subsection (a) is completed, the Secretary shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate (and to any other congressional defense committee upon request) on the utility, cost, and other considerations regarding the mapping of the electromagnetic spectrum used by the Department of Defense.
Subtitle H—Advancing America’s
Missile Defense Act of 2017

SEC. 1699D. SHORT TITLE.
This subtitle may be cited as the “Advancing America’s Missile Defense Act of 2017”.

SEC. 1699E. SENSE OF CONGRESS ON CURRENT STATE OF UNITED STATES MISSILE DEFENSE, FUTURE INVESTMENT, AND ACCELERATING CAPABILITIES TO OUTPACE CURRENT THREATS.

(a) Sense of Congress.—It is the sense of Congress that the Secretary of Defense should use the upcoming Ballistic Missile Defense Review (BMDR) and the Missile Defeat Review (MDR) to accelerate the development of new and existing means to sustain and increase the capacity, capability, and reliability of the ground-based midcourse defense element of the ballistic missile defense system and other missile defense programs.

(b) Acceleration of Development of Certain Advanced Missile Defense Technologies Toward Fielding.—

(1) In General.—To the degree practicable, the Director of the Missile Defense Agency shall use the policies of the Department of Defense to accelerate the development, testing, and fielding of the redesigned kill vehicle, the multi-object kill vehicle,
the C3 booster, a space-based sensor layer, an air-
borne laser on unmanned aerial vehicles, and a po-
tential additional missile defense site, including the
completion of any outstanding environmental impact
statements (EISs) for an additional missile defense
site on the East Coast or in the Midwest regions of
the United States.

(2) PRIORITY.—The Director shall prioritize
the development of capabilities listed in paragraph
(1) subject to annual authorization and appro-pri-
ation of funding.

(3) DEVELOPMENT.—The Director shall use
sound acquisition processes and program manage-
ment to develop the capabilities set forth in para-
graph (1).

SEC. 1699F. AUTHORIZATION TO INCREASE CURRENT
GROUND-BASED MIDCOURSE DEFENSE CA-
PACITY BY 28 GROUND-BASED INTERCEPT-
ORS.

(a) INCREASE IN CAPACITY.—The Secretary of De-
fense shall, subject to the annual authorization of appro-
priations and the annual appropriation of funds for Na-
tional Missile Defense, increase the number of United
States ground-based interceptors by up to 28.

(b) REPORT TO CONGRESS.—
(1) IN GENERAL.—Unless otherwise directed or recommended by the BMDR, not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on infrastructure requirements and costs associated to increase the number of ground-based interceptors at Missile Field 1 and Missile Field 2 at Fort Greely to 20 ground-based interceptors each.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) An analysis of the strategic, operational, and tactical benefits of adding additional ground-based interceptors at each missile field.

(B) A detailed description of the infrastructure needed and costs associated with expanding each missile field.

(C) An identification of any environmental, technical, or logistical barriers to expanding each missile field.

(D) Any analysis of alternatively using Missile Field 4 and Missile Field 5 to increase the number of ground-based interceptors.
(3) Form.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1699G. MISSILE DEFENSE AGENCY REPORT ON INCREASING NUMBER OF GROUND-BASED INTERCEPTORS UP TO 100.

(a) Sense of Congress.—It is the sense of Congress that it is the policy of the United States to maintain and improve, with the allies of the United States, an effective, robust layered missile defense system capable of defending the citizens of the United States residing in territories and States of the United States, allies of the United States, and deployed Armed Forces of the United States.

(b) Report to Congress.—

(1) In General.—Unless otherwise directed or recommended by the BMDR, not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the costs and benefits of increasing the capacity of the ground-based midcourse defense element of the ballistic missile defense system.

(2) Contents.—The report required by paragraph (1) shall include the following:
(A) An identification of potential sites—new or existing—to allow for the increase of up to 100 ground-based interceptors.

(B) An analysis of the strategic, operational, tactical, and cost benefits of each site.

(C) A description of any environmental, legal, or tactical challenges associated with each site.

(D) A detailed description of the infrastructure needed and costs associated with each site.

(E) A summary of any completed or outstanding environmental impact statements (EIS) on each site.

(F) An operational evaluation and cost analysis of the deployment of transportable ground-based interceptors, including an identification of potential sites, including in the eastern United States and at Vandenberg Air Force Base, and an examination of any environmental, legal, or tactical challenges associated with such deployments, including to any sites identified in subparagraph (A).

(G) A determination of the appropriate fleet mix of ground-based interceptor kill vehi-
cles and boosters to maximize overall system ef-
fectiveness and increase its capacity and capa-
bility, including the costs and benefits of contin-
ued inclusion of capability enhancement II
(CE–II) Block 1 interceptors after the fielding
of the redesigned kill vehicle.

(H) A description of the planned improve-
ments to homeland ballistic missile defense sen-
sor and discrimination capabilities and an as-
essment of the expected operational benefits of
such improvements to homeland ballistic missile
defense.

(I) The costs and benefits of
supplementing ground-based midcourse defense
elements with other, more distributed, elements,
including both Aegis ships and Aegis Ashore in-
stallations with Standard Missile-3 Block IIA
and other interceptors in Hawaii and at other
locations for homeland missile defense.

(3) FORM.—The report required by paragraph
(1) shall be submitted in unclassified form, but may
include a classified annex.
SEC. 1699H. EVALUATION AND EVOLUTION OF TERRITORIAL GROUND-BASED MIDCOURSE DEFENSE SENSORS.

(a) Report to Congress.—

(1) In general.—Unless otherwise directed or recommended by the BMDR, not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency, in coordination with the Secretary of the Air Force, shall submit to the congressional defense committees a report on the status of the integrated layers of missile defense radars.

(2) Contents.—The report required by paragraph (1) shall include the following:

(A) A detailed analysis of the expected improvements resulting from the integration of the Long Range Discrimination Radar into the missile defense system architecture of the United States, including—

(i) any adjustments to homeland missile defense tactics, techniques, and procedures;

(ii) possible adjustments to ground-based midcourse defense shot-doctrine and required interceptor capacity;
(iii) possibilities for direct integration
with Fort Greely’s Command and Control
node; and

(iv) impacts on regional missile de-
defense systems including Aegis Ballistic
Missile Defense, Aegis Ashore, and Ter-
ninal High Altitude Area Defense.

(B) A detailed comparison of the capabili-
ties of Long Range Discrimination Radar and
the COBRA DANE radar, including—

(i) the unique capabilities of each
radar;

(ii) the overlapping capabilities of
each radar; and

(iii) the advantages and disadvantages
of each radar’s location.

(C) A modernization plan and costs for the
long-term continued operations and mainte-
nance of the COBRA DANE radar or a plan to
replace its capability if COBRA DANE cannot
remain operational, and the costs associated
with each plan.

(b) Assessment by Comptroller General of
the United States.—Not later than 90 days after the
date on which the Director submits the report under sub-
section (a)(1), the Comptroller General of the United
States shall—

(1) complete a review of the plan required by
subsection (a)(2)(C); and

(2) submit to the congressional defense commit-
tees a report on such review that includes the find-
ings and recommendations of the Comptroller Gen-
eral.

(e) Form.—The reports submitted subsections (a)
and (b) shall be submitted in unclassified form, but may
include a classified annex.

SEC. 1699I. AUTHORIZATION FOR MORE GROUND-BASED
MIDCOURSE DEFENSE TESTING.

(a) Sense of Congress.—It is the sense of Con-
gress that—

(1) at a minimum, the Missile Defense Agency
should continue to flight test the ground-based mid-
course defense element at least once each fiscal year;

(2) the Department of Defense should allocate
increased funding to homeland missile defense test-
ing to ensure that our defenses continue to evolve
faster than the threats against which they are pos-
tured to defend while pursuing a robust acquisition
process;
(3) in order to rapidly innovate, develop, and field new technologies, the Director of the Missile Defense Agency should continue to focus testing campaigns on delivering increased capabilities to the Armed Forces as quickly as possible; and

(4) the Director of the Missile Defense Agency should seek to establish a more prudent balance between risk mitigation and the more rapid testing pace needed to quickly develop and deliver new capabilities to the Armed Forces.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Unless otherwise directed or recommended by the BMDR, not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a revised missile defense testing campaign plan that accelerates the development and deployment of new missile defense technologies.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A detailed analysis of the costs and benefits of accelerating each following programs:

(i) Redesigned kill vehicle.
(ii) Multi-object kill vehicle.

(iii) Configuration-3 booster.

(iv) Lasers mounted on small unmanned aerial vehicles.

(v) Space-based missile defense sensor architecture.

(vi) Such additional technologies as the Director considers appropriate.

(B) A new deployment timeline for each of the programs in listed in subparagraph (A) or a detailed description of why the current timeline for deployment technologies under those programs is most suitable.

(C) An identification of any funding or policy restrictions that would slow down the deployment of the technologies under the programs listed in subparagraph (A).

(D) A risk assessment of the potential cost-overruns and deployment delays that may be encountered in the expedited development process of the capabilities under paragraph (1).

(c) REPORT ON FUNDING PROFILE.—The Director shall include with the budget justification materials submitted to Congress in support of the budget of the Department of Defense for fiscal year 2018 (as submitted with
the budget of the President under section 1105(a) of title
31, United States Code) a report on the funding profile
necessary for the new testing campaign plan required by
subsection (b)(1).

TITLE XVII—MATTERS RELATING TO SMALL BUSINESS
PROCUREMENT

Subtitle A—Improving Transparency and Clarity for Small Businesses

SEC. 1701. IMPROVING REPORTING ON SMALL BUSINESS
GOALS.

(a) IN GENERAL.—Section 15(h)(2)(E) of the Small Business Act (15 U.S.C. 644(h)(2)(E)) is amended—

(1) in clause (i)—

(A) in subclause (III), by striking “and” at the end; and

(B) by adding at the end the following new subclauses:

“(V) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns for purposes of the initial contract; and
“(VI) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;”;

(2) in clause (ii)—

(A) in subclause (IV), by striking “and” at the end; and

(B) by adding at the end the following new subclauses:

“(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by service-disabled veterans for purposes of the initial contract; and
“(VII) that were awarded using a procurement method that restricted competition to qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;”;

(3) in clause (iii)—

(A) in subclause (V), by striking “and” at the end; and

(B) by adding at the end the following new subclauses:

“(VII) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be qualified HUBZone small business concerns for purposes of the initial contract; and

“(VIII) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-dis-
abled veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;”;

(4) in clause (iv)—

(A) in subclause (V), by striking “and” at the end; and

(B) by adding at the end the following new subclauses:

“(VII) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by socially and economically disadvantaged individuals for purposes of the initial contract; and

“(VIII) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone
small business concerns, small business concerns owned and controlled by
women, or a subset of any such concerns;”;

(5) in clause (v)—

(A) in subclause (IV), by striking “and” at the end;

(B) in subclause (V), by inserting “and” at the end; and

(C) by adding at the end the following new subclause:

“(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by an Indian tribe other than an Alaska Native Corporation for purposes of the initial contract;”;

(6) in clause (vi)—

(A) in subclause (IV), by striking “and” at the end;

(B) in subclause (V), by inserting “and” at the end; and
(C) by adding at the end the following new subclause:

“(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by a Native Hawaiian Organization for purposes of the initial contract;”;

(7) in clause (vii)—

(A) in subclause (IV), by striking “and” at the end; and

(B) by adding at the end the following new subclause:

“(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by an Alaska Native Corporation for purposes of the initial contract; and”;

and

(8) in clause (viii)—

(A) in subclause (VII), by striking “and” at the end;
(B) in subclause (VIII), by striking “and” at the end; and

(C) by adding at the end the following new subclauses:

“(IX) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by women for purposes of the initial contract; and

“(X) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, or a subset of any such concerns; and”.

(b) EFFECTIVE DATE.—The Administrator of the Small Business Administration shall be required to report on the information required by clauses (i)(V), (ii)(VI), (iii)(VII), (iv)(VII), (v)(VI), (vi)(VI), and
(viii)(IX) of section 15(h)(2)(E) of the Small Business Act 
(15 U.S.C. 644(h)(2)(E)) beginning on the date that such 
information is available in the Federal Procurement Data 
System, the System for Award Management, or any new 
or successor system.

SEC. 1702. UNIFORMITY IN PROCUREMENT TERMINOLOGY.

(a) In General.—Section 15(j)(1) of the Small 
Business Act (15 U.S.C. 644(j)(1)) is amended by striking 
“greater than $2,500 but not greater than $100,000” and 
inserting “greater than the micro-purchase threshold, but 
not greater than the simplified acquisition threshold”.

(b) Technical Amendment.—Section 3(m) of the 
Small Business Act (15 U.S.C. 632(m)) is amended to 
read as follows:

“(m) Definitions Relating to Contracting.—

In this Act:

“(1) Prime contract.—The term ‘prime con-
tract’ has the meaning given such term in section 
8701(4) of title 41, United States Code.

“(2) Prime contractor.—The term ‘prime 
contractor’ has the meaning given such term in sec-

“(3) Simplified acquisition threshold.—
The term ‘simplified acquisition threshold’ has the
meaning given such term in section 134 of title 41, United States Code.

“(4) MICRO-PURCHASE THRESHOLD.—The term ‘micro-purchase threshold’ has the meaning given such term in section 1902 of title 41, United States Code.

“(5) TOTAL PURCHASES AND CONTRACTS FOR PROPERTY AND SERVICES.—The term ‘total purchases and contracts for property and services’ shall mean total number and total dollar amount of contracts and orders for property and services.”.

SEC. 1703. RESPONSIBILITIES OF COMMERCIAL MARKET REPRESENTATIVES.

Section 4(h) of the Small Business Act (15 U.S.C. 633(h)) is amended to read as follows:

“(h) COMMERCIAL MARKET REPRESENTATIVES.—

“(1) DUTIES.—The principal duties of a commercial market representative employed by the Administrator and reporting to the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36 (or the designee of such official) shall be to advance the policies established in section 8(d)(1) relating to subcontracting. Such duties shall include—
“(A) helping prime contractors to find small business concerns that are capable of performing subcontracts;

“(B) for contractors awarded contracts containing the clause described in section 8(d)(3), providing—

“(i) counseling on the contractor’s responsibility to maximize subcontracting opportunities for small business concerns;

“(ii) instruction on methods and tools to identify potential subcontractors that are small business concerns; and

“(iii) assistance to increase awards to subcontractors that are small business concerns through visits, training, and reviews of past performance;

“(C) providing counseling on how a small business concern may promote its capacity to contractors awarded contracts containing the clause described in section 8(d)(3); and

“(D) conducting periodic reviews of contractors awarded contracts containing the clause described in section 8(d)(3) to assess compliance with subcontracting plans required under section 8(d)(6).
“(2) Certification requirements.—

“(A) In general.—Consistent with the requirements of subparagraph (B), 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.

“(B) Delay of certification requirement.—The certification described in subparagraph (A) is not required—

“(i) for any person serving as a commercial market representative on the date of the enactment of this subsection, until the date that is one calendar year after the date such person was appointed as a commercial market representative; or

“(ii) for any person serving as a commercial market representative on or before November 25, 2015, until November 25, 2020.

“(3) Job posting requirements.—The duties and certification requirements described in this subsection shall be included in any initial job posting
for the position of a commercial market representa-
tive.”

SEC. 1704. RESPONSIBILITIES OF BUSINESS OPPORTUNITY
SPECIALISTS.

Section 4(g) of the Small Business Act (15 U.S.C. 633(g)) is amended to read as follows:

“(g) BUSINESS OPPORTUNITY SPECIALISTS.—

“(1) DUTIES.—The exclusive duties of a Busi-
ness Opportunity Specialist employed by the Admin-
istrator and reporting to the senior official appointed
by the Administrator with responsibilities under sec-
tions 8, 15, 31, and 36 (or the designee of such offi-
cial) shall be to implement sections 7, 8, and 45 and
to complete other duties related to contracting pro-
grams under this Act. Such duties shall include—

“(A) with respect to small business con-
cerns eligible to receive contracts and sub-
contracts pursuant to section 8(a)—

“(i) providing guidance, counseling,
and referrals for assistance with technical,
management, financial, or other matters
that will improve the competitive viability
of such concerns;

“(ii) identifying causes of success or
failure of such concerns;
“(iii) providing comprehensive assessments of such concerns, including identifying the strengths and weaknesses of such concerns;

“(iv) monitoring and documenting compliance with the requirements of sections 7 and 8 and any regulations implementing those sections;

“(v) explaining the requirements of sections 7, 8, 15, 31, 36, and 45; and

“(vi) advising on compliance with contracting regulations (including the Federal Acquisition Regulation) after award of such a contract or subcontract;

“(B) reviewing and monitoring compliance with mentor-protege agreements under section 45;

“(C) representing the interests of the Administrator and small business concerns in the award, modification, and administration of contracts and subcontracts awarded pursuant to section 8(a); and

“(D) reporting fraud or abuse under section 7, 8, 15, 31, 36, or 45 or any regulations implementing such sections.
“(2) Certification Requirements.—

“(A) In general.—Consistent with the requirements of subparagraph (B), 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.

“(B) Delay of certification requirement.—The certification described in subparagraph (A) is not required—

“(i) for any person serving as a Business Opportunity Specialist on the date of the enactment of this subsection, until the date that is one calendar year after the date such person was appointed as a Business Opportunity Specialist; or


“(3) Job posting requirements.—The duties and certification requirements described in this subsection shall be included in any initial job posting for the position of a Business Opportunity Specialist.”.
Subtitle B—Women’s Business Programs

SEC. 1711. OFFICE OF WOMEN’S BUSINESS OWNERSHIP.

Section 29(g) of the Small Business Act (15 U.S.C. 656(g)) is amended—

(1) in paragraph (2), by striking subparagraphs (B) and (C) and inserting the following:

“(B) RESPONSIBILITIES.—The responsibilities of the Assistant Administrator shall be to administer the programs and services of the Office of Women’s Business Ownership.

“(C) DUTIES.—The Assistant Administrator shall perform the following functions with respect to the Office of Women’s Business Ownership:

“(i) Recommend the annual administrative and program budgets of the Office and eligible entities receiving a grant under the Women’s Business Center Program.

“(ii) Review the annual budgets submitted by each eligible entity receiving a grant under the Women’s Business Center Program.
“(iii) Select applicants to receive grants to operate a women’s business center after reviewing information required by this section, including the budget of each applicant.

“(iv) Collaborate with other Federal departments and agencies, State and local governments, not-for-profit organizations, and for-profit enterprises to maximize utilization of taxpayer dollars and reduce (or eliminate) any duplication among the programs overseen by the Office of Women’s Business Ownership and those of other entities that provide similar services to women entrepreneurs.

“(v) Maintain a clearinghouse to provide for the dissemination and exchange of information between women’s business centers.

“(vi) Serve as the vice chairperson of the Interagency Committee on Women’s Business Enterprise and as the liaison for the National Women’s Business Council.”;

and

(2) by adding at the end the following:
“(3) MISSION.—The mission of the Office of Women’s Business Ownership shall be to assist women entrepreneurs to start, grow, and compete in global markets by providing quality support with access to capital, access to markets, job creation, growth, and counseling by—

“(A) fostering participation of women entrepreneurs in the economy by overseeing a network of women’s business centers throughout States and territories;

“(B) creating public-private partnerships to support women entrepreneurs and conducting outreach and education to startup and existing small business concerns owned and controlled by women; and

“(C) working with other programs overseen by the Administrator to ensure women are well-represented and being served and identifying gaps where participation by women could be increased.

“(4) ACCREDITATION PROGRAM.—

“(A) ESTABLISHMENT.—Not later than 270 days after the date of enactment of this paragraph, the Administrator shall establish standards for an accreditation program for ac-
crediting eligible entities receiving a grant under this section.

“(B) TRANSITION PROVISION.—Before the date on which standards are established under subparagraph (A), the Administrator may not terminate a grant under this section absent evidence of fraud or other criminal misconduct by the recipient.

“(C) CONTRACTING AUTHORITY.—The Administrator may provide financial assistance, by contract or otherwise, to a relevant national women’s business center representative association to provide assistance in establishing the standards required under subparagraph (A) or for carrying out an accreditation program pursuant to such standards.”.

SEC. 1712. WOMEN’S BUSINESS CENTER PROGRAM.

(a) DEFINITIONS.—Section 29(a) of the Small Business Act (15 U.S.C. 656(a)) is amended—

(1) by striking paragraph (4);

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

(3) by inserting after paragraph (1) the following:

“(2) the term ‘eligible entity’ means—
“(A) an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

“(B) a State, regional, or local economic development organization, so long as the organization certifies that grant funds received under this section will not be commingled with other funds;

“(C) an institution of higher education, unless such institution is currently receiving a grant under section 21;

“(D) a development, credit, or finance corporation chartered by a State, so long as the corporation certifies that grant funds received under this section will not be commingled with other funds; or

“(E) any combination of entities listed in subparagraphs (A) through (D);”; and

(4) by adding at the end the following:

“(5) the term ‘women’s business center’ means the location at which counseling and training on the management, operations (including manufacturing, services, and retail), access to capital, international trade, Government procurement opportunities, and
any other matter is needed to start, maintain, or ex-

pand a small business concern owned and controlled

by women.”.

(b) AUTHORITY.—Section 29(b) of the Small Busi-

ness Act (15 U.S.C. 656(b)) is amended—

(1) by redesignating paragraphs (1), (2), and

(3) as subparagraphs (A), (B), and (C), respectively,

and adjusting the margins accordingly;

(2) by striking “The Administration” and all

that follows through “5-year projects” and inserting

the following:

“(1) IN GENERAL.—There is established a

Women’s Business Center Program under which the

Administrator may provide a grant to any eligible

entity to operate one or more women’s business cen-

ters”;

(3) by striking “The projects shall” and insert-

ing the following:

“(2) USE OF FUNDS.—The women’s business

centers shall be designed to provide counseling and

training that meets the needs of women, especially

socially or economically disadvantaged women, and

shall”; and

(4) by adding at the end the following:

“(3) AMOUNT OF GRANTS.—
“(A) In general.—The amount of a grant provided under this subsection to an eligible entity per project year shall be not more than $185,000 (as such amount is annually adjusted by the Administrator to reflect the change in inflation).

“(B) Additional grants.—

“(i) In general.—Notwithstanding subparagraph (A), with respect to an eligible entity that has received $185,000 under this subsection in a project year, the Administrator may award an additional grant under this subsection of up to $65,000 during such project year if the Administrator determines that the eligible entity—

“(I) agrees to obtain, after its application has been approved and notice of award has been issued, cash contributions from non-Federal sources of 1 non-Federal dollar for each Federal dollar;

“(II) is in good standing with the Women’s Business Center Program; and
“(III) has met performance goals for the previous project year, if applicable.

“(ii) LIMITATIONS.—The Administrator may only award additional grants under clause (i)—

“(I) during the 3rd and 4th quarters of the fiscal year; and

“(II) from unobligated amounts made available to the Administrator to carry out this section.

“(4) NOTICE AND COMMENT REQUIRED.—The Administrator may only make a change to the standards by which an eligible entity obtains or maintains grants under this section, the standards for accreditation, or any other requirement for the operation of a women’s business center if the Administrator first provides notice and the opportunity for public comment, as set forth in section 553(b) of title 5, United States Code, without regard to any exceptions provided for under such section.”.

(c) CONDITIONS OF PARTICIPATION.—Section 29(c) of the Small Business Act (15 U.S.C. 656(c)) is amended—

(1) in paragraph (1)—
(A) by striking “the recipient organization” and inserting “an eligible entity”; and

(B) by striking “financial assistance” and inserting “a grant”;

(2) in paragraph (3)—

(A) by striking “financial assistance authorized pursuant to this section may be made by grant, contract, or cooperative agreement and” and inserting “grants authorized pursuant to this section”; and

(B) in the second sentence, by striking “a recipient organization” and inserting “an eligible entity”;

(3) in paragraph (4)—

(A) by striking “recipient of assistance” and inserting “eligible entity”;

(B) by striking “during any project, it shall not be eligible thereafter” and inserting “during any project for 2 consecutive years, the eligible entity shall not be eligible at any time after that 2-year period”;

(C) by striking “such organization” and inserting “the eligible entity”; and

(D) by striking “the recipient” and inserting “the eligible entity”; and
(4) by adding at end the following:

“(5) SEPARATION OF PROJECT AND FUNDS.—

An eligible entity shall—

“(A) carry out a project under this section separately from other projects, if any, of the eligible entity; and

“(B) separately maintain and account for any grants under this section.

“(6) EXAMINATION OF ELIGIBLE ENTITIES.—

“(A) REQUIRED SITE VISIT.—Each applicant, prior to receiving a grant under this section, shall have a site visit by an employee of the Administration, in order to ensure that the applicant has sufficient resources to provide the services for which the grant is being provided.

“(B) ANNUAL REVIEW.—An employee of the Administration shall—

“(i) conduct an annual review of the compliance of each eligible entity receiving a grant under this section with the grant agreement, including a financial examination; and

“(ii) provide such review to the eligible entity as required under subsection (l).

“(7) REMEDIATION OF PROBLEMS.—
“(A) PLAN OF ACTION.—If a review of an eligible entity under paragraph (6)(B) identifies any problems, the eligible entity shall, within 45 calendar days after receiving such review, provide the Assistant Administrator with a plan of action, including specific milestones, for correcting such problems.

“(B) PLAN OF ACTION REVIEW BY THE ASSISTANT ADMINISTRATOR.—The Assistant Administrator shall review each plan of action submitted under subparagraph (A) within 30 calendar days after receiving such plan and—

“(i) if the Assistant Administrator determines that such plan will bring the eligible entity into compliance with all the terms of the grant agreement, approve such plan; or

“(ii) if the Assistant Administrator determines that such plan is inadequate to remedy the problems identified in the annual review to which the plan of action relates, the Assistant Administrator shall set forth such reasons in writing and provide such determination to the eligible entity
within 15 calendar days after such determination.

“(C) AMENDMENT TO PLAN OF ACTION.— An eligible entity receiving a determination under subparagraph (B)(ii) shall have 30 calendar days after the receipt of the determination to amend the plan of action to satisfy the problems identified by the Assistant Administrator and resubmit such plan to the Assistant Administrator.

“(D) AMENDED PLAN REVIEW BY THE ASSISTANT ADMINISTRATOR.—Within 15 calendar days after the receipt of an amended plan of action under subparagraph (C), the Assistant Administrator shall either approve or reject such plan and provide such approval or rejection in writing to the eligible entity.

“(E) APPEAL OF ASSISTANT ADMINISTRATOR DETERMINATION.—

“(i) IN GENERAL.—If the Assistant Administrator rejects an amended plan under subparagraph (D), the eligible entity shall have the opportunity to appeal such decision to the Administrator, who may
delegate such appeal to an appropriate officer of the Administration.

“(ii) Opportunity for Explanation.—Any appeal described under clause (i) shall provide an opportunity for the eligible entity to provide, in writing, an explanation of why the eligible entity’s plan remedies the problems identified in the annual review.

“(iii) Notice of Determination.—The determination of the appeal shall be provided to the eligible entity, in writing, within 15 calendar days after the eligible entity’s filing of the appeal.

“(iv) Effect of Failure to Act.—If the Administrator fails to act on an appeal made under this subparagraph within the 15 calendar day period specified under clause (iii), the eligible entity’s amended plan of action submitted under subparagraph (C) shall be deemed to be approved.

“(8) Termination of Grant.—

“(A) In General.—The Administrator shall require that, if an eligible entity fails to comply with a plan of action approved by the
Assistant Administrator under paragraph (7)(B)(i) or an amended plan of action approved by the Assistant Administrator under paragraph (7)(D) or approved on appeal under paragraph (7)(E), the Assistant Administrator terminate the grant provided to the eligible entity under this section.

“(B) APPEAL OF TERMINATION.—An eligible entity that has a grant terminated under subparagraph (A) shall have the opportunity to challenge the termination on the record and after an opportunity for a hearing.

“(C) FINAL AGENCY ACTION.—The determination made pursuant to subparagraph (B) shall be considered final agency action for the purposes of chapter 7 of title 5, United States Code.”.

(d) SUBMISSION OF 5-YEAR PLAN.—Section 29(e) of the Small Business Act (15 U.S.C. 656(e)) is amended—

(1) by striking “applicant organization” and inserting “eligible entity”; 

(2) by striking “a recipient organization” and inserting “an eligible entity”; 

(3) by striking “financial assistance” and inserting “grants”; and
(4) by striking “site”.

(e) Applications and Criteria for Initial Grant.—Subsection (f) of section 29 of the Small Business Act (15 U.S.C. 656) is amended to read as follows:

“(f) Applications and Criteria for Initial Grant.—

“(1) Application.—Each eligible entity desiring a grant under subsection (b) shall submit to the Administrator an application that contains—

“(A) a certification that the eligible entity—

“(i) has designated an executive director or program manager, who may be compensated using grant funds under subsection (b) or other sources, to manage the women’s business center for which a grant under subsection (b) is sought; and

“(ii) meets the accounting and reporting requirements established by the Director of the Office of Management and Budget;

“(B) information demonstrating that the eligible entity has the ability and resources to meet the needs of the market to be served by the women’s business center, including the abil-
ity to obtain the non-Federal contribution re-
quired under subsection (e);

“(C) information relating to the assistance
to be provided by the women’s business center
in the area in which the women’s business cen-
ter is located;

“(D) information demonstrating the expe-
rIENCE and effectiveness of the eligible entity
in—

“(i) conducting the services described
under subsection (a)(5);

“(ii) providing training and services to
a representative number of women who are
socially or economically disadvantaged; and

“(iii) working with resource partners
of the Administration and other entities,
such as universities; and

“(E) a 5-year plan that describes the abil-
ity of the eligible entity to provide the services
described under subsection (a)(3), including to
a representative number of women who are so-
cially or economically disadvantaged.

“(2) REVIEW AND APPROVAL OF APPLICATIONS
FOR INITIAL GRANTS.—
“(A) Review and selection of eligible entities.—

“(i) In general.—The Administrator shall review applications to determine whether the applicant can meet obligations to perform the activities required by a grant under this section, including—

“(I) the experience of the applicant in conducting activities required by this section;

“(II) the amount of time needed for the applicant to commence operations should it be awarded a grant;

“(III) the capacity of the applicant to meet the accreditation standards established by the Administrator in a timely manner;

“(IV) the ability of the applicant to sustain operations for more than 5 years (including its ability to obtain sufficient non-Federal funds for that period);

“(V) the location of the women’s business center and its proximity to
other grant recipients under this section; and

“(VI) the population density of the area to be served by the women’s business center.

“(ii) SELECTION CRITERIA.—

“(I) GUIDANCE.—The Administrator shall issue guidance (after providing an opportunity for notice and comment) to specify the criteria for review and selection of applicants under this subsection.

“(II) MODIFICATIONS PROHIBITED AFTER ANNOUNCEMENT.—With respect to a public announcement of any opportunity to be awarded a grant under this section made by the Administrator pursuant to subsection (l)(1), the Administrator may not modify guidance issued pursuant to subclause (I) with respect to such opportunity unless required to do so by an Act of Congress or an order of a Federal court.
“(III) **Rule of Construction.**—Nothing in this clause may be construed as prohibiting the Administrator from modifying the guidance issued pursuant to subclause (I) (after providing an opportunity for notice and comment) as such guidance applies to an opportunity to be awarded a grant under this section that the Administrator has not yet publicly announced pursuant to subsection (l)(1).

“(B) **Record Retention.**—

“(i) **In General.**—The Administrator shall maintain a copy of each application submitted under this subsection for not less than 5 years.

“(ii) **Paperwork Reduction.**—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out clause (i).”.

(f) **Notification Requirements Under the Women’s Business Center Program.**—Section 29 of the Small Business Act (15 U.S.C. 656) is amended by inserting after subsection (k) the following:
“(l) Notification Requirements Under the Women’s Business Center Program.—The Administrator shall provide—

“(1) a public announcement of any opportunity to be awarded grants under this section, and such announcement shall include the standards by which such award will be made, including the guidance issued pursuant to subsection (f)(2)(A)(ii);

“(2) the opportunity for any applicant for a grant under this section that failed to obtain such a grant a debriefing with the Assistant Administrator to review the reasons for the applicant’s failure; and

“(3) with respect to any site visit or evaluation of an eligible entity receiving a grant under this section that is carried out by an officer or employee of the Administration (other than the Inspector General), a copy of the site visit report or evaluation, as applicable, within 30 calendar days after the completion of such visit or evaluation.”.

(g) Continued Funding for Centers.—Section 29(m) of the Small Business Act (15 U.S.C. 656(m)) is amended—

(1) by striking paragraph (3) and inserting the following:
“(3) Application and approval for continuation grants.—

“(A) Solicitation of applications.—

The Administrator shall solicit applications and award continuation grants under this subsection for the first fiscal year beginning after the date of enactment of this paragraph, and every third fiscal year thereafter.

“(B) Contents of application.—Each eligible entity desiring a grant under this subsection shall submit to the Administrator an application that contains—

“(i) a certification that the applicant—

“(I) is an eligible entity;

“(II) has designated an executive director or program manager to manage the women’s business center operated by the applicant; and

“(III) as a condition of receiving a grant under this subsection, agrees—

“(aa) to receive a site visit as part of the final selection
process, at the discretion of the Administrator; and

“(bb) to remedy any problem identified pursuant to the site visit under item (aa);

“(ii) information demonstrating that the applicant has the ability and resources to meet the needs of the market to be served by the women’s business center for which a grant under this subsection is sought, including the ability to obtain the non-Federal contribution required under paragraph (4)(C);

“(iii) information relating to assistance to be provided by the women’s business center in the geographic area served by the women’s business center for which a grant under this subsection is sought;

“(iv) information demonstrating that the applicant has worked with resource partners of the Administration and other entities;

“(v) a 3-year plan that describes the services provided by the women’s business
center for which a grant under this sub-
section is sought—

“(I) to serve women who are
business owners or potential business
owners by conducting training and
counseling activities; and

“(II) to provide training and
services to a representative number of
women who are socially or economi-
cally disadvantaged; and

“(vi) any additional information that
the Administrator may reasonably require.

“(C) REVIEW AND APPROVAL OF APPLICA-
TIONS FOR GRANTS.—

“(i) IN GENERAL.—The Adminis-
trator—

“(I) shall review each application
submitted under subparagraph (B),
based on the information described in
such subparagraph and the criteria
set forth under clause (ii) of this sub-
paragraph; and

“(II) as part of the final selection
process, may conduct a site visit to
each women’s business center for
which a grant under this subsection is sought to evaluate the women's business center using the selection criteria described in clause (ii)(II).

“(ii) SELECTION CRITERIA.—

“(I) IN GENERAL.—The Administrator shall evaluate applicants for grants under this subsection in accordance with selection criteria that are—

“(aa) established before the date on which applicants are required to submit the applications; “(bb) stated in terms of relative importance; and “(cc) publicly available and stated in each solicitation for applications for grants under this subsection made by the Administrator.

“(II) REQUIRED CRITERIA.—The selection criteria for a grant under this subsection shall include—
“(aa) the total number of entrepreneurs served by the applicant;

“(bb) the total number of new startup companies assisted by the applicant;

“(cc) the percentage of clients of the applicant that are socially or economically disadvantaged;

“(dd) the percentage of individuals in the community served by the applicant who are socially or economically disadvantaged;

“(ee) the successful accreditation of the applicant under the accreditation program developed under subsection (g)(5); and

“(ff) any additional criteria that the Administrator may reasonably require.

“(iii) CONDITIONS FOR CONTINUED FUNDING.—In determining whether to make a grant under this subsection, the Administrator—
“(I) shall consider the results of the most recent evaluation of the women’s business center for which a grant under this subsection is sought, and, to a lesser extent, previous evaluations; and

“(II) may withhold a grant under this subsection, if the Administrator determines that the applicant has failed to provide the information required to be provided under this paragraph, or the information provided by the applicant is inadequate.

“(D) NOTIFICATION.—Not later than 60 calendar days after the date of each deadline to submit applications under this paragraph, the Administrator shall approve or deny each submitted application and notify the applicant for each such application of the approval or denial.

“(E) RECORD RETENTION.—

“(i) IN GENERAL.—The Administrator shall maintain a copy of each application submitted under this paragraph for not less than 5 years.
“(ii) Paperwork Reduction.—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out clause (i).”; and

(2) by striking paragraph (5) and inserting the following:

“(5) Award to Previous Recipients.—There shall be no limitation on the number of times the Administrator may award a grant to an applicant under this subsection.”.

(h) Technical and Conforming Amendments.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(1) in subsection (h)(2), by striking “to award a contract (as a sustainability grant) under subsection (l) or”;

(2) in subsection (j)(1), by striking “The Administration” and inserting “Not later than November 1 of each year, the Administrator”;

(3) in subsection (k)—

(A) by striking paragraphs (1) and (4);

(B) by inserting before paragraph (2) the following:
“(1) IN GENERAL.—There are authorized to be appropriated to the Administration to carry out this section, to remain available until expended, $21,750,000 for each of fiscal years 2018 through 2021.”; and

(C) in paragraph (2), by striking subparagraph (B) and inserting the following:

“(B) EXCEPTIONS.—Of the amount made available under this subsection for a fiscal year, the following amounts shall be available for selection panel costs, costs associated with maintaining an accreditation program, and post-award conference costs:

“(i) For the first fiscal year beginning after the date of the enactment of this subparagraph, 2.65 percent.

“(ii) For the second fiscal year beginning after the date of the enactment of this subparagraph and each fiscal year thereafter through fiscal year 2021, 2.5 percent.”; and

(4) in subsection (m)—

(A) in paragraph (2), by striking “subsection (b) or (l)” and inserting “this subsection or subsection (b)”;}
(B) in paragraph (4)(D), by striking “or subsection (l)”.

(i) Effect on Existing Grants.—

(1) Terms and Conditions.—A nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, shall continue to receive the grant under the terms and conditions in effect for the grant on the day before the date of enactment of this Act, except that the nonprofit organization may not apply for a continuation of the grant under section 29(m)(5) of the Small Business Act (15 U.S.C. 656(m)(5)), as in effect on the day before the date of enactment of this Act.

(2) Length of Continuation Grant.—The Administrator of the Small Business Administration may award a grant under section 29(m) of the Small Business Act to a nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, for the period—
(A) beginning on the day after the last day
of the grant agreement under such section
29(m); and

(B) ending at the end of the third fiscal
year beginning after the date of enactment of
this Act.

SEC. 1713. MATCHING REQUIREMENTS UNDER WOMEN'S
BUSINESS CENTER PROGRAM.

Section 29(c) of the Small Business Act (15 U.S.C.
656(c)), as amended by this Act, is further amended by
adding at the end the following new paragraph:

“(9) WAIVER OF NON-FEDERAL SHARE.—

“(A) IN GENERAL.—Upon request by an
eligible entity, and in accordance with this para-
graph, the Administrator may waive, in whole
or in part, the requirement to obtain non-Fed-
eral funds under this subsection for counseling
and training activities of the eligible entity car-
ried out using a grant under this section for a
fiscal year. The Administrator may not waive
the requirement for an eligible entity to obtain
non-Federal funds under this paragraph for
more than a total of 2 consecutive fiscal years.

“(B) CONSIDERATIONS.—In determining
whether to waive the requirement to obtain
non-Federal funds under this paragraph, the Administrator shall consider—

“(i) the economic conditions affecting the eligible entity;

“(ii) the impact a waiver under this paragraph would have on the credibility of the Women’s Business Center Program under this section;

“(iii) the demonstrated ability of the eligible entity to raise non-Federal funds; and

“(iv) the performance of the eligible entity.

“(C) LIMITATION.—The Administrator may not waive the requirement to obtain non-Federal funds under this paragraph if granting the waiver would undermine the credibility of the Women’s Business Center Program.

“(10) SOLICITATION.—Notwithstanding any other provision of law, an eligible entity may—

“(A) solicit cash and in-kind contributions from private individuals and entities to be used to carry out the activities of the eligible entity under a project conducted under this section; and
“(B) use amounts made available by the Administrator under this section for the cost of such solicitation and management of the contributions received.

“(11) EXCESS NON-FEDERAL DOLLARS.—The amount of non-Federal dollars obtained by an eligible entity that is above the amount that is required to be obtained by the eligible entity under this subsection shall not be subject to the requirements of part 200 of title 2, Code of Federal Regulations, or any successor thereto, if such amount of non-Federal dollars—

“(A) is not used as matching funds for purposes of implementing the Women’s Business Center Program; and

“(B) was not obtained using funds from the Women’s Business Center Program.”.

Subtitle C—SCORE Program

SEC. 1721. SCORE REAUTHORIZATION.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended—

(1) by redesignating subsection (j) as subsection (f); and

(2) by adding at the end the following new subsection:
“(g) SCORE Program.—There are authorized to be appropriated to the Administrator to carry out the SCORE program authorized by section 8(b)(1) such sums as may be necessary for the Administrator to make grants or enter into cooperative agreements in a total amount that does not exceed $10,500,000 in each of fiscal years 2018 and 2019.”.

SEC. 1722. SCORE PROGRAM.

Section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(1) in subsection (b)(1)(B), by striking “a Service Corps of Retired Executives (SCORE)” and inserting “the SCORE program described in subsection (c)”;

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

“(c) SCORE Program.—

“(1) Definition.—In this subsection:

“(A) SCORE Association.—The term ‘SCORE Association’ means the Service Corps of Retired Executives Association or any successor or other organization that receives a grant from the Administrator to operate the SCORE program under paragraph (2)(A).
“(B) SCORE PROGRAM.—The term ‘SCORE program’ means the SCORE program authorized by subsection (b)(1)(B).

“(2) MANAGEMENT AND VOLUNTEERS.—

“(A) IN GENERAL.—The Administrator shall provide a grant to the SCORE Association to manage the SCORE program.

“(B) VOLUNTEERS.—A volunteer participating in the SCORE program shall—

“(i) based on the business experience and knowledge of the volunteer—

“(I) provide at no cost to individuals who own, or aspire to own, small business concerns personal counseling, mentoring, and coaching relating to the process of starting, expanding, managing, buying, and selling a business; and

“(II) facilitate low-cost educational workshops for individuals who own, or aspire to own, small business concerns; and

“(ii) as appropriate, use tools, resources, and expertise of other organizations to carry out the SCORE program.
“(3) PLANS AND GOALS.—The Administrator, in consultation with the SCORE Association, shall ensure that the SCORE program and each chapter of the SCORE program develop and implement plans and goals to more effectively and efficiently provide services to individuals in rural areas, economically disadvantaged communities, and other traditionally underserved communities, including plans for electronic initiatives, web-based initiatives, chapter expansion, partnerships, and the development of new skills by volunteers participating in the SCORE program.

“(4) ANNUAL REPORT.—The SCORE Association shall submit to the Administrator an annual report that contains—

“(A) the number of individuals counseled or trained under the SCORE program;

“(B) the number of hours of counseling provided under the SCORE program; and

“(C) to the extent possible—

“(i) the number of small business concerns formed with assistance from the SCORE program;
“(ii) the number of small business concerns expanded with assistance from the SCORE program; and

“(iii) the number of jobs created with assistance from the SCORE program.

“(5) PRIVACY REQUIREMENTS.—

“(A) IN GENERAL.—Neither the Administrator nor the SCORE Association may disclose the name, address, or telephone number of any individual or small business concern receiving assistance from the SCORE Association without the consent of such individual or small business concern, unless—

“(i) the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

“(ii) the Administrator determines such a disclosure to be necessary for the purpose of conducting a financial audit of the SCORE program, in which case disclosure shall be limited to the information necessary for the audit.

“(B) ADMINISTRATOR USE OF INFORMATION.—This paragraph shall not—
“(i) restrict the access of the Administrator to program activity data; or

“(ii) prevent the Administrator from using client information to conduct client surveys.

“(C) STANDARDS.—

“(i) IN GENERAL.—The Administrator shall, after the opportunity for notice and comment, establish standards for—

“(I) disclosures with respect to financial audits under subparagraph (A)(ii); and

“(II) conducting client surveys, including standards for oversight of the surveys and for dissemination and use of client information.

“(ii) MAXIMUM PRIVACY PROTECTION.—The standards issued under this subparagraph shall, to the extent practicable, provide for the maximum amount of privacy protection.”.

SEC. 1723. ONLINE COMPONENT.

(a) IN GENERAL.—Section 8(c) of the Small Business Act (15 U.S.C. 637(c)), as amended by this Act, is further amended by adding at the end the following:
“(6) **Online Component.**—In carrying out this subsection, the SCORE Association shall make use of online counseling, including by developing and implementing webinars and an electronic mentoring platform to expand access to services provided under this subsection and to further support entrepreneurs.”

(b) **Online Component Report.**—

(1) **In General.**—Not later than September 30, 2018, the SCORE Association shall issue a 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 effectiveness of the electronic mentoring and webinars required as part of the SCORE program, including—

(A) how the SCORE Association determines electronic mentoring and webinar needs, develops training for electronic mentoring, establishes webinar curricula, and evaluates webinar and electronic mentoring results;

(B) describing the internal controls that are used and a summary of the topics covered by the webinars; and
(C) performance metrics, including the number of small business concerns counseled by, the number of small business concerns created by, the number of jobs created and retained by, and the funding amounts directed towards such online counseling and webinars.

(2) DEFINITIONS.—For purposes of this subsection, the terms “SCORE Association” and “SCORE program” have the meaning given those terms, respectively, under section 8(c)(1) of the Small Business Act (15 U.S.C. 637(c)(1)).

SEC. 1724. STUDY AND REPORT ON THE FUTURE ROLE OF THE SCORE PROGRAM.

(a) STUDY.—The SCORE Association shall carry out a study on the future role of the SCORE program and develop a strategic plan for how the SCORE program will evolve to meet the needs of small business concerns over the course of the 5 years following the date of enactment of this Act, with markers and specific objectives for the first, third, and final year of the 5-year period.

(b) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the SCORE Association shall submit a report to the Committee on Small Business of the House of Representatives...
and the Committee on Small Business and Entrepreneurship of the Senate containing—

(1) all findings and determination made in carrying out the study required under subsection (a);

(2) the strategic plan developed under subsection (a);

(3) an explanation of how the SCORE Association plans to achieve the strategic plan, assuming both stagnant and increased funding levels.

(c) DEFINITIONS.—For purposes of this section, the terms “SCORE Association” and “SCORE program” have the meaning given those terms, respectively, under section 8(c)(1) of the Small Business Act (15 U.S.C. 637(c)(1)).

SEC. 1725. TECHNICAL AND CONFORMING AMENDMENTS.

(a) SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 7 (15 U.S.C. 636)—

(A) in subsection (b)(12)(A), by striking “Service Corps of Retired Executives” and inserting “SCORE program”; and

(B) in subsection (m)(3)(A)(i)(VIII), by striking “Service Corps of Retired Executives” and inserting “SCORE program”; and

(2) in section 22 (15 U.S.C. 649)—
(A) in subsection (b)—

(i) in paragraph (1), by striking “Service Corps of Retired Executives” and inserting “SCORE program”; and

(ii) in paragraph (3), by striking “Service Corps of Retired Executives” and inserting “SCORE program”; and

(B) in subsection (c)(12), by striking “Service Corps of Retired Executives” and inserting “SCORE program”.

(b) OTHER LAWS.—

(1) CHILDREN’S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2009.—Section 621 of the Children’s Health Insurance Program Reauthorization Act of 2009 (15 U.S.C. 657p) is amended—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

“(4) the term ‘SCORE program’ means the SCORE program authorized by section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B));”; and

(B) in subsection (b)(4)(A)(iv), by striking “Service Corps of Retired Executives” and inserting “SCORE program”.

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Subtitle D—Small Business Development Centers Improvements

SEC. 1731. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 47 as section 48; and

(2) by inserting after section 46 the following new section:

“SEC. 47. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

“(a) EXPANDED SUPPORT FOR ENTREPRENEURS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the Administrator shall only use the programs authorized in sections 7(j), 7(m), 8(a), 8(b)(1), 21, 22, 29, and 32 of this Act, and sections 358 and 389 of the Small Business Investment Act of 1958 to deliver entrepreneurial development serv-
ices, entrepreneurial education, support for the development and maintenance of clusters, or business training.

“(2) EXCEPTION.—This section shall not apply to services provided to assist small business concerns owned by an Indian tribe (as such term is defined in section 8(a)(13)).

“(b) ANNUAL REPORT.—Beginning on the first December 1 after the date of the enactment of this subsection, and annually thereafter, the Administrator 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 all entrepreneurial development activities undertaken in the current fiscal year. This report shall include—

“(1) a description and operating details for each activity;

“(2) operating circulars, manuals, and standard operating procedures for each activity;

“(3) a description of the process used to award grants under each activity;

“(4) a list of all awardees, contractors, and vendors (including organization name and location) and the amount of awards for the current fiscal year for each activity;
“(5) the amount of funding obligated for the current fiscal year for each activity; and
“(6) the names and titles for those individuals responsible for each activity.”.

SEC. 1732. MARKETING OF SERVICES.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following new subsection:

“(o) NO PROHIBITION OF MARKETING OF SERVICES.—The Administrator may not prohibit applicants receiving grants under this section from marketing and advertising their services to individuals and small business concerns.”.

SEC. 1733. DATA COLLECTION.

(a) IN GENERAL.—Section 21(a)(3)(A) of the Small Business Act (15 U.S.C. 648(a)(3)(A)) is amended—

(1) by striking “as provided in this section and” and inserting “as provided in this section,”;

and

(2) by inserting before the period at the end the following: “, and (iv) governing data collection activities related to applicants receiving grants under this section”.

(b) ANNUAL REPORT ON DATA COLLECTION.—Section 21 of the Small Business Act (15 U.S.C. 648), as
amended by this Act, is further amended by adding at the end the following new subsection:

“(p) **ANNUAL REPORT ON DATA COLLECTION.**—The Administrator shall report annually to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on any data collection activities related to the Small Business Development Center Program.”.

(e) **WORKING GROUP TO IMPROVE DATA COLLECTION.**—

(1) **ESTABLISHMENT AND STUDY.**—The Administrator of the Small Business Administration shall establish a group to be known as the “Data Collection Working Group” consisting of members from entrepreneurial development grant recipient associations and organizations and Administration officials, to carry out a study to determine the best way to capture data collection and create or revise existing systems dedicated to data collection.

(2) **REPORT.**—Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Data Collection Working Group shall submit a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepren-
neurship of the Senate containing the findings and
determinations made in carrying out the study re-
quired under paragraph (1), including—

(A) recommendations for revising existing
data collection practices; and

(B) a proposed plan for the Administrator
of the Small Business Administration to imple-
ment such recommendations.

SEC. 1734. FEES FROM PRIVATE PARTNERSHIPS AND CO-
SPONSORSHIPS.

Section 21(a)(3) of the Small Business Act (15
U.S.C. 648(a)(3)(C)), as amended by this Act, is further
amended by adding at the end the following new subpara-
graph:

“(D) FEES FROM PRIVATE PARTNERSHIPS AND CO-
SPONSORSHIPS.—Participation in private partnerships
and cosponsorships with the Administration shall not limit
small business development centers from collecting fees or
other income related to the operation of such private part-
nerships and cosponsorships.”.

SEC. 1735. EQUITY FOR SMALL BUSINESS DEVELOPMENT
CENTERS.

Subclause (I) of section 21(a)(4)(C)(v) of the Small
to read as follows:
“(I) IN GENERAL.—Of the amounts made available in any fiscal year to carry out this section, not more than $600,000 may be used by the Administration to pay expenses described under subparagraphs (B) through (D) of section 20(a)(1).”.

SEC. 1736. CONFIDENTIALITY REQUIREMENTS.

Section 21(a)(7)(A) of the Small Business Act (15 U.S.C. 648(a)(7)(A)) is amended by inserting after “under this section” the following: “to any State, local, or Federal agency, or to any third party”.

SEC. 1737. LIMITATION ON AWARD OF GRANTS TO SMALL BUSINESS DEVELOPMENT CENTERS.

(a) IN GENERAL.—Section 21 of the Small Business Act (15 U.S.C. 648), as amended by this Act, is further amended—

(1) in subsection (a)(1), by striking “any women’s business center operating pursuant to section 29,”;

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

“(q) LIMITATION ON AWARD OF GRANTS.—Except for not-for-profit institutions of higher education, and notwithstanding any other provision of law, the Administrator
may not award grants (including contracts and cooperative agreements) under this section to any entity other than those that received grants (including contracts and cooperative agreements) under this section prior to the date of the enactment of this subsection, and that seek to renew such grants (including contracts and cooperative agreements) after such date.”.

(b) Rule of Construction.—The amendments made by this section may not be construed as prohibiting a women’s business center from receiving a subgrant from an entity receiving a grant under section 21 of the Small Business Act (15 U.S.C. 648).

Subtitle E—Miscellaneous

Sec. 1741. Modification of Past Performance Pilot Program to Include Consideration of Past Performance with Allies of the United States.

(a) In General.—Section 8(d)(17) of the Small Business Act (15 U.S.C. 637(d)(17)) is amended—

(1) in subparagraph (G)—

(A) in clause (i), by inserting “and, set forth separately, the number of small business exporters,” after “small business concerns”; and
(B) in clause (ii), by inserting ‘‘, set forth separately by applications from small business concerns and from small business exporters,’’ after ‘‘applications’’; and

(2) by amending subparagraph (H) to read as follows:

“(H) DEFINITIONS.—In this paragraph—

“(i) the term ‘appropriate official’ means—

“(I) a commercial market representative;

“(II) another individual designated by the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36; or

“(III) the Office of Small and Disadvantaged Business Utilization of a Federal agency, if the head of the Federal agency and the Administrator agree;

“(ii) the term ‘defense item’ has the meaning given that term in section 38(j)(4)(A) of the Arms Export Control Act (22 U.S.C. 2778(j)(4)(A));

“(iii) the term ‘major non-NATO ally’ means a country designated as a major non-
NATO ally under section 517 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k);

“(iv) the term ‘past performance’ includes performance of a contract for a sale of defense items (under section 38 of the Arms Export Control Act (22 U.S.C. 2778)) to the government of a member nation of North Atlantic Treaty Organization, the government of a major non-NATO ally, or the government of a country with which the United States has a defense cooperation agreement (as certified by the Secretary of State); and

“(v) the term ‘small business exporter’ means a small business concern that exports defense items under section 38 of the Arms Export Control Act (22 U.S.C. 2778) to the government of a member nation of the North Atlantic Treaty Organization, the government of a major non-NATO ally, or the government of a country with which the United States has a defense cooperation agreement (as certified by the Secretary of State).”.

(b) TECHNICAL AMENDMENT.—Section 8(d)(17)(A) of the Small Business Act (15 U.S.C. 637(d)(17)(A)) is
amended by striking “paragraph 13(A)” and inserting “paragraph (13)(A)”.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2018”.

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 therefor) shall expire on the later of—

(1) October 1, 2020; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2021.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land ac-
quisition, family housing projects and facilities, and con-
tributions to the North Atlantic Treaty Organization Se-
curity Investment Program (and authorizations of appro-
priations therefor), for which appropriated funds have
been obligated before the later of—

(1) October 1, 2020; or

(2) the date of the enactment of an Act author-
izing funds for fiscal year 2021 for military con-
struction 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, 2017; 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 appropria-
tions in section 2104(a) and available for military con-
struction 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</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Fort Rucker</td>
<td>$38,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$22,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Huachuca</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Fort Irwin</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$29,300,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Eglin Air Force Base</td>
<td>$18,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Benning</td>
<td>$38,800,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Crane Army Ammunition Plant</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>U.S. Military Academy</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Fort Jackson</td>
<td>$60,000,000</td>
</tr>
<tr>
<td></td>
<td>Shaw Air Force Base</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Camp Bullis</td>
<td>$13,600,000</td>
</tr>
<tr>
<td></td>
<td>Fort Hood</td>
<td>$70,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Joint Base Langley-Eustis</td>
<td>$34,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Myer-Henderson</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$66,000,000</td>
</tr>
<tr>
<td></td>
<td>Yakima</td>
<td>$19,500,000</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 installations or locations outside the United States, and in the amount, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Stuttgart</td>
<td>$40,000,000</td>
</tr>
<tr>
<td></td>
<td>Weisbaden</td>
<td>$43,000,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Kunsan Air Base</td>
<td>$53,000,000</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:

Army: Family Housing

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>Family Housing New Construction</td>
<td>$6,100,000</td>
</tr>
<tr>
<td>Germany</td>
<td>South Camp Vilseck</td>
<td>Family Housing New Construction</td>
<td>$22,445,000</td>
</tr>
<tr>
<td>Kwajalein</td>
<td>Kwajalein Atoll</td>
<td>Family Housing Replacement Construction</td>
<td>$31,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Natick</td>
<td>Family Housing Replacement Construction</td>
<td>$21,000,000</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 $33,559,000.
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 $34,156,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, 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 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.
SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 986) for Joint Base Lewis-McChord, Washington, for construction of an airfield operations complex, the Secretary of the Army may construct standby generator capacity of 1,000 kilowatts.

SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3670) for Fort Shafter, Hawaii, for construction of a command and control facility, the Secretary of the Army may construct 15 megawatts of redundant power generation for a total project amount of $370,000,000.

SEC. 2107. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2014 PROJECT.

shall remain in effect until October 1, 2018, or the
date of the enactment of an Act authorizing funds for mili-
tary construction for fiscal year 2019, whichever is later.

(b) Table.—The table referred to in subsection (a)
is as follows:

Army: Extension of 2014 Project Authorization

<table>
<thead>
<tr>
<th>State or Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan ....</td>
<td>Kyogamisaki</td>
<td>Company Operations Complex</td>
<td>$33,000,000</td>
</tr>
</tbody>
</table>

SEC. 2108. EXTENSION OF AUTHORIZATIONS OF CERTAIN
FISCAL YEAR 2015 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (128 Stat. 3670), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

Army: Extension of 2015 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>Military Ocean Terminal Concord ....</td>
<td>Access Control Point</td>
<td>$9,900,000</td>
</tr>
<tr>
<td>Hawai'i ....</td>
<td>Fort Shafter</td>
<td>Command and Control Facility (SCIF)</td>
<td>$370,000,000</td>
</tr>
</tbody>
</table>
Army: Extension of 2015 Project Authorizations—Continued

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan .......</td>
<td>Kadena Air Base ..........</td>
<td>Missile Magazine ..........</td>
<td>$10,600,000</td>
</tr>
<tr>
<td>Texas .......</td>
<td>Fort Hood ....</td>
<td>Simulation Center ..........</td>
<td>$46,000,000</td>
</tr>
</tbody>
</table>


(a) PROJECT AUTHORIZATION.—In connection with the authorizations contained in the tables in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 825), section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375; 118 Stat. 2101), section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3485), and section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2445) for Fort Irwin, California, for Land Acquisition – National Training Center, Phases 1 through 4, the Secretary of the Army may carry out military construction projects to complete the land acquisitions within the initial scope of the projects.

(b) CONGRESSIONAL NOTIFICATION.—The Secretary of the Army shall provide information in accordance with
section 2851(c) of title 10, United States Code, regarding
the projects described in subsection (a).

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 appropri-
tations in section 2204(a) and available for military con-
struction 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 in-
side 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>Arizona</td>
<td>Yuma</td>
<td>$36,358,000</td>
</tr>
<tr>
<td>California</td>
<td>Barstow</td>
<td>$36,539,000</td>
</tr>
<tr>
<td></td>
<td>Camp Pendleton</td>
<td>$61,139,000</td>
</tr>
<tr>
<td></td>
<td>Lemoore</td>
<td>$60,828,000</td>
</tr>
<tr>
<td></td>
<td>Twentynine Palms</td>
<td>$55,099,000</td>
</tr>
<tr>
<td></td>
<td>Miramar</td>
<td>$47,600,000</td>
</tr>
<tr>
<td></td>
<td>Coronado</td>
<td>$36,000,000</td>
</tr>
<tr>
<td></td>
<td>NSA Washington</td>
<td>$14,810,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Mayport</td>
<td>$84,818,000</td>
</tr>
<tr>
<td></td>
<td>Albany</td>
<td>$43,300,000</td>
</tr>
<tr>
<td>Georgia</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Joint Region Marianas</td>
<td>$284,679,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$73,200,000</td>
</tr>
<tr>
<td></td>
<td>Wahiawa</td>
<td>$65,864,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maine</td>
<td>Kittery</td>
<td>$61,692,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$103,767,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cherry Point Marine Corps Air Station</td>
<td>$15,671,000</td>
</tr>
<tr>
<td></td>
<td>Dam Neck</td>
<td>$29,262,000</td>
</tr>
<tr>
<td></td>
<td>Joint Expeditionary Base Little Creek-Story</td>
<td>$2,596,000</td>
</tr>
<tr>
<td></td>
<td>Portsmouth</td>
<td>$72,990,000</td>
</tr>
<tr>
<td></td>
<td>Yorktown</td>
<td>$36,358,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Indian Island</td>
<td>$44,440,000</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 installation or location 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 or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greece</td>
<td>Souda Bay</td>
<td>$22,045,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Iwakuni</td>
<td>$21,860,000</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 installations or locations, in the number of units, and in the amounts set forth in the following table:

**Navy: Family Housing**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain Island</td>
<td>SW Asia</td>
<td>Construct On-Base</td>
<td>$2,138,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>GFOQ</td>
<td></td>
</tr>
<tr>
<td>Mariana Islands</td>
<td>Guam</td>
<td>Replace Andersen</td>
<td>$40,875,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Housing PH II</td>
<td></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 $4,418,000.

**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 $36,251,000.

**Sec. 2204. Authorization of Appropriations, Navy.**

(a) **Authorization of Appropriations.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, 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 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.


(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (127 Stat. 989) and extended by section 2207 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2694), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:
Navy: Extension of 2014 Project Authorizations

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois</td>
<td>Great Lakes</td>
<td>Unaccompanied Housing</td>
<td>$35,851,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Fallon</td>
<td>Wastewater Treatment Plant</td>
<td>$11,334,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Quantico</td>
<td>Fuller Road Improvements</td>
<td>$9,013,000</td>
</tr>
</tbody>
</table>

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN
FISCAL YEAR 2015 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (128 Stat. 3675), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District of Columbia</td>
<td>NSA Washington ..........</td>
<td>Electronics Science and Technology Lab ......</td>
<td>$31,735,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Indian Head ..............</td>
<td>Advanced Energetics Research Lab Complex Ph 2</td>
<td>$15,346,000</td>
</tr>
</tbody>
</table>
SEC. 2207. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

In the case of the authorization contained in the table in section 2201(b) of the National Defense Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1150) for construction of an Aegis Ashore Missile Defense Complex at RedziKowo Base, Poland, the Secretary of the Navy may construct a 6,180 square meter multipurpose facility, for the purposes of providing additional berthing space, using amounts available for the project pursuant to the authorization of appropriations in section 2204 of such Act.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:
### Air Force: Inside the United States

<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>$168,900,000</td>
</tr>
<tr>
<td>California</td>
<td>Travis Air Force Base</td>
<td>$122,500,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Air Force Base</td>
<td>$38,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Carson</td>
<td>$13,000,000</td>
</tr>
<tr>
<td></td>
<td>U.S. Air Force Academy</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Eglin Air Force Base</td>
<td>$90,700,000</td>
</tr>
<tr>
<td></td>
<td>MacDill Air Force Base</td>
<td>$8,100,000</td>
</tr>
<tr>
<td></td>
<td>Tyndall Air Force Base</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Robins Air Force Base</td>
<td>$9,800,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>McConnell Air Force Base</td>
<td>$17,500,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Joint Base Andrews</td>
<td>$271,500,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nellis Air Force Base</td>
<td>$61,000,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$42,000,000</td>
</tr>
<tr>
<td></td>
<td>Holloman Air Force Base</td>
<td>$4,250,000</td>
</tr>
<tr>
<td></td>
<td>Kirtland Air Force Base</td>
<td>$9,300,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>McGuire-Dix-Lakehurst</td>
<td>$146,500,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Minot Air Force Base</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Altus Air Force Base</td>
<td>$4,900,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$156,630,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$28,000,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F.E. Warren Air Force Base</td>
<td>$62,000,000</td>
</tr>
</tbody>
</table>

### (b) Outside the United States

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction 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 military construction projects for the installation or location outside the United States, and in the amount, set forth in the following table:

### Air Force: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>Darwin</td>
<td>$76,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>R.A.F. Fairford</td>
<td>$45,650,000</td>
</tr>
<tr>
<td></td>
<td>R.A.F. Lakenheath</td>
<td>$136,992,000</td>
</tr>
</tbody>
</table>

### Sec. 2302. Family Housing.

Using amounts appropriated pursuant to the authorization 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 construction or improvement of family housing units in an amount not to exceed $4,445,000.

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 authorization 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 $80,617,000.

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, 2017, 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 author-
ized 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 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 2017 PROJECTS.

(a) HANSCOM AIR FORCE BASE.—In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2696) for Hanscom Air Force Base, Massachusetts, for construction of a gate complex at the installation, the Secretary of the Air Force may construct a visitor control center of 187 square meters, a traffic check house of 294 square meters, and an emergency power generator system and transfer switch consistent with the Air Force’s construction guidelines.

(b) MARIANA ISLANDS.—In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2697) for acquiring 142 hectares of land at an unspecified location in the Mariana Islands, the Secretary of the Air Force
may acquire 142 hectares of land on Tinian in the Northern Mariana Islands for a cost of $21,900,000.

(c) CHABELLEY AIRFIELD.—In the case of the authorization contained in the table in section 2902 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2743) for Chabelley Airfield, Djibouti, for construction of a parking apron and taxiway at that location, the Secretary of the Air Force may construct 20,490 square meters of taxiway and apron, 8,230 square meters of paved shoulders, 10,650 square meters of hangar pads, and 3,900 square meters of cargo apron.

(d) SCOTT AIR FORCE BASE.—The table in section 4601 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2877) is amended in the item relating to Scott Air Force Base, Illinois, by striking “Consolidated Corrosion Facility add/alter.” in the project title column and inserting “Consolidated Communication Facility add/alter.”.

SEC. 2306. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3669), the authorizations set forth in the table in sub-
section (b), as provided in section 2301 of that Act (128 Stat. 3679), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Air Force: Extension of 2015 Project Authorization**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Clear Air Force Station</td>
<td>Emergency Power Plant Fuel Storage</td>
<td>$11,500,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Tinker Air Force Base</td>
<td>KC-46 Two-Bay Maintenance Hangar</td>
<td>$63,000,000</td>
</tr>
</tbody>
</table>

**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 in-

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side the United States, and in the amounts, set forth in
the following table:

### Defense Agencies: 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>Camp Pendleton</td>
<td>$43,642,000</td>
</tr>
<tr>
<td></td>
<td>Coronado</td>
<td>$258,735,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Schriever Air Force Base</td>
<td>$10,200,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Eglin Air Force Base</td>
<td>$9,100,000</td>
</tr>
<tr>
<td></td>
<td>Hurlburt Field</td>
<td>$46,400,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>$10,350,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Andersen Air Force Base</td>
<td>$23,900,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Kunsia</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Fort Leonard Wood</td>
<td>$381,300,000</td>
</tr>
<tr>
<td></td>
<td>St. Louis</td>
<td>$812,000,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$8,228,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$90,039,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bragg</td>
<td>$57,778,000</td>
</tr>
<tr>
<td></td>
<td>Seymour-Johnson Air ForceBase</td>
<td></td>
</tr>
<tr>
<td>South Carolina</td>
<td>Shaw Air Force Base</td>
<td>$22,900,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Joint Expeditionary Base</td>
<td>$23,000,000</td>
</tr>
<tr>
<td></td>
<td>Little Creek-Story</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Norfolk</td>
<td>$18,500,000</td>
</tr>
<tr>
<td></td>
<td>Pentagon</td>
<td>$50,000,000</td>
</tr>
<tr>
<td></td>
<td>Portsmouth</td>
<td>$22,500,000</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Unspecified Worldwide Locations</td>
<td>$64,364,000</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 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:

### Defense Agencies: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Spangdahlem Air Base</td>
<td>$79,141,000</td>
</tr>
<tr>
<td></td>
<td>Stuttgart</td>
<td>$46,609,000</td>
</tr>
<tr>
<td>Greece</td>
<td>Souda Bay</td>
<td>$18,100,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Vicenza</td>
<td>$62,406,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Iwakuni</td>
<td>$30,800,000</td>
</tr>
<tr>
<td></td>
<td>Kadena Air Base</td>
<td>$27,373,000</td>
</tr>
<tr>
<td></td>
<td>Okinawa</td>
<td>$11,900,000</td>
</tr>
</tbody>
</table>
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Defense Agencies: Outside the United States—Continued

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Puerto Rico</td>
<td>Punta Borinquen</td>
<td>$61,071,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Menwith Hill Station</td>
<td>$11,000,000</td>
</tr>
</tbody>
</table>

1 SEC. 2402. AUTHORIZED ENERGY RESILIENCY AND CONSERVATION PROJECTS.

2 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy resiliency and conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy resiliency and conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and the amounts set forth in the table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorado</td>
<td>Schriever Air Force Base</td>
<td>$15,260,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Andersen Air Force Base</td>
<td>$8,880,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>NAVBASE Guam</td>
<td>$8,920,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>MCBH Kaneohe Bay</td>
<td>$8,185,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>NSA South Potomac-Indian Head</td>
<td>$10,790,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Ft. Leonard Wood</td>
<td>$8,500,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Malnstrom AFB</td>
<td>$6,086,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Ft. Bragg</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Tooele Army Depot</td>
<td>$9,750,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F.E. Warren</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>Various Locations</td>
<td>Various Locations</td>
<td>$12,232,000</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 resiliency and conservation projects, the Secretary of Defense may carry out energy resiliency and conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and the amounts set forth in the table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sasebo</td>
<td></td>
<td>$45,600,000</td>
</tr>
<tr>
<td>Torii Commo Station</td>
<td></td>
<td>$25,323,000</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Punta Borinquen</td>
<td>$61,071,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Menwith Hill Station</td>
<td>$11,000,000</td>
</tr>
</tbody>
</table>

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and conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy resiliency and 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 Resiliency and 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>Honduras</td>
<td>Soto Cano Air Base</td>
<td>$12,600,000</td>
</tr>
<tr>
<td>Italy</td>
<td>NSA Naples</td>
<td>$2,700,000</td>
</tr>
<tr>
<td>Japan</td>
<td>CFA Yokosuka</td>
<td>$8,530,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Osan Air Base</td>
<td>$13,700,000</td>
</tr>
</tbody>
</table>

**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, 2017, 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 appro-
priated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECT.

In the case of the authorization in the table in section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2700) for Kaiserslautern, Germany, for construction of the Sembach Elementary/Middle School Replacement, the Secretary of Defense may construct an elementary school.

SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (127 Stat. 995) and extended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2702), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:
SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (128 Stat. 3681), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2015 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>United Kingdom</td>
<td>Royal Air Force Lakenheath ..........</td>
<td>Lakenheath Middle/High School Replacement ..........</td>
<td>$69,638,000</td>
</tr>
<tr>
<td>Virginia .........</td>
<td>Marine Corps Base Quantico ..........</td>
<td>Quantico Middle/High School Replacement ..........</td>
<td>$40,586,000</td>
</tr>
<tr>
<td></td>
<td>Pentagon .................</td>
<td>PFPA Support Operations Center ..........</td>
<td>$14,800,000</td>
</tr>
<tr>
<td>Australia ..........</td>
<td>Geraldton .................</td>
<td>Combined Communications Gateway Geraldton ..........</td>
<td>$9,600,000</td>
</tr>
<tr>
<td>Belgium .............</td>
<td>Brussels ..................</td>
<td>Brussels Elementary/High School Replacement ..........</td>
<td>$41,626,000</td>
</tr>
<tr>
<td>Japan ...............</td>
<td>Okinawa .................</td>
<td>Kubasaki High School Replacement/Renovation ..........</td>
<td>$99,420,000</td>
</tr>
</tbody>
</table>
### Defense Agencies: Extension of 2015 Project Authorizations—Continued

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississippi</td>
<td>Commander Fleet Activities Sasebo ........</td>
<td>E.J. King High School Replacement/Renovation ...</td>
<td>$37,681,000</td>
</tr>
<tr>
<td></td>
<td>Stennis ..................</td>
<td>SOF Land Acquisition Western Maneuver Area ......</td>
<td>$17,224,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>SOF Squadron Operations Facility (STS) ...........</td>
<td>$23,333,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Langley-Bustis</td>
<td>Replace Access Control Point .....................</td>
<td>$5,700,000</td>
</tr>
<tr>
<td></td>
<td>Pentagon .................</td>
<td>Hospital Addition/Central Utility Plant Replacement Redundant Chilled Water Loop ........</td>
<td>$41,200,000 $15,100,000</td>
</tr>
</tbody>
</table>

### TITLE XXV—INTERNATIONAL PROGRAMS

#### Subtitle A—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, 2017, 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.

Subtitle B—Host Country In-Kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

<table>
<thead>
<tr>
<th>Country</th>
<th>Component</th>
<th>Installation or Location</th>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Unaccompanied Enlisted Personnel Housing, Phase 1</td>
<td>$76,000,000</td>
</tr>
<tr>
<td>Army</td>
<td></td>
<td>Camp Humphreys</td>
<td>Type I Aircraft Parking Apron</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Kunsan Air Base</td>
<td></td>
<td>Construct Airfield Damage Repair Warehouse</td>
<td>$6,500,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Osan Air Base</td>
<td></td>
<td>Main Gate Entry Control Facilities</td>
<td>$13,000,000</td>
</tr>
</tbody>
</table>
SEC. 2512. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECTS.

(a) CAMP HUMPHREYS.—In the case of the authorization contained in the table in section 2511 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2704) for Camp Humphreys, Republic of Korea, for construction of the 8th Army Correctional Facility, the Secretary of Defense may construct a level 1 correctional facility of 26,000 square feet and a utility and tool storage building of 400 square feet.

(b) K-16 AIR BASE.—In the case of the authorization contained in the table in section 2511 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2704) for the K-16 Air Base, Republic of Korea, for renovation of the Special Operations Forces (SOF) Operations Facility, B-606, the Secretary of Defense may renovate an operations administration area of 5,500 square meters.
TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorizations 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 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>Delaware</td>
<td>New Castle</td>
<td>$36,000,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Orchard Training Area</td>
<td>$22,000,000</td>
</tr>
<tr>
<td></td>
<td>MTC Goven</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Presque Isle</td>
<td>$17,500,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Sykesville</td>
<td>$19,000,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Arden Hills</td>
<td>$39,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Springfield</td>
<td>$32,000,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Las Cruces</td>
<td>$8,600,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Pickett</td>
<td>$4,550,000</td>
</tr>
<tr>
<td></td>
<td>Fort Belvoir</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Tumwater</td>
<td>$31,000,000</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 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><strong>State</strong></td>
</tr>
<tr>
<td>California</td>
</tr>
<tr>
<td>Washington</td>
</tr>
<tr>
<td>Wisconsin</td>
</tr>
<tr>
<td>Puerto Rico</td>
</tr>
<tr>
<td></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 and available for the National Guard and Reserve 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 Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:
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Navy Reserve and Marine Corps Reserve

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Lemoore</td>
<td>$17,330,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>$17,797,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Joint Base McGuire-Dix-Lakehurst</td>
<td>$11,573,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Worth</td>
<td>$12,637,000</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 and available for the National Guard and Reserve 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 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>California</td>
<td>March Air Force Base</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Peterson Air Force Base</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Bradley IAP</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Fort Wayne International Airport</td>
<td>$1,900,000</td>
</tr>
<tr>
<td></td>
<td>Hulman Regional Airport</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Louisville IAP</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Jackson International Airport</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Rosecrans Memorial Airport</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Hanscom Field</td>
<td>$6,800,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Toledo Express Airport</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Rickenbacker International Airport</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Klamath Falls IAP</td>
<td>$18,500,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Joe Foss Field</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>McChord-Tyson Airport</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Dane County Regional/Airport TruaxField</td>
<td>$8,000,000</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 and available for
the National Guard and Reserve 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 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>Florida</td>
<td>Patrick Air Force Base</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Robins Air Force Base</td>
<td>$32,000,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$5,500,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Westover ARB</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Minneapolis-St Paul IAP</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Seymour Johnson Air Force Base</td>
<td>$6,400,000</td>
</tr>
<tr>
<td>Texas</td>
<td>NAS JRB Fort Worth</td>
<td>$3,100,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$3,100,000</td>
</tr>
</tbody>
</table>

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, 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.
Subtitle B—Other Matters

SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3688) for Starkville, Mississippi, for construction of an Army Reserve Center at that location, the Secretary of the Army may acquire approximately fifteen acres (653,400 square feet) of land.

SEC. 2612. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in sections 2602, 2604, and 2605 of that Act (127 Stat. 1001, 1002), shall remain in effect until October 1, 2018 or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:
SEC. 2613. EXTENSION OF AUTHORIZATIONS OF CERTAIN
FISCAL YEAR 2015 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the
Military Construction Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3669), the
authorizations set forth in the table in subsection (b), as provided in sections 2602 and 2604 of that Act (128 Stat. 3688, 3689), shall remain in effect until October 1, 2018 or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississippi</td>
<td>Starkville</td>
<td>Army Reserve Center</td>
<td>$9,300,000</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Pease</td>
<td>KC-46A ADAL Airfield Pave-</td>
<td>$7,100,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ments and Hydrant Systems</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, 2017, 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 (division 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.
SEC. 2703. UPDATE TO REPORT ON INFRASTRUCTURE CAPACITY.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall prepare and release to the public an updated version of the March 2016 report on “Department of Defense Infrastructure Capacity.”

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing

SEC. 2801. ELIMINATION OF WRITTEN NOTICE REQUIREMENT FOR MILITARY CONSTRUCTION ACTIVITIES AND RELIANCE ON ELECTRONIC SUBMISSION OF NOTIFICATIONS AND REPORTS.

(a) MILITARY CONSTRUCTION AUTHORITIES.—Subtitle chapter I of chapter 169 of title 10, United States Code, is amended as follows:

(1) Section 2803(b) is amended—

(A) by striking “in writing”;

(B) by striking “seven-day period” and inserting “five-day period”; and

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(C) by striking “or, if earlier, the end of
the seven-day period beginning on the date on
which a copy of the notification is provided”.

(2) Section 2804(b) is amended—

(A) by striking “in writing”;

(B) by striking “14-day period” and in-
serting “seven-day period; and”

(C) by striking “or, if earlier, the end of
the seven-day period beginning on the date on
which a copy of the notification is provided”.

(3) Section 2805 is amended—

(A) in subsection (b)(2)—

(i) by striking “in writing”; 

(ii) by striking “21-day period” and
inserting “14-day period”; and

(iii) by striking “or, if earlier, the end
of the 14-day period beginning on the date
on which a copy of the notification is pro-
vided”; and

(B) in subsection (d)(3)—

(i) by striking “in writing”; 

(ii) by striking “21-day period” and
inserting “14-day period”; and

(iii) by striking “or, if earlier, the end
of the 14-day period beginning on the date
on which a copy of the notification is pro-
vided”.

(4) Section 2806(c) is amended—

(A) in paragraph (1), by inserting “of De-
fense” after “The Secretary”; and

(B) by striking “(A)” and all that follows
through the end of the paragraph and inserting
the following: “, only after the end of the 14-
day period beginning on the date on which the
Secretary submits, in an electronic medium pur-
suant to section 480 of this title, to the appro-
priate committees of Congress notice of the in-
crease, including the reasons for the increase
and the source of the funds to be used for the
increase.”.

(5) Section 2807 is amended—

(A) in subsection (b)—

(i) by striking “21-day period” and
inserting “14-day period”; and

(ii) by striking “or, if earlier, the end
of the 14-day period beginning on the date
on which a copy of the report is provided”;

and

(B) in subsection (e), by striking “(1)”
and all that follows through the end of the sub-
section and inserting the following: “only after
the end of the 14-day period beginning on the
date on which the Secretary submits, in an elec-
tronic medium pursuant to section 480 of this
title, to the appropriate committees of Congress
notice of the need for the increase, including
the source of funds to be used for the in-
crease.”.

(6) Section 2808(b) is amended by inserting
after “notify” the following: “, in an electronic me-
dium pursuant to section 480 of this title,”.

(7) Section 2809 is amended by striking sub-
section (f) and inserting the following new sub-
section:

“(f) NOTICE AND WAIT REQUIREMENTS.—The Sec-
retary concerned may enter into a contract under this sec-
tion only after the end of the 14-day period beginning on
the date on which the Secretary submits, in an electronic
medium pursuant to section 480 of this title, to the appro-
priate committees of Congress a justification of the need
for the facility covered by the proposed contract, including
an economic analysis (based upon accepted life cycle cost-
ing procedures) which demonstrates that the proposed
contract is cost effective when compared with alternative
means of furnishing the same facility.”.
Section 2811(d) is amended by inserting after “submit” the following: “, in an electronic medium pursuant to section 480 of this title,”.

Section 2812(c) is amended by striking paragraph (1) and inserting the following new paragraph:

“(1) The Secretary concerned may enter into a lease under this section only after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a justification of the need for the facility covered by the proposed lease, including an economic analysis (based upon accepted life-cycle costing procedures) that demonstrates the cost effectiveness of the proposed lease compared with a military construction project for the same facility.”.

Section 2813(c) is amended—

 (A) by striking “transmits to the appropriate committees of Congress a written notification” and inserting “notifies the appropriate committees of Congress”;

 (B) by striking “21-day period” and inserting “14-day period”; and
(C) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the report is provided”.

(11) Section 2814 is amended—

(A) in subsection (a); and

(B) by striking subsection (g) and inserting the following new subsection:

“(g) NOTICE AND WAIT REQUIREMENTS.—The Secretary of the Navy may carry out a transaction authorized by this section only after the end of the 20-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the transaction, including a detailed description of the transaction and a justification for the transaction specifying the manner in which the transaction will meet the purposes of this section.”.

(b) MILITARY FAMILY HOUSING ACTIVITIES.—Subchapter II of chapter 169 of title 10, United States Code, is amended as follows:

(1) Section 2825(b) is amended—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(B) in paragraph (5), as redesignated—
(i) by striking “the first sentence of”; and

(ii) by striking “in that sentence” and inserting “in that paragraph”; and

(C) in paragraph (1)—

(i) in the second sentence, by striking “The Secretary concerned may waive the limitations contained in the preceding sentence” and inserting the following:

“(2) The Secretary concerned may waive the limitations contained in paragraph (1)”;

(ii) in the third sentence, by striking “the Secretary transmits” and all that follows through the end of the sentence and inserting the following: “the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the proposed waiver, together with an economic analysis demonstrating that the improvement will be cost effective.”.

(2) Section 2827 is amended—
(A) in subsection (a), by inserting “RELOCATION AUTHORITY.—” after “(a)”; and

(B) by striking subsection (b) and inserting the following new subsection:

“(b) NOTICE AND WAIT REQUIREMENTS.—A contract to carry out a relocation of military family housing units under subsection (a) may be awarded only after the end of the 14-day period beginning on the date on which the Secretary concerned submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the proposed new locations of the housing units to be relocated and the estimated cost of and source of funds for the relocation.”.

(3) Section 2828(f) is amended by striking “may not be made” and all that follows through the end of the subsection and inserting “may be made under this section only after the end of the 14-day period beginning on the date on which the Secretary concerned submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the facts concerning the proposed lease.”.

(4) Section 2831(f) is amended by striking “until—” and all that follows through the end of the subsection and inserting the following: “until after
the end of the 14-day period beginning on the date
on which the Secretary submits, in an electronic me-
dium pursuant to section 480 of this title, to the ap-
propriate committees of Congress a justification of
the need for the maintenance or repair project, in-
cluding an estimate of the cost of the project.”.

(5) Section 2835 is amended by striking sub-
section (g) and inserting the following new sub-
section:

“(g) NOTICE AND WAIT REQUIREMENTS.—A con-
tract may be entered into for the lease of housing facilities
under this section only after the end of the 14-day period
beginning on the date on which the Secretary of Defense,
or the Secretary of Homeland Security with respect to the
Coast Guard when it is not operating as a service in the
Navy, submits, in an electronic medium pursuant to sec-
tion 480 of this title, to the appropriate committees of
Congress an economic analysis (based upon accepted life
cycle costing procedures) which demonstrates that the pro-
posed contract is cost-effective when compared with alter-
native means of furnishing the same housing facilities.”.

(6) Section 2835a(c) is amended by striking
“until—” and all that follows through the end of the
subsection and inserting the following: “until after
the end of the 14-day period beginning on the date
on which the Secretary submits, in an electronic me-
dium pursuant to section 480 of this title, to the ap-
propriate committees of Congress a notice of the in-
tent to undertake the conversion.”.

(c) Administrative Provisions.—Subchapter III
of chapter 169 of title 10, United States Code, is amended
as follows:

(1) Section 2853(c) is amended—

(A) by striking “in writing” both places it

appears;

(B) in paragraph (1)(B)—

(i) by striking “period of 21 days”

and inserting “14-day period”; and

(ii) by striking “or, if over sooner, a

period of 14 days has elapsed after the

date on which a copy of the notification is

provided”; and

(C) in paragraph (2), by inserting after

“notifies” the following: “‘, using an electronic

medium pursuant to section 480 of this title,’’.

(2) Section 2854(b) is amended—

(A) by striking “in writing”; 

(B) by striking “21-day period” and in-
serting “14-day period”; and
(C) by striking “or, if earlier, the end of
the seven-day period beginning on the date on
which a copy of the notification is provided”.

(3) Section 2854a is amended by striking sub-
section (c) and inserting the following new sub-
section:

“(c) NOTICE AND WAIT REQUIREMENTS.—(1) The
Secretary concerned may enter into an agreement to con-
vey a family housing facility under this section only after
the end of the 14-day period beginning on the date on
which the Secretary submits, in an electronic medium pur-
suant to section 480 of this title, to the appropriate com-
mittees of Congress a notice containing a justification for
the conveyance under the agreement.

“(2) A notice under paragraph (1) shall include—
“(A) an estimate of the consideration to be pro-
vided the United States under the agreement;
“(B) an estimate of the cost of repairing the
family housing facility to be conveyed; and
“(C) an estimate of the cost of replacing the
family housing facility to be conveyed.”.

(4) Section 2861(c) is amended—
(A) by striking “in writing”; 
(B) by striking “21-day period” and in-
serting “14-day period”; and
(C) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided”.

(5) Section 2866(c)(2) is amended—

(A) by striking “21-day period” and inserting “14-day period”; and

(B) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided”.

(6) Section 2869(d)(3) is amended—

(A) in the first sentence, by striking “after a period of 21 days” and all that follows through the end of the sentence and inserting the following: “after the end of the 14-day period beginning on the date of the submission of the notice in an electronic medium pursuant to section 480 of this title.”; and

(B) in the second sentence, by striking “only after” and all that follows through the end of the sentence and inserting the following: “only after the end of the 45-day period beginning on the date of the submission of the notice in an electronic medium pursuant to section 480 of this title.”
(d) ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.—Subchapter IV of chapter 169 of title 10, United States Code, is amended as follows:

(1) Section 2881a(d)(2) is amended by inserting after “Congress” the following: “in an electronic medium pursuant to section 480 of this title”.

(2) Section 2883(f) is amended—

(A) by striking “30-day period” and inserting “14-day period”;

(B) by striking “written”; and

(C) by striking “or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notice and justification is provided”.

(3) Section 2884(a) is amended by striking paragraph (4) and inserting the following new paragraph:

“(4) The report shall be submitted in an electronic medium pursuant to section 480 of this title not later than 21 days before the date on which the Secretary issues the contract solicitation or offers the conveyance or lease.”.

(4) Section 2885 is amended—

(A) in subsection (a)(4)(B)—
(i) by inserting after “notify” the follow-
lowing: “, in an electronic medium pursu-
ant to section 480 of this title,”; and
(ii) by striking “, and shall provide”
and inserting “and include”; and
(B) in subsection (d), by inserting after
“submit” the following: “, in an electronic me-
dium pursuant to section 480 of this title,”.
(e) ENERGY SECURITY ACTIVITIES.—Chapter 173 of
title 10, United States Code, is amended as follows:
(1) Section 2914(b)(1) is amended—
(A) by striking “in writing”;
(B) by striking “21-day period” and in-
serting “14-day period”; and
(C) by striking “or, if earlier, the end of
the 14-day period beginning on the date on
which a copy of the notification is provided”.
(2) Section 2916(c) is amended—
(A) by striking “in writing”;
(B) by striking “21-day period” and in-
serting “14-day period”; and
(C) by striking “or, if earlier, the end of
the 14-day period beginning on the date on
which a copy of the notification is provided”.
(f) MILITARY CONSTRUCTION CARRIED OUT USING
BURDEN SHARING CONTRIBUTIONS.—Section 2350j(e)(2)
of title 10, United States Code, is amended—

(1) by striking “21-day period” and inserting
“14-day period”; and

(2) by striking “or, if earlier, the end of the 14-
day period beginning on the date on which a copy
of the report is provided”.

(g) ACQUISITION OF FACILITIES FOR RESERVE COM-
ONENTS BY EXCHANGE.—Section 18240(f)(2) of title
10, United States Code, is amended—

(1) by striking “30-day period” and inserting
“21-day period”; and

(2) by striking “or, if earlier, the end of the 21-
day period beginning on the date on which a copy
of the report is provided”.

SEC. 2802. MODIFICATION OF THRESHOLDS APPLICABLE
TO UNSPECIFIED MINOR CONSTRUCTION
PROJECTS.

(a) INCREASE IN THRESHOLD; UNIFORM THRESH-
OLD FOR ALL PROJECTS.—Section 2805(a)(2) of title 10,
United States Code, is amended—

(1) in the first sentence, by striking
“$3,000,000” and inserting “$6,000,000”; and

(2) by striking the second sentence.
(b) Notice Requirements.—Section 2805(b)(1) of such title is amended by striking “$1,000,000” and inserting “$750,000”.

(c) Use of Operation and Maintenance Funds.—Section 2805(c) of such title is amended by striking “$1,000,000” and inserting “$2,000,000”.

SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.


(1) in paragraph (1), by striking “December 31, 2017” and inserting “December 31, 2018”; and

(2) in paragraph (2), by striking “fiscal year 2018” and inserting “fiscal year 2019”.

(b) Limitation on Use of Authority.—Subsection (c)(1) of such section is amended—

(1) by striking “October 1, 2016” and inserting “October 1, 2017”;
(2) by striking “December 31, 2017” and inserting “December 31, 2018”; and
(3) by striking “fiscal year 2018” and inserting “fiscal year 2019”.

SEC. 2804. USE OF OPERATION AND MAINTENANCE FUNDS FOR MILITARY CONSTRUCTION PROJECTS TO REPLACE FACILITIES DAMAGED OR DESTROYED BY NATURAL DISASTERS OR TERRORISM INCIDENTS.

(a) Authorizing Use of Funds.—Section 2854 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c)(1) In using the authority described in subsection (a) to carry out a military construction project to replace a facility, including a family housing facility, that has been damaged or destroyed, the Secretary concerned may use appropriations available for operation and maintenance if—

“(A) the damage or destruction to the facility was the result of a natural disaster or a terrorism incident; and

“(B) the Secretary submits a notification to the appropriate committees of Congress of the decision to carry out the replacement project, and includes in the notification—
“(i) the current estimate of the cost of the replacement project;

“(ii) the source of funds for the replacement project;

“(iii) in the case of damage to a facility rather than destruction, a certification that the replacement project is more cost-effective than repair or restoration; and

“(iv) a certification that deferral of the replacement project for inclusion in the next Military Construction Authorization Act would be inconsistent with national security or the protection of health, safety, or environmental quality, as the case may be.

“(2) A replacement project under this subsection may be carried out only after the end of the 7-day period beginning on the date on which a copy of the notification described in paragraph (1) is provided in an electronic medium pursuant to section 480 of this title.

“(3) The maximum aggregate amount that the Secretary concerned may obligate from appropriations available for operation and maintenance in any fiscal year for replacement projects under the authority of this subsection is $50,000,000.”.
(b) CONFORMING AMENDMENT.—Subsection (b) of section 2854 of such title, as amended by section 2801(c)(2), is amended by striking “under this section” and inserting “under subsection (a)”.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. ELIMINATION OF WRITTEN NOTICE REQUIREMENT FOR MILITARY REAL PROPERTY TRANSACTIONS AND RELIANCE ON ELECTRONIC SUBMISSION OF NOTIFICATIONS AND REPORTS.

(a) GENERAL REAL PROPERTY TRANSACTION REPORT.—Section 2662(a) of title 10, United States Code, is amended by striking paragraph (3) and inserting a new paragraph:

“(3) The authority of the Secretary concerned to enter into a transaction described in paragraph (1) commences only after the end of the 14-day period beginning on the first day of the first month beginning on or after the date on which the report containing the facts concerning such transaction, and all other such proposed transactions for that month, is provided in an electronic medium pursuant to section 480 of this title.”.
(b) Acquisition of Interests in Land When Need Is Urgent.—Section 2663(d)(2) of title 10, United States Code, is amended—

(1) by inserting after “submit” the following: “,
in an electronic medium pursuant to section 480 of this title,”; and

(2) by striking “written notice” and inserting “a notice”.

(c) Acquisition of Land by Condemnation for Certain Military Purposes.—Section 2663(f)(2) of title 10, United States Code, is amended by striking “or, if over sooner, the end of the 14-day period beginning on the date on which a copy of the report is provided”.

(d) Exceptions to Limitations on Land Acquisition Reduction in Scope or Increase in Cost.—Section 2664(d) of title 10, United States Code, is amended—

(1) by striking “written”;

(2) by striking “a period of 21 days elapses from” and inserting “the end of the 14-day period beginning on”; and

(3) by striking “or, if over sooner, a period of 14 days elapses from the date on which a copy of that notification is provided”.

(e) Leases of Non-Excess Defense Property.—Section 2667(d)(3) of title 10, United States Code, is
amended by striking “provide to the congressional defense committees written notice” and inserting “submit, in an electronic medium pursuant to section 480 of this title, to the congressional defense committees a notice”.

(f) MAINTENANCE AND REPAIR AND JURISDICTION OVER FACILITIES FOR DEFENSE AGENCIES.—Section 2682(c)(2) of title 10, United States Code, is amended by striking “to the appropriate congressional committees written notification” and inserting “, in an electronic medium pursuant to section 480 of this title, to the appropriate congressional committees a notice”.

(g) AGREEMENTS TO LIMIT ENCROACHMENTS AND OTHER CONSTRAINTS ON MILITARY TRAINING, TESTING, AND OPERATIONS.—Section 2684a(d)(4)(D) of title 10, United States Code, is amended—

(1) in clause (i), by striking “provides written notice” and inserting “submits, in an electronic medium pursuant to section 480 of this title, a notice”;

and

(2) in clause (ii), by striking “14 days” and all that follows through the end of the clause and inserting the following: “10 days after the date on which the notice is submitted under clause (i).”.

(h) CONVEYANCE OF SURPLUS REAL PROPERTY FOR NATURAL RESOURCE CONSERVATION.—Section 2694a of
title 10, United States Code, is amended by striking sub-
section (e) and inserting the following new subsection:

“(e) NOTICE AND WAIT REQUIREMENTS.—The Sec-
retary concerned may not approve of the reconveyance of
real property under subsection (c) or grant the release of
a covenant under subsection (d) until after the end of the
14-day period beginning on the date on which the Sec-
retary submits, in an electronic medium pursuant to sec-
tion 480 of this title, to the appropriate committees of
Congress a notice of the proposed reconveyance or re-
lease.”.

SEC. 2812. CLARIFICATION OF APPLICABILITY OF FAIR
MARKET VALUE CONSIDERATION IN GRANTS
OF EASEMENTS ON MILITARY LANDS FOR
RIGHTS-OF-WAY.

Section 2668(e) of title 10, United States Code, is
amended—

(1) in the subsection heading, by striking “Disp-
osition of” and inserting “Conditions and”;

and

(2) by striking “Subsections (e) and (e)” and
inserting “Subsections (b)(4), (e), and (e)”.
SEC. 2813. CRITERIA FOR EXCHANGES OF PROPERTY AT MILITARY INSTALLATIONS.

Paragraph (2) of section 2869(a) of title 10, United States Code, is amended to read as follows:

“(2) Paragraph (1) applies with respect to real property under the jurisdiction of the Secretary concerned—

“(A) that is located on a military installation that is closed or realigned under a base closure law; or

“(B) that is located on a military installation not covered by subparagraph (A) and for which the Secretary concerned makes a determination that the conveyance under paragraph (1) is advantageous to the United States.”.

SEC. 2814. PROHIBITING USE OF UPDATED ASSESSMENT OF PUBLIC SCHOOLS ON DEPARTMENT OF DEFENSE INSTALLATIONS TO SUPERSEDE FUNDING OF CERTAIN PROJECTS.

(a) Prohibiting Use of Updated Assessment to Supersede Funding of Certain Public School Projects.—Subsection (a) of section 2814 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2717) is amended by adding at the end the following new paragraph:

“(3) Prohibiting use of updated assessment to supersede funding of certain re-
MAINING PROJECTS.—In determining which projects will be funded under the programs described in paragraph (2), the Secretary may not, on the basis of the updated assessment described in paragraph (1), supersede the funding of any of the remaining projects which were included among the 33 projects for which Secretary assigned the highest priority for receiving funds under the assessment of the capacity and facility condition deficiencies of elementary and secondary public schools on military installations conducted by the Secretary in July 2011 under section 8109 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10; 125 Stat. 82).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the National Defense Authorization Act for Fiscal Year 2017.

SEC. 2815. REQUIREMENTS FOR WINDOW FALL PREVENTION DEVICES IN MILITARY FAMILY HOUSING.

(a) REQUIREMENT.—Chapter 169 of title 10, United States Code, is amended by inserting after section 2878 the following new section:
“§ 2879. Window fall prevention devices in military family housing units

(a) REQUIRING USE OF DEVICES ON CERTAIN WINDOWS.—The Secretary concerned shall ensure that if a window in any military family housing unit acquired or constructed under this chapter is described in subsection (b), including a window designed for emergency escape or rescue, the window is equipped with fall prevention devices that protect against unintentional window falls by young children and that are in compliance with applicable International Building Code (IBC) standards.

(b) WINDOWS DESCRIBED.—A window is described in this subsection if the bottom sill of the window is within 36 inches of the floor, as measured in the interior of the unit.”.

(b) BRIEFING ON IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of each military department shall brief the Committee on Armed Services of the House of Representatives on the implementation of section 2879 of title 10, United States Code (as added by subsection (a)), and include in the briefing the following:

(1) The extent to which the Secretary is in compliance with the requirements of such section.
(2) A plan for the retrofitting of existing military family housing units to enable the units to meet the requirements of such section.

(3) The feasibility and cost-effectiveness of expanding the requirements of such section to apply to windows for which the bottom sill—

(A) is within 42 inches of the floor, as measured in the interior of the unit; or

(B) is 72 inches or more above the ground, as measured on the exterior of the unit.

(4) The feasibility and cost-effectiveness of modifying the requirements of such section to require windows to be equipped with fall prevention devices that meet the following requirements:

(A) The device attaches to the window frame and covers the entire opening with materials of sufficient strength to withstand 60 pounds (27 kg) of force.

(B) The device allows protection in case of a fully opened window.

(C) The device prohibits the passage of a 4 inch rigid sphere anywhere in the window opening.

(D) The device has a 2 step release mechanism that—
(i) allows the window to be fully opened for emergency escape or rescue with no more than 15 lb ft of force;

(ii) requires 2 distinct actions to operate;

(iii) is clearly identified for use in an emergency; and

(iv) is not designed in a manner which accommodates the use of locking devices which require special tools or knowledge to operate, such as combination locks or keyed locks.

(5) The feasibility and cost-effectiveness of extending the requirements of such section to private housing leased or otherwise used by military families.

(6) The feasibility and cost-effectiveness of other potential methods to protect against unintentional window falls by young children in military family housing units.

(c) Clerical Amendment.—The table of sections for chapter 169 of such title is amended by inserting after the item relating to section 2878 the following new item:

"2879. Window fall prevention devices in military family housing units."
SEC. 2816. AUTHORIZING REIMBURSEMENT OF STATES FOR COSTS OF SUPPRESSING WILDFIRES CAUSED BY DEPARTMENT OF DEFENSE ACTIVITIES ON STATE LANDS; RESTORATION OF LANDS OF OTHER FEDERAL AGENCIES FOR DAMAGE CAUSED BY DEPARTMENT OF DEFENSE VEHICLE MISHAPS.

(a) AUTHORITIES.—Section 2691 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “or lease” each place it appears;

(2) in subsection (b), by striking “or lease”;

(3) in subsection (c), by striking “lease,”; and

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

“(d) WILDLAND FIRES ON STATE LAND.—The Secretary of Defense may, in any lease, permit, license, or other grant of access for use of lands owned by a State, agree to reimburse the State for the reasonable costs of the State in suppressing wildland fires caused by the activities of the Department of Defense under such lease, permit, license, or other grant of access.

“(e) RESTORATION OF LAND DAMAGED BY MISHAP.—(1) When land under the administrative jurisdiction of a Federal agency that is not a part of the Department of Defense is damaged as the result of a mishap...
involving a vessel, aircraft, or vehicle of the Department of Defense, the Secretary of Defense may, with the consent of the Federal agency, restore the land.

“(2) When land under the administrative jurisdiction of the Department of Defense or a military department is damaged as the result of a mishap involving a vessel, aircraft, or vehicle of a Federal agency that is not a part of the Department of Defense, the head of the Federal agency under whose control the vessel, aircraft, or vehicle was operating may, with the consent of the Department of Defense, restore the land.”.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in the heading, by striking “LEASE” and inserting “DAMAGED BY MISHAP; REIMBURSEMENT OF STATE COSTS OF FIGHTING WILDLAND FIRES”;

(2) in subsection (a), by striking “(a) The Secretary” and inserting “(a) RESTORATION OF OTHER AGENCY LAND USED BY PERMIT.—The Secretary”;

(3) in subsection (b), by striking “(b) Unless” and inserting “(b) SCREENING FOR USE OF IMPROVED LAND.—Unless”; and

(4) in subsection (c), by striking “(c)(1) As a condition” and inserting “(c) RESTORATION OF DE-
PARTMENT OF DEFENSE LAND USED BY OTHER AGENCY.—(1) As a condition”.

(c) CLERICAL AMENDMENT.—The table of sections of chapter 159 of such title is amended by amending the item relating to section 2691 to read as follows:

“2691. Restoration of land used by permit or damaged by mishap; reimbursement of State costs of fighting wildland fires.”.

SEC. 2817. PROHIBITING COLLECTION OF ADDITIONAL AMOUNTS FROM MEMBERS LIVING IN UNITS UNDER MILITARY HOUSING PRIVATIZATION INITIATIVE.

(a) PROHIBITION.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2886. Prohibiting collection of amounts in addition to rent from members assigned to units

“(a) PROHIBITION.—An agreement for acquiring or constructing a military family housing unit or military unaccompanied housing unit under this subchapter which is entered into between the Secretary and an eligible entity shall prohibit the entity from imposing on a member of the armed forces who occupies the unit a supplemental payment (such as an out-of-pocket fee) in addition to the amount of rent the eligible entity charges for a unit of similar size and composition, without regard to whether
or not the amount of the member’s basic allowance for housing is less than the amount of the rent.

“(b) Permitting Certain Additional Payments.—Nothing in this section shall be construed to prohibit an eligible entity from imposing an additional payment for optional services provided to residents, such as access to a gym or a parking space, or an additional payment for non-essential utility services, as determined in accordance with regulations promulgated by the Secretary.

“(c) No Effect on Rental Guarantees or Differential Lease Payments.—Nothing in this section shall be construed to limit or otherwise affect the authority of the Secretary to enter into rental guarantee agreements under section 2876 of this title or to make differential lease payments under section 2877 of this title, so long as such agreements or payments do not require a member of the armed forces who is assigned to a military family housing unit or military unaccompanied housing unit under this subchapter to pay an out-of-pocket fee or payment in addition to the member’s basic housing allowance.”.

(b) Clerical Amendment.—The table of sections for subchapter IV of chapter 169 of such title is amended by adding at the end the following new item:

“2886. Prohibiting collection of amounts in addition to rent from members assigned to units.”.
SEC. 2818. CERTIFICATION RELATED TO CERTAIN ACQUISITIONS OR LEASES OF REAL PROPERTY.

Section 2662(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking the period at the end and inserting the following: “, as well as the certification described in paragraph (5).”; and

(2) by adding at the end the following:

“(5) For purposes of paragraph (2), the certification described in this paragraph with respect to an acquisition or lease of real property is a certification that the Secretary concerned—

“(A) evaluated the feasibility of using space in property under the jurisdiction of the Department of Defense to satisfy the purposes of the acquisition or lease; and

“(B) determined that—

“(i) space in property under the jurisdiction of the Department of Defense is not reasonably available to be used to satisfy the purposes of the acquisition or lease;

“(ii) acquiring the property or entering into the lease would be more cost-effective than the use of the Department of Defense property; or
“(iii) the use of the Department of Defense property would interfere with the ongoing military mission of the property.”.

SEC. 2819. IMPROVED PROCESS FOR DISPOSAL OF DEPARTMENT OF DEFENSE SURPLUS REAL PROPERTY LOCATED OVERSEAS.

(a) Petition to Acquire Surplus Property.—2687a of title 10, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

“(g) Petition Process for Disposal of Overseas Surplus Real Property.—(1) The Secretary of Defense shall establish a process by which a foreign government may request the transfer of surplus real property or improvements under the jurisdiction of the Department of Defense in the foreign country.

“(2) Upon the receipt of a petition under this subsection, the Secretary shall determine within 90 days whether the property or improvement subject to the petition is surplus. If surplus, the Secretary shall seek to enter into an agreement with the foreign government within one year for the disposal of the property.
“(3) If real property or an improvement is determined not to be surplus, the Secretary shall not be obligated to consider another petition involving the same property or improvement for five years beginning on the date on which the initial determination was made.”.

(b) ADDITIONAL USE OF DEPARTMENT OF DEFENSE OVERSEAS MILITARY FACILITY INVESTMENT RECOVERY ACCOUNT.—Section 2687a(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting “property disposal agreement,” after “forces agreement,”; and

(2) in paragraph (2)—

(A) by striking “and” at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting “; and”; and

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

“(C) military readiness programs.”.

(e) REPORTING REQUIREMENT.—Section 2687a(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) A report under paragraph (1) also shall specify the following:
“(A) The number of petitions received under subsection (g) from foreign governments requesting the transfer of surplus real property or improvements under the jurisdiction of the Department of Defense overseas.

“(B) The status of each petition, including whether reviewed, denied, or granted.

“(C) The implementation status of each granted petition.”.

Subtitle C—Land Conveyances

SEC. 2821. LAND EXCHANGE, NAVAL INDUSTRIAL RESERVE ORDNANCE PLANT, SUNNYVALE, CALIFORNIA.

(a) LAND EXCHANGE AUTHORIZED.—The Secretary of the Navy may convey to an entity (in this section referred to as the “Exchange Entity”) all right, title, and interest of the United States in and to the parcel of real property, including improvements thereon, comprising the Naval Industrial Reserve Ordnance Plant (NIROP) located in Sunnyvale, California in exchange for—

(1) real property, including improvements thereon, that will replace the NIROP and meet the readiness requirements of the Department of the Navy, as determined by the Secretary; and
(2) relocation of contractor and Government personnel and equipment from the NIROP to the replacement facilities.

(b) Land Exchange Agreement.—

(1) IN GENERAL.—The exchange authorized under subsection (a) shall be governed by a land exchange agreement that identifies the property to be exchanged (including improvements thereon), the time period in which the exchange will occur, and the roles and responsibilities of the Secretary and the Exchange Entity in carrying out the exchange.

(2) COMPLIANCE WITH ENVIRONMENTAL LAWS.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(c) Valuation; Cash Equalization Payment if NIROP Value Exceeds Value of Exchanged Property.—

(1) VALUATION.—The values of the properties to be exchanged by the Secretary and the Exchange Entity under subsection (a) (including improvements thereon) shall be determined by an independent appraiser selected by the Secretary, and in accordance
with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(2) Cash Equalization Payment.—If, as determined in accordance with paragraph (1), the value of the NIROP is greater than the combination of the value of the property to be conveyed by the Exchange Entity under subsection (a) and the relocation costs covered by the Exchange Entity under such subsection, the Exchange Entity shall make a cash equalization payment to the Secretary to equalize the values. Nothing in this paragraph may be construed to require the Secretary to make a cash equalization payment to the Exchange Entity if the value of the property to be conveyed by the Exchange Entity and the relocation costs covered by the Exchange Entity are greater than the value of the NIROP.

(d) Payment of Costs of Conveyance.—The Secretary shall require the Exchange Entity to pay costs incurred by the Department of the Navy to carry out the exchange authorized under subsection (a), including costs incurred for land surveys, environmental documentation, the review of replacement facilities design, real estate due diligence (including appraisals), preparing and executing
the agreement described in subsection (b), and any other administrative costs related to the exchange. If amounts are collected from the Exchange Entity 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 exchange under subsection (a), the Secretary shall refund the excess amount to the Exchange Entity.

(e) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under subsections (a), (c)(2), and (d) shall be used in accordance with section 2695(c) of title 10, United States Code.

(f) DESCRIPTION OF PROPERTY.—The exact legal description of the property, including acreage, to be exchanged under subsection (a) shall be determined by surveys satisfactory to the Secretary.

(g) RELATION TO OTHER MILITARY CONSTRUCTION REQUIREMENTS.—

(1) EXCLUSION FROM TREATMENT AS MILITARY CONSTRUCTION PROJECT.—The acquisition or disposition of any property pursuant to the exchange authorized under subsection (a) shall not be treated as a military construction project for which an authorization is required by section 2802 of title 10,
United States Code, or for which reporting is required by section 2662 of such title.

(2) Exclusion of requirement for prior screening by General Services Administration for additional federal use.—Section 2696(b) of title 10, United States Code, does not apply to the conveyance of any real property pursuant to the exchange authorized under subsection (a).

(h) Additional terms and conditions.—The Secretary may require such additional terms and conditions in connection with the exchange authorized under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(i) Sunset.—The authority provided to the Secretary to carry out the exchange under subsection (a) shall expire on October 1, 2023.

SEC. 2822. LAND CONVEYANCE, NAVAL SHIP REPAIR FACILITY, GUAM.

(a) Conveyance.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the Navy shall convey, without consideration, to the Guam Economic Development Authority (hereafter referred to as the “Authority”) all right, title, and interest of the United States in and to the real property (including improvements thereon and related personal property) consisting of the

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former Naval Ship Repair Facility in Guam, as identified under the base realignment and closure authority carried out under 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), for purposes of providing support for ship repair and other military maintenance requirements.

(b) Reversionary Interest.—If the Secretary of the Navy determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to such property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) Payment of Costs of Conveyance.—The Secretary of the Navy shall be responsible for the costs of carrying out the conveyance under subsection (a), including survey costs, costs for environmental documentation and remediation, and any other administrative costs related to the conveyance.
(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined as set forth in the Environmental Impact Statement for the Relocation of U.S. Marine Corps Forces to Guam, as completed by the Secretary of the Navy in September 2010.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States and to ensure that the property conveyed is used in accordance with the purpose of the conveyance.

SEC. 2823. LAND CONVEYANCE, MOUNTAIN HOME AIR FORCE BASE, IDAHO.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey to the City of Mountain Home, Idaho (in this section referred to as the “City”) all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4.25 miles of railroad spur located near Mountain Home Air Force Base, Idaho, as further described in subsection (c), for the purpose of economic development.

(b) CONSIDERATION.—
(1) Consideration Required.—As consideration for the land conveyed under subsection (a), the City shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary. The City shall provide an amount that is acceptable to the Secretary, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof.

(2) In-Kind Consideration.—In-kind consideration provided by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facility or infrastructure under the jurisdiction of the Secretary.

(3) Treatment of Consideration Received.—Consideration in the form of cash payment received by the Secretary under paragraph (1) shall be deposited in the separate fund in the Treasury described in section 572(a)(1) of title 40, United States Code.

(e) Map and Legal Description.—

(1) In General.—As soon as practicable after the date of the enactment of this Act, the Secretary
of the Air Force shall publish a final map and legal
description of the property to be conveyed under
subsection (a), except that the Secretary may correct
minor errors in the map and legal description after
its initial publication.

(2) AVAILABILITY.—The map and legal descrip-
tion under this subsection shall be on file and avail-
able for public inspection.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT AUTHORIZED.—The Secretary of
the Air Force may require the City to cover the
costs to be incurred by the Secretary, or to reim-
burse the Secretary for the costs incurred by the
Secretary, in carrying out the conveyance under sub-
section (a), including survey costs, the costs of envi-
ronmental documentation, and other administrative
costs relating to the conveyance (other than costs for
environmental remediation of the property con-
veyed). If amounts are collected from the City in ad-
ance of the Secretary incurring the actual costs,
and the amount collected exceeds the costs actually
incurred by the Secretary to carry out the convey-
ance, the Secretary shall refund the excess amount
to the City.
(2) Treatment of amounts received.—

Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance 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 conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. 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) Reservation of use by Secretary.—After the conveyance under subsection (a), the City shall allow the Secretary of the Air Force to temporarily use, for urgent reasons of national defense and at no cost to the Secretary, all or a portion of the property conveyed under subsection (a).

(f) Additional terms and conditions.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.
SEC. 2824. LEASE OF REAL PROPERTY TO THE UNITED STATES NAVAL ACADEMY ALUMNI ASSOCIATION AND NAVAL ACADEMY FOUNDATION AT UNITED STATES NAVAL ACADEMY, ANNAPOLIS, MARYLAND.

(a) Authority.—The Secretary of the Navy may lease approximately 3 acres at the United States Naval Academy in Annapolis, Maryland to the United States Naval Academy Alumni Association Inc. and the United States Naval Academy Foundation Inc. (hereafter referred to as the “lessees”), for the purpose of enabling the lessees to construct, operate, and maintain the Alumni Association and Foundation Center.

(b) Duration of Lease.—At the option of the Secretary of the Navy, the lease entered into under this section shall be in effect for 50 years. Upon the expiration of the lease, the Secretary may extend the lease for such additional period as the Secretary may determine.

(c) Payments Under Lease.—

(1) Amount of Payments Based on Fair Market Value.—The Secretary of the Navy shall require the lessees to make payments under the lease entered into under this section, in cash or in the form of in-kind consideration, in an amount and form that reflects the fair market value of the lease as determined by the Secretary.
(2) Payments in the form of in-kind consideration.—

(A) Timing.—To the extent that the lessees make payments under the lease in the form of in-kind consideration, such consideration may be paid as a lump-sum payment for the entire lease term, or any part thereof, or in annual installments.

(B) Description of in-kind consideration.—The in-kind consideration paid under the lease—

(i) shall include the relocation of any Naval Support Activity Annapolis functions presently located on the land to be leased to alternate locations deemed sufficient by the Secretary; and

(ii) may include annual support (including cash, real property, or personal property) provided by the lessees after the date the lease is executed, to be used for the benefit of, or for use in connection with, the Naval Academy.

(d) Retention and Use of Funds.—Funds received under the lease entered into under this section may be retained for use in support of the Naval Academy and
to cover expenses incurred by the Secretary of the Navy in managing the lease.

(c) LEASEBACK PROHIBITED.—During the period in which the lease entered into under this section is in effect, the Secretary of the Navy may not lease any of the space constructed by the lessees on the property leased under this section.

(f) PAYMENT OF COSTS OF ENTERING INTO AND MANAGING LEASE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the lessees to cover the costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, in entering into and managing the lease under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the lease (as defined in section 2667 of title 10, United States Code). Any expenses incurred by the lessees pursuant to this provision may be considered in-kind consideration for purposes of subsection (c)(2) and may be credited against any payments due during the term of the lease.

(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 entering into and managing the lease.
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 condi-
tions and limitations, as amounts in such fund or
account. If amounts are collected from the lessees in
advance of the Secretary incurring the actual costs,
and the amount collected exceeds the costs actually
incurred by the Secretary in entering into and man-
aging the lease, the Secretary may refund the excess
amount to the lessees.

(g) DESCRIPTION OF PROPERTY.—The exact acreage
and legal description of the property to be leased under
this section shall be determined by a survey satisfactory
to the Secretary of the Navy, and may include property
currently used for public purposes.

(h) ADDITIONAL TERMS AND CONDITIONS.—The
Secretary of the Navy may require such additional terms
and conditions in connection with the lease entered into
under this section as the Secretary considers appropriate
to protect the interests of the United States.
SEC. 2825. LAND CONVEYANCE, NATICK SOLDIER SYSTEMS CENTER, MASSACHUSETTS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may sell and convey all right, title, and interest of the United States in and to parcels of real property, consisting of approximately 98 acres and improvements thereon, located in the vicinity of Hudson, Wayland, and Needham, Massachusetts, that are the sites of military family housing supporting military personnel assigned to the United States (U.S.) Army Natick Soldier Systems Center.

(b) COMPETITIVE SALE REQUIREMENT.—The Secretary shall use competitive procedures for the sale authorized by subsection (a).

(c) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—The Secretary shall require as consideration for conveyance under subsection (a), tendered by cash payment, an amount equal to no less than the fair market value, as determined by the Secretary, of the real property and any improvements thereon.

(2) CASH PAYMENTS.—

(A) CASH PAYMENTS DEPOSITED IN A SPECIAL ACCOUNT.—Cash payments provided as consideration under this subsection shall be de-
posited in a special account in the Treasury established for the Secretary.

(B) USE OF FUNDS IN SPECIAL ACCOUNT.—The Secretary is authorized to use funds deposited in the special account established under subparagraph (A) for—

(i) demolition of existing military family housing on the U.S. Army Natick Soldier Systems Center (other than housing on property conveyed under subsection (a)) that the Secretary determines necessary to accommodate construction of military family housing or unaccompanied soldier housing to support military personnel assigned to the U.S. Army Natick Soldier Systems Center;

(ii) construction or rehabilitation of military family housing or unaccompanied soldier housing to support military personnel assigned to the U.S. Army Natick Soldier Systems Center; or

(iii) construction of ancillary supporting facilities (as that term is defined in section 2871(1) of title 10, United States Code) to support military personnel as-
signed to the U.S. Army Natick Soldier Systems Center.

(C) Cash consideration not used prior to October 1, 2025.—Cash payments provided as consideration under this subsection that are received by the Secretary and not used by the Secretary for purposes authorized by subparagraph (B) prior to October 1, 2025, shall be transferred to an account in the Treasury established pursuant to section 2883 of title 10, United States Code.

(d) Description of parcels.—The exact acreage and legal description of the parcels to be conveyed under subsection (a) shall be determined by a survey that is satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the parcels.

(e) Additional terms and conditions.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) Inapplicability of certain provisions of law.—The conveyance of property under this section shall not be subject to section 2696 of title 10, United States Code.
(g) Definition of Secretary.—In this section the term “Secretary” means the Secretary of the Army.

Sec. 2826. Imposition of Additional Conditions on Land Conveyance, Castner Range, Fort Bliss, Texas.

Section 2844 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2157) is amended by adding at the end the following new subsection:

“(e) Additional Conditions on Any Conveyance of Castner Range.—

“(1) Conditions.—The real property described in subsection (a) may not be conveyed to the Department or any other governmental, public, or private entity unless the recipient agrees—

“(A) to prohibit the commercial development of the real property; and

“(B) to conserve and protect the ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources of the real property.

“(2) Reconveyance to Public Land Trust.—The conditions imposed by paragraph (1) do not prevent the recipient of real property described in subsection (a) from conveying all or a por-
tion of the real property to a public land trust so long as the public land trust agrees to comply with such conditions.

"(3) CONVEYANCE DEFINED.—In this subsection, the term ‘convey’ includes any transfer of administrative jurisdiction over the real property described in subsection (a) to another Federal agency."

SEC. 2827. REMOVAL OF CERTAIN DEED RESTRICTIONS AND REVERSIONS ASSOCIATED WITH CONVEYANCE OF PROPERTY OF FORMER DEFENSE DEPOT OGDEN, UTAH.

(a) NEGOTIATIONS TO REMOVE RESTRICTIONS AND REVERSIONS.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall enter into negotiations with the City of Ogden, Utah, and Weber County, Utah, on agreements to remove deed restrictions and reversionary provisions on the remaining property of the former Defense Depot Ogden.

(b) CONTENTS OF AGREEMENT.—The agreements entered into pursuant to subsection (a) shall include such terms and conditions as may be agreed to by the Secretary of the Interior and the City of Ogden and Weber County (as the case may be), except that the following terms and conditions shall apply:
(1) The Secretary may not remove the deed restrictions and reversionary provisions on the property of the former Defense Depot Ogden until there is a ratified agreement between the Secretary and the City of Ogden or Weber County (as the case may be) to encumber other specific properties owned by the City or County with the same appropriate reversionary interests in favor of the United States as are in effect with respect to the property of the former Defense Depot Ogden as of the date of the enactment of this Act.

(2) The properties of the City of Ogden or Weber County (as the case may be) that are encumbered pursuant to paragraph (1) shall have approximately equal value to the property of the former Defense Depot Ogden for which the deed restrictions and reversionary provisions are removed under the agreement.

(3) The City of Ogden and Weber County shall pay the costs (except any costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such reasonable and customary administrative expenses incurred by the Secretary, to carry out the agreement with respect to the City or County (as the case may
be), including survey and appraisal costs. If amounts are collected from the City of Ogden or Weber 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 agreement with respect to the City or County, the Secretary shall refund the excess amount to the City or County.

SEC. 2828. LAND CONVEYANCE, WASATCH-CACHE NATIONAL FOREST, RICH COUNTY, UTAH.

(a) LAND CONVEYANCE AUTHORIZED.—Not later than 6 months after the date of the enactment of this section, the Secretary of Agriculture shall convey, without consideration, to the Utah State University Research Foundation (in this section referred to as the “Foundation”) all right, title, and interest of the United States in and to a parcel of real property consisting of approximately 80 acres, including improvements thereon, located outside of the boundaries of the Wasatch-Cache National Forest in Rich County, Utah, within Sections 19 and 30, Township 14 North, Range 5 East, Salt Lake Base and Meridian for the purpose of permitting the Foundation to use the property for scientific and educational purposes.

(b) REVERSIONARY INTEREST.—If the Secretary of Agriculture determines at any time that the real property
conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) Payment of Costs of Conveyance.—

(1) Payment Required.—The Secretary of Agriculture shall require the Foundation to cover the costs (except any 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, and any other administrative costs related to the conveyance. If amounts are collected from the Foundation 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 Secretary shall refund the excess amount to the Foundation.
(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. 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.

(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 Agriculture.

(e) Additional Terms and Conditions.—The Secretary of Agriculture may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2829. LAND CONVEYANCE, FORMER MISSILE ALERT FACILITY KNOWN AS QUEBEC-01, LARAMIE COUNTY, WYOMING.

(a) Conveyance Authorized.—The Secretary of the Air Force may convey, without consideration, to the State of Wyoming (in this section referred to as the “State”), all right, title, and interest of the United States
in and to the real property, including any improvements thereon, consisting of the former Missile Alert Facility (MAF) known as “Quebec-01,” located in Laramie County, Wyoming, for the purpose of operating a historical site, interpretive center, or museum.

(b) Payment of Costs of Conveyance.—

(1) Payment required.—Subject to paragraph (2), the Secretary of the Air Force shall require the State to cover costs 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, and any other administrative costs related to the conveyance. If amounts are collected from the State 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 Secretary shall refund the excess amount to the State.

(2) Limitation on payment of costs by State.—

(A) Limitation.—Paragraph (1) shall apply only with respect to the costs the State agrees to cover under the Programmatic Agree-
ment described in subparagraph (B), as such Agreement is in effect at the time of the pay-
ment of the costs.

(B) PROGRAMMATIC AGREEMENT DE-
scribed.—The Programmatic Agreement de-
scribed in this subparagraph is the Pro-
grammatic Agreement between Francis E. War-
ren Air Force Base, and the Wyoming State
Historic Preservation Officer, Regarding the
Implementation of the Strategic Arms Reduc-
tion Treaty at Francis E. Warren Air Force
Base Cheyenne, Laramie County, Wyoming.

(3) TREATMENT OF AMOUNTS RECEIVED.—
Amounts received as reimbursement under para-
graph (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 such
fund or account has expired at the time of credit, to
an appropriate appropriation, fund, or account cur-
rently available to the Secretary for the purposes for
which the costs were paid. Amounts so credited shall
be merged with amounts in such appropriation,
fund, or account, and shall be available for the same
purpose, and subject to the same conditions and lim-
itations, as amounts in such fund or account.
(c) 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 Air Force.

(d) REVERSIONARY INTEREST.—If the Secretary of the Air Force determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in subsection (a), all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(e) ADDITIONAL TERMS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.
Subtitle D—Military Land
Withdrawals

SEC. 2831. INDEFINITE DURATION OF CERTAIN MILITARY
LAND WITHDRAWALS AND RESERVATIONS
AND IMPROVED MANAGEMENT OF WITH-
DRAWN AND RESERVED LANDS.

(a) IMPROVING MANAGEMENT OF CURRENT STATU-
TORY LAND WITHDRAWALS AND RESERVATIONS AND
MAKING MANAGEMENT MORE TRANSPARENT.—

(1) ROLE OF SECRETARY OF THE INTERIOR.—
Section 101(a)(2) of the Sikes Act (16 U.S.C.
670a(a)(2)) is amended by striking “, acting
through the Director of the United States Fish and
Wildlife Service,”.

(2) ADDITIONAL ELEMENTS OF INTEGRATED
NATURAL RESOURCES MANAGEMENT PLAN.—Section
101(b) of the Sikes Act (16 U.S.C. 670a(b)) is
amended—

(A) in paragraph (1)—

(i) in subparagraph (I), by striking
“and” after the semicolon;

(ii) by redesignating subparagraph (J)
as subparagraph (K); and

(iii) by inserting after subparagraph
(I) the following new subparagraph:
“(J) procedures to ensure that each periodic review of the plan is conducted jointly by
the Secretary of the military department and
the Secretary of the Interior, and that affected
States and Indian tribes, and the public, are
provided a meaningful opportunity to comment
upon any substantial revisions to the plan that
may be proposed; and”;

(B) by redesignating paragraphs (2) and
(3) as paragraphs (3) and (4), respectively; and
(C) by inserting after paragraph (1) the
following new paragraph:

“(2) shall contain a determination by the Sec-
retary of the military department regarding whether
there will be a continuing military need for the lands
covered by the integrated natural resources manage-
ment plan during the period of the plan;”.

(b) EL CENTRO NAVAL AIR FACILITY RANGES.—

(1) ELIMINATION OF TERMINATION DATE AND
CONFORMING AMENDMENTS.—The El Centro Naval
Air Facility Ranges Withdrawal Act (subtitle B of
title XXIX of Public Law 104–201; 110 Stat. 2813)
is amended—
(A) in section 2921(b)(3), by striking “,
before the termination date specified in section
2925,”;
(B) in section 2924(a), by striking the
third sentence;
(C) by striking sections 2925 and 2927;
and
(D) in section 2928(a), by striking “speci-
ified in section 2925”.

(2) ESTABLISHMENT OF INTERGOVERNMENTAL
executive committee.—The El Centro Naval Air
Facility Ranges Withdrawal Act (subtitle B of title
XXIX of Public Law 104–201; 110 Stat. 2813) is
further amended by inserting after section 2924 the
following new section:

“SEC. 2925. INTERGOVERNMENTAL EXECUTIVE COM-
MITTEE.
“(a) Establishment and Purpose.—The Sec-
retary of the Navy and the Secretary of the Interior shall
establish, by memorandum of understanding, an intergov-
ernmental executive committee for the sole purpose of ex-
changing views, information, and advice relating to the
management of the natural and cultural resources of the
lands withdrawn and reserved under this subtitle.
“(b) Composition.—
“(1) REPRESENTATIVES OF OTHER FEDERAL AGENCIES.—The Secretary of the Navy and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee.

“(2) REPRESENTATIVES OF STATE AND LOCAL GOVERNMENTS.—The Secretary of the Navy and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee—

“(A) at least one elected officer (or other authorized representative) from the government of the State of California; and

“(B) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

“(c) OPERATION.—The intergovernmental executive committee shall operate in accordance with the terms set forth in the memorandum of understanding under subsection (a).

“(d) PROCEDURES.—The memorandum of understanding under subsection (a) shall establish procedures for creating a forum for exchanging views, information,
and advice relating to the management of natural and cultural resources on the lands withdrawn and reserved under this subtitle, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

“(e) COORDINATOR.—The Secretary of the Navy, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee. The duties of the coordinator shall be included in the memorandum of understanding under subsection (a). The coordinator shall not be a member of the committee.

“(f) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the intergovernmental executive committee.”.

(3) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The El Centro Naval Air Facility Ranges Withdrawal Act (subtitle B of title XXIX of Public Law 104–201; 110 Stat. 2813) is further amended by inserting after section 2926 the following new section:
“SEC. 2927. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.

“(a) DETERMINATION OF CONTINUING MILITARY NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under this subtitle is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary of the Navy shall include the Secretary’s determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.

“(b) PUBLIC REPORTS.—

“(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan described in subsection (a), the Secretary of the Navy and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands withdrawn and reserved under this subtitle since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.
“(B) A report under subparagraph (A) shall include a summary of current military use of the lands withdrawn and reserved under this subtitle, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

“(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands withdrawn and reserved under this subtitle.

“(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the Navy and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands withdrawn and reserved under this subtitle.

“(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before
the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of El Centro, and any other means considered necessary or desirable by the Secretaries.

“(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.”.

(e) JUNIPER BUTTE RANGE.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Juniper Butte Range Withdrawal Act (title XXIX of Public Law 105–261; 112 Stat. 2226) is amended—

(A) in section 2915—

(i) in the section heading, by striking “Duration” and inserting “Relinquishment”; 

(ii) in subsection (a), by striking “Termination.—” and all that follows through “At the time of termination” and inserting “Effect of Relinquishment
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ON OPERATION OF GENERAL LAND

LAWS.—Upon relinquishment of Depart-

ment of the Air Force jurisdiction over

lands withdrawn and reserved by this

title’’;

(iii) in subsection (b)—

(I) in the subsection heading, by

inserting “PROCESS” after “RELIN-

QUISHMENT”;

(II) in paragraph (1), by striking

“under subsection (e)”; and

(III) in paragraph (3), by strik-

ing “before the date of termination,

as provided for in subsection (a)(1)”;

and

(iv) by striking subsection (e); and

(B) in section 2916—

(i) in the section heading, by striking

“or upon termination of with-

drawal”;

(ii) in subsection (a)(1), by striking

“and in all cases not later than 2 years be-

fore the date of termination of withdrawal

and reservation,”;
(iii) in subsection (b), by striking “environmental remediation” and all that follows through the end of the subsection and inserting “environmental remediation before relinquishing, to the Secretary of the Interior, jurisdiction over any lands identified in a notice of intent to relinquish under section 2915(b).”; and

(iv) in subsection (d)—

(I) in the subsection heading, by striking “TERMINATES” and inserting “RELINQUISHED”;

(II) by striking “termination date” both places it appears and inserting “relinquishment date”; and

(III) in paragraph (2), by striking “termination” and inserting “relinquishment”.

(2) Establishment of Intergovernmental Executive Committee.—Section 2910 of the Juniper Butte Range Withdrawal Act (title XXIX of Public Law 105–261; 112 Stat. 2231) is amended by adding at the end the following new subsection:

“(d) Intergovernmental Executive Committee.—
“(1) Establishment and Purpose.—The memorandum of understanding under subsection (a) shall be modified as provided in subsection (c) to establish an intergovernmental executive committee for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved by this title.

“(2) Composition.—(A) The Secretary of the Air Force and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee.

“(B) The Secretary of the Air Force and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee—

“(i) at least one elected officer (or other authorized representative) from the government of the State of Idaho; and

“(ii) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.
“(3) OPERATION.—The intergovernmental executive committee shall operate in accordance with the terms set forth in the memorandum of understanding.

“(4) PROCEDURES.—The memorandum of understanding shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the lands withdrawn and reserved by this title, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

“(5) COORDINATOR.—The Secretary of the Air Force, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee. The duties of the coordinator shall be included in the memorandum of understanding. The coordinator shall not be a member of the committee.

“(6) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the intergovernmental executive committee.”.
(3) **Determinations of continuing military need for withdrawal and reservation and public reports.**—Section 2909 of the Juniper Butte Range Withdrawal Act (title XXIX of Public Law 105–261; 112 Stat. 2230) is amended—

(A) in subsection (c), by adding at the end the following new sentence: “The review shall include the determination of the Secretary of the Air Force regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following 5 years.”; and

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

“(d) **Public Reports.**—

“(1) **Changes in land conditions.**—(A) Concurrent with each review of an integrated natural resources management plan developed under this section, the Secretary of the Air Force and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands withdrawn and reserved by this title since the later of the date of any previous report under this paragraph or the date of the envi-
environmental analysis prepared to support the actions
that changed the condition of the lands.

“(B) A report under subparagraph (A) shall in-
clude a summary of current military use of the lands
withdrawn and reserved by this title, any changes in
military use of the lands since the previous report,
and efforts related to the management of natural
and cultural resources and environmental remedi-
ation of the lands during the previous 5 years.

“(2) COMBINATION WITH OTHER REPORTS.—A
report under this subsection may be combined with,
or incorporate by reference, any contemporary report
required by any other provision of law regarding the
lands withdrawn and reserved by this title.

“(3) PUBLIC REVIEW AND COMMENT.—(A) Be-
fore the finalization of a report under this sub-
section, the Secretary of the Air Force and the Sec-
retary of the Interior shall invite interested members
of the public to review and comment on the report,
and shall hold at least one public meeting concerning
the report in a location or locations reasonably ac-
cessible to persons who may be affected by manage-
ment of the lands withdrawn and reserved by this
title.
“(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of the Juniper Butte Range (if one exists), and any other means considered necessary or desirable by the Secretaries.

“(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.”.

(d) RANGES COVERED BY SUBTITLE A OF MILITARY LANDS WITHDRAWAL ACT OF 1999.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885) is amended—

(A) by striking section 3015;

(B) by striking section 3016 and inserting the following new section:
SEC. 3016. RELINQUISHMENT.

(a) Notice of Intent Regarding Relinquishment.—If the Secretary of the military department concerned decides to relinquish all or any of the lands withdrawn and reserved by section 3011, such Secretary shall transmit a notice of intent to relinquish such lands to the Secretary of the Interior.

(b) Opening Date.—On the date of relinquishment of the withdrawal and reservation of lands withdrawn and reserved by section 3011, such lands shall not be open to any form of appropriation under the public land laws, including the mineral laws and the mineral leasing and geothermal leasing laws, until the Secretary of the Interior publishes in the Federal Register an appropriate order stating the date upon which such lands shall be restored to the public domain and opened.”; and

(C) in section 3017—

(i) by striking “section 3016(d)” each place it appears and inserting “section 3016”; and

(ii) in subsection (e)—

(I) by striking “If because” and everything that follows through “determines that” and inserting “If the Secretary of the Interior declines to accept jurisdiction over lands with-
drawn by this subtitle which have
been proposed for relinquishment be-
cause the Secretary determines that”; and

(II) in paragraph (2), by striking
“the expiration of the withdrawal of
such lands under this subtitle” and
inserting “such determination”.

(2) Establishment of Intergovernmental
Executive Committees.—Section 3014 of the
Military Lands Withdrawal Act of 1999 (title XXX
of Public Law 106–65; 113 Stat. 890) is amended
by adding at the end the following new subsection:
“(g) Intergovernmental Executive Comit-
tees.—
“(1) Establishment and Purpose.—For the
lands withdrawn and reserved by section 3011, the
Secretary of the military department concerned and
the Secretary of the Interior shall establish, by
memorandum of understanding, an intergovern-
mental executive committee for each range for the
sole purpose of exchanging views, information, and
advice relating to the management of the natural
and cultural resources of the withdrawn and re-
served lands.
“(2) COMPOSITION.—(A) The Secretary of the military department concerned and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee for a range.

“(B) The Secretary of the military department concerned and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee for a range—

“(i) at least one elected officer (or other authorized representative) from the government of the State in which the withdrawn and reserved lands are located; and

“(ii) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

“(3) OPERATION.—The intergovernmental executive committee for a range shall operate in accordance with the terms set forth in the memorandum of understanding.

“(4) PROCEDURES.—The memorandum of understanding for a range shall establish procedures for creating a forum for exchanging views, informa-
tion, and advice relating to the management of nat-
ural and cultural resources on the withdrawn and re-
served lands, procedures for rotating the chair of the
intergovernmental executive committee, and proce-
dures for scheduling regular meetings, which shall
occur no less frequently than twice a year.

“(5) COORDINATOR.—The Secretary of the
military department concerned, in consultation with
the Secretary of the Interior, shall appoint an indi-
vidual to serve as coordinator of the intergovern-
mental executive committee for a range. The duties
of the coordinator shall be included in the memo-
randum of understanding. The coordinator shall not
be a member of the committee.

“(6) FEDERAL ADVISORY COMMITTEE ACT.—
The Federal Advisory Committee Act (5 U.S.C.
App.) does not apply to an intergovernmental execu-
tive committee established under this subsection.”.

(3) DETERMINATION OF CONTINUING MILITARY
NEED FOR WITHDRAWAL AND RESERVATION AND
PUBLIC REPORTS.—The Military Lands Withdrawal
Act of 1999 (title XXX of Public Law 106–65; 113
Stat. 885) is further amended by inserting after sec-
tion 3014 the following new section:
“SEC. 3015. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.

“(a) DETERMINATION OF CONTINUING MILITARY NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under section 3011 is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary of the military department concerned shall include the Secretary’s determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.

“(b) PUBLIC REPORTS.—

“(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan described in subsection (a), the Secretary of the military department concerned and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands covered by the plan since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.
“(B) A report under subparagraph (A) shall include a summary of current military use of the lands covered by the plan, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

“(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands covered by the integrated natural resources management plan.

“(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the military department concerned and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands addressed by the report.

“(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before
the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of the affected military range (if one exists), and any other means considered necessary or desirable by the Secretaries.

“(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.”.

(e) BARRY M. GOLDWATER RANGE.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—Section 3031 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 897) is amended—

(A) in subsection (e)—

   (i) in paragraph (1), by striking “, including the duration of any renewal or extension”;

   (ii) in paragraph (2)—

      (I) in the paragraph heading, by striking “OR TERMINATION”; and
(II) in subparagraph (C), by striking the last sentence; and

(iii) in paragraph (3)(A), by striking “or termination”; and

(B) in subsection (d), by striking “DURATION” and all that follows through “of the termination” and inserting “EFFECT OF RELINQUISHMENT ON OPERATION OF GENERAL LAND LAWS.—On the date of relinquishment”;

(C) by striking subsection (e); and

(D) in subsection (f)—

(i) in the subsection heading, by striking “TERMINATION AND”;

(ii) in paragraph (1), by striking “but not later than three years before the termination of the withdrawal and reservation,”; 

(iii) in paragraph (3), by striking “before the termination date of the withdrawal and reservation of such lands under this section”; and

(iv) in paragraph (4)(A), by striking “Notwithstanding the termination date, unless” and inserting “Unless”.

(2) Determinations of continuing military need for withdrawal and reserva-
tion.—Section 3031 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 897) is further amended by inserting after subsection (d) the following new subsection:

“(e) Periodic Determination of Continuing Military Need.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under this section is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary of the Navy and the Secretary of the Air Force shall include the Secretary’s determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.”.

(3) Use of Definitions.—Section 3031(e)(5) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 907) is amended by striking subparagraphs (A) and (B) and inserting the following:

“(A) The term ‘military munitions’ has the meaning given that term in section 101(e)(4) of title 10, United States Code.
“(B) The term ‘unexploded ordnance’ has the meaning given that term in section 101(e)(5) of such title.”.

(f) National Training Center.—

(1) Elimination of termination date and conforming amendments.—The Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107–107; 115 Stat. 1335) is amended—

(A) in section 2910, by striking the section heading and all that follows through “At the time of the termination” and inserting the following:

“SEC. 2910. EFFECT OF RELINQUISHMENT ON OPERATION OF GENERAL LAND LAWS.

“On the date of relinquishment”;

(B) by striking section 2911; and

(C) in section 2912—

(i) in the section heading, by striking “Termination and”;

(ii) in subsection (a), by striking “During the first 22 years of the withdrawal and reservation made by this title, if” and inserting “If”;
(iii) in subsection (c), by striking “before the termination date of the withdrawal and reservation”; and

(iv) in subsection (d), by striking “Notwithstanding the termination date specified in section 2910, unless” and inserting “Unless”.

(2) Determination of Continuing Military Need for Withdrawal and Reservation and Public Reports.—The Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107–107; 115 Stat. 1335) is further amended by inserting after section 2910 the following new section:

“SEC. 2911. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.

“(a) Periodic Determination of Continuing Need.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under this title is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary of the Army shall include in the plan the Secretary’s determination regarding whether there will be a
continuing military need for any or all of the withdrawn
and reserved lands for the following five years.

“(b) Public Reports.—

“(1) Changes in Land Conditions.—(A) Concurrent with each review of an integrated nat-
ural resources management plan described in sub-
section (a), the Secretary of the Army and the Sec-
retary of the Interior shall jointly prepare and issue
a report describing any changes in the condition of
the lands withdrawn and reserved by this title since
the later of the date of any previous report under
this paragraph or the date of the environmental
analysis prepared to support the actions that
changed the condition of the lands.

“(B) A report under subparagraph (A) shall in-
clude a summary of current military use of the lands
withdrawn and reserved by this title, any changes in
military use of the lands since the previous report,
and efforts related to the management of natural
and cultural resources and environmental remedi-
ation of the lands during the previous five years.

“(2) Combination with Other Reports.—A
report under this subsection may be combined with,
or incorporate by reference, any contemporary report
required by any other provision of law regarding the
lands withdrawn and reserved by this title.

“(3) Public review and comment.—(A) Before
the finalization of a report under this sub-
section, the Secretary of the Army and the Secretary
of the Interior shall invite interested members of the
public to review and comment on the report, and
shall hold at least one public meeting concerning the
report in a location or locations reasonably accessible
to persons who may be affected by management of
the lands withdrawn and reserved by this title.

“(B) Each public meeting under subparagraph
(A) shall be announced not less than 15 days before
the date of the meeting by advertisements in local
newspapers of general circulation, notices on the
internet, including the website of National Training
Range, and any other means considered necessary or
desirable by the Secretaries.

“(4) Distribution of report.—The final
version of a report under this subsection shall be
made available to the public and submitted to the
Committees on Armed Services and Energy and
Natural Resources of the Senate and the Commit-
tees on Armed Services and Natural Resources of
the House of Representatives.”.
(3) Establishment of Intergovernmental Executive Committee.—The Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107–107; 115 Stat. 1335) is further amended by adding at the end the following new section:

"Sec. 2914. Intergovernmental Executive Committee.

"(a) Establishment and Purpose.—The Secretary of the Army and the Secretary of the Interior shall establish, by memorandum of understanding, an intergovernmental executive committee for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved by this title.

"(b) Composition.—

"(1) Representatives of other federal agencies.—The Secretary of the Army and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee.

"(2) Representatives of state and local governments.—The Secretary of the Army and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee—
“(A) at least one elected officer (or other authorized representative) from the government of the State of California; and

“(B) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

“(c) OPERATION.—The intergovernmental executive committee shall operate in accordance with the terms set forth in the memorandum of understanding under subsection (a).

“(d) PROCEDURES.—The memorandum of understanding under subsection (a) shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the lands withdrawn and reserved by this title, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

“(e) COORDINATOR.—The Secretary of the Army, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee. The duties of the coordi-
ator shall be included in the memorandum of understanding under subsection (a). The coordinator shall not be a member of the committee.

“(f) Federal Advisory Committee Act.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the intergovernmental executive committee.”.

(g) Ranges Covered by Military Land Withdrawals Act of 2013.—

(1) Elimination of termination date and conforming amendments.—The Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1025) is amended—

(A) by striking sections 2919, 2920; 2936, 2946, and 2979;

(B) in section 2921, by striking “On the termination of” and inserting “On the relinquishment of”; and

(C) in section 2922(d)(3)—

(i) in the paragraph heading, by striking “ON TERMINATION” and inserting “UPON RELINQUISHMENT”; and

(ii) by striking “or if at the expiration of the withdrawal and reservation,”.

(2) Establishment of intergovernmental executive committee.—The Military Land With-
drawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1025) is further amended by insert- 
serting after section 2918 the following new section: 

“SEC. 2919. INTERGOVERNMENTAL EXECUTIVE COM- 
MITTEE.

“(a) ESTABLISHMENT AND PURPOSE.—For the lands 
withdrawn and reserved by sections 2931, 2941, and 
2971, the Secretary concerned and the Secretary of the 
Interior shall establish, by memorandum of under- 
standing, an intergovernmental executive committee for 
each location for the sole purpose of exchanging views, in- 
formation, and advice relating to the management of the 
natural and cultural resources of the withdrawn and re- 
served lands.

“(b) COMPOSITION.—

“(1) REPRESENTATIVES OF OTHER FEDERAL 
AGENCIES.—The Secretary concerned and the Sec- 
retary of the Interior shall include representatives 
from interested Federal agencies as members of the 
intergovernmental executive committee for a location 
covered by subsection (a).

“(2) REPRESENTATIVES OF STATE AND LOCAL 
GOVERNMENTS.—The Secretary concerned and the 
Secretary of the Interior shall invite to serve as
members of the intergovernmental executive com-
mittee for a location covered by subsection (a)—

“(A) at least one elected officer (or other
authorized representative) from the government
of the State in which the withdrawn and re-
served lands are located; and

“(B) at least one elected officer (or other
authorized representative) from each local gov-
ernment and Indian tribal government in the vi-
cinity of the withdrawn and reserved lands, as
determined by the Secretaries.

“(c) OPERATION.—The intergovernmental executive
committee for a location covered by subsection (a) shall
operate in accordance with the terms set forth in the
memorandum of understanding under subsection (a).

“(d) PROCEDURES.—The memorandum of under-
standing under subsection (a) shall establish procedures
for creating a forum for exchanging views, information,
and advice relating to the management of natural and cul-
tural resources on the withdrawn and reserved lands, pro-
cedures for rotating the chair of the intergovernmental ex-
cutive committee, and procedures for scheduling regular
meetings, which shall occur no less frequently than twice
a year.
“(e) COORDINATOR.—The Secretary concerned, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee for a location covered by subsection (a). The duties of the coordinator shall be included in the memorandum of understanding under subsection (a). The coordinator shall not be a member of the committee.

“(f) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to a intergovernmental executive committee for a location covered by subsection (a).”.

(3) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1025) is further amended by inserting after section 2919, as added by paragraph (2), the following new section:

“SEC. 2920. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.

“(a) PERIODIC DETERMINATION OF CONTINUING NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved
under a subtitle of this title is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary concerned shall include in the plan the Secretary’s determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.

“(b) Public Reports.—

“(1) Changes in Land Conditions.—(A) Concurrent with each review of an integrated natural resources management plan described in subsection (a), the Secretary concerned and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands covered by the plan since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

“(B) A report under subparagraph (A) shall include a summary of current military use of the lands covered by the plan, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural re-
sources and environmental remediation of the lands
during the previous five years.

“(2) COMBINATION WITH OTHER REPORTS.—A
report under this subsection may be combined with,
or incorporate by reference, any contemporary report
required by any other provision of law regarding the
lands addressed by the report.

“(3) PUBLIC REVIEW AND COMMENT.—(A) Be-
fore the finalization of a report under this sub-
section, the Secretary concerned and the Secretary
of the Interior shall invite interested members of the
public to review and comment on the report, and
shall hold at least one public meeting concerning the
report in a location or locations reasonably accessible
to persons who may be affected by management of
the lands addressed by the report.

“(B) Each public meeting under subparagraph
(A) shall be announced not less than 15 days before
the date of the meeting by advertisements in local
newspapers of general circulation, notices on the
internet, including the website of the affected mili-
tary range (if one exists), and any other means con-
sidered necessary or desirable by the Secretaries.

“(4) DISTRIBUTION OF REPORT.—The final
version of a report under this subsection shall be
made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.”.

(h) Effect on New Land Withdrawals and Reservations.—Nothing in this section or the amendments made by this section shall be construed as changing the requirements imposed on the Department of Defense to obtain a new or expanded land withdrawal and reservation.

SEC. 2832. TEMPORARY SEGREGATION FROM PUBLIC LAND LAWS OF PROPERTY SUBJECT TO PROPOSED MILITARY LAND WITHDRAWAL; TEMPORARY USE PERMITS AND TRANSFERS OF SMALL PARCELS OF LAND BETWEEN DEPARTMENTS OF INTERIOR AND MILITARY DEPARTMENTS; MORE EFFICIENT SURVEYING OF LANDS.

(a) Temporary Segregation of Military Land From Public Land Laws Under Request for Withdrawal Made to Secretary of the Interior.—Section 3 of the Act of February 28, 1958 (Public Law 85–337; 43 U.S.C. 157), is amended—
(1) by striking “Any application” and inserting “(a) CONTENTS OF APPLICATION.—Any application”;

(2) by striking “shall specify” and inserting “shall be filed with the Secretary of the Interior and shall specify”; and

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

“(b) TEMPORARY SEGREGATION FROM PUBLIC LAND LAWS.—

“(1) PUBLIC NOTICE.—Not later than 30 days after the date of the receipt of an application under subsection (a) for a withdrawal or reservation, the Secretary of the Interior shall publish a notice in the Federal Register stating that the application has been submitted, identifying the land that is the subject of the application, and stating the extent to which the land is to be segregated in accordance with paragraph (2).

“(2) SEGREGATION FROM PUBLIC LAND LAWS.—Upon publication of a notice under paragraph (1), the land identified in the notice shall be segregated from the operation of the public land laws to the extent specified in the notice. The seg-
regation of such land pursuant to such notice shall
terminate upon the earlier of—

“(A) the enactment of some or all of the
withdrawal or reservation by Congress; or

“(B) the expiration of the 7-year period
which begins on the date of the publication of
the notice.

“(3) DEFINITION.—In this subsection, the term
‘public land laws’ includes the mining laws, the min-
eral leasing laws, and the geothermal leasing laws.”.

(b) AUTHORIZATION OF ADDITIONAL ARRANGE-
MENTS FOR USE AND TRANSFER OF LANDS UNDER JU-
RISDICTION OF SECRETARY OF THE INTERIOR.—Such Act
(43 U.S.C. 155 et seq.) is further amended by adding at
the end the following new sections:

“SEC. 7. SHORT-TERM PERMITS FOR USE OF DEPARTMENT
OF INTERIOR LANDS FOR MILITARY TRAIN-
ING AND TESTING.

“(a) AUTHORITY.—In addition to any other authority
to grant permits for the use of land, the Secretary of the
Interior may grant a permit to the Secretary of Defense
to use land under the administrative jurisdiction of the
Secretary of the Interior. Any such permit—

“(1) shall be issued consistent with section
2691 of title 10, United States Code;
“(2) shall allow the Department of Defense to use the land only for purposes of training and testing that are consistent with the purposes for which the Secretary of the Interior manages the land; and
“(3) may contain such other requirements as the Secretary of the Interior considers appropriate.
“(b) Duration of Permit.—A permit granted under this section shall be in effect for such period as the Secretary of the Interior may provide, except that such period may not exceed 30 days.

“SEC. 8. TRANSFERS OF SMALL PARCELS OF LAND BETWEEN THE DEPARTMENTS OF DEFENSE AND INTERIOR.
“(a) Transfer Authorized.—Subject to any valid existing rights, upon mutual agreement, and without cost for the value of the land or any improvements thereon—
“(1) the Secretary of the Interior may transfer administrative jurisdiction over land that meets the requirements of subsection (b) to the Secretary of a military department; and
“(2) the Secretary of a military department may transfer administrative jurisdiction over land that meets the requirements of subsection (b) to the Secretary of the Interior.
“(b) Requirements for Land Eligible for Transfer.—The requirements of this subsection are as follows:

“(1) Contiguity.—The land is contiguous to land already under the administrative jurisdiction of the Secretary to whom such jurisdiction is transferred.

“(2) Limitation on Acreage.—No single parcel of the land is larger than 5,000 acres of contiguous area.

“(3) No Recent Prior Transfer of Contiguous Land.—The land is not contiguous to any other land for which administrative jurisdiction has been transferred under the authority of this section during the previous 5 years.

“(4) Prior Use for Defense Purposes.—In the case of land transferred to the Department of Defense, the land was used for defense purposes immediately prior to the date of transfer.

“(c) Map and Legal Description.—

“(1) Preparation and publication.—The Secretary of the Interior shall—

“(A) publish in the Federal Register a notice containing the legal description of any land transferred under subsection (a);
“(B) file maps and legal descriptions of
the land with—

“(i) the Committees on Armed Serv-
ices and Energy and Natural Resources of
the Senate, and

“(ii) the Committees on Armed Serv-
ces and Natural Resources of the House
of Representatives; and

“(C) make copies of such maps and legal
descriptions available for public inspection in
the appropriate offices of the Bureau of Land
Management.

“(2) FORCE OF LAW.—For purposes of any
transfer of administrative jurisdiction over land
under this section, the legal description and map for
the land shall be the legal description of the land
filed under paragraph (1)(B), except that the Sec-
cretary of the Interior may correct clerical and typo-
graphical errors in the legal description or map.

“(d) TREATMENT AND USE OF LAND TRANSFERRED
TO THE SECRETARY OF A MILITARY DEPARTMENT.—
Upon a transfer of administrative jurisdiction over land
to the Secretary of a military department under subsection
(a)—
“(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 of the military department; and

“(2) the land shall be 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 a Secretary of a military department.

“(e) Treatment and Use of Land Transferred to the Secretary of the Interior.—Upon a transfer of administrative jurisdiction over land to the Secretary of the Interior under subsection (a)—

“(1) the land shall become public land; and

“(2) the land shall be administered for the same purposes and be subject to the same conditions of use as the adjacent public land.

“(f) Effect on Other Authorities.—The authority provided by this section is in addition to, and not subject to, any other authority relating to transfers of land.”.

(e) Short Title.—Section 1 of such Act (43 U.S.C. 155) is amended—
(1) by striking “Notwithstanding” and inserting “(a) WITHDRAWAL, RESERVATION, OR RESTRICTION OF PUBLIC LANDS FOR DEFENSE PURPOSES.—Notwithstanding”; and

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

“(b) SHORT TITLE.—This Act may be cited as the ‘Engle Act’.”.

(d) PROMOTING MORE EFFICIENT SURVEYING OF LANDS.—In fixing the original corner position in an official survey of unsurveyed land, when applicable and feasible, Cadastral Surveys may, instead of using physical monuments, use geographic coordinates correlated to the National Spatial Reference System geodetic datum, in accordance with the Manual of Surveying Instructions.

Subtitle E—Military Memorials, Monuments, and Museums

SEC. 2841. MODIFICATION OF PROHIBITION ON TRANSFER OF VETERANS MEMORIAL OBJECTS TO FOREIGN GOVERNMENTS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) DESCRIPTION OF OBJECTS.—Paragraph (2)(B)(iii) of section 2572(e) of title 10, United States Code, is amended by striking “from abroad” and inserting “from abroad before 1907”.

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(b) EXTENSION OF PROHIBITION.—Paragraph (3)(B) of section 2572(e) of such title is amended by striking “September 30, 2017” and inserting “September 30, 2022”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 2017.

SEC. 2842. RECOGNITION OF THE NATIONAL MUSEUM OF WORLD WAR II AVIATION.

(a) FINDINGS.—Congress finds the following:

(1) World War II was one of the most important events in the history of the Nation, a time of common purpose that remains today as an inspiration to all people in the United States.

(2) The role of aviation was a critical factor in the success of winning World War II and defeating the enemies worldwide.

(3) The bravery, courage, dedication, and heroism of World War II aviators and support personnel were decisive in winning World War II.

(4) The National Museum of World War II Aviation in Colorado Springs, Colorado, is the only museum in the United States that exists to exclusively preserve and promote an understanding of the role of aviation in winning World War II.
(5) The National Museum of World War II Aviation is dedicated to celebrating the spirit of the United States, recognizing the teamwork, collaboration, patriotism, and courage of the men and women who fought, as well as those on the homefront who mobilized and supported the national aviation effort.

(b) RECOGNITION.—The National Museum of World War II Aviation in Colorado Springs, Colorado, is recognized as America’s National World War II Aviation Museum.

(c) EFFECT OF RECOGNITION.—The National Museum recognized by this section is not a unit of the National Park System, and the recognition of the National Museum shall not be construed to require or permit Federal funds to be expended for any purpose related to the National Museum.

SEC. 2843. PRINCIPAL OFFICE OF AVIATION HALL OF FAME.

Section 23107 of title 36, United States Code, is amended by striking “Dayton,” and all that follows through “trustees” and inserting “Ohio”.

SEC. 2844. BATTLESHIP PRESERVATION GRANT PROGRAM.

(a) ESTABLISHMENT.—There is hereby established within the Department of the Interior a grant program for the preservation of our nation’s most historic battleships.
(b) Use of Grants.—Amounts received through grants under this section shall be used for the preservation of our nation’s most historic battleships in a manner that is self-sustaining and has an educational component.

(c) Criteria for Eligibility.—To be eligible for a grant under this section, an entity shall—

(1) submit an application under procedures prescribed by the Secretary;

(2) match the amount of the grant, on a 1-to-1 basis, with non-Federal assets from non-Federal sources, which may include cash or durable goods and materials fairly valued as determined by the Secretary;

(3) maintain records as may be reasonably necessary to fully disclose—

(A) the amount and the disposition of the proceeds of the grant;

(B) the total cost of the project for which the grant is made; and

(C) other records as may be required by the Secretary, including such records as will facilitate an effective accounting for project funds; and
(4) provide access to the Secretary for the purposes of any required audit and examination of any books, documents, papers, and records of the entity.

(d) Most Historic Battleship Defined.—In this section, the term “most historic battleship” means a battleship that is—

(1) between 75 and 115 years old;

(2) listed on the National Register of Historic Places; and

(3) located within the State for which it was named.

(e) Savings Provision.—The authorities contained in this section shall be in addition to, and shall not be construed to supersede or modify those contained in the National Historic Preservation Act (16 U.S.C. 470–470x-6).

(f) Private Property Protection.—

(1) In General.—No Federal funds made available to carry out this section may be used to acquire any real property, or any interest in any real property, without the written consent of the owner (or owners) of that property or interest in property.

(2) No Designation.—The authority granted by this section shall not constitute a Federal des-
ignation or have any effect on private property ownership.

(g) **SUNSET.**—The authority to make grants under this section expires on September 30, 2024.

**Subtitle F—Shiloh National Military Park**

**SEC. 2851. SHORT TITLE.**

This subtitle may be cited as the “Shiloh National Military Park Boundary Adjustment and Parker’s Crossroads Battlefield Designation Act”.

**SEC. 2852. DEFINITIONS.**

In this subtitle, the following definitions apply:

(1) **AFFILIATED AREA.**—The term “affiliated area” means the Parker’s Crossroads Battlefield established as an affiliated area of the National Park System under section 2854.

(2) **PARK.**—The term “Park” means Shiloh National Military Park, a unit of the National Park System.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

**SEC. 2853. AREAS TO BE ADDED TO SHILOH NATIONAL MILITARY PARK.**

(a) **ADDITIONAL AREAS.**—The boundary of Shiloh National Military Park is modified to include the areas
that are generally depicted on the map entitled “Shiloh National Military Park, Proposed Boundary Adjustment”, numbered 304/80,011, and dated July 2014, as follows:

(1) Fallen Timbers Battlefield.

(2) Russell House Battlefield.

(3) Davis Bridge Battlefield.

(b) Acquisition Authority.—The Secretary may acquire lands described in subsection (a) by donation, purchase from willing sellers with donated or appropriated funds, or exchange.

(c) Administration.—Any lands acquired under this section shall be administered as part of the Park.

SEC. 2854. ESTABLISHMENT OF AFFILIATED AREA.

(a) In General.—Parker’s Crossroads Battlefield in the State of Tennessee is hereby established as an affiliated area of the National Park System.

(b) Description.—The affiliated area shall consist of the area generally depicted within the “Proposed Boundary” on the map entitled “Parker’s Crossroads Battlefield, Proposed Boundary”, numbered 903/80,073, and dated July 2014.

(c) Administration.—The affiliated area shall be managed in accordance with this subtitle and all laws generally applicable to units of the National Park System.
(d) **MANAGEMENT ENTITY.**—The City of Parkers Crossroads and the Tennessee Historical Commission shall jointly be the management entity for the affiliated area.

(e) **COOPERATIVE AGREEMENTS.**—The Secretary may provide technical assistance and enter into cooperative agreements with the management entity for the purpose of providing financial assistance with marketing, marking, interpretation, and preservation of the affiliated area.

(f) **LIMITED ROLE OF THE SECRETARY.**—Nothing in this Act authorizes the Secretary to acquire property at the affiliated area or to assume overall financial responsibility for the operation, maintenance, or management of the affiliated area.

(g) **GENERAL MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the management entity, shall develop a general management plan for the affiliated area. The plan shall be prepared in accordance with section 100502 of title 54, United States Code.

(2) **TRANSMITTAL.**—Not later than 3 years after the date that funds are made available for this subtitle, the Secretary shall provide a copy of the completed general management plan to the Com-
mittee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

SEC. 2855. PRIVATE PROPERTY PROTECTION.

(a) NO USE OF CONDEMNATION.—The Secretary of the Interior may not acquire by condemnation any land or interests in land under this subtitle or for the purposes of this subtitle.

(b) WRITTEN CONSENT OF OWNER.—No non-Federal property may be included in the Shiloh National Military Park without the written consent of the owner.

(c) NO BUFFER ZONE CREATED.—Nothing in this subtitle, the establishment of the Shiloh National Military Park, or the management plan for the Shiloh National Military Park shall be construed to create buffer zones outside of the Park. That activities or uses can be seen, heard, or detected from areas within the Shiloh National Military Park shall not preclude, limit, control, regulate, or determine the conduct or management of activities or uses outside of the Park.
Subtitle G—Other Matters

SEC. 2861. MODIFICATION OF DEPARTMENT OF DEFENSE GUIDANCE ON USE OF AIRFIELD PAVEMENT MARKINGS.

(a) MODIFICATION REQUIRED.—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 prohibit the use of Type I glass beads or any glass beads with a 1.6 refractive index or less from use on airfield markings on airfields under the control of the Secretary.

(b) EFFECTIVE DATE.—The modifications required under subsection (a) shall apply with respect to procurements occurring after September 30, 2018.

SEC. 2862. AUTHORITY OF CHIEF OPERATING OFFICER OF ARMED FORCES RETIREMENT HOME TO ACQUIRE AND LEASE PROPERTY.

(a) ACQUISITION OF PROPERTY.—Section 1511(e) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(e)) is amended—
(1) in paragraph (2)—
   (A) by striking “Secretary of Defense may acquire,” and inserting “Chief Operating Officer may acquire,”; and
   (B) by striking “Secretary may acquire” and inserting “Chief Operating Officer may acquire”; and
   (2) in paragraph (3)—
   (A) by striking “Secretary of Defense determines” and inserting “Chief Operating Officer determines”; and
   (B) by striking “Secretary shall dispose” and inserting “Chief Operating Officer shall dispose”.

(b) LEASING OF NON-EXCESS PROPERTY.—Subsection (i) of section 1511 of such Act (24 U.S.C. 411(i)) is amended—

(1) in paragraph (1)—
   (A) by striking “Secretary of Defense (acting on behalf of the Chief Operating Officer)” and inserting “Chief Operating Officer”; and
   (B) by striking “Secretary considers” and inserting “Chief Operating Officer considers”;

(2) in paragraph (5), by striking “the Secretary of Defense may not enter into the lease on behalf of
the Chief Operating Officer’’ and inserting ‘‘the
Chief Operating Officer may not enter into the
lease’’; and

(3) in subparagraph (A) of paragraph (6), by
striking ‘‘Secretary of Defense’’ and inserting ‘‘Chief
Operating Officer’’.

SEC. 2863. RESTRICTIONS ON REHABILITATION OF OVER-
THE-HORIZON BACKSCATTER RADAR STA-
TION.

(a) RESTRICTIONS.—Except as provided in sub-
section (b), the Secretary of the Air Force may not use
any funds or resources to carry out the rehabilitation of
the Over-the-Horizon Backscatter Radar Station on
Modoc National Forest land in Modoc County, California.

(b) EXCEPTION FOR MAINTENANCE OF PERIMETER
FENCE.—Notwithstanding subsection (a), the Secretary
may use funds and resources to maintain the perimeter
fence surrounding the Over-the-Horizon Backscatter
Radar Station.

SEC. 2864. PERMITTING MACHINE ROOM-LESS ELEVATORS
IN DEPARTMENT OF DEFENSE FACILITIES.

(a) IN GENERAL.—The Secretary of Defense shall
issue modifications to all relevant construction and facili-
ties specifications to ensure that machine room-less elevators (MRLs) are not prohibited in buildings and facili-

(b) CONFORMING TO BEST PRACTICES.—In addition to the modifications required under subsection (a), the Secretary may issue further modifications to conform generally with commercial best practices as reflected in the safety code for elevators and escalators as issued by the American Society of Mechanical Engineers.

(c) DEADLINES.—The Secretary shall promulgate interim MRL standards not later than 180 days after the date of the enactment of this Act, and shall issue final and formal MRL specifications not later than 1 year after the date of the enactment of this Act.

(d) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall issue a report to the congressional defense committees on the integration and utilization of MRLs, including information on quantity, location, problems, and successes.
TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Army 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:

<table>
<thead>
<tr>
<th>Army: Outside the United States</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country</td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>Cuba</td>
</tr>
<tr>
<td>Turkey</td>
</tr>
</tbody>
</table>

SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECT.

The Secretary of the Navy 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:

<table>
<thead>
<tr>
<th>Navy: Outside the United States</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country</td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>Djibouti</td>
</tr>
</tbody>
</table>

SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Air Force 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:

### Air Force: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estonia</td>
<td>Amari Air Base</td>
<td>$13,900,000</td>
</tr>
<tr>
<td>Hungary</td>
<td>Kecskemet Air Base</td>
<td>$55,400,000</td>
</tr>
<tr>
<td>Iceland</td>
<td>Keflavik</td>
<td>$14,400,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Aviano AB</td>
<td>$27,325,000</td>
</tr>
<tr>
<td>Jordan</td>
<td>Azraq</td>
<td>$143,000,000</td>
</tr>
<tr>
<td>Latvia</td>
<td>Lielvarde Air Base</td>
<td>$3,850,000</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Sanem</td>
<td>$67,400,000</td>
</tr>
<tr>
<td>Norway</td>
<td>Bygge</td>
<td>$10,300,000</td>
</tr>
<tr>
<td>Qatar</td>
<td>Al Udeid</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Romania</td>
<td>Campia Turzii</td>
<td>$2,950,000</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Malacky</td>
<td>$24,000,000</td>
</tr>
<tr>
<td></td>
<td>Sliac Airport</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>Turkey</td>
<td>Incirlik Air Base</td>
<td>$48,697,000</td>
</tr>
</tbody>
</table>

SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECT.

The Secretary of Defense 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:

### Defense Agencies: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>Sigonella</td>
<td>$22,400,000</td>
</tr>
</tbody>
</table>

SEC. 2905. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for the military construction projects outside the United States authorized by this title as specified in the funding table in section 4602.
SEC. 2906. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2902 of that Act (128 Stat. 3717), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>Camp Darby</td>
<td>ERI: Improve Weapons Storage Facility</td>
<td>$44,450,000</td>
</tr>
<tr>
<td>Poland</td>
<td>Lask Air Base</td>
<td>ERI: Improve Support Infrastructure</td>
<td>$22,400,000</td>
</tr>
</tbody>
</table>
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 2018 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in division D.

(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 18–D–150, Surplus Plutonium Disposition, Savannah River Site, Aiken, South Carolina, $9,000,000.
Project 18–D–620, Exascale Computing Facility Modernization Project, Lawrence Livermore National Laboratory, Livermore, California, $3,000,000.

Project 18–D–650, Tritium Production Capability, Savannah River Site, Aiken, South Carolina, $6,800,000.

Project 18–D–660, Fire Station, Y–12 National Security Complex, Oak Ridge, Tennessee, $28,000,000.

Project 18–D–670, Exascale Class Computer Cooling Equipment, Los Alamos National Laboratory, Los Alamos, New Mexico, $22,000,000.

Project 18–D–680, Material Staging Facility, Pantex Plant, Amarillo, Texas, $5,200,000.

Project 18–D–920, KL Fuel Development Laboratory, Knolls Atomic Power Laboratory, Schenectady, New York, $1,000,000.


Project 18–D–922, BL Component Test Complex, Bettis Atomic Power Laboratory, West Mifflin, Pennsylvania, $3,000,000.
SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2018 for defense environmental cleanup activities in carrying out programs as specified in the funding table in division D.

(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 18-D–401, Saltstone Disposal Units #8 and #9, Savannah River Site, Aiken, South Carolina, $500,000.

Project 18–D–402, Emergency Operations Center Replacement, Savannah River Site, Aiken, South Carolina, $500,000.

Project 18–D–404, Modification of Waste Encapsulation and Storage Facility, Hanford Site, Richland, Washington, $6,500,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2018 for other defense activities in carrying out programs as specified in the funding table in division D.
SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2018 for nuclear energy as specified in the funding table in division D.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. NUCLEAR SECURITY ENTERPRISE INFRASTRUCTURE RECAPITALIZATION AND REPAIR.

(a) FINDINGS.—Congress finds the following:

(1) On September 7, 2016, during testimony before the Subcommittee on Strategic Forces of the Committee on Armed Services of the House of Representatives—

(A) the Administrator for Nuclear Security, Frank Klotz, said—

(i) “Our infrastructure is extensive, complex, and, in many critical areas, several decades old. More than half of NNSA’s approximately 6,000 real property assets are over 40 years old, and nearly 30 percent date back to the Manhattan Project era. Many of the enterprise’s critical utility, safety, and support systems are failing at an increasing and unpredictable
rate, which poses both programmatic and safety risk.”; and

(ii) “I can think of no greater threat to the nuclear security enterprise than the state of NNSA’s infrastructure.”;

(B) the President and Chief Executive Officer of Consolidated Nuclear Security, Morgan Smith, said, “Many key facilities at both [Pantex and Y–12] were constructed in the 1940s and were intended to operate for as little as one decade. Many facilities and their supporting infrastructure have exceeded or far exceeded their expected life, and major systems within the facilities are beginning to fail.”; and

(C) the Director of Los Alamos National Laboratory, Dr. Charlie McMillan, said, “One of the things that keeps me up at night is the realization that essential capabilities are held at risk by the possibility of such failures; in many cases, our enterprise has a single point of failure.”.

(2) In a letter sent on December 23, 2015, by the Secretary of Energy, Ernest Moniz, to the Director of the Office of Management and Budget, Shaun Donovan, the Secretary said, “A majority of the Na-
tional Nuclear Security Administration’s (NNSA) fa-
cilities and systems are well beyond end-of-life. . .
Infrastructure problems such as falling ceilings are
increasing in frequency and severity, unacceptably
risking the safety and security of both personnel and
material at NNSA facilities, as well as in some in-
stances, potential offsite risks. The entire complex
could be placed at risk if there is a single failure
where a single point would disrupt a critical link in
infrastructure.”.

(3) The Nuclear Posture Review published in
April 2010 stated that “In order to sustain a safe,
secure, and effective U.S. nuclear stockpile as long
as nuclear weapons exist, the United States must
possess a modern physical infrastructure. . . To-
day’s nuclear complex, however, has fallen into ne-
glect. Although substantial science, technology, and
engineering investments were made over the last
decade under the auspices of the Stockpile Steward-
ship Program, the complex still includes many over-
sized and costly-to maintain facilities built during
the 1940s and 1950s. Some facilities needed for
working with plutonium and uranium date back to
the Manhattan Project. Safety, security, and envi-
ronmental issues associated with these aging facili-
ties are mounting, as are the costs of addressing them.”.

(4) In 2009, the bipartisan Congressional Commission on the Strategic Posture of the United States established by section 1062 of the National Defense Authorization for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 319) stated, with regards to key production facilities, that “existing facilities are genuinely decrepit and are maintained in a safe and secure manner only at high cost”.

(5) Previous efforts to address the deferred maintenance and repair challenges within the nuclear security enterprise, such as the Facilities Infrastructure and Recapitalization Program and the recent halt in the growth of backlog metrics, are laudable but insufficient for the magnitude of the problem.

(6) Recent figures provided by the Administrator for Nuclear Security estimate the backlog of deferred maintenance and repair needs of the nuclear security enterprise to be approximately $3,700,000,000.

(b) FACILITIES AND INFRASTRUCTURE RECAPITALIZATION AND REPAIR PROGRAM.—
(1) Establishment.—Not later than 30 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall establish and carry out a program known as the Facilities and Infrastructure Recapitalization and Repair Program to reduce the backlog of deferred maintenance and repair needs of the nuclear security enterprise (as defined in section 4002(6) of the Atomic Energy Defense Act (50 U.S.C. 2501(6))). The Administrator shall ensure that, by not later than five years after the date of the enactment of this Act, the program achieves the goal of reducing such backlog of deferred maintenance and repair needs by 50 percent.

(2) Authorities.—

(A) Process.—

(i) In general.—The Secretary of Energy shall provide to the Administrator a process that will enhance or streamline the ability of the Administrator to carry out the program under paragraph (1) in an efficient and effective manner, including with respect to—

(I) the demolition or construction of non-nuclear facilities of the Administration that have a total estimated
project cost of less than $100,000,000; and

(II) the decontamination, decommissioning, and demolition (to be performed in accordance with applicable health and safety standards used by the Defense Environmental Cleanup Program) of process-contaminated facilities of the Administration that have a total estimated project cost of less than $50,000,000.

(ii) FUNDING.—Clause (i) may be carried out using amounts authorized to be appropriated for fiscal year 2018 or any subsequent fiscal year.

(B) APPLICATION OF CERTAIN REQUIREMENTS.—For purposes of the Management Procedures Memorandum 2015–01 of the Office of Management and Budget, or such successor memorandum, in carrying out the program under paragraph (1), the Administrator may—

(i) perform new construction during a fiscal year that differs from the fiscal year of corresponding facility demolition;
(ii) perform demolition of different facility category codes and have that demolition credit count towards the construction of new facilities with a different facility category code; and

(iii) have the net reduction in infrastructure footprint for the five fiscal years prior to the date of the enactment of this Act, and the demolition during the five fiscal years following such date of enactment, considered as a factor for the purpose of meeting the intent of such memorandum.

(3) PLAN.—Together with the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2019, the Secretary and the Administrator shall jointly submit to the Committees on Armed Services of the House of Representatives and the Senate a plan to carry out the program under paragraph (1) to achieve the goal specified in such paragraph. Such plan shall include—

(A) the funding required to carry out the program during the period covered by the future-years nuclear security program under sec-
tion 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453);

(B) the criteria for selecting and prioritizing projects within the program under paragraph (1);

(C) mechanisms for ensuring the robust management and oversight of such projects;

(D) a description of the process provided to the Administrator to carry out the program pursuant to paragraph (2)(A);

(E) a description of any legislative actions the Secretary recommends to further enhance or streamline authorities or processes relating to the program; and

(F) a certification by the Secretary that such budget will enable the program to meet the goal specified in paragraph (1).

(4) TERMINATION.—The Administrator shall terminate the program under paragraph (1) on the date that is five years after the date of the enactment of this Act.

(c) INCLUSION IN BIENNIAL DETAILED REPORT.—Section 4203(d)(4) of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended—
(1) in subparagraph (B), by striking ‘‘; and’’ and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting ‘‘; and’’; and

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

“(D)(i) a description of—

“(I) the metrics (based on industry best practices) used by the Administrator to determine the infrastructure deferred maintenance and repair needs of the nu-
clear security enterprise; and

“(II) the percentage of replacement plant value being spent on maintenance and repair needs of the nuclear security enterprise; and

“(ii) an explanation of whether the annual spending on such needs complies with the rec-
ommendation of the National Research Council of the National Academies of Sciences, Engi-
neering, and Medicine that such spending be in an amount equal to four percent of the replace-
ment plant value, and, if not, the reasons for such noncompliance and a plan for how the Ad-
ministrator will ensure facilities of the nuclear
security enterprise are being properly sustained.”.

(d) REQUIREMENTS RELATING TO CRITICAL DECISIONS.—

(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. MATTERS RELATING TO CRITICAL DECISIONS.

“(a) POST-CRITICAL DECISION 2 CHANGES.—After the date on which a plant project specifically authorized by law achieves critical decision 2, the Administrator may not change the requirements for such project if such change increases the scope, schedule, or budget of such project unless—

“(1) the Administrator submits to the congressional defense committees—

“(A) a certification that the Administrator, without delegation, authorizes such proposed change; and

“(B) a cost-benefit and risk analysis of such proposed change, including with respect to—
“(i) the effects of such proposed change on the project cost and schedule; and

“(ii) any mission risks and operational risks from making such change or not making such change; and

“(2) a period of 15 days elapses following the date of such submission.

“(b) REVIEW AND APPROVAL.—The Administrator shall ensure that critical decision packages are timely reviewed and either approved or disapproved.”.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 4714 the following new item:

“Sec. 4715. Matters relating to critical decisions.”.

(e) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the nuclear security enterprise, comprised of the infrastructure and capabilities of the laboratories and plants coupled with the dedicated and talented scientists, engineers, technicians, and administrators who form the backbone of the enterprise, are a central component of the nuclear deterrent of the United States;
(2) if left unaddressed, the state of the infras-structure within the nuclear security enterprise repre-sents a direct, long-term threat to the credibility of the nuclear deterrent of the United States;

(3) both Congress and the President must take strong, sustained action to recapitalize and repair this infrastructure;

(4) the Administrator must continue to carry out expeditious demolition of old facilities of the Ad-ministration to reduce long-term costs and improve safety; and

(5) each budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2019 and each fiscal year thereafter during the life of the program estab-

lished pursuant to subsection (b)(1) should include funding in an amount sufficient to carry out the program to achieve the goal specified in such sub-

section.

SEC. 3112. INCORPORATION OF INTEGRATED SURETY AR-

CHITECTURE IN TRANSPORTATION.

(a) INCORPORATION.—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. 4222. INCORPORATION OF INTEGRATED SURETY ARCHITECTURE.

“(a) SHIPMENTS.—(1) The Administrator shall ensure that shipments described in paragraph (2) incorporate surety technologies relating to transportation and shipping developed by the Integrated Surety Architecture program of the Administration.

“(2) A shipment described in this paragraph is an over-the-road shipment of the Administration that involves any nuclear weapon planned to be in the active stockpile after 2025.

“(b) CERTAIN PROGRAMS.—(1) The Administrator, in coordination with the Chairman of the Nuclear Weapons Council, shall ensure that each program described in paragraph (2) incorporate integrated designs compatible with the Integrated Surety Architecture program.

“(2) A program described in this subsection is a program of the Administration that is a warhead development program, a life extension program, or a warhead major alteration program.

“(c) DETERMINATION.—(1) If, on a case-by-case basis, the Administrator determines that a shipment under subsection (a) will not incorporate some or all of the surety technologies described in such subsection, or that a program under subsection (b) will not incorporate some or all of the integrated designs described in such
subsection, the Administrator shall submit such determina-
tion to the congressional defense committees, includ-
ing the results of an analysis conducted pursuant to para-
graph (2).

“(2) Each determination made under paragraph (1) shall be based on a documented, system risk analysis that considers security risk reduction, operational impacts, and technical risk.

“(e) Termination.—The requirements of subsections (a) and (b) shall terminate on December 31, 2029.”.

(b) Clerical Amendment.—The table of contents for such Act is amended by inserting after the item relating to section 4221 the following new item:

“Sec. 4222. Incorporation of integrated surety architecture.”.

(c) Implementation of Certain Direction.—The Administrator shall implement the direction relating to this section contained in the classified annex accompany-
ing this Act.

SEC. 3113. COST ESTIMATES FOR LIFE EXTENSION PROGRAM AND MAJOR ALTERATION PROJECTS.

Subsection (b) of section 4217 of the Atomic Energy
Defense Act (50 U.S.C. 2537(b)) is amended to read as follows:

“(b) Independent Cost Estimates and Re-
views.—(1) The Secretary, acting through the Adminis-
tractor, shall submit to the congressional defense commit-
tees and the Nuclear Weapons Council the following:

“(A) An independent cost estimate of the fol-
lowing:

“(i) Each nuclear weapon system under-
going life extension at the completion of phase
6.2A, relating to design definition and cost
study.

“(ii) Each nuclear weapon system under-
going life extension at the completion of phase
6.3, relating to development engineering.

“(iii) Each nuclear weapon system under-
going life extension at the completion of phase
6.4, relating to production engineering, and be-
fore the initiation of phase 6.5, relating to first
production.

“(iv) Each new nuclear facility within the
nuclear security enterprise that is estimated to
cost more than $500,000,000 before such facil-
ity achieves critical decision 1 and before such
facility achieves critical decision 2 in the acqui-
sition process.

“(v) Each nuclear weapons system under-
going a major alteration project (as defined in
section 2753(a)(2) of this title).
“(B) An independent cost review of each nuclear weapon system undergoing life extension at the completion of phase 6.2, relating to study of feasibility and down-select.

“(2) Each independent cost estimate and independent cost review under paragraph (1) shall include—

“(A) whether the cost baseline or the budget estimate for the period covered by the future-years nuclear security program has changed, and the rationale for any such change; and

“(B) any views of the Secretary or the Administrator regarding such estimate or review.

“(3) The Administrator shall review and consider the results of any independent cost estimate or independent cost review of a nuclear weapon system or a nuclear facility, as the case may be, under this subsection before entering the next phase of the development process of such system or the acquisition process of such facility.

“(4) Each independent cost estimate or independent cost review of a nuclear weapon system or a nuclear facility, as the case may be, under this subsection shall be submitted not later than 30 days after the date on which—

“(A) such system completes a phase specified in paragraph (1); or
“(B) such facility achieves critical decision 1 as specified in subparagraph (A)(iv) of such paragraph.

“(5) Each independent cost estimate or independent cost review submitted under this subsection shall be submitted in unclassified form, but may include a classified annex if necessary.”.

SEC. 3114. BUDGET REQUESTS AND CERTIFICATION REGARDING NUCLEAR WEAPONS DISMANTLEMENT.

Section 3125 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

“(d) BUDGET REQUESTS.—The Administrator for Nuclear Security shall ensure that the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for each of fiscal years 2019 through 2021 includes amounts for the nuclear weapons dismantlement and disposition activities of the National Nuclear Security Administration in accordance with the limitation in subsection (a).
“(e) Certification.—Not later than February 1, 2018, the Administrator shall certify to the congressional defense committees that the Administrator is carrying out the nuclear weapons dismantlement and disposition activities of the Administration in accordance with the limitations in subsections (a) and (b).”.

SEC. 3115. IMPROVED INFORMATION RELATING TO DEFENSE NUCLEAR NONPROLIFERATION RESEARCH AND DEVELOPMENT PROGRAM.

(a) Improved Information.—Title XLIII of the Atomic Energy Defense Act (50 U.S.C. 2563 et seq.) is amended by adding at the end the following new section:

“SEC. 4310. INFORMATION RELATING TO DEFENSE NUCLEAR NONPROLIFERATION RESEARCH AND DEVELOPMENT PROGRAM AND ARMS CONTROL PROGRAM.

“(a) Technologies and Capabilities.—The Administrator shall document, for efforts that are not focused on basic research, the technologies and capabilities of the defense nuclear nonproliferation research and development program—

“(1) that are transitioned to end users for further development or deployment; and

“(2) that are deployed.
“(b) ASSESSMENTS OF STATUS.—(1) In assessing projects under the defense nuclear nonproliferation research and development program or the defense nuclear nonproliferation and arms control program, the Administrator shall compare the status of each such project, including with respect to the final results of such project, to the baseline targets and goals established in the initial project plan of such project.

“(2) The Administrator may carry out paragraph (1) using a common template or such other means as the Administrator determines appropriate.”.

(b) INCLUSION IN PLAN.—Section 4309(b) of such Act (50 U.S.C. 2575(b)) is amended—

(1) by redesignating paragraph (16) as paragraph (18); and

(2) by inserting after paragraph (15) the following new paragraphs:

“(16) A summary of the technologies and capabilities documented under section 4310(a).

“(17) A summary of the assessments conducted under section 4310(b)(1).”.

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SEC. 3116. RESEARCH AND DEVELOPMENT OF ADVANCED NAVAL REACTOR FUEL BASED ON LOW-ENRICHED URANIUM.

(a) Prohibition on Availability of Funds for Fiscal Year 2018.—

(1) Research and development.—Except as provided by paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Energy or the Department of Defense may be obligated or expended to plan or carry out research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(2) Exception.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for defense nuclear nonproliferation, as specified in the funding table in division D—

(A) $5,000,000 shall be made available to the Deputy Administrator for Naval Reactors of the National Nuclear Security Administration for low-enriched uranium activities (including downblending of high-enriched uranium fuel into low-enriched uranium fuel, research and development using low-enriched uranium fuel, or the modification or procurement of equip-
ment and infrastructure related to such activities) to develop an advanced naval nuclear fuel system based on low-enriched uranium; and

(B) if the Secretary of Energy and the Secretary of the Navy determine under section 3118(c)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1196) that such low-enriched uranium activities and research and development should continue, an additional $30,000,000 may be made available to the Deputy Administrator for such purpose.

(b) Prohibition on Availability of Funds Regarding Certain Accounts and Purposes.—

(1) Research and development and procurement.—Chapter 633 of title 10, United States Code, is amended by adding at the end the following new section:

“§7319. Requirements for availability of funds relating to advanced naval nuclear fuel systems based on low-enriched uranium

“(a) Authorization.—Low-enriched uranium activities may only be carried out using funds authorized to be appropriated or otherwise made available for the De-
part of Energy for atomic energy defense activities for defense nuclear nonproliferation.

“(b) PROHIBITION REGARDING CERTAIN ACCOUNTS.—(1) None of the funds described in paragraph (2) may be obligated or expended to carry out low-enriched uranium activities.

“(2) The funds described in this paragraph are funds authorized to be appropriated or otherwise made available for any fiscal year for any of the following accounts:

“(A) Shipbuilding and conversion, Navy, or any other account of the Department of Defense.

“(B) Any account within the atomic energy defense activities of the Department of Energy other than defense nuclear nonproliferation, as specified in subsection (a).

“(3) The prohibition in paragraph (1) may not be superseded except by a provision of law that specifically supersedes, repeals, or modifies this section. A provision of law, including a table incorporated into an Act, that appropriates funds described in paragraph (2) for low-enriched uranium activities may not be treated as specifically superseding this section unless such provision specifically cites to this section.
“(c) LOW-ENRICHED URANIUM ACTIVITIES DEFINED.—In this section, the term ‘low-enriched uranium activities’ means the following:

“(1) Planning or carrying out research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

“(2) Procuring ships that use low-enriched uranium in naval nuclear propulsion reactors.”.

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

“7319. Requirements for availability of funds relating to advanced naval nuclear fuel systems based on low-enriched uranium”.

(c) REPORTS.—

(1) SSN(X) SUBMARINE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Deputy Administrator for Naval Reactors shall jointly submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the cost and timeline required to assess the feasibility, costs, and requirements for a design of the Virginia-class replacement nuclear attack submarine that would allow for the use of a low-enriched uranium fueled reactor, if technically feasible, without changing the diameter of the submarine.
(2) **Research and Development.**—Not later than 60 days after the date of the enactment of this Act, the Deputy Administrator for Naval Reactors shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on—

(A) the planned research and development activities on low-enriched uranium and highly enriched uranium fuel that could apply to the development of a low-enriched uranium fuel or an advanced highly enriched uranium fuel; and

(B) with respect to such activities for each such fuel—

(i) the costs associated with such activities; and

(ii) a detailed proposal for funding such activities.

**Sec. 3117. Prohibition on Availability of Funds for Programs in Russian Federation.**

(a) **Prohibition.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for atomic energy defense activities may be obligated or expended to enter into a contract with, or otherwise provide assistance to, the Russian Federation.
(b) WAIVER.—The Secretary of Energy, without delegation, may waive the prohibition in subsection (a) only if—

(1) the Secretary determines, in writing, that a nuclear-related threat arising in the Russian Federation must be addressed urgently and it is necessary to waive the prohibition to address that threat;

(2) the Secretary of State and the Secretary of Defense concur in the determination under paragraph (1);

(3) the Secretary of Energy submits to the appropriate congressional committees a report containing—

(A) a notification that the waiver is in the national security interest of the United States;

(B) justification for the waiver, including the determination under paragraph (1); and

(C) a description of the activities to be carried out pursuant to the waiver, including the expected cost and timeframe for such activities; and

(4) a period of seven days elapses following the date on which the Secretary submits the report under paragraph (3).
(c) Exception.—The prohibition under subsection (a) and the requirements under subsection (b) to waive that prohibition shall not apply to an amount, not to exceed $3,000,000, that the Secretary may make available for the Department of Energy Russian Health Studies Program.

(d) 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. 3118. NATIONAL NUCLEAR SECURITY ADMINISTRATION PAY AND PERFORMANCE SYSTEM.

(a) Pay Banding and Performance-Based Pay Adjustment Demonstration Project.—

(1) Extension.—The Administrator for Nuclear Security shall carry out the demonstration project until the date that is five years after the date of the enactment of this Act. The Administrator shall carry out such project in accordance with the demonstration project plan, including with respect to the authority of the Administrator to modify such
system pursuant to such plan and waiving certain authorities or requirements under such plan.

(2) NAVAL NUCLEAR PROPULSION PROGRAM.—The Deputy Administrator for Naval Reactors may carry out the demonstration project with respect to the employees of the Naval Nuclear Propulsion Program in positions in the competitive service.

(3) ROTATIONS.—In carrying out the demonstration project, the Administrator shall authorize, and establish incentives for, employees of the National Nuclear Security Administration to have rotational assignments among different programs of the Administration, the headquarters and field offices of the Administration, and the management and operating contractors of the Administration.

(4) REQUIREMENTS FOR SENIOR-LEVEL POSITIONS.—The Administrator shall establish requirements for employees of the Administration who are in the demonstration project to be promoted to senior-level positions in the Administration, including requirements with respect to—

(A) professional training and continuing education; and
(B) a certain number and types of rotational assignments under paragraph (3), as determined by the Administrator.

(5) DEFINITIONS.—In this subsection:

(A) The term “demonstration project” means the National Nuclear Security Administration Pay Banding and Performance-Based Pay Adjustment Demonstration Project that is carried out—

(i) pursuant to section 4703 of title 5, United States Code; and

(ii) in accordance with the demonstration project plan and this subsection.

(B) The term “demonstration project plan” means the demonstration project plan published in the Federal Register on December 21, 2007 (72 Fed. Reg. 72,776).

(b) ROTATIONS FOR CERTAIN CONTRACTORS.—

(1) INCREASED USE.—The Administrator for Nuclear Security shall increase the use of rotational assignments of employees of the management and operating contractors of the National Nuclear Security Administration to the headquarters of the Administration, the Department of Defense and the military departments, the intelligence community,
and other departments and agencies of the Federal Government.

(2) METHODS.—The Administrator shall carry out paragraph (1) by—

(A) establishing incentives for—

(i) the management and operating contractors of the Administration and the employees of such contractors to participate in rotational assignments; and

(ii) the departments and agencies of the Federal Government specified in such paragraph to facilitate such assignments;

(B) providing professional and leadership development opportunities during such assignments;

(C) using details and other applicable authorities and programs, including the mobility program under subchapter VI of chapter 33 of title 5, United States Code (commonly referred to as the “Intergovernmental Personnel Act Mobility Program”); and

(D) taking such other actions as the Administrator determines appropriate to increase the use of such rotational assignments.

(c) RED-TEAM ANALYSIS.—
(1) ANALYSIS.—The Director for Cost Estimating and Program Evaluation of the National Nuclear Security Administration shall carry out a red-team analysis of the Federal employee staffing structure of the Administration with respect to the Administrator for Nuclear Security meeting the authorized personnel levels under section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 22441a).

(2) MATTERS INCLUDED.—The analysis under paragraph (1) shall include assessments of—

(A) the number of Federal employees within each program of the Administration, and whether such numbers are appropriately balanced with respect to the size, scope, functions, budgets, and risks, of the program; and

(B) the number of Senior Executive Service positions within the Administration, including a comparison of such number to other comparable departments and agencies of the Federal Government, and whether such number is appropriate.

(d) BRIEFINGS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act—
(A) the Administrator for Nuclear Security shall provide a briefing to the appropriate congressional committees on the implementation of—

(i) section 3248 of the National Nuclear Security Administration Act, as added by subsection (a); and

(ii) subsection (b); and

(B) the Director for Cost Estimating and Program Evaluation shall provide to such committees a briefing on the analysis under subsection (c).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committees on Armed Services of the House of Representatives and the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Energy and Natural Resources of the Senate; and

(D) the Committee on Oversight and Government Reform of the House of Representatives.
SEC. 3119. DISPOSITION OF WEAPONS-USABLE PLUTONIUM.

(a) In General.—Subject to subsection (b), the Secretary of Energy shall carry out construction and project support activities relating to the MOX facility using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the National Nuclear Security Administration for the MOX facility for construction and project support activities.

(b) Waiver.—The Secretary of Energy may waive the requirement in subsection (a) if the Secretary submits to the Committees on Armed Services of the House of Representatives and the Senate the following:


(2) Notification that the Secretary has sought to enter into consultations with any relevant State necessary to pursue an alternative option for carrying out the plutonium disposition program.

(3) Notification that the Secretary has been unable to enter into a fixed-price contract with the prime contractor of the MOX facility (for construction and project support activities under subsection (a)) that the Secretary determines sufficiently minimizes risk and cost to the Department of Energy.

(4) Certification that—
(A) an alternative option for carrying out
the plutonium disposition program exists;

(B) the total lifecycle cost of such alter-
native option would be less than approximately
half of the estimated remaining total lifecycle
cost of the mixed-oxide fuel program; and

(C) pursuing such alternative option is in
the best interest of the Federal Government.

(5) The commitment of the Secretary to—

(A) remove plutonium from South Caro-
lina; and

(B) ensure a sustainable future for the Sa-
vannah River Site.

(e) 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 equip-
ment procurement, and site preparation of the MOX
facility.

SEC. 3120. MODIFICATION OF MINOR CONSTRUCTION
THRESHOLD FOR PLANT PROJECTS.

Section 4701 of the Atomic Energy Defense Act (50
U.S.C. 2741) is amended—
(1) by striking “In this subtitle:” and inserting the following:

“(a) IN GENERAL.—In this subtitle:”;

(2) in paragraph (2), by striking “$10,000,000” and inserting “$20,000,000, subject to adjustment under subsection (b)”;

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

“(b) ADJUSTMENT OF MINOR CONSTRUCTION THRESHOLD FOR INFLATION.—(1) The Secretary of Energy shall adjust the amount of the minor construction threshold on October 1, 2017, and at the beginning of each fiscal year thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2016.

“(2) In adjusting the amount of the minor construction threshold under paragraph (1), the Secretary—

“(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

“(B) may ignore any such increase of less than 1 percent.

“(3) For purposes of this subsection, the term ‘Consumer Price Index’ means the Consumer Price Index for
All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”.

SEC. 3121. DESIGN COMPETITION.

(a) FINDINGS.—Congress finds the following:

(1) In January 2016, the co-chairs of a congressionally-mandated study panel from the National Academies of Science testified before the House Committee on Armed Services that:

(A) “The National Nuclear Security Administration (NNSA) complex must engage in robust design competitions in order to exercise the design and production skills that underpin stockpile stewardship and are necessary to meet evolving threats.”

(B) “To exercise the full set of design skills necessary for an effective nuclear deterrent, the NNSA should develop and conduct the first in what the committee envisions to be a series of design competitions that integrate the full end-to-end process from novel design conception through engineering, building, and non-nuclear testing of a prototype.”

(2) In March 2016 testimony before the House Committee on Armed Services regarding a December 2016 Defense Science Board (DSB) report titled,
“Seven Defense Priorities for the New Administration”, members of the DSB said:

(A) “A key contributor to nuclear deterrence is the continuous, adaptable exercise of the development, design, and production functions for nuclear weapons in both the DOD and DOE... Yet the DOE laboratories and DOD contractor community have done little integrated design and development work outside of life extension for 25 years, let alone concept development that could serve as a hedge to surprise.”

(B) “The Defense Science Board believes that the triad’s complementary features remain robust tenets for the design of a future force. Replacing our current, aging force is essential, but not sufficient in the more complex nuclear environment we now face to provide the adaptability or flexibility to confidently hold at risk what adversaries value. In particular, if the threat evolves in ways that favorably change the cost/benefit calculus in the view of an adversary’s leadership, then we should be in a position to quickly restore a credible deterrence posture.”
(3) In a memorandum dated May 9, 2014, then-Secretary of Energy Ernie Moniz said:

(A) “If nuclear military capabilities are to provide deterrence for the nation they need to be relevant to the emerging global strategic environment. The current stockpile was designed to meet the needs of a bipolar world with roots in the Cold War era. A more complex, chaotic, and dynamic security environment is emerging. In order to uphold the Department’s mission to ensure an effective nuclear deterrent... we must ensure our nuclear capabilities meet the challenges of known and potential geopolitical and technological trends. Therefore we must look ahead, using the expertise of our laboratories, to how the capabilities that may be employed by other nations could impact deterrence over the next several decades.”

(B) “We must challenge our thinking about our programs of record in order to permit foresighted actions that may reduce, in the coming decades, the chances for surprise and that buttress deterrence.”

(b) DESIGN COMPETITION.—
1196

(1) IN GENERAL.—In accordance with para-

graph (2), the Administrator for Nuclear Security,

in coordination with the Chairman of the Nuclear

Weapons Council, shall carry out a new and com-

prehensive design competition for a nuclear warhead

that could be employed on ballistic missiles of the

United States by 2030. Such competition shall—

(A) examine options for warhead design

and related delivery system requirements in the

2030s, including—

(i) life extension of existing weapons;

(ii) new capabilities; and

(iii) such other concepts that the Ad-

ministrator and Chairman determine nec-

essary to fully exercise and create respons-

sive design capabilities in the enterprise

and ensure a robust nuclear deterrent into

the 2030s;

(B) assess how the capabilities and de-
fenses that may be employed by other nations

could impact deterrence in 2030 and beyond

and how such threats could be addressed or

mitigated in the warhead and related delivery

systems;
(C) exercise the full set of design skills necessary for an effective nuclear deterrent and responsive enterprise through production of conceptual designs and, as the Administrator determines appropriate, production of non-nuclear prototypes of components or subsystems; and

(D) examine and recommend actions for significantly shortening timelines and significantly reducing costs associated with design, development, certification, and production of the warhead, without reducing worker or public health and safety.

(2) TIMING.—The Administrator shall—

(A) during fiscal year 2018 develop a plan to carry out paragraph (1); and

(B) during fiscal year 2019 implement such plan.

(c) BRIEFING.—Not later than March 1, 2018, the Administrator, in coordination with the Chairman of the Nuclear Weapons Council, shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives on the plan of the Administrator to carry out the warhead design competition under subsection (b). Such briefing shall include an assessment of
the costs, benefits, risks, and opportunities of such plan,
particularly impacts to ongoing life extension programs
and infrastructure projects.

SEC. 3122. DEPARTMENT OF ENERGY COUNTERINTELLIGENCE POLYGRAPH PROGRAM.

Section 4504(b) of the Atomic Energy Defense Act
(50 U.S.C. 2654(b)) is amended by adding at the end the
following new paragraph:

“(4) The regulations prescribed under paragraph (1)
shall ensure that the persons subject to the counterintelligence polygraph program required by subsection (a) in-
clude any person who is—

“(A) a United States national who also has the
nationality of a foreign state; and

“(B) seeking employment with the National
Nuclear Security Administration.”.

SEC. 3123. SECURITY CLEARANCE FOR DUAL-NATIONALS
EMPLOYED BY NATIONAL NUCLEAR SECURITY AGENCY.

(a) IN GENERAL.—The National Nuclear Security
Administration Act (50 U.S.C. 2401 et seq.) is amended
by inserting after section 3236 the following new section:
SEC. 3237. SECURITY CLEARANCE FOR DUAL NATIONALS OF HIGH THREAT FOREIGN STATES.

(a) In general.—In the case of an individual who is a United States national who also has the nationality of a foreign state that is on the list maintained by the Secretary of Energy under subsection (a) and who is appointed to or hired for a position designated by the Office of Personnel Management as critical sensitive or special sensitive, the Secretary shall provide additional review before approving a security clearance for such individual.

(b) Waiver.—

(1) Waiver authority.—In the case of a person who is a United States national who also has the nationality of a foreign state identified under paragraph (2), the Secretary may waive the requirement under subsection (a).

(2) Foreign states.—The Director of National Intelligence shall identify foreign states that permit citizens or nationals of the United States to serve in positions of trust equivalent to positions identified by the Office of Personnel Management as critical sensitive or special sensitive.”.

(b) Clerical Amendment.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 3236 the following new item:
SEC. 3124. ANNUAL REPORTS ON UNFUNDED PRIORITIES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) Annual Reports.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Administrator for Nuclear Security shall submit to the Secretary of Energy and the congressional defense committees a report on the unfunded priorities of the National Nuclear Security Administration.

(b) Elements.—

(1) In general.—Each report under subsection (a) shall specify, for each unfunded priority covered by such report, the following:

(A) A summary description of such priority, including the objectives to be achieved if such priority is funded (whether in whole or in part).

(B) The additional amount of funds recommended in connection with the objectives under subparagraph (A).

(C) Account information with respect to such priority.
(2) Prioritization of priorities.—Each report shall present the unfunded priorities covered by such report in order of urgency of priority.

(c) Unfunded priority defined.—In this section, the term “unfunded priority”, in the case of a fiscal year, means a program, activity, or mission requirement that—

(1) is not funded in the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31;

(2) is necessary to fulfill a requirement associated with the National Nuclear Security Administration; and

(3) would have been recommended for funding through the budget referred to in paragraph (1) by the Administrator in connection with the budget if—

(A) additional resources had been available for the budget to fund the program, activity, or mission requirement; or

(B) the program, activity, or mission requirement has emerged since the budget was formulated.

SEC. 3125. PLUTONIUM CAPABILITIES.

(a) Report.—Not later than 30 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense
committees, the Secretary of Defense, and the Comptroller General of the United States a report on the recommended alternative endorsed by the Administrator for recapitalization of plutonium science and production capabilities of the nuclear security enterprise. The report shall identify the recommended alternative endorsed by the Administrator and contain the analysis of alternatives, including costs, upon which the Administrator relied in making such endorsement.

(b) Certification.—Not later than 60 days after the date on which the Secretary of Defense receives the notification under subsection (a), the Chairman of the Nuclear Weapons Council shall submit to the congressional defense committees the written certification of the Chairman regarding whether the recommended alternative endorsed by the Administrator—

(1) is acceptable to the Secretary of Defense and the Nuclear Weapons Council and meets the requirements of the Secretary for plutonium pit production capacity and capability;

(2) is likely to meet the pit production timelines and milestones required by section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a);
(3) is likely to meet pit production timelines and requirements responsive to military requirements;

(4) is cost effective and has reasonable near-term and lifecycle costs that are minimized, to the extent practicable, as compared to other alternatives, and has tested and documented the sensitivity of the cost estimates for each alternative to risks and changes in key assumptions;

(5) contains minimized and manageable risks as compared to other alternatives;

(6) can be acceptably reconciled with any differences in the conclusions made by the Office of Cost Assessment and Program Evaluation of the Department of Defense in the business case analysis of plutonium pit production capability issued in 2013; and

(7) has documented the assumptions and constraints used in the analysis of alternatives.

(e) FAILURE TO CERTIFY.—If the Chairman is unable to submit the certification under subsection (b), the Chairman shall submit to the congressional defense committees and the Administrator written notification describing why the Chairman is unable to make such certification and what steps the Administrator should take to improve
the plan of the Administrator to recapitalize plutonium pit production capacity and capability to enable certification.

(d) ASSESSMENT.—Not later than 120 days after the date on which the Comptroller General receives the notification under subsection (a), the Comptroller General shall provide to the congressional defense committees a briefing containing the assessment of the Comptroller General of the analysis of alternatives conducted by the Administrator to select a preferred alternative for recapitalizing plutonium science and production capabilities.

SEC. 3126. PLAN FOR VERIFICATION, DETECTION, AND MONITORING OF NUCLEAR WEAPONS AND FISSILE MATERIAL.

(a) FINDINGS AND SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) A January 2014 Defense Science Board report found that “The nuclear future will not be a linear extrapolation of the past. . . [and] [t]he technologies and processes designed for current treaty verification and inspections are inadequate to future monitoring realities”.

(B) Section 3133 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public
Law 113–291) required an interagency plan for nuclear monitoring of nuclear weapons and fissile material, and section 3132 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) required an update of such plan. In both instances, the reports submitted failed to answer the congressional requirements, and instead provided only a brief summary of the National Security Council structure and processes.

(2) Sense of Congress.—It is the sense of Congress that verification, detection, and monitoring of nuclear weapons and fissile material should be a priority for national security, and that the reports submitted to date do not reflect this priority, or the current and planned initiatives related to nuclear verification and detection.

(b) Plan.—The President, in consultation with the Secretary of State, the Secretary of Defense, the Secretary of Energy, the Secretary of Homeland Security, and the Director of National Intelligence, shall develop a plan for verification and monitoring relating to the potential proliferation of nuclear weapons, components of such weapons, and fissile material.
(c) ELEMENTS.—The plan developed under subsection (b) shall include the following:

(1) A plan and road map for verification, detection and monitoring, with respect to policy, operations, and research, development, testing, and evaluation, including—

   (A) identifying requirements;

   (B) costs and funding requirements over 10 years for such nuclear verification, detection and monitoring; and

   (C) identifying and integrating roles, responsibilities, and planning for such nuclear verification, detection and monitoring.

(2) A detailed international engagement plan for building cooperation and transparency, including bilateral and multilateral efforts, to improve inspections, detection, and monitoring.

(3) A detailed description of—

   (A) current and planned research and development efforts to improve monitoring, detection, and in-field inspection and analysis capabilities, including persistent surveillance, remote monitoring, and rapid analysis of large data sets, including open-source data; and
(B) measures to coordinate technical and operational requirements early in the process.

(4) Engagement of relevant departments and agencies of the Federal Government and the military departments (including the Open Source Center and the United States Atomic Energy Detection System), national laboratories, industry, and academia.

(d) DESIGNATION OF DOE.—The President shall designate the Department of Energy as the lead agency for development of the plan under subsection (b).

(e) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Energy, acting through the Administrator for Nuclear Security, shall provide to the appropriate congressional committees an interim briefing on the plan under subsection (b).

(f) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense for supporting the Executive Office of the President, $10,000,000 may not be obligated or expended until the date on which the President submits to the appropriate congressional committees the plan under subsection (g)(1).

(g) SUBMISSION.—
(1) **DEADLINE.**—Not later than April 15, 2018, the President shall submit to the appropriate congressional committees the plan developed under subsection (b).

(2) **FORM.**—The plan under subsection (b) shall be transmitted in unclassified form, but, consistent with the protection of intelligence sources and methods, may include a classified annex.

(h) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(4) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(5) The Committee on Commerce, Science, and Transportation of the Senate and the Committee on
Subtitle C—Plans and Reports

SEC. 3131. MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.

(a) Status of Nuclear Materials Protection, Control, and Accounting Program.—

(1) Repeal.—Section 4303 of the Atomic Energy Defense Act (50 U.S.C. 2563) is repealed.

(2) Clerical Amendment.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4303.

(b) Status of Security of Atomic Energy Defense Facilities.—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657) is amended by striking “of each year” each place it appears and inserting “of each even-numbered year”.

(c) Security Risks Posed to Nuclear Weapons Complex.—

(1) Included in SSMP.—Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended—

(A) in subsection (c)—

(i) by redesignating paragraph (7) as paragraph (8); and
(ii) by inserting after paragraph (6) the following new paragraph (7):

“(7) A summary of the status of the plan regarding the research and development, deployment, and lifecycle sustainment of technologies described in subsection (d)(7).”; and

(B) in subsection (d)—

(i) by redesignating paragraph (7) as paragraph (8); and

(ii) by inserting after paragraph (6) the following new paragraph (7):

“(7) A plan for the research and development, deployment, and lifecycle sustainment of the technologies employed within the nuclear security enterprise to address physical and cybersecurity threats during the five-fiscal-year period following the date of the plan, together with—

“(A) for each site in the nuclear security enterprise, a description of the technologies deployed to address the physical and cybersecurity threats posed to that site;

“(B) for each site and for the nuclear security enterprise, the methods used by the Administration to establish priorities among in-
vestments in physical and cybersecurity technologies; and

“(C) a detailed description of how the funds identified for each program element specified pursuant to paragraph (1) in the budget for the Administration for each fiscal year during that five-fiscal-year period will help carry out that plan.”.

(2) CONFORMING AMENDMENT.—Section 3253(b) of the National Nuclear Security Administration Act (50 U.S.C. 2453) is amended by striking paragraph (5).

(d) SELECTED ACQUISITION REPORTS.—Section 4217(a) of the Atomic Energy Defense Act (50 U.S.C. 2537(a)) is amended by striking “fiscal-year quarter” each place it appears and inserting “fiscal year”.

(e) LONG-TERM PLAN FOR MEETING NATIONAL SECURITY REQUIREMENTS FOR UNENCUMBERED URANIUM.—Section 4221(a) of the Atomic Energy Defense Act (50 U.S.C. 2538c(a)) is amended by striking “Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, in” and inserting “Not later than December 31 of”.
(f) Defense Nuclear Nonproliferation Management Plan.—Section 4309 of the Atomic Energy Defense Act (50 U.S.C. 2575) is amended—

(1) in subsection (a), by striking “In General.—Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, in each fiscal year” and inserting “Plan.—Not later than March 31 of each odd-numbered year”;

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

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

“(c) Updated Summary.—Not later than March 31 of each even-numbered year, the Administrator shall submit to the congressional defense committees an updated summary of the plan submitted under subsection (a) during the previous year.”; and

(4) in subsection (d), as so redesignated, by inserting “and the updated summary required by subsection (c)” before “shall be submitted”.
Not later than 30 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall seek to enter into a contract with a federally funded research and development center to conduct an assessment of the benefits, costs, challenges, risks, efficiency, and effectiveness of the strategy of the Administrator with respect to management and operating contracts for national security laboratories. The Administrator may not award such contract to a federally funded research and development center for which the Department of Energy or the National Nuclear Security Administration is the primary sponsor.

The Administrator, and the director of each national security laboratory, shall provide to the federally funded research and development center conducting the assessment under subsection (a) the information the center requires to conduct such assessment.

Not later than 90 days after the date on which the Administrator and a federally funded research and development center enter into the contract under subsection (a), the center shall submit to the Administrator a report on the assess-
ment conducted under such subsection. Such report shall include the following:

(A) An assessment of the acquisition strategy and the contract oversight process of the Administrator, and of the use of for-profit management and operating contractors at national security laboratories, and whether such strategy, process, and contractors provide the best outcomes to the Federal Government with respect to performance, cost, efficiency, and effectiveness.

(B) An assessment of the total costs, for each national security laboratory, that are incurred because of using a for-profit model for the management and operating contract that would not be incurred under a nonprofit model, and whether performance, costs, efficiency, and effectiveness would be expected to increase or decrease under a nonprofit model.

(C) An assessment of whether the Administrator is appropriately using, managing, and overseeing the national security laboratories with respect to the nature of the laboratories as federally funded research and development centers.
(2) CONGRESS.—Not later than 30 days after the date on which the Administrator receives the report under paragraph (1), the Administrator shall submit to the Committees on Armed Services of the House of Representatives and the Senate such report, without change, together with any comments the Administrator determines appropriate.

(3) LIMITATION.—

(A) AWARD OR EXTENSION OF CONTRACT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the National Nuclear Security Administration may be obligated or expended to award, or to extend, a management and operating contract for a national security laboratory until the date on which the Administrator submits to the congressional defense committees the report under paragraph (2).

(B) WAIVER FOR EXTENSION.—The Secretary of Energy may waive the limitation in subparagraph (A) with respect to the extension of a management and operating contract for a national security laboratory if the Secretary—
(i) determines such waiver is required in the interest of national security; and

(ii) notifies the Committees on Armed Services of the House of Representatives and the Senate of such determination.

(d) Sense of Congress.—It is the sense of Congress that nothing in this section should be construed to mandate or encourage an extension of an existing management and operating contract for a national security laboratory.

(e) National Security Laboratory Defined.—In this section, the term “national security laboratory” has the meaning given that term in section 4002(7) of the Atomic Energy Defense Act (50 U.S.C. 2501(7)).

SEC. 3133. EVALUATION OF CLASSIFICATION OF CERTAIN DEFENSE NUCLEAR WASTE.

(a) Evaluation.—The Secretary of Energy shall conduct an evaluation of the feasibility, costs, and cost savings of classifying certain defense nuclear waste as other than high-level radioactive waste, without decreasing environmental, health, or public safety requirements.

(b) Matters Included.—In conducting the evaluation under subsection (a), the Secretary shall consider—

(1) the estimated quantities and locations of certain defense nuclear waste;
the potential disposal path for such waste;
(3) the estimated disposal timeline for such waste;
(4) the estimated costs for disposal of such waste, and potential cost savings;
(5) the potential effect on existing consent orders, permits, and agreements;
(6) the basis by which the Secretary would make a decision on whether to reclassify such waste; and
(7) any such other matters relating to defense nuclear waste that the Secretary determines appropriate.

(e) REPORT.—Not later than February 1, 2018, the Secretary shall submit to the appropriate congressional committees a report on the evaluation under subsection (a), including a description of—

(1) the consideration by the Secretary of the matters under subsection (b);
(2) any actions the Secretary has taken or plans to take to change the processes, rules, regulations, orders, or directives, relating to defense nuclear waste, as appropriate;
(3) any recommendations for legislative action the Secretary determines appropriate; and
(4) the assessment of the Secretary regarding
the benefits and risks of the actions and rec-
ommendations of the Secretary under paragraphs
(1) and (2).

(d) DEFINITIONS.—In this section:

(1) The term “appropriate congressional com-
mittees” means the following:

(A) The congressional defense committees.

(B) The Committee on Energy and Com-
merce of the House of Representatives.

(C) The Committee on Energy and Nat-
ural Resources of the Senate.

(2) The term “certain defense nuclear waste”
means radioactive waste that—

(A) resulted from the reprocessing of spent
nuclear fuel that was generated from atomic en-
ergy defense activities; and

(B) contains more than 100 nCi/g of
alpha-emitting transuranic isotopes with half-
lives greater than 20 years.

SEC. 3134. REPORT ON CRITICAL DECISION–1 ON MATERIAL
STAGING FACILITY PROJECT.

Not later than October 31, 2017, the Administrator
for Nuclear Security shall submit to the congressional de-
fense committees a report containing the following:
(1) The decision memorandum of the Administrator with respect to Critical Decision–1 on the Material Staging Facility project at the Pantex Plant.

(2) The preferred alternative approved by the Administrator for such Critical Decision–1.

(3) The cost-range estimates, including a description of the costs saved or avoided from not carrying out recapitalization and sustainment of Area 4 at the Pantex Plant.

(4) The schedule-range estimates that include completion of the Material Staging Facility by 2024.

(5) The risk factors and risk mitigation and management options relating to the Material Staging Facility.

(6) The expected improvements to operations and security provided by the Material Staging Facility, once operational, including the potential annual cost savings.

(7) Such other matters as the Administrator considers appropriate.

SEC. 3135. MODIFICATION TO STOCKPILE STEWARDSHIP, MANAGEMENT, AND RESPONSIVENESS PLAN.

Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523), as amended by section 3131, is further amended—
1 (1) in subsection (c)—

(A) by redesignating paragraph (8) as paragraph (9); and

(B) by inserting after paragraph (7) the following new paragraph (8):

“(8) A summary of the assessment under subsection (d)(8) regarding the execution of the programs with current and projected budgets and any associated risks.”; and

(2) in subsection (d)—

(A) by redesignating paragraph (8) as paragraph (9); and

(B) by inserting after paragraph (7) the following new paragraph (8):

“(8) An assessment of whether the programs described by the report can be executed with current and projected budgets and any associated risks.”.

SEC. 3136. IMPROVED REPORTING FOR ANTI-SMUGGLING RADIATION DETECTION SYSTEMS.

(a) ANNUAL REPORT.—Together with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, for each of fiscal years 2019 through 2021, the Administrator for Nuclear Security shall submit to the congressional defense committees a report regarding any anti-smuggling radiation de-
tection systems that the Administrator proposes to deploy
during the fiscal year covered by the budget.

(b) Matters Included.—Each report under sub-
section (a) shall include the following:

(1) The probability of detection for the anti-
smuggling radiation detection systems covered by
the report against realistic potential smuggling
threats, including shielded and unshielded uranium,
plutonium, and other special nuclear material.

(2) The costs associated with the deployments
of such systems, including costs to the United States
and costs to any host nation.

(3) Options for technological advances that
would make radiation detection less expensive or
more effective.

(4) The benefits to the national security of the
United States resulting from the deployments of
such systems.

SEC. 3137. ANNUAL SELECTED ACQUISITION REPORTS ON
CERTAIN HARDWARE RELATING TO DEFENSE
NUCLEAR NONPROLIFERATION.

(a) Annual Selected Acquisition Reports.—

(1) In general.—At the end of each fiscal
year, the Administrator for Nuclear Security shall
submit to the congressional defense committees a re-
port on each covered hardware project. The reports
shall be known as Selected Acquisition Reports for
the covered hardware program concerned.

(2) MATTERS INCLUDED.—The information
contained in the Selected Acquisition Report for a
fiscal year for a covered hardware project shall be
the information contained in the Selected Acquisition
Report for such fiscal year for a major defense ac-
quissition program under section 2432 of title 10,
United States Code, expressed in terms of the cov-
ered hardware project.

(b) COVERED HARDWARE PROJECT DEFINED.—In
this section, the term “covered hardware project” means
projects carried out under the defense nuclear non-
proliferation research and development program that—

(1) are focused on the production and deploy-
ment of hardware, including with respect to the de-
velopment and deployment of satellites or satellite
payloads; and

(2) exceed $500,000,000 in total program cost
over the course of five years.

SEC. 3138. ASSESSMENT OF DESIGN TRADE OPTIONS OF
W80-4 WARHEAD.

(a) ASSESSMENT.—The Director for Cost Estimating
and Program Evaluation shall conduct an assessment of
the design trade options, and the associated cost and benefit analyses for each such option, for the W80-4 warhead relating to the down-select options to be contained in the final Phase 6.2 study report. Such assessment shall include a review of the cost and schedule estimates of each such option.

(b) ASSESSMENT AND BRIEFING.—

(1) NNSA.—Not later than 60 days after the date of the enactment of this Act, the Director shall submit to the Administrator for Nuclear Security the assessment under subsection (a).

(2) CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall provide to the congressional defense committees a briefing containing a copy of the assessment under subsection (a), without change, and any views of the Administrator.

(3) FORM.—The assessment submitted under paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

SEC. 3139. SENSE OF CONGRESS REGARDING URANIUM MINING AND NUCLEAR TESTING.

It is the sense of Congress that the United States should compensate and recognize all of the miners, workers, downwinders, and others suffering from the effects
of uranium mining and nuclear testing carried out during
the Cold War.

SEC. 3140. PLAN TO FURTHER MINIMIZE THE USE OF HIGH-
LY ENRICHED URANIUM FOR MEDICAL ISO-
TOPES.

(a) Plan.—The Secretary of Energy, in consultation
with the Secretary of State, shall develop and assess a
plan, including with respect to the benefits, risks, costs,
and opportunities of the plan, to—

(1) take additional actions to promote the wider
utilization of molybdenum-99 and technetium-99m
produced without the use of highly enriched uranium
targets, such as, at a minimum, by—

(A) eliminating the availability of highly
enriched uranium for Mo-99 by buying back
U.S.-origin highly enriched uranium in raw or
target form from global Mo-99 suppliers; and

(B) restricting or placing financial pen-
alties on the import of Mo-99 produced with
highly enriched uranium targets;

(2) work with global molybdenum suppliers and
regulators to reduce the proliferation hazard from
reprocessing waste from medical isotope production
containing U.S.-origin highly enriched uranium; and
(3) ensure an adequate supply of molybdenum-99 and technetium-99 at all times, and both assess and mitigate any risks to such supply during a transition to production without the use of highly enriched uranium.

(b) SUBMISSION.—

(1) IN GENERAL.—Not later than April 1, 2018, the Secretary of Energy shall submit to the appropriate congressional committees a report containing the plan and assessment under subsection (a).

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

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Committee on Foreign Affairs and the Committee on Energy and Commerce of the House of Representatives; and

(C) the Committee on Foreign Relations and the Committee on Energy and Natural Resources of the Senate.
TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2018, $30,600,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $4,900,000 for fiscal year 2018 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 THE MARITIME ADMINISTRATION.

There are authorized to be appropriated to the Department of Transportation for fiscal year 2018, to be
available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States merchant marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $84,400,000, of which—

(A) $66,400,000 shall be for Academy operations; and

(B) $18,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $27,400,000, of which—

(A) $2,400,000 shall remain available until September 30, 2019, for the Student Incentive Program;

(B) $3,000,000 shall remain available until expended for direct payments to such academies; and

(C) $22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program,
$36,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $60,020,000.

(5) For expenses necessary to maintain and preserve a United States flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $300,000,000.

(6) For expenses necessary to provide assistance for small shipyards and maritime communities under section 54101 of title 46, United States Code, $30,000,000, which shall remain available until expended for capital and related improvements.

(7) 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, $40,000,000.

SEC. 3502. MERCHANT SHIP SALES ACT OF 1946.

(a) AMENDMENTS.—The Merchant Ship Sales Act of 1946 (50 U.S.C. 4401 et seq.) is amended by—

(1) repealing the first section and sections 2, 3, 5, 12, and 14;
(2) in section 8, redesignating subsection (d) as section 56308 of title 46, United States Code, transferring it to appear after section 56307 of such title; and

(3) redesignating section 11 as section 57100 of title 46, United States Code, and transferring it to appear before section 57101 of such title.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) Section 2218 of title 10, United States Code, is amended by striking “section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744)” each place it appears and inserting “section 57100 of title 46”.

(2) Section 3134 of title 40, United States Code, is amended—

(A) by striking “31,” and inserting “31 or”; and

(B) by striking “or the Merchant Ship Sales Act of 1946 (50 App. U.S.C. 1735 et seq.),”.

(3) Section 3703a(b)(6) of title 46, United States Code, is amended by striking “section 11 of the Merchant Ship Sales Act of 1946 (50 App. U.S.C. 1744)” and inserting “section 57100”.

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(5) Section 56308 of title 46, United States Code, as redesignated and transferred by subsection (a)(2) of this section, is amended—

(A) by striking so much as precedes “vessel constructed” and inserting the following:

“§ 56308. Transfer of substitute vessels

“In the case of any”;

(B) by inserting “of Transportation” after “Secretary”; and

(C) by striking “adjustments with respect to the retained vessels as provided for in section 9, and”.

(6) Section 57100 of title 46, United States Code, as redesignated and transferred by subsection (a)(3) of this section, is amended—

(A) by striking so much as precedes the text of subsection (a) and inserting the following:

“§ 57100. National Defense Reserve Fleet

“(a) Fleet Components.—”;

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(B) in subsection (b), by inserting before the first sentence the following: “PERMITTED
USES.—”; and

(C) in subsection (e)—

(i) by inserting before the first sentence the following: “EXEMPTION FROM
TANK VESSEL CONSTRUCTION STANDARDS.—”; and

(ii) by striking “of title 46, United States Code”.

(7) Section 57101 of title 46, United States Code, is amended by striking “maintained under
section 11 of the Merchant Ship Sales Act of 1946 (50 App. 1744)”.

(8) The analysis for chapter 563 of title 46, United States Code, is amended by inserting after the item relating to section 56307 the following:

“56308. Transfer of substitute vessels.”.

(9) The analysis for chapter 571 of title 46, United States Code, is amended by inserting before the item relating to section 57101 the following:

“57100. National Defense Reserve Fleet.”.
SEC. 3503. MARITIME SECURITY FLEET PROGRAM; RESTRICTION ON OPERATION FOR NEW ENTRANTS.

(a) RESTRICTION.—Section 53105(a) of title 46, United States Code, is amended—

(1) in paragraph (1)(A), by inserting “, except as provided in paragraph (2),” after “in the foreign commerce or”;

(2) in paragraph (1)(B), by striking “and” after the semicolon at the end;

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following:

“(2) in the case of a vessel, other than a replacement vessel under subsection (f), first covered by an operating agreement after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018, the vessel shall not be operated in the transportation of cargo between points in the United States and its territories either directly or via a foreign port; and”.

(b) CONFORMING AMENDMENTS.—Section 53106 of title 46, United States Code, is amended—

(1) in subsection (b), by striking “section 53105(a)(1)” and inserting “paragraph (1) and (2)
of section 53105(a), as otherwise applicable with re-
spect to such vessel,”; and

(2) in subsection (d)(3), by striking “section
53105(a)(1)” and inserting “paragraph (1) and (2)
of section 53105(a), as otherwise applicable with re-
spect to such vessel”.

SEC. 3504. CODIFICATION OF SECTIONS RELATING TO AC-
QUISITION, CHARTER, AND REQUISITION OF
VESSELS.

(a) Emergency Foreign Vessel Acquisition;

Purchase or Requisition of Vessels Lying Idle in
United States Waters.—The first section of the Act
of August 9, 1954 (ch. 659; 50 U.S.C. 196)—

(1) is redesignated as section 56309 of title 46,

United States Code, and transferred to appear at
the end of chapter 563 of such title, as otherwise
amended by this title; and

(2) is amended—

(A) by striking “That during” and insert-
ing the following:

“§ 56309. Emergency foreign vessel acquisition; pur-
chase or requisition of vessels lying idle
in United States waters

“During”;
(B) by striking “section 902 of the Merchant Marine Act, 1936, as amended” each place it appears and inserting “this chapter”; and

(C) by striking “the second paragraph of subsection (d) of such section 902, as amended” and inserting “section 56305”.

(b) Voluntary Purchase or Charter Agreements.—Section 2 of such Act (50 U.S.C. 197)—

(1) is redesignated as section 56310 of title 46, United States Code, and transferred to appear after section 56309 of such title (as amended by subsection (a)); and

(2) is amended—

(A) by striking so much as proceeds “During” and inserting the following:

“§ 56310. Voluntary purchase or charter agreements”;

and

(B) by striking “section 902 of the Merchant Marine Act, 1936,” and inserting “this chapter”.

(c) Requisitioned Vessels.—Section 3 of such Act (50 U.S.C. 198)—

(1) is redesignated as section 56311 of title 46, United States Code, and transferred to appear after
section 56310 of such title (as amended by sub-
sections (a) and (b));

(2) is amended by striking so much as precedes
subsection (a) and inserting the following:

“§ 56311. Requisitioned vessels”; and

(3) is amended—

(A) except as provided in subparagraphs
(B) and (C), by striking “this Act” each place
it appears and inserting “section 56309 or
56310, as applicable”;

(B) in subsection (e)—

(i) in the first sentence, by striking
“this Act” and inserting “section 56309 or
56310, as applicable,”; and

(ii) by striking “The second para-
graph of section 9 of the Shipping Act,
1916, as amended,” and inserting “Section
57109”; and

(C) in subsection (d)—

(i) in the first sentence by striking
“provisions of section 3709 of the Revised
Statutes” and inserting “section 6101 of
title 41”;

(ii) in the second sentence—
(I) by striking “this Act” and inserting “section 56309 or 56310, as applicable,”; and

(II) by striking “said section 3709” and inserting “section 6101 of title 41”;

(iii) by striking “title VII of the Merchant Marine Act, 1936” and inserting “chapter 575”; and

(iv) by striking subsection (f).

(d) DOCUMENTED DEFINED.—Chapter 563 of title 46, United States Code, as amended by this section, is further amended by adding at the end the following:

“§ 56312. Documented defined

“In sections 56309 through 56311, the term ‘documented’ means, with respect to a vessel, that a certificate of documentation has been issued for the vessel under chapter 121.”.

(e) CLERICAL AMENDMENT.—The analysis for chapter 563 of title 46, United States Code, as otherwise amended by this title, is further amended by adding at the end the following:

“56309. Emergency foreign vessel acquisition; purchase or requisition of vessels lying idle in United States waters

“56310. Voluntary purchase or charter agreements

“56311. Requisitioned vessels

“56312. Documented defined”.
(f) REFERENCES.—Any reference in a law, regulation, document, paper, or other record of the United States to a section that is redesignated and transferred by this section is deemed to refer to such section as so redesignated and transferred.

SEC. 3505. ASSISTANCE FOR SMALL SHIPYARDS.
(a) IN GENERAL.—Section 54101 of title 46, United States Code, is amended—

(1) in the section heading, by striking “and maritime communities”;

(2) in subsection (a)(2), by striking “in communities” and all that follows through the period and inserting “relating to shipbuilding, ship repair, and associated industries.”;

(3) in subsection (b), by amending paragraph (1) to read as follows:

“(1) consider projects that foster—

“(A) efficiency, competitive operations, and quality ship construction, repair, and reconfiguration; and

“(B) employee skills and enhanced productivity related to shipbuilding, ship repair, and associated industries; and”;

(4) in subsection (c)(1)—
(A) by inserting “to” after “may be used”; and

(B) by striking subparagraphs (A), (B), and (C) and inserting the following:

“(A) make capital and related improvements in small shipyards; and

“(B) provide training for workers in shipbuilding, ship repair, and associated industries.’’;

(5) in subsection (d), by striking “unless” and all that follows before the period;

(6) in subsection (e)—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (1) by striking “Except as provided in paragraph (2),’’; and

(7) in subsection (i), by striking “2015” and all that follows before the period and inserting “2018 and 2019 to carry out this section $30,000,000”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 541 of title 46, United States Code, is amended by striking the item relating to section 54101 and inserting the following:

“54101. Assistance for small shipyards.”.
SEC. 3506. REPORT ON SEXUAL ASSAULT VICTIM RECOVERY IN THE COAST GUARD.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on sexual assault prevention and response policies of the Coast Guard and strategic goals related to sexual assault victim recovery.

(b) Contents.—The report shall—

(1) describe Coast Guard strategic goals relating to sexual assault climate, prevention, response, and accountability, and actions taken by the Coast Guard to promote sexual assault victim recovery;

(2) explain how victim recovery is being incorporated into Coast Guard strategic and programmatic guidance related to sexual assault prevention and response;

(3) examine current Coast Guard sexual assault prevention and response policy with respect to—

(A) Coast Guard criteria for what comprises sexual assault victim recovery;

(B) alignment of Coast Guard personnel policies to enhance—
(i) an approach to sexual assault re-
response that gives priority to victim recov-
ery;

(ii) upholding individual privacy and
dignity; and

(iii) the opportunity for the continu-
ation of Coast Guard service by sexual as-
sault victims; and

(C) sexual harassment response, including
a description of the circumstances under which
sexual harassment is considered a criminal of-
fense; and

(4) to ensure victims and supervisors under-
stand the full scope of resources available to aid in
long-term recovery, explain how the Coast Guard in-
forms its workforce about changes to sexual assault
prevention and response policies related to victim re-
covery.

SEC. 3507. CENTERS OF EXCELLENCE.

(a) In General.—Chapter 541 of title 46, United
States Code, is amended by adding at the end the fol-
lowing:
§ 54102. Centers of excellence for domestic maritime workforce training and education

(a) Designation.—The Secretary of Transportation may designate as a center of excellence for domestic maritime workforce training and education a covered training entity located in a State that borders on the—

(1) Gulf of Mexico;

(2) Atlantic Ocean;

(3) Long Island Sound;

(4) Pacific Ocean;

(5) Great Lakes; or

(6) Mississippi River System.

(b) Assistance.—The Secretary may enter into a cooperative agreement (as that term is used in section 6305 of title 31) with a center of excellence designated under subsection (a) to support maritime workforce training and education at the center of excellence, including efforts of the center of excellence to—

(1) admit additional students;

(2) recruit and train faculty;

(3) expand facilities;

(4) create new maritime career pathways; or

(5) award students credit for prior experience, including military service.
“(c) COVERED TRAINING ENTITY DEFINED.—In this section, the term ‘covered training entity’ means an entity that is—

“(1) a community or technical college; or
“(2) a maritime training center—
“(A) operated by, or under the supervision of, a State; and
“(B) with a maritime training program in operation on the date of enactment of this section.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 541 of title 46, United States Code, is amended by inserting after the item relating to section 54101 the following:

“54102. Centers of excellence for domestic maritime workforce training and education.”.

SEC. 3508. FOREIGN SPILL PROTECTION.

(a) SHORT TITLE.—This section may be cited as the “Foreign Spill Protection Act of 2017”.

(b) LIABILITY OF OWNERS AND OPERATORS OF FOREIGN FACILITIES.—

(1) OIL POLLUTION CONTROL ACT AMENDMENTS.—

(A) DEFINITIONS.—Section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701) is amended—
(i) in paragraph (26)(A)—

(I) in clause (ii), by striking “on-
shore or offshore facility, any person”
and inserting “onshore facility, off-
shore facility, or foreign offshore unit
or other facility located seaward of the
exclusive economic zone, any person
or entity”; and

(II) in clause (iii), by striking
“offshore facility, the person who”
and inserting “offshore facility or for-
eign offshore unit or other facility lo-
cated seaward of the exclusive eco-
nomic zone, the person or entity
that”; and

(ii) in paragraph (32)—

(I) by redesignating subpara-
graphs (D) through (F) as subpara-
graphs (E) through (G), respectively;

(II) by inserting after subpara-
graph (C) the following:

“(D) FOREIGN FACILITIES.—In the case of
a foreign offshore unit or other facility located
seaward of the exclusive economic zone, any
person or other entity owning or operating the
facility, and any leaseholder, permit holder, assignee, or holder of a right of use and easement granted under applicable foreign law for the area in which the facility is located.”; and

(III) in subparagraph (G), as so redesignated, by striking “or offshore facility, the persons who” and inserting “, offshore facility, or foreign offshore unit or other facility located seaward of the exclusive economic zone, the persons or entities that”.

(B) ACTIONS ON BEHALF OF FUND.—Section 1015(c) of the Oil Pollution Act of 1990 (33 U.S.C. 2715(c)) is amended, in the third sentence, by adding before the period at the end the following: “or other facility located seaward of the exclusive economic zone”.

(2) FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS.—Section 311(a)(11) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)(11)) is amended—

(A) by striking “and any facility” and inserting “any facility”; and

(B) by inserting “, and, for the purposes of applying subsections (b), (c), (e), and (o),
any foreign offshore unit (as defined in section
1001 of the Oil Pollution Act) or any other fa-
cility located seaward of the exclusive economic
zone” after “public vessel”.

(c) CONTINUATION PAY.—For providing continuation
pay under section 356 of title 37, United States Code,
there is appropriated, out of any money in the Treasury
not otherwise appropriated, to the “Retired Pay” account
under the heading “Department of Homeland Security–
Coast Guard” in the applicable appropriations Acts for the
Department of Homeland Security—

(1) $3,286,277 for fiscal year 2018; and
(2) $3,713,232 for fiscal year 2019.

SEC. 3509. APPLICATION OF LAW.

Section 4301 of title 46, United States Code, is
amended by adding at the end the following:

“(d) For purposes of any Federal law except the Fed-
eral Water Pollution Control Act (33 U.S.C. 1251 et seq.),
any vessel, including a foreign vessel, being repaired or
dismantled is deemed to be a recreational vessel, as de-
 fined under section 2101(25), during such repair or dis-
mantling, if that vessel—

“(1) shares elements of design and construction
of traditional recreational vessels (as so defined); and
“(2) when operating is not normally engaged in
a military, commercial, or traditionally commercial
undertaking.”.

SEC. 3510. RECURSE FOR NON-U.S. SEAMEN.

Section 57103 of title 46, United States Code, is
amended by adding at the end the following:

“(g) Restriction.—(1) Notwithstanding section
30104, a claim for damages or expenses relating to per-
sonal injury, illness, or death of a seaman who is a citizen
of a foreign nation, arising during or from the engagement
of the seaman by or for a passenger vessel duly registered
under the laws of a foreign nation or a vessel identified
as obsolete under subsection (a) or acquired under chapter
563, may not be brought under the laws of the United
States if—

“(A) such seaman was not a legal perma-
nent resident of the United States at the time
the claim arose;

“(B) the injury, illness, or death arose out-
side the territorial waters of the United States;
and

“(C) the seaman or the seaman’s personal
representative has or had a right to seek com-
pensation for the injury, illness, or death in, or
under the laws of—
“(i) the nation in which the vessel was registered at the time the claim arose; or
“(ii) the nation in which the seaman maintained citizenship or residency at the
time the claim arose.
“(2) COMPENSATION DEFINED.—As used in paragraph (1), the term ‘compensation’ means—
“(A) a statutory workers’ compensation remedy that complies with Standard A4.2 of
Regulation 4.2 of the Maritime Labour Convention, 2006; or
“(B) in the absence of the remedy described in paragraph (1), a legal remedy that complies with Standard A4.2 of Regulation 4.2 of the Maritime Labour Convention, 2006, that permits recovery for lost wages, pain and suffering, and future medical expenses.”.

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 activ-
ity is hereby authorized, subject to the availability of ap-
propriations.

(b) MERIT-BASED DECISIONS.—A decision to com-
mit, 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 proce-
dures in accordance with the requirements of sec-
tions 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 PROGRAM-
MING AUTHORITY.—An amount specified in the funding
tables in this division may be transferred or repro-
grammed under a transfer or reprogramming authority
provided by another provision of this Act or by other law.
The transfer or reprogramming of an amount specified in
such funding tables shall not count against a ceiling on
such transfers or reprogrammings under section 1001 or
section 1512 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 section 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.

**TITLE XLI—PROCUREMENT**

**SEC. 4101. PROCUREMENT.**

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MISSILE PROCUREMENT, ARMY

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PROCUREMENT OF W&T/CV, ARMY

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**WEAPONS & OTHER COMBAT VEHICLES**

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**SUPPORT EQUIPMENT & FACILITIES**

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**UNDISTRIBUTED**

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**TOTAL PROCUREMENT OF W&T/CV, ARMY**

2,423,608

4,950,647

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**PROCUREMENT OF AMMUNITION, ARMY**

**SMALL/MEDIUM CAL AMMUNITION**

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**MORTAR AMMUNITION**

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**TANK AMMUNITION**

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**ARTILLERY AMMUNITION**

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**MINES**

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## SEC. 4101. PROCUREMENT (IN THOUSANDS OF DOLLARS)

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SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

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Unfunded requirement—first responder communication equipment

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**HR 2810 EH**
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### NAVY AMMUNITION

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**PROCUREMENT OF AMMO, NAVY & MC NAVY AMMUNITION**

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**SHIPEBUILDING AND CONVERSION, NAVY**

**FLEET BALLISTIC MISSILE SHIPS**

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**TOTAL SHIPEBUILDING AND CONVERSION, NAVY**

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**OTHER PROCUREMENT, NAVY**

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**OTHER SHIPBOARD EQUIPMENT**

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**MISSION SUPPORT AIRCRAFT**

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**STRATEGIC AIRCRAFT**

- **HR 2810 EH**
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**HR 2810 EH**
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**TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE** | 1,376,602 | 1,376,602 |
### SEC. 4101. PROCUREMENT

#### (In Thousands of Dollars)

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**HR 2810 EH**
## SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

### OPERATIONS.

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### AMMUNITION PROGRAMS

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## TOTAL PROCUREMENT, DEFENSE-WIDE

4,835,418 5,292,518

## TOTAL JOINT URGENT OPERATIONAL NEEDS FUND

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TOTAL JOINT URGENT OPERATIONAL NEEDS FUND 99,795 0

TOTAL PROCUREMENT 113,983,713 127,861,301
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### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

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#### JOINT IMPROVISED EXPLOSIVE DEVICE DEFUSING FUND

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#### AIRCRAFT PROCUREMENT, NAVY

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#### WEAPONS PROCUREMENT, NAVY

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**HR 2810 EH**
### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

In Thousands of Dollars

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<th>Line</th>
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### TOTAL PROCUREMENT OF AMMO, NAVY & MC

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HR 2810 EH
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**HR 2810 EH**
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**TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE**

501,509

501,509

**OTHER PROCUREMENT, AIR FORCE**

**PASSENGER CARRYING VEHICLES**

001 PASSENGER CARRYING VEHICLES

3,855

8,377

Realigned European Reassurance Initiative to Base

Unfunded requirement

5,522

**CARGO AND UTILITY VEHICLES**

002 MEDIUM TACTICAL VEHICLES

15,100

13,300

Realigned European Reassurance Initiative to Base

Unfunded requirement

10,470

**SPECIAL PURPOSE VEHICLES**

005 SECURITY AND TACTICAL VEHICLES

1,100

11,864

Realigned European Reassurance Initiative to Base

Unfunded requirement

9,764

**FIRE FIGHTING EQUIPMENT**

007 FIRE FIGHTING/CRASH RESCUE VEHICLES

22,500

0

Realigned European Reassurance Initiative to Base

Unfunded requirement

22,500

**BASE MAINTENANCE SUPPORT**

009 RUNWAY SNOW REMOVAL & CLEANING EQUIP

11,315

10,275

Realigned European Reassurance Initiative to Base

Unfunded requirement

10,947

**INTELLIGENCE PROGRAMS**

013 INTERNATIONAL INTEL. TECH & ARCHITECTURES

8,873

8,873

**ELECTRONICS PROGRAMS**

016 AIR TRAFFIC CONTROL & LANDING SYS

56,500

95,200

Realigned European Reassurance Initiative to Base

Unfunded requirement

38,700

**PERSONAL SAFETY & RESCUE EQUIP**

051 ITEMS LESS THAN $5 MILLION

8,469

71,869

Realigned European Reassurance Initiative to Base

Unfunded requirement

63,400

**BASE SUPPORT EQUIPMENT**

051 BASE PROCURED EQUIPMENT

7,000

0

Realigned European Reassurance Initiative to Base

Unfunded requirement

6,000

**CLASSIFIED PROGRAMS**

062A CLASSIFIED PROGRAMS

3,542,825

3,542,825

**TOTAL OTHER PROCUREMENT, AIR FORCE**

4,088,887

4,271,436

**PROCUREMENT, DEFENSE-WIDE**

**MAJOR EQUIPMENT, DISA**

008 TELEPORT PROGRAM

1,979

1,979

**DEFENSE INFORMATION SYSTEMS NETWORK**

018 12,000

12,000

**MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY**

**HR 2810 EH**
### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

<table>
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<th>Line</th>
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### SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS

#### (In Thousands of Dollars)

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TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.
(In Thousands of Dollars)

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SUBTOTAL BASIC RESEARCH | 430,022 | 430,022 |

APPLIED RESEARCH

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Program increase | [5,000] |

SUBTOTAL APPLIED RESEARCH | 891,182 | 894,182 |

ADVANCED TECHNOLOGY DEVELOPMENT

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SUBTOTAL APPLIED RESEARCH | 889,182 | 894,182 |

•HR 2810 EH
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**SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT** 1,070,977 1,080,977

### ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES

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Realignment European Reassurance Initiative to Base [15,000]

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Unfunded requirement—RF countermeasures [2,420]

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Unfunded requirement [22,000]

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Unfunded requirement [1,620]

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Enhanced lightweight body armor and combat helmet technology [25,000]

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Program Reduction [15,000]

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**SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** 890,889 941,959

### SYSTEM DEVELOPMENT & DEMONSTRATION

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Program increase—soldier enhancement program [3,000]

Program reduction—obligation delays [5,000]

Unfunded requirement—air soldier system [3,000]

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Unfunded requirement [17,500]

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**RDT&E MANAGEMENT SUPPORT**

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SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

(In Thousands of Dollars)

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**HR 2810 EH**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

(In Thousands of Dollars)

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**MANAGEMENT SUPPORT**

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**SUBTOTAL MANAGEMENT SUPPORT**

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**OPERATIONAL SYSTEMS DEVELOPMENT**

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**SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT**

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**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

(In Thousands of Dollars)

**Line 1281**

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**Under executing** (-4,863,947)

**Total** 4,476,762, 4,315,917
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SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT | 20,585,202 | 20,763,602 |

UNDISTRIBUTED | -195,900 |

Bomber Modernization—Excess to Need | -195,900 |

SUBTOTAL UNDISTRIBUTED | -195,900 |

TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION | 34,914,359 | 35,192,614 |

RESEARCH, DEVELOPMENT, TEST & EVALUATION, DW

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SUBTOTAL BASIC RESEARCH | 697,347 | 707,347 |

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SUBTOTAL APPLIED RESEARCH | 1,914,090 | 1,914,090 |

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Restore funding for directed energy prioritization in DoD’s BMD efforts.

*HR 2810 EH*
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### (In Thousands of Dollars)

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### ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES

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**HR 2810 EH**
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

(In Thousands of Dollars)

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### SYSTEM DEVELOPMENT AND DEMONSTRATION

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### MANAGEMENT SUPPORT

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1 SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

2

3 SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)

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### Operational Systems Development

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### Advanced Component Development & Prototypes

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### Operational Systems Development

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### Advanced Component Development & Prototypes

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### Advanced Technology Development

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HR 2810 EH
**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**

(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program Element</th>
<th>Item</th>
<th>FY 2018 Request</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
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**SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.**

(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Line</th>
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<th>Item</th>
<th>FY 2018 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td></td>
<td>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY ADVANCED TECHNOLOGY DEVELOPMENT</td>
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ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES
SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Line</th>
<th>Program Element</th>
<th>Item</th>
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<th>House Authorized</th>
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<td>12864E83F</td>
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OPERATIONAL SYSTEMS DEVELOPMENT

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<td>MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)</td>
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<td>AF UPL—support for ARIPF terminals</td>
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<td>302</td>
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<td>FAMILY OF Advanced BLOS TERMINALS (FAR-T)</td>
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<td>AF UPL—FAR-T testing activities</td>
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<td>AF UPL—SDT5 spare conference configuration</td>
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<td>(31,900)</td>
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<td>AF UPL—spares for testing</td>
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<td>AF UPL—spares for testing</td>
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<td>JSPOC MISSION SYSTEM</td>
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<td>AF UPL—BMD2 software</td>
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TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF

RESEARCH, DEVELOPMENT, TEST & EVAL, DW
ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES

<table>
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<th>Line</th>
<th>Program Element</th>
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<th>House Authorized</th>
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<tr>
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<td>BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT</td>
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<td>Increase GBU magazine capacity at Fort Tissely</td>
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<td>Procure 3 additional EKVs</td>
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<td>Procure 7 additional boosters</td>
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<td>Initiates EMDS Global Sensors AoA recommendation for space sensor architecture</td>
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SYSTEM DEVELOPMENT AND DEMONSTRATION

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<td>RESEARCH AND DEVELOPMENT OF MILITARY RESPONSE OPERATIONS FOR RUSSIAN INF TREATY VIOLATION</td>
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MANAGEMENT SUPPORT

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<td>PROJECT Maven</td>
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OPERATIONAL SYSTEM DEVELOPMENT

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TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW

TOTAL RDT&E

778,616

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1 TITLE XLIII—OPERATION AND MAINTENANCE

2 SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

<table>
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<td>MANEUVER UNITS</td>
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•HR 2810 EH
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| SUBTOTAL OPERATING FORCES | 23,752,390 | 25,349,506 |

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<table>
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<td>SUBTOTAL TRAINING AND RECRUITING</td>
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**UNDISTRIBUTED**

| 570  | UNDISTRIBUTED                              | 9,307,680       | 9,561,304        |
|      | Excessive standard price for fuel         | [–426,100]      |                  |
|      | Foreign Currency adjustments              | [–146,400]      |                  |
|      | Historical unobligated balances           | [–259,100]      |                  |
|      | Subtotal Undistributed                    |                  | [–426,100]       |

**TOTAL OPERATION & MAINTENANCE, ARMY**

<table>
<thead>
<tr>
<th>OPERATION &amp; MAINTENANCE, ARMY RES OPERATING FORCES</th>
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<td>010 MODULAR SUPPORT BRIGADES</td>
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<tr>
<td>020 ECHELONS ABOVE BRIGADE</td>
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<td>030 THEATER LEVEL ASSETS</td>
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<td>050 AVIATION ASSETS</td>
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<td>070 LAND FORCES SYSTEMS READINESS</td>
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<td>080 LAND FORCES DEPOT MAINTENANCE</td>
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<td>110 MANAGEMENT AND OPERATIONAL HEADQUARTERS</td>
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<td>Subtotal Operating Forces</td>
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**ADMIN & SRVWD ACTIVITIES**

| 120 SERVICEWIDE TRANSPORTATION                     | 11,116          | 11,116          |
| 130 ADMINISTRATION                                 | 17,962          | 17,962          |
| 140 SERVICEWIDE COMMUNICATIONS                     | 18,550          | 20,950          |
|      | Annual maintenance of Enterprise License Agreements | [2,400]        |                  |
| 150 MANPOWER MANAGEMENT                            | 6,166           | 6,166           |
| 160 RECRUITING AND ADVERTISING                     | 60,027          | 60,027          |
| Subtotal Admin & Srwvwd Activities                 | 113,821         | 116,221         |

**UNDISTRIBUTED**

| 190 UNDISTRIBUTED                                  | –2,500          | –2,500          |
| Excessive standard price for fuel                 | [–2,500]        |                  |
| Subtotal Undistributed                            | –2,500          |                  |

**TOTAL OPERATION & MAINTENANCE, ARMY RES**

| 2,906,842 | 2,908,124 |

**OPERATION & MAINTENANCE, ARNG**
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**OPERATION & MAINTENANCE, NAVY**

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<td>Coastal Riverine Force meet operational requirements</td>
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**HR 2810 EH**
### SEC. 4301. OPERATION AND MAINTENANCE

#### (In Thousands of Dollars)

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<th>Item</th>
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<th>House Authorized</th>
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**UNDISTRIBUTED**

- Excessive standard price for fuel: [–143,600]
- Export fees: [–35,300]
- Historical unobligated balances: [–177,900]

---

**Request**

### TOTAL OPERATION & MAINTENANCE, NAVY

**45,439,407**

**House Authorized**

**45,435,718**

**OPERATION & MAINTENANCE, MARINE CORPS**

**OPERATING FORCES**

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<th>Item</th>
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- Realign European Reassurance Initiative to Base: [164,753]

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**HR 2810 EH**
## SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)

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**TRAINING AND RECRUITING**

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**ADMIN & SRWWD ACTIVITIES**

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**TOTAL ADMIN & SRWWD ACTIVITIES**

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</table>

**TOTAL OPERATION & MAINTENANCE, AIR FORCE**

<p>| | | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</td>
<td>39,429,232</td>
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**OPERATION & MAINTENANCE, AF RESERVE**

•HR 2810 EH
### SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Line</th>
<th>Item</th>
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<th>House Authorized</th>
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<tbody>
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<td>010</td>
<td>PRIMARY COMBAT FORCES</td>
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<td>MISSION SUPPORT OPERATIONS</td>
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<td>030</td>
<td>DEPOT PURCHASE EQUIPMENT MAINTENANCE</td>
<td>403,867</td>
<td>403,867</td>
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<tr>
<td>040</td>
<td>FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</td>
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<td>CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT</td>
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<td></td>
<td>C-17 CLS workload</td>
<td>[5,700]</td>
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<tr>
<td></td>
<td>C-17 depot-level repairable</td>
<td>[12,100]</td>
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<tr>
<td>060</td>
<td>BASE SUPPORT</td>
<td>371,878</td>
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<td>SUBTOTAL OPERATING FORCES</td>
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<td>3,170,980</td>
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### ADMINISTRATION AND SERVICEWIDE ACTIVITIES

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<th>Line</th>
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<tbody>
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<td>070</td>
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<td>080</td>
<td>RECRUITING AND ADVERTISING</td>
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<td>090</td>
<td>MILITARY MANPOWER AND PERS MGMT (ARPC)</td>
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<td>OTHER PERS SUPPORT (DISABILITY COMP)</td>
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<td>110</td>
<td>AUDIOVISUAL</td>
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<td>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES</td>
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### UNDISTRIBUTED

<table>
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<td>Excessive standard price for fuel</td>
<td>[–21,900]</td>
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<td>SUBTOTAL UNDISTRIBUTED</td>
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### TOTAL OPERATION & MAINTENANCE, AF RESERVE

| | | FY 2018 | House Authorized |
| | | | |
| | OPERATING FORCES | 3,267,507 | 3,263,407 |
| | ADMINISTRATION AND SERVICEWIDE ACTIVITIES | 142,185 | 142,185 |
| | UNDISTRIBUTED | –43,300 | –43,300 |
| | TOTAL OPERATION & MAINTENANCE, ANG | 6,939,968 | 7,104,268 |

### OPERATION & MAINTENANCE, ANG OPERATING FORCES

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<td>Additional training man days</td>
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<td>Two C-130 simulators</td>
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<td>MISSION SUPPORT OPERATIONS</td>
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<td>801,682</td>
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<td></td>
<td>Additional training man days</td>
<td>[37,100]</td>
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<td></td>
<td>Restore support operations</td>
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<td>C-130 propulsion improvements</td>
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<td></td>
<td>Maintenance for RC-26 a/c</td>
<td>[28,700]</td>
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<td></td>
<td>Sustain DCGS</td>
<td>[6,500]</td>
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<td>BASE SUPPORT</td>
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<td>583,464</td>
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<td></td>
<td>Additional training man days</td>
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### ADMINISTRATION AND SERVICE-WIDE ACTIVITIES

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<td>080</td>
<td>RECRUITING AND ADVERTISING</td>
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### UNDISTRIBUTED

<table>
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<th>Line</th>
<th>Item</th>
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<td>090</td>
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<td>–43,300</td>
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<tr>
<td></td>
<td>Excessive standard price for fuel</td>
<td>[–43,300]</td>
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<td>–43,300</td>
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</table>

### TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE OPERATING FORCES

| | | FY 2018 | House Authorized |
| | | | |
| | OPERATING FORCES | 6,000,638 | 6,096,608 |
| | SUBTOTAL OPERATING FORCES | 6,000,638 | 6,096,608 |

•HR 2810 EH
## TRAINING AND RECRUITING

<table>
<thead>
<tr>
<th>Line</th>
<th>Item</th>
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<th>House Authorized</th>
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<tr>
<td>050</td>
<td>DEFENSE ACQUISITION UNIVERSITY</td>
<td>144,970</td>
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<td>060</td>
<td>JOINT CHIEFS OF STAFF</td>
<td>84,402</td>
<td>84,402</td>
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<td>080</td>
<td>SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING</td>
<td>379,462</td>
<td>379,462</td>
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**SUBTOTAL TRAINING AND RECRUITING**  
608,834  
608,834

## ADMIN & SRPWIDE ACTIVITIES

<table>
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<th>Line</th>
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<th>House Authorized</th>
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<td>090</td>
<td>CIVIL MILITARY PROGRAMS</td>
<td>183,000</td>
<td>209,500</td>
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<td></td>
<td>National Guard Youth Challenge</td>
<td>[1,500]</td>
<td>[1,500]</td>
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<td>STARBASE</td>
<td>[20,000]</td>
<td>[20,000]</td>
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<td>World War I Centennial Commission</td>
<td>[5,000]</td>
<td>[5,000]</td>
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<td>DEFENSE CONTRACT AUDIT AGENCY</td>
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<td>DEFENSE CONTRACT MANAGEMENT AGENCY</td>
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<td>130</td>
<td>DEFENSE HUMAN RESOURCES ACTIVITY</td>
<td>807,754</td>
<td>807,754</td>
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<td>140</td>
<td>DEFENSE INFORMATION SYSTEMS AGENCY</td>
<td>2,009,702</td>
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<td>150</td>
<td>DEFENSE LEGAL SERVICES AGENCY</td>
<td>24,207</td>
<td>24,207</td>
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<td>160</td>
<td>DEFENSE LOGISTICS AGENCY</td>
<td>400,422</td>
<td>414,922</td>
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Procurement Technical Assistance Program (PTAP)  
[14,500]

**SUBTOTAL ADMIN & SRPWIDE ACTIVITIES**  
2,794,389  
2,844,389

## MISCELLANEOUS APPROPRIATIONS

<table>
<thead>
<tr>
<th>Line</th>
<th>Item</th>
<th>FY 2018 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td>010</td>
<td>US COURT OF APPEALS FOR THE ARMED FORCES</td>
<td>14,538</td>
<td>14,538</td>
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<td>020</td>
<td>OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID</td>
<td>104,900</td>
<td>104,900</td>
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<td>030</td>
<td>COOPERATIVE THREAT REDUCTION</td>
<td>324,600</td>
<td>324,600</td>
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<td>050</td>
<td>ENVIRONMENTAL RESTORATION, ARMY</td>
<td>215,809</td>
<td>215,809</td>
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</table>

Department of Defense Cleanup and Removal of Petroleum, Oil, and Lubricant associated with the Prinz Eugen  
[6,000]

Program decrease  
[–6,500]

**SUBTOTAL MISCELLANEOUS APPROPRIATIONS**  
34,585,817  
34,792,842

## TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE

34,585,817  
34,792,842

**HR 2810 EH**
### SEC. 4301. OPERATION AND MAINTENANCE

#### (In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Line</th>
<th>Item</th>
<th>FY 2018 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td>070</td>
<td>ENVIRONMENTAL RESTORATION, AIR FORCE</td>
<td>$291,749</td>
<td>$324,749</td>
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<td>PFOA/PFOS Remediation</td>
<td></td>
<td>$30,000</td>
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<td>ENVIRONMENTAL RESTORATION, DEFENSE</td>
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<td>9,002</td>
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<td>090</td>
<td>ENVIRONMENTAL RESTORATION FORMERLY USED SITES</td>
<td>208,673</td>
<td>208,673</td>
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<td>TOTAL MISCELLANEOUS APPROPRIATIONS</td>
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<td>TOTAL OPERATION &amp; MAINTENANCE</td>
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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

#### (In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Line</th>
<th>Item</th>
<th>FY 2018 Request</th>
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<tbody>
<tr>
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<td>MANEUVER UNITS</td>
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<td>ECHELONS ABOVE BRIGADE</td>
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<td>25,474</td>
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<td>040</td>
<td>THEATER LEVEL, ASSETS</td>
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<td>1,778,644</td>
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<td>050</td>
<td>LAND FORCES OPERATIONS SUPPORT</td>
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<td>AVIATION ASSETS</td>
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<td>LAND FORCES SYSTEMS READINESS</td>
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<td>ADDITIONAL ACTIVITIES</td>
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<td>COMMANDEERS EMERGENCY RESPONSE PROGRAM</td>
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<td>RESET</td>
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<td>US AFRICA COMMAND</td>
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<td>US EUROPEAN COMMAND</td>
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<td>CENTRAL SUPPLY ACTIVITIES</td>
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<td>LOGISTIC SUPPORT ACTIVITIES</td>
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<td>460</td>
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<td>REAL ESTATE MANAGEMENT</td>
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</table>
**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**

### (In Thousands of Dollars)

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<th>Line</th>
<th>Item</th>
<th>FY 2018 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td>020</td>
<td>ECHELONS ABOVE BRIGADE</td>
<td>4,179</td>
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<td>THEATER LEVEL, ASSETS</td>
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<td>060</td>
<td>FORCE READINESS OPERATIONS SUPPORT</td>
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<td>BASE OPERATIONS SUPPORT</td>
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<td><strong>SUBTOTAL OPERATING FORCES</strong></td>
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<td><strong>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES</strong></td>
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<td><strong>57,978</strong></td>
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<td>MODULAR SUPPORT BRIGADES</td>
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<td>BASE OPERATIONS SUPPORT</td>
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<td><strong>107,371</strong></td>
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<td>740</td>
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<td><strong>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</strong></td>
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<td><strong>740</strong></td>
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<td><strong>TOTAL OPERATION &amp; MAINTENANCE, ARNG</strong></td>
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<td><strong>108,111</strong></td>
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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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**OPERATION & MAINTENANCE, MC RESERVE**

**OPERATING FORCES**

- Primary Combat Forces: 2,548
- Base Operating Support: 819
- Subtotal Operating Forces: 3,367

**TOTAL OPERATION & MAINTENANCE, MC RESERVE**: 3,367

**OPERATING FORCES**

- Primary Combat Forces: 2,548
- Base Operating Support: 819
- Subtotal Operating Forces: 3,367

**MOBILIZATION**

- Airlift Operations: 1,425,716
- Mobilization Preparedness: 113,131
- Subtotal Mobilization: 1,539,673

**TRAINING AND RECRUITING**

- Officer Acquisition: 385
- Base Operating Support: 819
- Subtotal Training and Recruiting: 29,782

**ADMIN & SRVWD ACTIVITIES**

- Logistics Operations: 151,847
- Technical Support Activities: 8,744
- Administration: 6,583
- ServiceWide Communications: 129,508
- Other ServiceWide Activities: 84,110
- International Support: 120
- Subtotal Admin & SRVWD Activities: 434,167

**HR 2810 EH**
## SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

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## SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

### SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS

(In Thousands of Dollars)

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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

(In Thousands of Dollars)

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### SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

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### SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

### SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

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### SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

### SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.
(In Thousands of Dollars)

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<td>DRUG DEMAND REDUCTION PROGRAM</td>
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<td>RDT&amp;E</td>
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<td>TOTAL OFFICE OF THE INSPECTOR GENERAL</td>
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### SEC. 4501. OTHER AUTHORIZATIONS

#### (In Thousands of Dollars)

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<tr>
<th>Item</th>
<th>FY 2018 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td><strong>DEFENSE HEALTH PROGRAM</strong></td>
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<tr>
<td><strong>OPERATION &amp; MAINTENANCE</strong></td>
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<tr>
<td>IN-HOUSE CARE</td>
<td>9,457,768</td>
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<td>Maintenance of inpatient capabilities of OCONUS MTFs</td>
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<td>Pre-mobilization health care under section 12304b</td>
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<td>PRIVATE SECTOR CARE</td>
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<td>MANAGEMENT ACTIVITIES</td>
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<td>Program decrease</td>
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<td>RESEARCH</td>
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<td>Research of chronic traumatic encephalopathy</td>
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<td>CAPABILITIES ENHANCEMENT</td>
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<td>INITIAL OUTFITTING</td>
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<td>REPLACEMENT &amp; MODERNIZATION</td>
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<td><strong>THEATER MEDICAL INFORMATION PROGRAM</strong></td>
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<td>JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM</td>
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<td>UNDISTRIBUTED</td>
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<td>Foreign Currency adjustments</td>
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<td>Historical unobligated balances</td>
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<td><strong>TOTAL OTHER AUTHORIZATIONS</strong></td>
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1. **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**

2. **TINGENCY OPERATIONS.**

#### SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

<table>
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<tr>
<th>Item</th>
<th>FY 2018 Request</th>
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<tr>
<td><strong>WORKING CAPITAL FUND, ARMY</strong></td>
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<tr>
<td><strong>INDUSTRIAL OPERATIONS</strong></td>
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<tr>
<td>SUPPLY MANAGEMENT—ARMY</td>
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<tr>
<td>Realign European Reassurance Initiative to Base</td>
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<td><strong>TOTAL WORKING CAPITAL FUND, ARMY</strong></td>
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<tr>
<td><strong>WORKING CAPITAL FUND, DEFENSE-WIDE</strong></td>
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<td>SUPPLY CHAIN MANAGEMENT—DEFENSE</td>
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•HR 2810 EH
### SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

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<th>Item</th>
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<td>DEFENSE HEALTH PROGRAM</td>
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<tr>
<td>OPERATION &amp; MAINTENANCE</td>
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<td>TOTAL OTHER AUTHORIZATIONS</td>
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### TITLE XLVI—MILITARY CONSTRUCTION

### SEC. 4601. MILITARY CONSTRUCTION

(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Account</th>
<th>State/Country and Installation</th>
<th>Project Title</th>
<th>FY 2018 Request</th>
<th>House Agreement</th>
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<tbody>
<tr>
<td>Army</td>
<td>Alabama Fort Rucker</td>
<td>Training Support Facility</td>
<td>38,000</td>
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<td>Army</td>
<td>Arizona</td>
<td>General Instruction Building</td>
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<td>California Fort Irwin</td>
<td>Ground Transport Equipment Building</td>
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<td>Army</td>
<td>Colorado Fort Carson</td>
<td>Land Acquisition</td>
<td>3,000</td>
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<td>Army</td>
<td>Florida Eglin AFB</td>
<td>Ammunition Supply Point</td>
<td>21,000</td>
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<tr>
<td>Army</td>
<td>Germany Fort Benning</td>
<td>Air Traffic Control Tower</td>
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<td>Germany Fort Benning</td>
<td>Training Support Facility</td>
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<td>Army</td>
<td>Germany Fort Gordon</td>
<td>Access Control Point</td>
<td>33,000</td>
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<td>Army</td>
<td>Germany Fort Gordon</td>
<td>Automation-Aided Instructional Building</td>
<td>18,500</td>
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<td>Army</td>
<td>Georgia Stuttgart</td>
<td>Commissary</td>
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<td>New York Wiesbaden</td>
<td>Administrative Building</td>
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<td>Army</td>
<td>Hawaii Shafter</td>
<td>Command and Control Facility, Inc 3</td>
<td>90,000</td>
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<td>Army</td>
<td>Indiana Charlotte</td>
<td>Shipping and Receiving Building</td>
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<td>Army</td>
<td>Korea Unsuhn AB</td>
<td>Unmanned Aerial Vehicle Hangar</td>
<td>53,000</td>
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<td>Army</td>
<td>New York U.S. Military Academy</td>
<td>Cemetery</td>
<td>22,000</td>
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<td>Army</td>
<td>South Carolina Fort Jackson</td>
<td>Reception Barracks Complex, Phil</td>
<td>60,000</td>
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<td>Army</td>
<td>Texas Short ABF</td>
<td>Mission Training Complex</td>
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## SEC. 4601. MILITARY CONSTRUCTION

### (In Thousands of Dollars)

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<th>House Agreement</th>
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<tbody>
<tr>
<td>Army</td>
<td>Camp Bullis</td>
<td>Vehicle Maintenance Shop</td>
<td>13,600</td>
<td>13,600</td>
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<td>Army</td>
<td>Fort Hood</td>
<td>Vehicle Maintenance Shop</td>
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<td>Army</td>
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<td>Battalion Headquarters Complex</td>
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<td>Army</td>
<td>Turkey Various</td>
<td>Forward Operating Site</td>
<td>6,400</td>
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<td>Virginia</td>
<td>Fort Belvoir</td>
<td>Secure Admin/Operations Facility, Inr 3</td>
<td>14,124</td>
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<td>Army</td>
<td>Joint Base Langley-Rusoto</td>
<td>Aircraft Maintenance Instructional Bldg</td>
<td>34,000</td>
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<td>Army</td>
<td>Joint Base Myer-Henderson</td>
<td>Security Fence</td>
<td>20,000</td>
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<td>Confinement Facility</td>
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<td>Army</td>
<td>Various Worldwide</td>
<td>Host Nation Support</td>
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<td><strong>Military Construction, Army Total</strong></td>
<td><strong>920,394</strong></td>
<td><strong>957,794</strong></td>
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### Arizona

- **Navy**
  - Yuma: Enlisted Dining Facility & Community Bldgs
  - Request: 36,358
  - Agreement: 36,358

### California

- **Navy**
  - Barstow: Combat Vehicle Repair Facility
  - Request: 36,359
  - Agreement: 36,359
  - Camp Pendleton: Ammunition Supply Point Upgrade
  - Request: 63,129
  - Agreement: 61,129
  - Carlsbad: Undersea Rescue Command Operations Building
  - Request: 36,000

### District of Columbia

- **Navy**
  - SSA Washington: Electronics Science and Technology Laboratory
  - Request: 37,692
  - Agreement: 37,692

### Florida

- **Navy**
  - Mayport: Advanced Wastewater Treatment Plant (AWWTP)
  - Request: 74,994
  - Agreement: 74,994
  - Mayport: Missile Maintenance
  - Request: 9,824
  - Agreement: 9,824

### Georgia

- **Navy**
  - Albany: Combat Vehicle Warehouse
  - Request: 0
  - Agreement: 43,300

### Greece

- **Navy**
  - Souda Bay: Strategic Aircraft Parking Apron Expansion
  - Request: 22,045
  - Agreement: 22,045

### Guam

- **Army**
  - Joint Region Marianas: Aircraft Maintenance Hangar #2
  - Request: 75,233
  - Agreement: 75,233
  - Joint Region Marianas: Corrosion Control Hangar
  - Request: 69,747
  - Agreement: 69,747
  - Joint Region Marianas: MALUS Facilities
  - Request: 49,431
  - Agreement: 49,431
  - Joint Region Marianas: Navy-Commercial Tie-in Hardening
  - Request: 37,180
  - Agreement: 37,180
  - Joint Region Marianas: Water Well Field
  - Request: 56,999
  - Agreement: 56,999

### Hawaii

- **Navy**
  - Joint Base Pearl Harbor-Hickam: Sewer Lift Station & Relief Sewer Line
  - Request: 73,200
  - Agreement: 73,200

### Japan

- **Navy**
  - Kure: LHD Pad Conversions MV-22 Landing Pad
  - Request: 19,912
  - Agreement: 19,912
  - Wahiawa: Communications/Crypto Facility
  - Request: 65,846
  - Agreement: 65,846

### Korea

- **Navy**
  - Iwakuni: KC-130J Enlisted Aircrew Trainer Facility
  - Request: 21,860
  - Agreement: 21,860

### Maine

- **Navy**
  - Kittery: Paint, Blast, and Rubber Facility
  - Request: 61,692
  - Agreement: 61,692

### North Carolina

- **Navy**
  - Camp Lejeune: Bachelor Enlisted Quarters
  - Request: 37,983
  - Agreement: 37,983
  - Camp Lejeune: Water Treatment Plant Replacement Hadnot Pt PI
  - Request: 61,284
  - Agreement: 61,284
  - Marine Corps Air Station Cherry Point: Vertical Lift Fan Test Facility
  - Request: 35,671
  - Agreement: 35,671

### Virginia

- **Navy**
  - Dam Neck: ISR Operations Facility Expansion
  - Request: 29,362
  - Agreement: 29,362
  - Joint Expeditionary Base Little Creek-Study
  - Request: 2,596
  - Agreement: 2,596

### Norfolk

- **Navy**
  - Chamber Field Magazine Boom PH
  - Request: 34,663
  - Agreement: 34,663

### Portsmouth

- **Navy**
  - Ship Repair Training Facility
  - Request: 72,990
  - Agreement: 72,990

### Yorktown

- **Navy**
  - Bachelor Enlisted Quarters
  - Request: 36,358
  - Agreement: 36,358

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<table>
<thead>
<tr>
<th>Account</th>
<th>State/Country and Installation</th>
<th>Project Title</th>
<th>FY 2018 Request</th>
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<tbody>
<tr>
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<td>Missile Magazines</td>
<td>44,440</td>
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**Alaska**
- AF Eielson AFB F-35A ADAL Conventional Munitions Facility
- AF Eielson AFB F-35A Age Facility / Fillstand
- AF Eielson AFB F-35A Consolidated Munitions Admin Facility
- AF Eielson AFB F-35A Extended Utiliduct to South Loop
- AF Eielson AFB F-35A OSP/Weapons/Intel Facility
- AF Eielson AFB F-35A R-11 Fuel Truck Shelter
- AF Eielson AFB F-35A Satellite Dining Facility
- AF Eielson AFB Repair Central Heat/Power Plant Boiler PH 4

**Australia**
- AF Darwin APR—Bulk Fuel Storage Tanks

**California**
- AF Travis Air Force Base KC-46A ADAL B14 Fuel Cell Hangar
- AF Travis Air Force Base KC-46A Aircraft 3-Bay Maintenance Hangar
- AF Travis Air Force Base KC-46A After B137/37/38 Squad OpsAMU
- AF Travis Air Force Base KC-46A After B644 Corrosion Control Hangar

**Colorado**
- AF Buckley Air Force Base SBIRS Operations Facility

**Florida**
- AF Eglin AFB F-35A Armament Research Fac Addition (B614)
- AF Eglin AFB Long-Range Stand-Off Acquisition Fac
- AF MacDill AFB KC-135 Reddott OG/MXG HQ
- AF Tyndall AFB Fire Station

**Georgia**
- AF Robins AFB Commercial Vehicle Visitor Control Facility

**Italy**
- AF Aviano AB Guardian Angel Operations Facility

**Kansas**
- AF McConnell AFB Combat Arms Facility

**Maryland**
- AF Joint Base Andrews PAR Land Acquisition
- AF Joint Base Andrews Presidential Aircraft Recap Complex

**Massachusetts**
- AF Hanscom AFB Vandenberg Gate Complex

**Nevada**
- AF Nellis AFB Red Flag 5th Gen Facility Addition
- AF Nellis AFB Virtual Warfare Center Operations Facility

**New Jersey**
- AF McGuire-Dix-Lakehurst KC-46A ADAL B1749 for ATGL & LsST Serv.
- AF McGuire-Dix-Lakehurst KC-46A ADAL B1343 for Supply
- AF McGuire-Dix-Lakehurst KC-46A ADAL B2319 for Boom Operator Trainer
- AF McGuire-Dix-Lakehurst KC-46A ADAL B2324 Regional Mx Training Fac
- AF McGuire-Dix-Lakehurst KC-46A ADAL B3209 for Fuselage Trainer
- AF McGuire-Dix-Lakehurst KC-46A Add to B137/37 for Body Tanks Storage
- AF McGuire-Dix-Lakehurst KC-46A Aerospace Ground Equipment Storage
- AF McGuire-Dix-Lakehurst KC-46A Alter Apron & Fuel Hydrants
- AF McGuire-Dix-Lakehurst KC-46A Alter Bldgs for Ops and TPI AMU-AMXS
- AF McGuire-Dix-Lakehurst KC-46A Alter Facilities for Maintenance
- AF McGuire-Dix-Lakehurst KC-46A Two-Bay General Purpose Maintenance Hangar

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<table>
<thead>
<tr>
<th>Account</th>
<th>State/Country and Installation</th>
<th>Project Title</th>
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<th>House Agreement</th>
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<td>Dangerous Cargo Pad Relocate CATM</td>
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<td>New Mexico AF Holloman AFB</td>
<td>RPA Fixed Ground Control Station Facility</td>
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<td>AP</td>
<td>New Mexico AF Kirtland Air Force Base</td>
<td>Fire Station</td>
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**HR 2810 EH**
### SEC. 4601. MILITARY CONSTRUCTION

(In Thousands of Dollars)

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**Military Construction, Army Reserve Total**

| California | N/MC Res Lemoore Naval Operational Support Center Lemoore | 17,330 | 17,330 |
| Georgia    | N/MC Res Fort Gordon Naval Operational Support Center Fort Gordon | 17,797 | 17,797 |
| New Jersey | N/MC Res McGuire-Dix-Lakehurst Aircraft Apron, Taxiway & Support Facilities | 11,573 | 11,573 |
| Texas      | N/MC Res Fort Worth KC130-J EACTS Facility | 12,637 | 12,637 |
| Worldwide Unspecified | N/MC Res Unspecified Worldwide Locations Planning and Design | 4,430 | 4,430 |
| Worldwide Unspecified | N/MC Res Unspecified Worldwide Locations Unspecified Minor Construction | 1,504 | 1,504 |

**Military Construction, Naval Reserve Total**

| California | Air NG March AFB TFI Construct RPA Flight Training Unit | 15,000 | 15,000 |
| Colorado   | Air NG Peterson AFB Space Control Facility | 8,000 | 8,000 |
| Connecticut | Air NG Bradley IAP Construct Base Entry Complex | 7,000 | 7,000 |
| Indiana    | Air NG Fort Wayne International Airport Add to Building 744 for Weapons Release | 0 | 1,900 |
| Kentucky   | Air NG Holman Regional Airport Construct Small Arms Range | 0 | 8,000 |
| Louisville | Air NG Add/Alter Response Forces Facility | 9,000 | 9,000 |
| Mississippi | Air NG Jackson International Airport Construct Small Arms Range | 0 | 8,000 |
| Missouri   | Air NG Roscrans Memorial Airport Replace Communications Facility | 10,000 | 10,000 |
| Ohio       | Air NG Hance Field Add to Flight Training Unit, Building 641 | 6,800 | 6,800 |
| Oklahoma   | Air NG Redbird Air National Airport Construct Small Arms Range | 0 | 8,000 |
| Ohio       | Air NG Toledo Express Airport NORTHCOM—Construct Alert Hangar | 15,000 | 15,000 |
| Oklahoma   | Air NG Tulsa International Airport Construct Small Arms Range | 0 | 8,000 |
| Oregon     | Air NG Klamath Falls LMP Construct Corrosion Control Hangar | 10,500 | 10,500 |
| South Dakota | Air NG Klamath Falls LMP Construct Indoor Range | 8,000 | 8,000 |
| Tennessee  | Air NG Joe Puss Field Aircraft Maintenance Shops | 12,000 | 12,000 |
| Texas      | Air NG McGoey-Tyson Airport Replace KC–135 Maintenance Hangar and Shops | 25,000 | 25,000 |
| Wisconsin  | Air NG Dane County Regional Airport/Truax Field Construct Small Arms Range | 0 | 8,000 |
| Worldwide Unspecified | Air NG Unspecified Worldwide Locations Planning and Design | 18,000 | 18,000 |
| Worldwide Unspecified | Air NG Unspecified Worldwide Locations Unspecified Minor Construction | 17,191 | 17,191 |

**Military Construction, Air National Guard Total**

| Florida    | AP Res Patrick AFB Guardian Angel Facility | 25,000 | 25,000 |
| Georgia    | AP Res Robins Air Force Base Consolidated Mission Complex Phase 2 | 0 | 32,000 |
| Guam       | AP Res Joint Region Marianas Reserve Medical Training Facility | 5,200 | 5,200 |

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### SEC. 4601. MILITARY CONSTRUCTION

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**Military Construction, Air Force Reserve Total**                          63,535      107,635

| FH Con Army   | Fort Gordon, Georgia          | Family Housing New Construction             | 6,100           | 6,100           |
| FH Con Army   | Baumholder, Germany           | Construction Improvements                   | 34,156          | 34,156          |
| FH Con Army   | South Camp Ville, Korea       | Family Housing New Construction (36 Units)  | 22,445          | 22,445          |
| FH Con Army   | Camp Humphreys, Okinawa       | Family Housing New Construction Inr 2       | 34,402          | 34,402          |
| FH Con Army   | Kwajalein, Okinawa, Mass.     | Family Housing Replacement Construction     | 31,000          | 31,000          |
| FH Con Army   | Natick, Massachusetts         | Family Housing Replacement Construction     | 21,000          | 21,000          |
| FH Con Army   | Worldwide Unspecified Locations | Planning & Design                           | 33,559          | 33,559          |
| FH Con Army   | Unspecified Worldwide Locations | Prior Year Savings: Family Housing Construction, Army | 0                | 18,000          |

**Family Housing Construction, Army Total**                          182,662      164,662

| FH Ops Army   | Worldwide Unspecified Locations | Furnishings                             | 12,816          | 12,816          |
| FH Ops Army   | Unspecified Worldwide Locations | Housing Privatization Support           | 20,893          | 20,893          |
| FH Ops Army   | Unspecified Worldwide Locations | Leasing                                 | 148,538         | 148,538         |
| FH Ops Army   | Unspecified Worldwide Locations | Maintenance                             | 57,708          | 57,708          |
| FH Ops Army   | Unspecified Worldwide Locations | Management                              | 37,089          | 37,089          |
| FH Ops Army   | Unspecified Worldwide Locations | Miscellaneous                           | 400             | 400             |
| FH Ops Army   | Unspecified Worldwide Locations | Services                                | 8,930           | 8,930           |
| FH Ops Army   | Unspecified Worldwide Locations | Utilities                               | 60,251          | 60,251          |

**Family Housing Operation And Maintenance, Army Total**                          346,625      346,625

| FH Con Navy   | SW Asia, Mariana Islands       | Construct on-Base GPOQ                   | 2,138           | 2,138           |
| FH Con Navy   | Guam                          | Replace Andersen Housing PII             | 40,875          | 40,875          |
| FH Con Navy   | Worldwide Unspecified Locations | Construction Improvements               | 36,251          | 36,251          |
| FH Con Navy   | Worldwide Unspecified Locations | Planning & Design                       | 4,418           | 4,418           |
| FH Con Navy   | Worldwide Unspecified Locations | Prior Year Savings: Family Housing Construction, NMC | 0                | –8,000          |

**Family Housing Construction, Navy And Marine Corps Total**                          83,682       75,682

<p>| FH Ops Navy   | Worldwide Unspecified Locations | Furnishings                             | 14,329          | 14,329          |
| FH Ops Navy   | Unspecified Worldwide Locations | Housing Privatization Support           | 27,587          | 27,587          |</p>
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Family Housing Operation And Maintenance, Navy And Marine Corps Total

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Family Housing Construction, Air Force Total

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Family Housing Operation And Maintenance, Air Force Total

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Family Housing Operation And Maintenance, Defense-Wide Total

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1 SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

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## SEC. 4002. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS

### (In Thousands of Dollars)

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## TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

#### Discretionary Summary By Appropriation

- **Energy And Water Development, And Related Agencies**

  **Appropriation Summary:**

  **Energy Programs**

  **Nuclear Energy** ............................................................... 133,000  133,000

  **Atomic Energy Defense Activities**

  **National nuclear security administration:**

  **Weapons activities** ........................................................ 10,239,344  10,423,544

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<td>Pulsed power inertial confinement fusion</td>
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*HR 2810 EH*
### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(In Thousands of Dollars)

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<tr>
<th>Program</th>
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<th>House Authorized</th>
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<tr>
<td><strong>Hanford site:</strong></td>
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<td>River corridor and other cleanup operations</td>
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<td>Central plateau remediation</td>
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<td>Los Alamos National Laboratory</td>
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<td>Waste treatment and immobilization plant</td>
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<td>Rad liquid tank waste stabilization and disposition</td>
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Other Defense Activities

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<td>Radioactive liquid tank waste</td>
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<td>Total, Savannah River site</td>
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<td>Waste Isolation Pilot Plant</td>
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<td>Operations and maintenance</td>
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<td>Savannah River Site</td>
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Other Defense Activities

Environment, health, safety and security

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Independent enterprise assessments

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Specialized security activities

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Office of Legacy Management

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Defense-related activities

Defense related administrative support

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Passed the House of Representatives July 14, 2017.

Attest:

Clerk.
H.R. 2810

AN ACT

To authorize appropriations for fiscal year 2018 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.